

TITLE 39.—THE POSTAL SERVICE

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CROSS REFERENCE

Post Office Department; see chapter 6 of Title 5, EXECUTIVE DEPARTMENTS AND GOVERNMENT OFFICERS AND EMPLOYEES.

Chapter 1.—POST OFFICES.

Sec.

1. Establishment of post offices.
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11. Rental of first, second, and third class post offices.
12. Monthly payment of rental for post offices.
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Section 1. Establishment of post offices.—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 General Accounting Office. (R. S. § 3829; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

2. Discontinuing offices.—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 General Accounting Office. (R. S. § 3864; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

3. Offices at county seats continued.—No post office established at any county seat shall be abolished or discontinued by reason of any consolidation of post offices made by the Postmaster General, and any such post office at a county seat heretofore consolidated shall be established as a separate post office at such county seat. This provision shall not apply to the city of Cambridge, Massachusetts, or to Towson, Maryland, or to Clayton, Saint Louis County, Missouri. (June 9, 1896, c. 386, 29 Stat. 313; Aug. 24, 1912, c. 389, § 1, 37 Stat. 545.)

4. Post offices to be kept open.—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, except as provided in section 5 of this title, for the purpose of receiving, delivering, making up, and forwarding all mail matter received thereat. (R. S. § 3839.)

5. Sundays; first and second classes excepted.—Post offices of the first and second classes shall not be open on Sundays for the purpose of delivering mail to the general public, but this provision shall not prevent the prompt delivery of special delivery mail. (Aug. 24, 1912, c. 389, § 1, 37 Stat. 543.)

6. Making up mail.—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. (R. S. § 3840.)

7. Arrival and departure of mail.—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. (R. S. § 3841.)

8. Disposal of useless papers.—The Postmaster General is hereby authorized to sell as waste paper or otherwise dispose of the files of papers which have accumulated or may accumulate in post offices, that are not needed in the transaction of current business and have no permanent value or historical interest, and pay the proceeds of said sales into the Treasury as postal revenues. (May 11, 1906, c. 2448, 34 Stat. 186.)

9. Rewards for detection of post-office burglars.—Rewards may be paid for the detection, arrest, and conviction of post-office burglars, robbers, and highway mail robbers, or, in the discretion of the Postmaster General, when an offender of the class mentioned is killed in the act of committing the crime or in resisting lawful arrest. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1059; June 19, 1922, c. 227, § 1, 42 Stat. 655; Feb. 14, 1923, c. 79, § 1, 42 Stat. 1251; Apr. 4, 1924, c. 84, Title II, 43 Stat. 85; Dec. 5, 1924, c. 4, § 1, 43 Stat. 690; Jan. 22, 1925, c. 87, Title II, 43 Stat. 784; Mar. 4, 1925, c. 556, § 1, 43 Stat. 1337.)

10. Premises leased for post offices.—Whenever any building or part of a building under lease becomes unfit for use as a post office, no rent shall be paid until the same shall be put in a satisfactory condition by the owner thereof for occupation as a post office, or the lease may be canceled, at the option of the Postmaster General. (Mar. 3, 1885, c. 342, § 1, 23 Stat. 386; June 19, 1922, c. 227, § 1, 42 Stat. 656.)

11. Rental of first, second, and third class post offices.—The Postmaster General may, in the disbursement of the appropriation for rent, light, and fuel for first, second, and third class post offices, apply a part thereof to the purpose of leasing premises for the use of post offices of the first, second, and third classes at a reasonable annual rental, to be paid monthly for a term not exceeding twenty years. (July 24, 1888, c. 702, § 1, 25 Stat. 345; Apr. 24, 1920, c. 161, § 1, 41 Stat. 578; Mar. 3, 1925, c. 420, 43 Stat. 1105.)

12. Monthly payment of rental for post offices.—The Postmaster General may make monthly payment of rental for post-office premises under lease. (Mar. 3, 1925, c. 420, 43 Stat. 1105.)

13. Restrictions on allowances for rent for third-class offices.—The aggregate allowance for rent of third-class post offices made in any year shall not exceed the amount appropriated for such purpose. (July 24, 1888, c. 702, § 1, 25 Stat. 345.)

Chapter 2.—POSTMASTERS.

Sec.

31. Appointment and removal; tenure of office.
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55. Salary of postmaster at Washington.
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Section 31. Appointment and removal; tenure of office.—Postmasters of the first, second, and third classes 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; and postmasters of the fourth class shall be appointed and may be removed by the Postmaster General, by whom all appointments and removals shall be notified to General Accounting Office. (July 12, 1876, c. 179, § 6, 19 Stat. 80; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

32. Residence.—Every postmaster shall reside within the delivery of the office to which he is appointed or within the town or city where the same is situated. (Apr. 28, 1904, c. 1759, § 8, 33 Stat. 441.)

33. Oaths to expense accounts.—Postmasters and assistant postmasters are required, empowered, and authorized, when requested, to administer oaths, required by law or otherwise, to accounts for travel or other expenses against the United States, with like force and effect as officers having a seal; for such services when so rendered, or when rendered on demand by notaries public, who at the time are also salaried officers or employees of the United States, no charge shall be made; and

no fee or money paid for the services herein described shall be paid or reimbursed by the United States. (Aug. 24, 1912, c. 355, § 8, 37 Stat. 487.)

34. Bond.—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 law or the rules and regulations of the department. On the death, resignation, or removal of a postmaster, his bond shall be delivered to the Bureau of Accounts in the Post Office Department. 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. (R. S. § 3834; Mar. 1, 1909, c. 232, 35 Stat. 670; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

35. Approval of bonds.—The bonds of all postmasters may by the direction of the Postmaster General be approved and accepted, and the approval and acceptance signed by the First Assistant Postmaster General or by the Fourth Assistant Postmaster General in the name of the Postmaster General. (Mar. 3, 1877, c. 103, § 2, 19 Stat. 335; Dec. 21, 1893, c. 6, 28 Stat. 21.)

36. New bonds; application of payments.—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 Comptroller General deem it just, be applied first to discharge any balance which may be due from such postmaster under his old bond. (R. S. § 3835; Feb. 4, 1879, c. 45, 20 Stat. 281.)

37. Deficiency in accounts; notice to sureties.—When a deficiency shall be discovered in the accounts of any postmaster, who after the adjustment of his accounts fails, to make good such deficiency, it shall be the duty of the General Accounting Office to notify the Postmaster General of such failure, and upon receiving such notice the Postmaster General shall forthwith deposit a notice in the post office at Washington, District of Columbia, addressed to the sureties respectively upon the bonds of said postmaster, at the office where he or they may reside, if known; but a failure to give or mail such notice shall not discharge such surety or sureties upon such bond. (R. S. § 3835; Feb. 4, 1879, c. 45, 20 Stat. 281; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

38. Time of sureties' liability.—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. When a person designated to act as postmaster under section 39 of this title shall have taken charge of such post office, the liability of the sureties of the former postmaster shall cease. (R. S. § 3836.)

39. Vacancies; ad interim appointments; bonds of appointees; regular appointments to fill vacancies.—Whenever the office of a postmaster becomes vacant through death, resignation, or removal, the Postmaster General shall designate some person to act as postmaster until a regular appointment can be made by the President in case the office is in the first, second, or third class, and by the Postmaster General when the office is in the fourth class; and the Postmaster General shall notify the General Accounting Office of the change. The postmaster so appointed shall be responsible under his bond for the safe-keeping of the public property pertaining to the post office and the performance of the duties of his office until

a regular postmaster has been duly appointed and qualified and has taken possession of the office. Whenever a vacancy occurs from any cause the appointment of the regular postmaster shall be made without unnecessary delay and the Postmaster General shall promptly notify the General Accounting Office of the change. (R. S. § 3836; Mar. 1, 1921, c. 88, § 1, 41 Stat. 1151; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

40. Release of sureties on bond.—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. (R. S. § 3838.)

41. Records at post offices.—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 post-office inspector. (R. S. §§ 3842, 4017; June 11, 1880, c. 206, § 1, 21 Stat. 177.)

42. Quarterly accounts of receipts.—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. (R. S. § 3843.)

43. Same; to be sworn to.—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. (R. S. § 3844.)

44. Neglect to render accounts.—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. (R. S. § 3845.)

45. Withholding commissions based on false returns; affidavit to returns.—In any case where the Postmaster General shall be satisfied that a postmaster has made a false return of business, it shall be within his discretion to withhold commissions on such returns, and to allow any compensation that under the circumstances he may deem reasonable. The form of affidavit to be made by postmasters upon their returns shall be such as may be prescribed by the Postmaster General. (June 17, 1878, c. 259, § 1, 20 Stat. 141.)

46. Money to be safely kept.—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. (R. S. § 3846.)

47. Custody of money in hands of postmasters.—Any postmaster, having public money belonging to the Government, at an office within a city or town where there is no designated depository, may deposit the same temporarily, at his own risk and in his official capacity, in any national or State bank in the State in which the said postmaster resides, or in which his office is located, or within a reasonable radius of his post office in an adjacent State, but no authority or permission is or shall be given for the payment to or receipt by a postmaster or any other person, of interest, directly or indirectly, on any deposit made as herein described. (R. S. § 3847; May 27, 1908, c. 206, 35 Stat. 415.)

48. Frequent deposits of revenues.—Postmasters shall deposit the postal revenues and all money accruing at their office, as often as once a week at least, and as much oftener as the Postmaster General may direct. (R. S. § 3848.)

49. Adjustment of claims of postmasters and Navy mail clerks for losses by burglary and fire.—The Postmaster General may investigate all claims of postmasters, Navy mail clerks, and assistant Navy mail clerks, for the loss of money-order funds, postal funds, postal savings funds, postage stamps, stamped envelopes, newspaper wrappers, postal cards, postal savings cards, postal savings stamps, postal savings certificates, United States war savings certificate stamps, United States Government thrift stamps, war-tax revenue stamps, and funds received from the sale of such stamps belonging to the United States in the hands of such postmasters, Navy mail clerks, or assistant Navy mail clerks, and for the loss of key-deposit funds, funds deposited to cover postage on mailings, and funds received as deposits to cover orders for stamped envelopes, in the hands of such postmasters, Navy mail clerks, or assistant Navy mail clerks, resulting from burglary, fire, or other unavoidable casualty, and if he shall determine that such loss resulted from no fault or negligence on the part of such postmasters, Navy mail clerks, or assistant Navy mail clerks, may pay to such postmasters, Navy mail clerks, or assistant Navy mail clerks, or credit them with the amount so ascertained to have been lost or destroyed, and may also credit postmasters, Navy mail clerks, or assistant Navy mail clerks with the amount of any remittance of money-order funds, postal funds, postal savings funds or funds received from the sale of United States war savings certificate stamps, United States Government thrift stamps, and war tax revenue stamps, made by them in compliance with the instructions of the Postmaster General, which shall have been lost or stolen while in transit by mail from the office of the remitting postmaster, Navy mail clerk, or assistant Navy mail clerk to the office designated as his depository, or after arrival at such depository office and before the postmaster at such depository office has become responsible therefor. No claim exceeding the sum of \$10,000 shall be paid or credited until after the facts shall have been ascertained by the Postmaster General and reported to Congress, together with his recommendation thereon, and an appropriation made therefor. All such claims must be presented within six months from the time the loss occurred. The Postmaster General shall report his action herein to Congress annually with his reasons therefor in each particular case. (Mar. 17, 1882, c. 41, § 1, 22 Stat. 29; May 9, 1888, c. 231, § 1, 25 Stat. 135; June 11, 1896, c. 424, 29 Stat. 458; Jan. 21, 1914, c. 12, § 1, 38 Stat. 279; May 18, 1916, c. 126, § 14, 39 Stat. 163; July 2, 1918, c. 117, § 10, 40 Stat. 754.)

50. Postmasters as disbursing officers.—Postmasters may be designated by the Postmaster General as disbursing officers for the payment of mail messengers and others engaged under their supervision in transporting the mails. He may also designate postmasters at presidential post offices as disbursing officers for the payment of the salaries of the officers and

employees of the postal service concerned in the transportation of mails or in their distribution in transit, and for such other payments as they are authorized to make from postal revenues, and he may designate postmasters at money-order post offices as disbursing officers for the payment of the salaries of officers and employees of the postal service, and for such other payments as postmasters are authorized to make from postal revenues. (May 4, 1882, c. 116, § 1, 22 Stat. 54; July 5, 1884, c. 234, § 1, 23 Stat. 156; July 28, 1916, c. 261, § 1, 39 Stat. 418; June 3, 1924, c. 237, 43 Stat. 356.)

51. Report of delinquencies.—Every postmaster shall promptly report to the Postmaster General every delinquency, neglect, or malpractice of contractors, their agents or carriers, which comes to his knowledge. (R. S. § 3849.)

52. Postmasters not to be contractors.—No postmaster, assistant postmaster, or clerk employed in any post office shall be a contractor or concerned in any contract for carrying the mail. (R. S. § 3850.)

53. Classification of postmasters and employees of Postal Service and adjustment of salaries and compensation.—Postmasters and employees of the Postal Service shall be classified and their salaries and compensation adjusted, except as otherwise provided as follows:

Postmasters shall be divided into four classes, as follows:

The first class shall embrace all those whose annual salaries are \$3,200 or more.

The second class shall embrace all those whose annual salaries are less than \$3,200, but not less than \$2,400.

The third class shall embrace all those whose annual salaries are less than \$2,400, but not less than \$1,100.

The fourth class shall embrace all postmasters whose annual compensation amounts to less than \$1,100, exclusive of commissions on money orders issued. (Feb. 28, 1925, c. 368, § 1, 43 Stat. 1053.)

54. Same; compensation of postmasters of first, second, and third classes to be annual salaries payable semimonthly; computation of salaries of respective classes; transfer of third-class offices to fourth class.—The respective compensation of postmasters of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in semimonthly payments to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the General Accounting Office, or copies of duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, based on gross postal receipts at the following rates, namely:

First class—\$40,000, but less than \$50,000, \$3,200; \$50,000, but less than \$60,000, \$3,300; \$60,000, but less than \$75,000, \$3,400; \$75,000, but less than \$90,000, \$3,500; \$90,000, but less than \$120,000, \$3,600; \$120,000, but less than \$150,000, \$3,700; \$150,000, but less than \$200,000, \$3,800; \$200,000, but less than \$250,000, \$3,900; \$250,000, but less than \$300,000, \$4,000; \$300,000, but less than \$400,000, \$4,200; \$400,000, but less than \$500,000, \$4,500; \$500,000, but less than \$600,000, \$5,000; \$600,000, but less than \$7,000,000, \$6,000; \$7,000,000 and upward, \$8,000.

Second class—\$8,000, but less than \$12,000, \$2,400; \$12,000, but less than \$15,000, \$2,500; \$15,000, but less than \$18,000, \$2,600; \$18,000, but less than \$22,000, \$2,700; \$22,000, but less than \$27,000, \$2,800; \$27,000, but less than \$33,000, \$2,900; \$33,000, but less than \$40,000, \$3,000.

Third class—\$1,500, but less than \$1,600, \$1,100; \$1,600, but less than \$1,700, \$1,200; \$1,700, but less than \$1,900, \$1,300; \$1,900, but less than \$2,100, \$1,400; \$2,100, but less than \$2,400, \$1,500; \$2,400, but less than \$2,700, \$1,600; \$2,700, but less than \$3,000, \$1,700; \$3,000, but less than \$3,500, \$1,800; \$3,500, but less than \$4,200, \$1,900; \$4,200 but less than \$5,000, \$2,000; \$5,000, but less than \$6,000, \$2,100; \$6,000, but less than \$7,000, \$2,200; \$7,000, but less than \$8,000, \$2,300. When the gross

postal receipts of a post office of the third class for each of two consecutive calendar years are less than \$1,500, or when in any calendar year the gross postal receipts are less than \$1,400, it shall be relegated to the fourth class.

In order to ascertain the amount of the postal receipts of each office, the Postmaster General may require postmasters to furnish the department with certified copies of their quarterly returns to the Bureau of Accounts in the Post Office Department at such times and for such periods as he may deem necessary in each case. (Mar. 3, 1875, c. 128, § 1, 18 Stat. 340; Mar. 3, 1883, c. 142, §§ 1, 4, 22 Stat. 600, 602; Feb. 7, 1900, c. 11, 31 Stat. 6; Mar. 3, 1903, c. 1009, § 1, 32 Stat. 1166; May 27, 1908, c. 206, 35 Stat. 407; Mar. 4, 1911, c. 241, § 1, 36 Stat. 1329; July 28, 1916, c. 261, § 1, 39 Stat. 413; Oct. 28, 1919, c. 86, 41 Stat. 323; Feb. 28, 1925, c. 368, § 1, 43 Stat. 1053.)

55. Salary of postmaster at Washington.—In fixing the salary of the postmaster in the post office at Washington, District of Columbia, the Postmaster General may, in his discretion, add not to exceed 75 per centum to the gross receipts of that office. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

56. Postmasters' salaries; certain sales of stamps not included.—In determining the gross receipts upon which the salary of a postmaster shall be based, stamps, stamped envelopes, and postal cards sold in large or unusual quantities to any person to be used in mailing matter at other post offices, or in mailing matter diverted from other offices, shall not be included, whether the sale be made with or without solicitation by the postmaster. (Mar. 9, 1914, c. 33, 38 Stat. 296.)

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, and postal cards canceled, on matter actually mailed at their offices, 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 without postage stamps affixed, and on postage collected in money on matter of the first class mailed without postage stamps affixed, and on amounts received from waste paper, dead newspapers, printed matter, and twine sold, at the following rates, namely:

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. In no case shall there be allowed any postmaster of this class a compensation greater than \$300 in any one of the first three quarters of the fiscal year, exclusive of money-order commissions, and in the last quarter of each fiscal year there shall be allowed such further sums as he may by law be entitled to, not exceeding for the whole fiscal year the sum of \$1,100, exclusive of money-order commissions. (Mar. 3, 1883, c. 142, § 2, 22 Stat. 602; Feb. 28, 1925, c. 368, § 1, 43 Stat. 1054.)

58. Additional compensation to fourth-class postmasters for separating services and for unusual conditions during portion of year.—The Postmaster General may allow to fourth-class postmasters additional compensation for separating services and for unusual conditions during a portion of the year, in lieu of an allowance for clerical services for this purpose. (May 12, 1910, c. 230, 36 Stat. 359.)

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 commissions on money orders 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.)

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 provisions of section 59 of this title. 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.)

61. Salaries; orders relating to.—The Postmaster General shall make all orders relative to the salaries of postmasters; and any change made in such salaries shall not take effect until the first day of the quarter next following the order; and the General Accounting Office shall be notified of any and all changes of salaries. (Mar. 3, 1883, c. 142, § 3, 22 Stat. 602; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

62. Same; limit of pay.—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 provided by law. (R. S. § 3857.)

63. Salaries of acting postmasters.—Any person performing the duties of postmaster, by authority of the President, at any post office where there is a vacancy for any cause, shall receive for the term for which the duty is performed the same compensation to which he would have been entitled if regularly appointed and confirmed as such postmaster. (Mar. 3, 1879, c. 180, § 31, 20 Stat. 362.)

64. Post offices; expenses.—The Postmaster General may allow 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, 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. (R. S. § 3860.)

65. Deductions out of receipts.—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. (R. S. § 3861.)

66. Same; audit of vouchers.—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 to the Bureau of Accounts in the Post Office Department, who shall transmit them for settlement to the General Accounting Office, and no such deduction shall be valid unless found to be in conformity with law. (R. S. § 3862; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

Chapter 3.—ASSISTANT POSTMASTERS, AND CLERKS AND EMPLOYEES.

Sec.

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Section 81. Allowance for clerk hire at third-class post offices.—Postmasters at offices of the third class shall be granted for clerk hire an allowance of \$240 per annum where the salary of the postmaster is \$1,100 per annum; an allowance of \$330 per annum where the salary of the postmaster is \$1,200 per annum; an allowance of \$420 per annum where the salary of the postmaster is \$1,300 per annum; an allowance of \$510 per annum where the salary of the postmaster is \$1,400 per annum; an allowance of \$600 per annum where the salary of the postmaster is \$1,500 per annum; an allowance of \$690 per annum where the salary of the postmaster is \$1,600 per annum; an allowance of \$780 per annum where the salary of the postmaster is \$1,700 per annum; an allowance of \$870 per annum where the salary of the postmaster is \$1,800 per annum; an allowance of \$960 per annum where the salary of the postmaster is \$1,900 per annum; an allowance of \$1,050 per annum where the salary of the postmaster is \$2,000 per annum; an allowance of \$1,140 per annum where the salary of the postmaster is \$2,100 per annum; an allowance of \$1,400 per annum where the salary of the postmaster is \$2,200 per annum; an allowance of \$1,600 per annum where the salary of the postmaster is \$2,300 per annum. The Postmaster General may modify these allowances for clerk hire to meet varying needs, but in no case shall they be reduced by such modification more than 25 per centum: *Provided, however,* That the aggregate of such allowances, as modified, shall not exceed in any fiscal year the aggregate of allowances herein prescribed for postmasters of the third class. (Mar. 3, 1875, c. 128, § 1, 18 Stat. 340; Mar. 3, 1883, c. 142, §§ 1, 4, 22 Stat. 600, 602; Feb. 7, 1900, c. 11, 31 Stat. 6; Mar. 3, 1903, c. 1009, § 1, 32 Stat. 1166; May 27, 1908, c. 206, 35 Stat. 407; Mar. 4, 1911, c. 241, § 1, 36 Stat. 1329; July 28, 1916, c. 261, § 1, 39 Stat. 413; Oct. 28, 1919, c. 86, 41 Stat. 323; Feb. 28, 1925, c. 368, § 1, 43 Stat. 1053.)

82. Distributing offices; allowance for clerk hire.—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 or fourth class, he may make a reasonable allowance to the postmaster for the necessary cost of clerical services arising from such duties. (July 12, 1876, c. 179, § 11, 19 Stat. 82.)

83. Clerk-hire allowances to postmasters of first, second, and third class; what to cover.—The allowances for clerk hire made to postmasters of the first, second, and third class post offices by the Postmaster General out of the annual appropriations therefor shall cover the cost of clerical service of all kinds in such post offices, including the cost of clerical labor in the money-order business, and excepting allowances for separating mails at third-class post offices, as provided by law. (Feb. 28, 1925, c. 368, § 1, 43 Stat. 1054.)

84. Clerk hire for third-class postmasters on leave without pay for military purposes.—Where postmasters at offices of the third class are granted leave without pay for military purposes, the Postmaster General may allow, in addition to the maximum amounts which may otherwise be allowed such offices for clerk hire, in accordance with law, an amount not to exceed 50 per centum of the salary of the postmaster. (Oct. 3, 1917, c. 63, § 1109, 40 Stat. 329.)

85. Appointment and assignment of clerks.—The appointment and assignment of clerks at first and second class post offices shall be so made during each fiscal year as not to involve a greater aggregate expenditure than the sum appropriated. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1060; Apr. 24, 1920, c. 161, § 1, 41 Stat. 577.)

86. Salaries of employees other than in automatic grades at offices of first class; computation.—At offices of the first class the annual salaries of the employees, other than those in the automatic grades, shall be in even hundreds of dollars, based on the gross postal receipts for the preceding calendar year, as follows:

Receipts \$40,000, but less than \$50,000—assistant postmaster, \$2,600; superintendent of mails, \$2,400. Receipts \$50,000, but less than \$60,000—assistant postmaster, \$2,600; superintendent of mails, \$2,400. Receipts \$60,000, but less than \$75,000—assistant postmaster, \$2,600; superintendent of mails, \$2,400. Receipts \$75,000, but less than \$90,000—assistant postmaster, \$2,700; superintendent of mails, \$2,500. Receipts \$90,000, but less than \$120,000—assistant postmaster, \$2,700; superintendent of mails, \$2,600; foremen, \$2,500. Receipts \$120,000, but less than \$150,000—assistant postmaster, \$2,800; superintendent of mails, \$2,700; foremen, \$2,500. Receipts \$150,000, but less than \$200,000—assistant postmaster, \$2,900; superintendent of mails, \$2,800; foremen, \$2,500. Receipts \$200,000, but less than \$250,000—assistant postmaster, \$3,000; superintendent of mails, \$2,900; foremen, \$2,500. Receipts \$250,000, but less than \$300,000—assistant postmaster, \$3,100; superintendent of mails, \$3,000; assistant superintendent of mails, \$2,600; foremen, \$2,500. Receipts \$300,000, but less than \$400,000—assistant postmaster, \$3,200; superintendent of mails, \$3,100; assistant superintendent of mails, \$2,600; foremen, \$2,500. Receipts \$400,000, but less than \$500,000—assistant postmaster, \$3,300; superintendent of mails, \$3,200; assistant superintendent of mails, \$2,600; foremen, \$2,500. Receipts \$500,000, but less than \$600,000—assistant postmaster, \$3,500; superintendent of mails, \$3,300; assistant superintendent of mails, \$2,600; foremen, \$2,500; postal cashier, \$2,900; money-order cashier, \$2,600. Receipts \$600,000, but less than \$1,000,000—assistant postmaster, \$3,700; superintendent of mails, \$3,500; assistant superintendent of mails, \$2,800; foremen, \$2,500; postal cashier, \$3,100; money-order cashier, \$2,800. Receipts \$1,000,000, but less than \$2,000,000—assistant postmaster, \$3,900; superintendent of mails, \$3,700; assistant superintendents of mails, \$2,700, \$2,800, and \$3,100; foremen, \$2,500 and \$2,600; postal cashier, \$3,300; assistant cashiers, \$2,600; money-order cashier, \$3,000; bookkeepers, \$2,400; station examiners, \$2,400. Receipts \$2,000,000, but less than \$3,000,000—assistant postmaster, \$4,000; superintendent of mails, \$3,800; assistant superintendents of mails, \$2,700, \$2,800, \$2,900, and \$3,100; foremen, \$2,500 and \$2,600; postal cashier, \$3,400; assistant cashiers, \$2,600 and \$2,900; money-order cashier, \$3,100; bookkeepers, \$2,400 and \$2,500; station examiners, \$2,600. Receipts \$3,000,000, but less than \$5,000,000—assistant postmaster, \$4,100; superintendent of mails, \$3,900; assistant superintendents of mails, \$2,700, \$2,800, \$3,100, and \$3,500; foremen, \$2,500 and \$2,600; postal cashier, \$3,600; assistant cashiers, \$2,600, \$2,800, and \$3,100; money-order cashier, \$3,300; bookkeepers, \$2,400 and \$2,500; station examiners, \$2,600 and \$2,800. Receipts \$5,000,000, but less than \$7,000,000—assistant postmaster, \$4,300; superintendent of mails, \$4,100; assistant superintendents of mails, \$2,700, \$2,800, \$3,100, \$3,300, and \$3,700; foremen, \$2,500 and \$2,600; postal cashier, \$3,800; assistant cashiers, \$2,600, \$2,900, and \$3,100; money-order cashier, \$3,500; bookkeepers, \$2,400, \$2,500, and \$2,600; station examiners, \$2,600 and \$2,800. Receipts \$7,000,000, but less than \$9,000,000—assistant postmaster, \$4,600; superintendent of mails, \$4,300; assistant superintendents of mails, \$2,700, \$2,800, \$3,100, \$3,500, and \$3,900; foremen, \$2,500 and \$2,600; postal cashier, \$4,000; assistant cashiers, \$2,600, \$2,800, \$3,100, and \$3,400; money-order cashier, \$3,600; bookkeepers, \$2,400, \$2,500, and \$2,600; station examiners, \$2,600 and \$2,800. Receipts \$9,000,000, but less than \$20,000,000—assistant postmasters, \$4,700 and \$4,800; superintendent of mails, \$4,500; assistant superintendents of mails, \$2,800, \$2,900, \$3,100,

\$3,500, \$3,700, and \$4,100; foremen, \$2,500, \$2,600, and \$2,700; postal cashier, \$4,100; assistant cashiers, \$2,600, \$2,800, \$3,200, and \$3,600; money-order cashier, \$3,700; bookkeepers, \$2,400, \$2,500, \$2,600, and \$2,800; station examiners, \$2,600 and \$2,800. Receipts \$20,000,000 and upward,—assistant postmasters, \$4,800 and \$4,900; superintendent of mails, \$4,700; assistant superintendents of mails, \$2,800, \$2,900, \$3,100, \$3,500, \$3,900, and \$4,100; superintendent of delivery, \$4,700; assistant superintendents of delivery, \$2,800, \$2,900, \$3,100, \$3,500, \$3,900, and \$4,100; foremen, \$2,500, \$2,600, and \$2,700; superintendent of registry, \$4,300; assistant superintendents of registry, \$2,800, \$2,900, \$3,100, \$3,500, and \$4,100; superintendent of money order, \$4,300; assistant superintendent of money order, \$4,100; auditor, \$4,000; postal cashier, \$4,300; assistant cashiers, \$2,600, \$2,800, \$3,100, \$3,300, and \$3,800; money-order cashier, \$3,900; bookkeepers, \$2,400, \$2,600, \$2,800, and \$3,300; station examiners, \$2,600, \$2,800, and \$3,000. (Mar. 2, 1889, c. 374, § 1, 25 Stat. 841; Mar. 3, 1903, c. 1009, § 1, 32 Stat. 1166; May 27, 1908, c. 206, 35 Stat. 208; Mar. 3, 1917, c. 162, § 1, 39 Stat. 1062; Feb. 28, 1919, c. 69, § 2, 40 Stat. 1199; Feb. 28, 1925, c. 368, § 3, 43 Stat. 1056.)

87. Number of assistant postmasters at certain first-class post offices.—Not more than two assistant postmasters shall be employed at offices where the receipts are \$9,000,000 and upward. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

88. Assistant postmasters at second-class offices; salaries; computation.—At offices of the second class the annual salaries of assistant postmasters shall be in even hundreds of dollars, based on the gross postal receipts for the preceding calendar year, as follows: \$8,000, but less than \$10,000, \$2,200; \$10,000, but less than \$12,000, \$2,200; \$12,000, but less than \$15,000, \$2,200; \$15,000, but less than \$18,000, \$2,300; \$18,000, but less than \$22,000, \$2,300; \$22,000, but less than \$27,000, \$2,400; \$27,000, but less than \$33,000, \$2,400; \$33,000, but less than \$40,000, \$2,500. (Mar. 2, 1889, c. 374, § 1, 25 Stat. 814; Feb. 28, 1925, c. 368, § 3, 43 Stat. 1056.)

89. Assistant postmasters at certain third-class offices.—The Postmaster General may in the disbursement of the appropriation for clerical services at third-class post offices and within its limitation provide for the employment at a salary of \$900 per annum, unless increased under section 676 of Title 5, of assistant postmasters at post offices of the third class where the salary of the postmaster is \$2,200 or \$2,300 per annum. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1063; June 5, 1920, c. 254, 41 Stat. 1052; Feb. 28, 1925, c. 368, § 1, 43 Stat. 1053.)

90. Salaries of supervisory employees at Washington post office.—In fixing the salaries of the supervisory employees in the post office at Washington, District of Columbia, the Postmaster General may, in his discretion, add not to exceed 75 per centum to the gross receipts of that office. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

91. Number of assistant superintendents of mails, delivery, registry, and assistant cashiers to be paid maximum salaries.—Not more than one assistant superintendent of mails, one assistant superintendent of delivery, one assistant superintendent of registry, and one assistant cashier shall be paid the maximum salary provided for these positions, except where receipts are \$9,000,000 and less than \$14,000,000, to which offices two assistant superintendents of mail shall be assigned at the maximum salary, one to be in charge of city delivery. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

92. Employees in charge of records and adjustment of accounts in State depositories for surplus postal funds and central accounting offices; increased salaries.—At State depositories for surplus postal funds and central accounting offices, where the gross receipts are less than \$500,000, and no postal cashier is provided, the employee in charge of such records and adjustments of the accounts shall be allowed an increase

of \$200 per annum; if receipts are \$500,000 and less than \$5,000,000, the postal cashier shall be allowed an increase of \$200 per annum. At all central accounting offices where the bookkeeper in charge performs the duties of auditor, he shall be designated chief bookkeeper, at a salary equal to that of the assistant cashier of the highest grade at that office. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

93. Superintendents of classified stations; salaries; basis.—The salary of superintendents of classified stations shall be based on the number of employees assigned thereto and the annual postal receipts. No allowance shall be made for sales of stamps to patrons residing outside of the territory of the stations. At classified stations each \$25,000 of postal receipts shall be considered equal to one additional employee. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1057.)

94. Same; salaries; rates.—At classified stations the salary of the superintendent shall be as follows: One and not exceeding five employees, \$2,400; six and not exceeding eighteen employees, \$2,500; nineteen and not exceeding thirty-two employees, \$2,600; thirty-three and not exceeding forty-four employees, \$2,700; forty-five and not exceeding sixty-four employees, \$2,800; sixty-five and not exceeding ninety employees, \$2,900; ninety-one and not exceeding one hundred and twenty employees, \$3,000; one hundred and twenty-one and not exceeding one hundred and fifty employees, \$3,100; one hundred and fifty-one and not exceeding three hundred and fifty employees, \$3,300; three hundred and fifty-one and not exceeding five hundred employees, \$3,500; five hundred and one or more employees, \$3,800. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1057.)

95. Assistant superintendents of classified stations; salaries.—At classified stations having forty-five or more employees there shall be assistant superintendents of stations with salaries as follows: Forty-five and not exceeding sixty-four employees, \$2,400; sixty-five and not exceeding ninety employees, \$2,500; ninety-one and not exceeding one hundred and twenty employees, \$2,600; one hundred and twenty-one and not exceeding one hundred and fifty employees, \$2,700; one hundred and fifty-one and not exceeding three hundred and fifty employees, \$2,900; three hundred and fifty-one and not exceeding five hundred employees, \$3,100; five hundred and one employees and upward, \$3,400. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

96. Superintendents of delivery and assistant superintendents of delivery at certain post offices; salaries.—At post offices where the receipts are \$14,000,000 but less than \$20,000,000, there shall be a superintendent of delivery whose salary shall be the same as that provided for the superintendent of mails, and assistant superintendents of delivery at the salaries provided for assistant superintendents of mails. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

97. Promotion of supervisory employees on advancement of office to higher grade.—When an office advances to a higher grade because of increased gross postal receipts for a calendar year, promotion of all supervisory employees shall be made to the corresponding grade at the higher salary provided for the same titles or designations under the higher classification of the office based on its postal receipts. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

98. Minimum of salaries of employees in supervisory grades.—No employee in the supervisory grades shall receive a salary less than \$100 more than that paid to the highest grade of clerk or special clerk. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

99. Expenses of supervisory employees.—Supervisory employees of post offices shall be paid their actual expenses as fixed by law. (Feb. 28, 1925, c. 368, § 2, 43 Stat. 1055.)

100. Grades of certain employees designated by titles for which more than one grade of salary is provided.—In the readjustment of salaries of all employees above the highest grade

for special clerks, those designated on December 31, 1924, by titles for which more than one grade of salary is provided shall be placed in the same relative grade and designation and receive the increased salary provided for. (Feb. 28, 1925, c. 368, § 3, 43 Stat. 1058.)

101. Messengers, watchmen, and laborers in first and second class post offices; grades; salaries; promotion; substitute watchmen, etc.; pay.—Messengers, watchmen, and laborers in first and second class post offices shall be divided into two grades, as follows: First grade, salary \$1,500; second grade, salary \$1,600. Watchmen, messengers, and laborers shall be promoted to the second grade after one year's satisfactory service in grade 1. The pay of substitute watchmen, messengers, and laborers shall be at the rate of 55 cents per hour. (Feb. 28, 1925, c. 368, § 5, 43 Stat. 1060.)

102. Excess of number of clerks appropriated for for particular grades.—The Postmaster General to carry out the provisions of this chapter may exceed the number of clerks appropriated for for particular grades. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1002; Apr. 24, 1920, c. 161, § 1, 41 Stat. 577.)

103. Clerks in first and second class post offices and letter carriers in City Delivery Service; grades; salaries; readjustment of grades.—Clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into five grades as follows: First grade—salary, \$1,700; second grade—salary, \$1,800; third grade—salary, \$1,900; fourth grade—salary, \$2,000; fifth grade—salary, \$2,100. In the readjustment of grades for clerks at first and second class post offices and letter carriers in the City Delivery Service to conform to the grades herein provided, each of the various grades shall include the grade of the same number existing on December 31, 1924. (Mar. 2, 1907, c. 2513, 34 Stat. 1206; Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

104. Substitute clerks in first and second class offices and substitute letter carriers appointed regular clerks or carriers; credit for time served as substitutes.—Substitute clerks in first and second class post offices and substitute letter carriers in the City Delivery Service when appointed regular clerks or carriers shall have credit for actual time served on a basis of one year for each three hundred and six days of eight hours served as substitute, and appointed to the grade to which such clerk or carrier would have progressed had his original appointment as substitute been to grade 1. (Mar. 4, 1913, c. 143, 37 Stat. 796; Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

105. Substitute clerks at other than first and second class offices; other temporary employees.—Except as otherwise provided substitute clerks when assigned to perform the work of regular employees absent on vacations, or when performing auxiliary or temporary work, shall be paid at the rate of 30 cents an hour unless increased under section 676 of Title 5. Other temporary employees connected with the Postal Service shall be paid at the usual rate for each day's service. (Mar. 2, 1907, c. 2513, 34 Stat. 1213; Mar. 4, 1913, c. 143, 37 Stat. 796.)

106. Salaries of carriers and substitutes in Village Delivery Service.—The pay of carriers in the Village Delivery Service, under such rules and regulations as the Postmaster General may prescribe, shall be from \$1,150 to \$1,350 per annum. The pay of substitute letter carriers in the Village Delivery Service shall be at the rate of 50 cents per hour. (Feb. 28, 1925, c. 368, § 10, 43 Stat. 1064.)

107. Credit to postal employees and substitute postal employees for time served in military, naval, or marine service.—Postal employees and substitute postal employees who served in the military, marine, or naval service of the United States during the World War and have not reached the maximum grade of salary shall receive credit for all time served in the military, marine, or naval service on the basis of one day's

credit of eight hours in the Postal Service for each day served in the military, marine, or naval service, and be promoted to the grade to which such postal employee or substitute postal employee would have progressed had his original appointment as substitute been to grade 1. This provision shall apply to postal employees and substitute postal employees who were in the Postal Service on October 1, 1920. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1065.)

108. Promotion of clerks in first and second class offices and letter carriers in City Delivery Service.—Clerks in first and second class post offices and letter carriers in the City Delivery Service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade. All promotions shall be made at the beginning of the quarter following one year's satisfactory service in the grade. (Feb. 21, 1879, c. 95, § 4, 20 Stat. 317; Aug. 2, 1882, c. 373, § 2, 22 Stat. 185; Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

109. Same.—No promotion shall be made except upon evidence satisfactory to the Post Office Department of the efficiency and faithfulness of the employee during the preceding year. The Post Office Department may reduce a clerk or carrier from a higher to a lower grade whenever his efficiency falls below a fair standard or whenever necessary for purposes of discipline. Clerks and carriers of the highest grade in their respective offices shall be eligible for promotion to the higher positions in said post offices. (Mar. 2, 1907, c. 2513, 34 Stat. 1206.)

110. Special clerks; grades; salaries; adjustment of grades; promotion.—There shall be two grades of special clerks, as follows: First grade—salary, \$2,200; second grade—salary, \$2,300. In the adjustment of grades for special clerks to conform to the grades herein provided special clerk grade 1 shall include grade 1 existing on December 31, 1924, and special clerk grade 2 shall include grade 2 existing on that date. In all special clerk promotions the senior competent employee shall have preference. (Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

111. Special clerks; executive, finance, money-order, postal-savings, registry, mailing, and other divisions of first-class offices.—As a reward for faithful and meritorious service, special clerks may be appointed in the executive, finance, money-order, postal-savings, registry, mailing, and other divisions of first-class post offices. Clerks in the executive, finance, money-order, postal-savings, registry, and other divisions of first-class post offices who were designated as special clerks, finance clerks, cashiers, foremen, bookkeepers, chief stamp clerks, chief mailing clerks, and stenographers on June 30, 1920, and who were, on and after July 1, 1920, assigned as clerks of grade 5 shall, unless they were demoted for cause, be given the designation and status of special clerks, and assigned to the first or second grade. Clerks who have been designated as special clerks shall not be demoted except for cause. (July 21, 1921, c. 50, § 2, 42 Stat. 144.)

112. Auxiliary and substitute employees.—Auxiliary employees may be employed at offices of the first and second classes and in the City Delivery Service. Such employees shall be required to work not less than two hours daily, and may serve as substitutes and shall be eligible for appointment as clerks and carriers of the first grade.

Substitutes may be employed who shall be eligible for appointment as auxiliary employees and as clerks and carriers of the first grade. (Mar. 2, 1907, c. 2513, 34 Stat. 1206.)

113. Pay of substitute, temporary, or auxiliary clerks at first and second class offices and substitute letter carriers in City Delivery Service.—The pay of substitute, temporary, or auxiliary clerks at first and second class post offices and substitute letter carriers in the City Delivery Service shall be at

the rate of 65 cents per hour. (Mar. 9, 1914, c. 33, 38 Stat. 299; July 27, 1916, c. 261, § 1, 39 Stat. 412; Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

114. No distinction in salary between carriers assigned to collection and to delivery duty.—There shall be no distinction in salary made between letter carriers assigned to collection duty and letter carriers assigned to delivery duty. (July 28, 1916, c. 261, § 1, 39 Stat. 417.)

115. Salaries of marine carriers assigned to Detroit River Marine Service.—Marine carriers assigned to the Detroit River Marine Service shall be paid an annual salary of \$300 in excess of the highest salary paid carriers in the City Delivery Service. (July 28, 1916, c. 261, § 1, 39 Stat. 417; Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

116. Employees in motor-vehicle service; classification; salaries; grades; readjustment; promotion; pay of substitutes; hours of work of certain employees; overtime pay.—Employees in the motor-vehicle service shall be classified as follows: Superintendents, \$2,400, \$2,800, \$2,800, \$3,000, \$3,400, \$3,600, \$3,800, \$4,000, and \$5,000 per annum; assistant superintendents, \$2,500, \$2,600, and \$2,800 per annum; chiefs of records, \$2,200, \$2,300, \$2,400, \$2,500, \$2,600, \$2,800, and \$3,000; chiefs of supplies, \$2,200, \$2,300, and \$2,400; chief dispatchers, \$2,300 and \$2,500; route supervisors, \$2,400, \$2,500, and \$2,600; dispatchers, \$2,100, \$2,200, and \$2,300; chief mechanics, \$2,400, \$2,500, \$2,600, \$2,800, and \$3,000; mechanics in charge, \$2,200, \$2,300, and \$2,400, and special mechanics, \$2,100, \$2,200, and \$2,300. Assistant superintendents shall not be authorized at offices where the salary of the superintendent is less than \$3,000 per annum. General mechanics employed in the motor-vehicle service shall be divided into three grades: First grade, salary \$1,900; second grade, salary \$2,000; third grade, salary \$2,100; and clerks employed in the motor-vehicle service shall be divided into five grades, as follows: First grade, salary \$1,700; second grade, salary \$1,800; third grade, salary \$1,900; fourth grade, salary \$2,000; fifth grade, salary \$2,100. In the readjustment of grades for clerks in the motor-vehicle service to conform to the grades above provided, each of the various grades shall include the grade of the same number existing on December 31, 1924. General mechanics employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the third grade, and clerks employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade, at the respective offices where employed, and promotion shall be made at the beginning of the quarter following one year's satisfactory service in the grade. At first-class post offices there shall be two grades of special clerks in the motor-vehicle service—grade 1, salary \$2,200; grade 2, salary \$2,300. In the readjustment of grades for special clerks to conform to the grades herein provided, special clerk, grade 1, shall include special clerk, grade 1, existing on December 31, 1924, and special clerk, grade 2, shall include special clerk, grade 2, existing on that date.

Mechanics' helpers employed in the motor-vehicle service shall receive a salary of \$1,600 per annum. On satisfactory evidence of their qualifications after one year's service mechanics' helpers shall be promoted to the first grade of general mechanics as vacancies may occur.

Driver-mechanics employed in the motor-vehicle service shall be divided into five grades: First grade, salary \$1,600; second grade, salary \$1,700; third grade, salary \$1,800; fourth grade, salary \$1,900; fifth grade, salary \$2,000; and garagemen-drivers employed in the motor-vehicle service shall be divided into two grades: First grade, salary \$1,550; second grade, salary \$1,650. In the readjustment of salaries provided for in this title all driver-mechanics shall be classified in the respective grades as

follows: Those with less than one year's service shall be placed in grade 1; those with more than one year's service and less than two years' service shall be placed in grade 2; those with more than two years' service and less than three years' service shall be placed in grade 3; those with more than three years' service and less than four years' service shall be placed in grade 4; those with more than four years' service shall be placed in grade 5. Driver-mechanics employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade at the respective offices where employed. Garagemen-drivers in the motor-vehicle service shall be promoted after one year's satisfactory service in the first grade to the second grade at the respective offices where employed, and promotions of driver-mechanics and garagemen-drivers shall be made at the beginning of the quarter following one year's satisfactory service in the grade.

The pay of substitute, temporary, or auxiliary employees in the motor-vehicle service shall be as follows: Special mechanics at the rate of 75 cents per hour; general mechanics at the rate of 70 cents per hour; clerks and driver-mechanics at the rate of 65 cents per hour; and garagemen-drivers at the rate of 55 cents per hour.

Special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service shall be required to work not more than eight hours a day. The eight hours of service shall not extend over a longer period than ten consecutive hours, and the schedules of duties of the employees shall be regulated accordingly. In cases of emergency, or if the needs of the service require, special clerks, clerks, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service can be required to work in excess of eight hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by three hundred and six, the number of working days in the year less all Sundays and legal holidays enumerated in section 119 of this title; the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compensation for such overtime service. When the needs of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within thirty days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays. (Feb. 28, 1925, c. 368, § 6, 43 Stat. 1060.)

117. Hours of work for special clerks, clerks, and laborers in first and second class offices, and carriers in City Delivery Service; overtime pay.—Special clerks, clerks, and laborers, in the first and second class post offices and carriers in the City Delivery Service shall be required to work not more than eight hours a day. The eight hours of service shall not extend over a longer period than ten consecutive hours, and the schedules of duty of the employees shall be regulated accordingly. In cases of emergency, or if the needs of the service require, and it is not practicable to employ substitutes, special clerks, clerks, and laborers, in first and second class post offices and carriers in the City Delivery Service can be required to work in excess of eight hours per day, and for such overtime service they shall

be paid on the basis of the annual pay received by such employees. In computing compensation for such overtime the annual salary or compensation for such employees shall be divided by three hundred and six, the number of working days in the year less all Sundays and legal holidays enumerated in section 119 of this title; the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compensation for such overtime service. (Mar. 4, 1911, c. 241, § 3, 36 Stat. 1339; Aug. 24, 1912, c. 389, § 5, 37 Stat. 554; July 28, 1916, c. 261, § 1, 39 Stat. 416; Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

118. Compensatory time to foremen, special clerks, carriers, watchmen, messengers, or laborers, at first and second class offices for work on Sundays or holidays; overtime in lieu thereof.—When the needs of the service require the employment on Sundays and holidays of foremen, special clerks, clerks, carriers, watchmen, messengers, or laborers at first and second class post offices they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within thirty days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Sundays in the calendar year or on Christmas Day in lieu of compensatory time. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1062; Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

119. Holidays in Postal Service.—For the purpose of sections 116, 118, and 616 of this title holidays shall be New Year's Day (January 1); Washington's Birthday (February 22); Memorial Day (May 30); Independence Day (July 4); the first Monday in September, known as Labor Day; Christmas (December 25); and such other days as the President of the United States may set apart as fast or thanksgiving days. All days, other than the holidays enumerated herein, set aside by the President of the United States as holidays to be observed by the other departments of the Government throughout the United States shall be construed as applicable to the Postal Service in the same manner and to the same extent as the executive departments. (July 28, 1916, c. 261, § 1, 39 Stat. 416; Feb. 28, 1919, c. 69, § 1, 40 Stat. 1193; Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

120. Compensatory time to supervisory employees.—For services required on Sundays of supervisory officers in first and second class post offices, compensatory time off during working days in amount equal to that of the Sunday employment may be allowed, under such regulations as the Postmaster General may prescribe. (Mar. 4, 1911, c. 241, § 3, 36 Stat. 1339.)

121. Reduction in salary; restoration to former grade or advancement to intermediate grade.—Whenever an employee provided for in this chapter shall have been reduced in salary for any cause, he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1064.)

122. Promotion regardless of increase of pay.—All employees provided for in this chapter in automatic grades who have not reached the maximum grades to which they are entitled to progress automatically, shall be promoted at the beginning of the quarter following the completion of one year's satisfactory service since their last promotion, regardless of any increases in salaries granted them by the provisions of this chapter. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1065.)

123. Promotion of employee whose promotion withheld.—Whenever the promotion of an employee provided for in this chapter is withheld because of unsatisfactory service, such employee may be promoted at the beginning of the second quarter thereafter, or of any subsequent quarter, on evidence that his record has been satisfactory during the intervening period. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1064.)

124. Substitutes for clerks; first or second class post offices, or carriers in City Free Delivery Service.—When any clerk in post offices of the first or second class, or any letter carrier in the City Free Delivery Service, is absent from duty from any cause, other than the fifteen days' annual leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk, or letter carrier, at a rate not to exceed the pay of the grade of work performed by such substitute. (Mar. 3, 1905, c. 1480, § 1, 33 Stat. 1085.)

125. Same; employment to prevent overtime.—Whenever practicable, in case of emergency or otherwise, if a substitute is available the postmaster shall not employ a regular clerk overtime. (Feb. 28, 1919, c. 69, § 1, 40 Stat. 1192.)

126. Same; clerks subpoenaed as witnesses.—The Postmaster General may employ substitutes in the place of clerks subpoenaed as witnesses in the United States courts in cases arising under the United States laws, and expend for the employment of such substitutes a sum equal to the compensation allowed the clerks during the time actually absent from duty attending court. (June 13, 1898, c. 446, § 1, 30 Stat. 440.)

127. Same; carriers on annual leave.—The Postmaster General may employ, when necessary, during the time leave of absence is granted to letter carriers at free-delivery offices, such number of substitute letter carriers as may be deemed advisable. (June 27, 1884, c. 126, 23 Stat. 60.)

128. Assignment of clerks to duty.—Postmasters are authorized, with the approval of the Postmaster General, to assign at any time any clerk or employee of their respective post offices to duty in any branch thereof: *Provided always,* That any employee shall be paid from money-order funds for such time as he is engaged in money-order work. (Mar. 3, 1885, c. 342, § 1, 23 Stat. 385.)

129. Transfer of clerks, carriers, etc.—The Postmaster General may, when the interest of the service requires, transfer any clerk to the position of carrier or any carrier to the position of clerk and interchange the clerical force between the post office and the motor-vehicle service, such transfer or interchange to be made to the corresponding grade and salary of the clerk or carrier transferred or interchanged. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1065.)

130. Computation of service on transfer.—The time which such clerk or carrier shall have served in the grade from which such transfer was made shall be counted in connection with the service to which such transfer may be made in computing the time of service necessary to entitle such employees to promotion: *Provided,* That no clerk or carrier shall be promoted more than one grade within any one year's period of service. (Mar. 2, 1907, c. 2513, 34 Stat. 1206.)

131. No reduction in rank.—No employee in the Postal Service shall be reduced in rank or salary as the result of the provisions of this title. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1065.)

132. Bonds of assistant postmasters and cashiers at first, second, and third class offices.—Assistant postmasters and cashiers at first, second, and third class post offices, and when deemed necessary by the Postmaster General for the better protection of the interests of the Government any other em-

ployees in such offices, shall, before entering upon the duties of their office, give bond to the United States with good and approved security, and in such penalty as the Postmaster General shall prescribe, conditioned for the faithful discharge of all duties and trusts imposed upon them either by law or the rules and regulations of the Post Office Department. (June 13, 1898, c. 446, § 3, 30 Stat. 444.)

133. Extra labor at offices.—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. (R. S. § 3863.)

134. Navy mail clerks and assistants.—Enlisted men of the United States Navy or Marine Corps may, upon selection by the Secretary of the Navy, be designated by the Post Office Department as "Navy mail clerks" and "assistant Navy mail clerks," who shall be authorized to receive and open all pouches and sacks of mail addressed to naval vessels, to make proper delivery of such mail, to receive matter for transmission in the mails, to receipt for registered matter (keeping an accurate record thereof), to keep and have for sale an adequate supply of postage stamps, to make up and dispatch mails, and other postal duties as may be authorized by the Postmaster General, all in accordance with such rules and regulations as may be prescribed by the commanding officer of the vessel or of the squadron to which the vessel is attached. Such enlisted men may also be designated as Navy mail clerks and assistant Navy mail clerks with expeditionary forces on shore or for duty at stations and shore establishments under the Navy Department where the services of such mail clerks and assistant mail clerks are necessary. Each mail clerk and assistant mail clerk shall take the oath of office prescribed for employees of the Postal Service and shall give bond to the United States in the sum of \$1,000 for the faithful performance of his duties as such clerk, and shall be amenable in all respects to naval discipline, except that, as to their duties as such clerks, the commanding officers of the vessels upon which they are stationed shall require them to be governed by the postal laws and regulations of the United States. Whenever necessity arises therefor any assistant mail clerk may be required by the commanding officer of the vessel upon which he is stationed or of the squadron to which said vessel is attached to perform the duties of mail clerk. They shall receive as compensation for such services from the Navy Department, in addition to that paid them of the grade to which they are assigned, such sum in the case of mail clerks not to exceed \$500 per annum, and in that of assistant mail clerks not to exceed \$300 per annum, as may be determined and allowed by the Navy Department. (May 27, 1908, c. 206, 35 Stat. 417; Aug. 24, 1912, c. 389, § 11, 37 Stat. 560; Mar. 4, 1917, c. 180, 39 Stat. 1188; July 1, 1918, c. 114, 40 Stat. 718.)

135. Same; bonds.—Every Navy mail clerk and assistant Navy mail clerk shall give bond to the United States in such penal sum as the Postmaster General may deem sufficient for the faithful performance of his duties as such clerk. (Aug. 24, 1912, c. 389, § 3, 37 Stat. 554.)

Chapter 4.—CITY DELIVERY, BRANCH OFFICES, AND RECEIVING BOXES.

Sec.

- 151. Letter-carrier delivery.
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Sec.

- 160. Restrictions on establishing stations and branches.
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- 170. Same; compensation of persons employed.
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- 172. Same; false returns; compensation in case of.
- 173. Same; persons employed deemed postal employees.
- 174. Same; messengers deemed carriers.
- 175. Same; allowance for car fare for messengers in first-class offices; delivery in first and second class offices.
- 176. Same; assistant superintendents; per diem.

Section 151. Letter-carrier delivery.—Letter carriers shall be employed for the free delivery of mail matter, as frequently as the public business may require, at every incorporated city, village, or borough containing a population of fifty thousand within its corporate limits, and may be so employed at every place containing a population of not less than ten thousand, within its corporate limits, according to the last general census, taken by authority of State or United States law, or at any post office which produced a gross revenue, for the preceding fiscal year, of not less than \$10,000. This section shall not affect the existence of the free delivery in places where it was established prior to January 3, 1887. In offices where the free delivery shall be established, such free delivery shall not be abolished by reason of decrease below ten thousand in population or \$10,000 in gross postal revenue, except in the discretion of the Postmaster General. (Jan. 3, 1887, c. 14, § 1, 24 Stat. 355.)

152. Letter carriers on consolidation of offices.—When two or more post offices situated within the corporate limits of any city, village, or borough are consolidated by authority of the Postmaster General, and the said offices together produced a gross revenue for the preceding fiscal year of not less than \$10,000, letter carriers may be employed for the free delivery of mail matter in like manner as if any one of such post offices had produced such revenue in said fiscal year. (Feb. 16, 1911, c. 87, 36 Stat. 911.)

153. Experimental delivery.—Experimental mail delivery may be established, under such regulations as the Postmaster General may prescribe, in towns and villages having post offices of the second or third class that are not by law entitled to free-delivery service. (Aug. 24, 1912, c. 389, § 9, 37 Stat. 559.)

154. Uniform for carriers.—The Postmaster General may prescribe a uniform dress to be worn by letter carriers. (R. S. § 3867.)

155. Receiving boxes.—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. (R. S. § 3868.)

156. Same; in buildings; chutes as part of.—No boxes for the collection of mail matter by carriers shall be placed inside of any building except a public building, or a building which is freely open to the public during business hours, or a railroad station, and the Postmaster General is authorized, in his discretion, to declare by official order that the chutes connected with mail boxes that are attached to any chute or device which may be approved by him are a part of said receiving boxes and under the exclusive care and custody of the Post Office Department. (Mar. 3, 1887, c. 388, § 1, 24 Stat. 569; Jan. 23, 1893, c. 41, 27 Stat. 421.)

157. Bonds of carriers.—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. (R. S. § 3870.)

158. Branch offices.—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. (R. S. § 3871.)

159. Same; in Hawaii, Porto Rico, and Virgin Islands.—The Postmaster General shall establish in the islands of Hawaii, in Porto Rico and the Virgin Islands under appropriate regulations to be prescribed by him, such branch offices, non-accounting offices, or stations of Honolulu, San Juan, and Charlotte Amalie, respectively, as in his judgment may be necessary to improve the service and as may be required for the convenience of the public. Such branches, nonaccounting offices, and stations shall be conducted under the name of the existing post offices affected so as to maintain the identity of the offices concerned. (Oct. 28, 1919, c. 86, 41 Stat. 323.)

160. Restrictions on establishing stations and branches.—No station, substation, or branch post office shall be established beyond the corporate limits or boundaries of any city or town in which the principal office to which such station, substation, or branch office is attached is located, except in cases of villages, towns, or cities of fifteen hundred or more inhabitants not distant more than five miles as near as may be from the outer boundary or limits of such city or town in which the principal office is located. (June 9, 1896, c. 386, 29 Stat. 313.)

161. Contracts for conduct of contract stations.—The Postmaster General may enter into contracts for the conduct of contract stations for a term not exceeding two years. (May 18, 1916, c. 126, § 15, 39 Stat. 163.)

162. Extra postage or carriers' fees prohibited.—No extra postage or carriers' fees shall be charged or collected upon any mail matter collected or delivered by carriers. (R. S. § 3873.)

163. Expenses of carriers and branch offices.—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. (R. S. § 3874.)

164. Contracts for supplies for free-delivery service.—The Postmaster General may, if in his judgment the good of the service so requires make contract for necessary supplies for the free-delivery service for a period not exceeding four years. (Mar. 2, 1889, c. 374, § 1, 25 Stat. 844.)

165. Special delivery; stamps; deficient postage.—A special stamp of the face valuation of 10 cents may be provided and issued, whenever deemed advisable or expedient, in such form and bearing such device as may meet the approval of the Postmaster General, which, when attached to a letter or article of mailable matter weighing not more than two pounds, in addition to the lawful postage thereon, shall be regarded as entitling such letter or other article to immediate delivery within the limits and at the offices specified in section 167 of this title. The omission by the sender to place the lawful postage upon a letter bearing such special-delivery stamp and otherwise entitled to immediate delivery under the provisions of this section shall not hinder or delay the transmission and delivery thereof as provided herein, but such lawful postage shall be collected upon its delivery, in the manner provided by law for the collection of deficient postage resulting from the overweight

of letters. (Mar. 3, 1885, c. 342, § 3, 23 Stat. 387; Aug. 4, 1886, c. 901, § 1, 24 Stat. 220; Jan. 16, 1889, c. 50, 25 Stat. 650.)

166. Same; stamps for mail matter weighing more than two pounds.—(a) To procure the immediate delivery of mail matter weighing more than two pounds and not more than ten pounds, stamps of the value of 15 cents shall be affixed (in addition to the regular postage).

(b) To procure the immediate delivery of mail matter weighing more than ten pounds, stamps of the value of 20 cents shall be affixed (in addition to the regular postage).

(c) The Postmaster General is authorized to provide and issue special-delivery stamps of the denominations of 15 and 20 cents. (Feb. 28, 1925, c. 368, § 212, 43 Stat. 1069.)

167. Same; offices at which special delivery may be had; messengers; contracts and compensation.—Every article of mailable matter upon which the proper special stamp shall be duly affixed, shall be entitled to immediate delivery, within the carrier-delivery limit of any free-delivery office, and within one mile of any other post office which the Postmaster General shall at any time designate as a special-delivery post office. The postmaster shall be responsible for such immediate delivery of every such article, and shall cause delivery to be made of all such articles received at his office bearing such stamp and entitled to delivery thereat, and may employ any persons, including clerks and assistants, at third and fourth class offices, as messengers, on such terms as he shall fix as compensation for such delivery; and to defray the expense thereof, such postmaster shall be entitled, upon the adjustment of his quarterly account, to 80 per centum of the face value of all such special-delivery stamps received at his office and recorded, according to this chapter and regulations of the Post Office Department during the quarter; and such allowance shall be in full of all the expenses of such delivery. The Postmaster General may, in his discretion, direct any free-delivery office to be excepted from the foregoing provision, and require the delivery to be made entirely by special messengers, according to the provisions of sections 169 and 170 of this title. He may contract for the immediate delivery of all articles from any post office at any price less than 8 cents per piece, when he shall deem it expedient. (Aug. 4, 1886, c. 901, § 1, 24 Stat. 220.)

168. Same; use of ordinary stamps.—When, in addition to the stamps required to transmit any letter or package of mail matter through the mails, there shall be attached to the envelope or covering ordinary postage stamps of any denomination equivalent to the value fixed by law to procure the immediate delivery of any mail matter, with the words "special delivery" or their equivalent written or printed on the envelope or covering, under such regulations as the Postmaster General may prescribe, said letter or package shall be handled, transmitted, and delivered in all respects as though it bore a regulation special-delivery stamp. (Mar. 2, 1907, c. 2561, 34 Stat. 1244; Feb. 28, 1925, c. 368, § 213, 43 Stat. 1069.)

169. Same; employment to deliver; receipts.—To provide for the immediate delivery of letters bearing the special stamp, the postmaster may, with the approval of the Postmaster General, employ such person or persons as may actually be required for such service, who, upon the delivery of such letter, will procure a receipt from the party addressed, or some one authorized to receive it, in a book to be furnished for the purpose, which shall, when not in use, be kept in the post office, and at all times subject to examination by an inspector of the department; but the Postmaster General may, under such rules and regulations as he shall prescribe, authorize the delivery of special-delivery matter without obtaining a receipt therefor: *Provided*, That nothing herein contained shall be construed as excusing the delivery of special-delivery matter by messenger in the first instance. (Mar. 3, 1885, c. 342, § 5, 23 Stat. 388; June 19, 1922, c. 227, § 1, 42 Stat. 656.)

170. Same; compensation of persons employed.—To provide for the payment of such persons as may be employed for this service, the postmaster at any office designated by section 167 of this title shall keep a record of the number of letters received at such office bearing such special stamp, which number shall correspond with the number entered in the receipt books heretofore specified, and at the end of each month he may pay to such person or persons employed a sum not exceeding 80 per centum of the face value of all stamps of the face value of 10 cents received and recorded during that month. For the special delivery of mail matter weighing more than two pounds and not more than ten pounds, 11 cents may be paid to the messenger or other person making such delivery, and for the special delivery of mail matter weighing more than ten pounds, 15 cents may be so paid. Nothing in this section and sections 165 and 169 of this title shall interfere with the prompt delivery of letters as now provided by law or regulations of the Post Office Department. (Mar. 3, 1885, c. 342, § 6, 23 Stat. 388; Mar. 3, 1903, c. 1009, § 2, 32 Stat. 1175; Feb. 28, 1925, c. 368, § 212, 43 Stat. 1069.)

171. Same; regulations.—The Postmaster General shall prescribe suitable regulations, not inconsistent with law, for the performance of the immediate-delivery service, the keeping of the records and rendering of accounts thereof, and all matters connected therewith, and may prescribe the hours within which such immediate delivery shall be made at any post office. (Aug. 4, 1886, c. 901, § 2, 24 Stat. 221.)

172. Same; false returns; compensation in case of.—Any postmaster, or any assistant postmaster, clerk, or employee of a postmaster, who shall make any false return or record of the receipt or delivery of any article of mailable matter as being stamped with a special-delivery stamp, or shall make any false return of the number of articles specially delivered from his office, for the purpose of increasing his compensation, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than \$100 nor more than \$500, or imprisoned for a term of not less than thirty days nor more than one year, or both such fine and imprisonment at the discretion of the court; and whenever, upon evidence deemed satisfactory to him, the Postmaster General shall determine that any such false return has been made, he may, by order, fix absolutely the compensation of the postmaster for such special delivery during any quarter or quarters which he shall deem affected by such false return, and the General Accounting Office shall adjust the postmaster's account accordingly. (Aug. 4, 1886, c. 901, § 3, 24 Stat. 221; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

173. Same; persons employed deemed postal employees.—Any person employed to make immediate delivery of letters or other mail matter shall be deemed an employee of the postal service, whether he may have been sworn or not, or temporarily or permanently employed, and as such employee shall be liable to any penalties or punishments provided by law for the improper detention, delay, secretion, rifling, embezzlement, purloining, or destruction of any letter or other article of mail matter, or the contents thereof, intrusted to him for delivery or placed in his custody. (Aug. 4, 1886, c. 901, § 4, 24 Stat. 221.)

174. Same; messengers deemed carriers.—Every special-delivery messenger, when actually engaged in carrying or delivering letters or other mail matter under contract, directly or indirectly, with the Post Office Department, or employed by the Post Office Department, shall be deemed a carrier or person intrusted with the mail and having custody thereof within the meaning of sections 320, 321, and 324 of Title 18. (Mar. 3, 1903, c. 1009, § 4, 32 Stat. 1176.)

175. Same; allowance for car fare for messengers in first-class offices; delivery in first and second class offices.—Out of the revenue arising from special-delivery business the Post-

master General may allow expenditures by postmasters at first-class post offices, under regulations to be established by him, for car fare for special-delivery messengers in emergent cases where immediate delivery in the usual way is impracticable, not to exceed in the aggregate, for all offices, \$10,000 a year. At first and second class post offices the Postmaster General may establish rules under which special delivery may be effected by any salaried clerk or employee thereof, and the lawful special-delivery fees allowed therefor, in cases where such delivery can not be made by regular messengers. (June 2, 1900, c. 613, § 1, 31 Stat. 260.)

176. Same; assistant superintendents; per diem.—The assistant superintendents of free-delivery shall be allowed a per diem of \$4 in lieu of all expenses when traveling on business of the department. (Feb. 24, 1899, c. 187, § 1, 30 Stat. 884.)

Chapter 5.—RURAL DELIVERY SERVICE.

Sec.

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210. Allowance of expenses by Postmaster General.
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Section 191. Extension of service.—Rural mail delivery shall be extended so as to serve, as nearly as practicable, the entire rural population of the United States. (July 28, 1916, c. 261, § 1, 39 Stat. 423.)

192. Routes; classes; increase of length of routes and pay of carriers.—All rural mail-delivery routes shall be divided into two classes to be known as—

Standard horse-drawn vehicle routes, which shall be twenty-four miles in length, and

Standard motor-vehicle routes, which shall be fifty miles in length, and shall only be established when a majority of the proposed patrons who are heads of families residing upon such proposed routes shall by written petition ask the Post Office Department to establish the same.

Nothing herein contained shall be construed to prohibit the establishment of horse-drawn vehicle routes of less length than the standard of twenty-four miles. If, in the discretion of the Postmaster General, in order to render more complete service, it should be necessary to do so the Postmaster General may increase the length of routes not to exceed 50 per centum above the standards herein prescribed. (July 28, 1916, c. 261, § 1, 39 Stat. 423.)

193. Motor vehicles.—Nothing herein shall be construed, and no order shall be issued, to prevent the use of motor vehicles on horse-drawn vehicle routes. (July 28, 1916, c. 261, § 1, 39 Stat. 423.)

194. Carriers to furnish necessary vehicle equipment.—Carriers in rural mail-delivery service shall furnish all necessary vehicle equipment for prompt handling of the mail. (July 28, 1916, c. 261, § 1, 39 Stat. 423.)

195. Sufficient equipment.—The Postmaster General in his discretion may require all carriers to furnish sufficient equip-

ment to properly handle postal business on their routes. (July 28, 1916, c. 261, § 1, 39 Stat. 423.)

196. Carriers; restrictions; carrying merchandise.—Letter carriers of the rural free-delivery service shall not solicit business or receive orders of any kind for any person, firm, or corporation, and shall not, during their hours of employment, carry any merchandise for hire: *Provided*, That said carriers may carry merchandise for hire for and upon the request of patrons residing upon their respective routes, whenever the same shall not interfere with the proper discharge of their official duties, and under such regulations as the Postmaster General may prescribe. (Apr. 28, 1904, c. 1759, § 1, 33 Stat. 439; Mar. 4, 1915, No. 15, 38 Stat. 1227; Feb. 28, 1925, c. 368, § 8, 43 Stat. 1063.)

197. Salaries of carriers.—The salary of carriers in the Rural Mail Delivery Service for serving a rural route of twenty-four miles six days in the week shall be \$1,800; on routes twenty-two miles and less than twenty-four miles, \$1,728; on routes twenty miles and less than twenty-two miles, \$1,620; on routes eighteen miles and less than twenty miles, \$1,440; on routes sixteen miles and less than eighteen miles, \$1,260; on routes fourteen miles and less than sixteen miles, \$1,080; on routes twelve miles and less than fourteen miles, \$1,008; on routes ten miles and less than twelve miles, \$936; on routes eight miles and less than ten miles, \$864; on routes six miles and less than eight miles, \$792; on routes four miles and less than six miles, \$720. Each rural carrier assigned to a route on which daily service is performed shall receive \$30 per mile per annum for each mile said route is in excess of twenty-four miles or major fraction thereof, based on actual mileage, and each rural carrier assigned to a route on which triweekly service is performed shall receive \$15 per mile for each mile said route is in excess of twenty-four miles or major fraction thereof, based on actual mileage. (Mar. 4, 1915, No. 15, 38 Stat. 1227; Feb. 28, 1925, c. 368, § 8, 43 Stat. 1063.)

198. Salaries of carriers serving triweekly routes.—A rural carrier serving one triweekly route shall be paid a salary and equipment allowance on the basis of a route one-half the length of the route served by him. A rural carrier serving two triweekly routes shall be paid a salary and equipment allowance on the basis of a route one-half of the combined length of the two routes. (Feb. 28, 1925, c. 368, § 8, 43 Stat. 1064.)

199. Determination of pay of carriers and substitute carriers.—The pay of rural carriers and substitute rural carriers, which depends upon the length of the route, shall be determined in accordance with the records of the Post Office Department, which records shall be promptly corrected whenever the Postmaster General determines that such records are not correct. (Apr. 24, 1920, c. 161, § 1, 41 Stat. 582.)

200. Deductions from salaries.—Deductions for failure to perform service on a standard rural delivery route for twenty-four miles and less shall not exceed the rate of pay per mile for service for twenty-four miles and less; and deductions for failure to perform service on mileage in excess of twenty-four miles shall not exceed the rate of compensation allowed for such excess mileage. (Feb. 28, 1925, c. 368, § 8, 43 Stat. 1064.)

201. Substitute carriers.—Under such regulations as the Postmaster General may prescribe, a substitute carrier may be employed at the expense of the regular carrier, to temporarily perform the service on any rural free-delivery mail route. (Apr. 21, 1902, c. 563, § 1, 32 Stat. 112.)

202. Rate of compensation of temporary carriers.—Acting or substitute rural letter carriers shall be paid at the usual rate for each day's service. (Mar. 2, 1907, c. 2513, 34 Stat. 1213.)

203. Carriers; leave of absence; substitutes.—Rural letter carriers after twelve months' service shall be allowed annual leave with pay not to exceed fifteen days; the substitutes for

carriers on vacation to be paid during said service at the rate paid the carrier. (Mar. 2, 1907, c. 2513, 34 Stat. 1215.)

204. Compensation of carriers on water routes.—In the discretion of the Postmaster General the pay of any rural carrier on a water route who furnishes his own power boat and is employed during the summer months may be fixed at an amount not exceeding \$900 in any one calendar year, unless increased under section 676 of Title 5. (Mar. 1, 1909, c. 232, 35 Stat. 669.)

205. Additional compensation to carriers carrying pouch mail to intermediate post offices.—The Postmaster General may, in his discretion, allow and pay additional compensation to rural letter carriers who are required to carry pouch mail to intermediate post offices, or for intersecting loop routes, in all cases where it appears that the carriage of such pouches increases the expense of the equipment required by the carrier or materially increases the amount of labor performed by him, such compensation not to exceed the sum of \$12 per annum for each mile such carrier is required to carry such pouch or pouches. (July 28, 1916, c. 261, § 1, 39 Stat. 423.)

206. Carriers; equipment maintenance.—In addition to the salary herein provided, each carrier in Rural Mail Delivery Service shall be paid for equipment maintenance a sum equal to 4 cents per mile per day for each mile or major fraction of a mile scheduled. Payments for equipment maintenance as provided herein shall be at the same periods and in the same manner as payments for regular compensation to rural carriers. (July 28, 1916, c. 261, § 1, 39 Stat. 423; Feb. 28, 1925, c. 368, § 8, 43 Stat. 1064.)

207. Temporary reduction of pay of rural carriers.—The Postmaster General may, in his discretion, whenever for disciplinary purposes he deems it advisable to do so, reduce temporarily the pay of rural carriers. In no case shall such a reduction in pay be of more than one grade as fixed by law, nor extend over a greater period of time than one year. (Sept. 21, 1922, c. 363, 42 Stat. 993.)

208. Carrier on Lake Winnepesaukee.—The compensation of the carrier of mail on Lake Winnepesaukee from the post office at Laconia, New Hampshire, who furnishes his own equipment shall be \$1,800 per annum unless increased under section 676, of Title 5. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1068; Feb. 28, 1919, c. 69, § 1, 40 Stat. 1194.)

209. Classification of clerks in Rural Free Delivery Service not otherwise provided for.—The Postmaster General may classify clerks in the Rural Free Delivery Service into four classes, graded even hundreds of dollars, at \$900, \$1,000, \$1,100, and not exceeding \$1,200 per annum unless increased under section 676 of Title 5. (Apr. 21, 1902, c. 563, § 1, 32 Stat. 112.)

210. Allowance of expenses by Postmaster General.—The Postmaster General may allow such per diem and other incidental expenses in connection with the Rural Free Delivery Service as Congress may from time to time provide. (Apr. 21, 1902, c. 563, § 1, 32 Stat. 112.)

211. Post-office inspectors; administering oaths.—Post-office inspectors and examining inspectors in the Rural Free Delivery Service shall be authorized and empowered to administer oaths to carriers and other persons employed in said service or in connection with any business relating to the same. (Apr. 21, 1902, c. 563, § 1, 32 Stat. 113; Apr. 28, 1904, c. 1759, § 1, 33 Stat. 439; June 26, 1906, c. 3546, 34 Stat. 467.)

Chapter 6.—MAIL MATTER.

Sec.

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257. Delivery of mail to persons not residents of place of address.
258. Letters seized to be returned to senders.
259. Mail of persons conducting lotteries or fraudulent schemes returned; evidence of agency.

Section 221. Classification of mail matter.—Mailable matter shall be divided into four classes:

First, written matter;

Second, periodical publications;

Third, miscellaneous printed matter and other mailable matter not in the second, third, or fourth classes;

Fourth, merchandise and other mailable matter weighing not less than eight ounces and not in any other class. (Mar. 3, 1879, c. 180, § 7, 20 Stat. 358; Feb. 28, 1925, c. 368, §§ 206, 207, 43 Stat. 1067.)

222. First-class matter.—Mailable matter of the first class shall embrace letters, postal cards, and all matters wholly or partly in writing, except as hereinafter provided. (Mar. 3, 1879, c. 180, § 8, 20 Stat. 358.)

223. Same; limit of weight.—The limit of weight of mail matter of the first class shall be the same as is applicable to mail of the fourth class. (May 18, 1916, c. 126, § 11, 39 Stat. 162.)

224. Second-class matter.—Mailable matter of the second class shall embrace all newspapers and other periodical publications which are issued at stated intervals, and as frequently as four times a year and are within the conditions named in sections 225 and 226 of this title. (Mar. 3, 1879, c. 180, § 10, 20 Stat. 359.)

225. Same; examination; advertisements attached to periodicals.—Matter of the second class may be examined at the office of mailing, and if found to contain matter which is subject to a higher rate of postage, such matter shall be charged with postage at the rate to which the inclosed matter is subject. Nothing herein contained shall be so construed as to prohibit the insertion in periodicals of advertisements attached permanently to the same. (Mar. 3, 1879, c. 180, § 12, 20 Stat. 359.)

226. Same; conditions admitting publications to.—Except as otherwise provided by law, the conditions upon which a publication shall be admitted to the second class are as follows: First. It must regularly be issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively. Second. It must be issued from a known office of publication. Third. It must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications. Fourth. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers. Nothing herein contained shall be so construed as to admit to the second class rate regular publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates. (Mar. 3, 1879, c. 180, § 14, 20 Stat. 359.)

227. Same; foreign periodicals as; publications violating copyright laws.—Foreign newspapers and other periodicals of the same general character as those admitted to the second class in the United States may, under the direction of the Postmaster General, on application of the publishers thereof or their agents, be transmitted through the mails at the same rates as if published in the United States. Nothing herein contained shall be so construed as to allow the transmission through the mails of any publication which violates any copyright granted by the United States. (Mar. 3, 1879, c. 180, § 15, 20 Stat. 359.)

228. Same; supplements to periodicals.—Publishers of matter of the second class may without subjecting it to extra postage, fold within their regular issues a supplement; but in all cases the added matter must be germane to the publication which it supplements, that is to say, matter supplied in order to complete that to which it is added or supplemented, but omitted from the regular issue for want of space, time, or greater convenience, which supplement must in every case be issued with the publication. (Mar. 3, 1879, c. 180, § 16, 20 Stat. 359.)

229. Same; publications of benevolent or professional societies, educational institutions, State boards, and trades-unions; advertisements; circulation.—All periodical publications issued from a known place of publication at stated intervals, and as frequently as four times a year, by or under the auspices of a benevolent or fraternal society or order organized under the lodge system and having a bona fide membership of not less than one thousand persons, or by a regularly incorporated institution of learning, or by a regularly established State institution of learning supported in whole or in part by public taxation, or by or under the auspices of a trades-union, and all publications of strictly professional, literary, historical, or scientific societies, including the bulletins issued by State boards of health, and by State boards or departments of public charities and corrections, shall be admitted to the mails as second-class matter, and the postage thereon shall be the same as on other second-class matter; and such periodical publications, issued by or under the auspices of benevolent or fraternal societies or orders or trades-unions, or by strictly professional, literary, historical, or scientific societies, shall have the right to carry advertising matter, whether such matter pertains to such benevolent or fraternal societies or orders, trades-unions, strictly professional, literary, historical, or scientific societies, or to other persons, institutions, or concerns; but such periodical publications, hereby permitted to carry advertising matter, must not be designed or published primarily for advertising purposes, and shall be originated and published to further the objects and purposes of such benevolent or fraternal societies or orders, trades-unions, or other

societies, respectively; and all such periodicals shall be formed of printed paper sheets, without board, cloth, leather or other substantial binding, such as distinguish printed books for preservation from periodical publications. The circulation through the mails of periodical publications issued by, or under the auspices of, benevolent or fraternal societies or orders, or trades-unions, or by strictly professional, literary, historical, or scientific societies, as second-class mail matter, shall be limited to copies mailed to such members as pay therefor, either as a part of their dues or assessments, or otherwise, not less than 50 per centum of the regular subscription price; to other bona fide subscribers; to exchanges, and 10 per centum of such circulation as sample copies. When such members pay therefor as a part of their dues or assessments, individual subscriptions or receipts shall not be required. The office of publication of any such periodical publication shall be fixed by the association or body by which it is published, or by its executive board, and such publication shall be printed at such place and entered at the nearest post office thereto. (Aug. 24, 1912, c. 389, § 1, 37 Stat. 550.)

230. Same; periodical publications of State departments of agriculture.—All periodical publications issued from a known place of publication at stated intervals as frequently as four times a year by State departments of agriculture shall be admitted to the mails as second-class mail matter: *Provided*, That such matter shall be published only for the purpose of furthering the objects of such departments: *And provided further*, That such publications shall not contain any advertising matter of any kind. (June 6, 1900, c. 801, 31 Stat. 660.)

231. Same; affidavit of publishers; prepayment of postage.—The Postmaster General, when in his judgment it shall be necessary, may prescribe, by regulation, an affidavit in form, to be taken by each publisher of any newspaper or periodical publication sent through the mails, or news agent who distributes any of such newspapers or periodical publications, or employee of such publisher or news agent, stating that he will not send, or knowingly permit to be sent, through the mails any copy or copies of such newspaper or periodical publications except to regular subscribers thereto, or news agents, without prepayment of the postage thereon at the rate of 1 cent for each two ounces or fractional part thereof; and if such publisher or news agent, or employee of such publisher or news agent, when required by the Postmaster General or any special agent of the Post Office Department to make such affidavit, shall refuse so to do, and shall thereafter, without having made such affidavit deposit any newspapers in the mail for transmission, he shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not exceeding \$1,000 for each refusal; and if any such person shall knowingly and willfully mail any such matter without the payment of postage, or procure the same to be done with the intent to avoid the prepayment of postage due thereon; or if any postmaster or post-office official shall knowingly permit any such matter to be mailed without prepayment of postage, he or they shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not more than \$1,000, or imprisoned not exceeding one year, or both, in the discretion of the court. (Aug. 24, 1874, c. 456, § 9, 18 Stat. 233.)

232. Same; privileges annulled only after hearing.—When any publication has been accorded second-class mail privileges, the same shall not be suspended or annulled until a hearing shall have been granted to the parties interested. (Mar. 3, 1901, c. 851, § 1, 31 Stat. 1107.)

233. Same; sworn statements relating to newspapers and other publications.—The editor, publisher, business manager, or owner of every newspaper, magazine, periodical, or other publication, except religious, fraternal, temperance, scientific, or other similar publications, shall file with the Postmaster Gen-

eral and the postmaster at the office at which said publication is entered, not later than the 1st day of April and the 1st day of October of each year, on blanks furnished by the Post Office Department, a sworn statement setting forth the names and post-office addresses of the editor and managing editor, publisher, business managers, and owners, and, in addition, the stockholders, if the publication be owned by a corporation; and also the names of known bondholders, mortgagees, or other security holders; and also, in the case of daily newspapers, the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding six months. It shall not be necessary to include in such statement the names of persons owning less than 1 per centum of the total amount of stock, bonds, mortgages, or other securities. A copy of such sworn statement shall be published in the second issue of such newspaper, magazine, or other publication printed next after the filing of such statement. Any such publication shall be denied the privileges of the mail if it shall fail to comply with the provisions of this section within ten days after notice by registered letter of such failure. (Aug. 24, 1912, c. 389, § 2, 37 Stat. 553.)

234. Same; paid editorials and reading matter marked "Advertisement."—All editorial or other reading matter published in any such newspaper, magazine, or periodical for the publication of which money or other valuable consideration is paid, accepted, or promised shall be plainly marked "Advertisement." Any editor or publisher printing editorial or other reading matter for which compensation is paid, accepted, or promised without so marking the same, shall upon conviction in any court having jurisdiction, be fined not less than \$50 nor more than \$500. (Aug. 24, 1912, c. 389, § 2, 37 Stat. 554.)

235. Third-class matter.—Mail matter of the third class shall include books, circulars, and other matter wholly in print (except newspapers and other periodicals entered as second-class matter), proof sheets, corrected proof sheets, and manuscript copy accompanying same, merchandise (including farm and factory products) and all other mailable matter not included in the first or second class, or in the fourth class as defined in section 240 of this title. (Feb. 28, 1925, c. 368, § 206 (a), 43 Stat. 1067.)

236. Same; circular defined.—The term "circular" is defined to be a printed letter, which, according to internal evidence, is being sent in identical terms to several persons. A circular shall not lose its character as such, when the date and the name of the addressee and of the sender shall be written therein, nor by the correction of mere typographical errors in writing. (Mar. 3, 1879, c. 180, § 18, 20 Stat. 360.)

237. Same; printed matter defined.—"Printed matter" is defined to be the reproduction upon paper, by any process except that of handwriting, of any words, letters, characters, figures, or images, or of any combination thereof, not having the character of an actual and personal correspondence. (Mar. 3, 1879, c. 180, § 19, 20 Stat. 360.)

238. Same; letters written by blind.—All letters written in point print or raised characters used by the blind when unsealed shall be transmitted through the mails as third-class matter. (Mar. 2, 1899, c. 362, 30 Stat. 984.)

239. Foreign publications; when free of customs duty.—Printed matter other than books received in the mails from foreign countries under the provisions of postal treaties or conventions shall be free of customs duty, and books which are admitted to the international mails exchanged under the provisions of the Universal Postal Union Convention may, when subject to customs duty, be delivered to addresses in the United States under such regulations for the collection of duties as may be agreed upon by the Secretary of the Treasury and the Postmaster General. (Mar. 3, 1879, c. 180, § 17, 20 Stat. 359; Feb. 28, 1925, c. 368, § 206, 43 Stat. 1067.)

240. Fourth-class matter; minimum weight; nonmailable matter.—Mail matter of the fourth class shall weigh in excess of eight ounces, and shall include books, circulars, and other matter wholly in print (except newspapers and other periodicals entered as second-class matter), proof sheets, corrected proof sheets and manuscript copy accompanying same, merchandise (including farm and factory products), and all other mailable matter not included in the first or second class, or in the third class as defined in section 235 of this title, not exceeding eleven pounds in weight, nor greater in size than seventy-two inches in length and girth combined, nor in form or kind likely to injure the person of any postal employee or damage the mail equipment or other mail matter and not of a character perishable within a period reasonably required for transportation and delivery. (R. S. § 3879; June 8, 1896, c. 370, 29 Stat. 262; Aug. 24, 1912, c. 389, § 8, 37 Stat. 557; Feb. 28, 1925, c. 368, § 207 (a), 43 Stat. 1067.)

241. Same; experimental transportation of food products.—During the twelve months next succeeding February 28, 1925, the Postmaster General is authorized to conduct experiments in the operation of not more than fifty rural routes, in localities to be selected by him; said experiments shall be designed primarily to develop and to encourage the transportation of food products directly from producers to consumers or vendors, and, if the Postmaster General shall deem it necessary or advisable during the progress of said experiments, he is hereby authorized, in his discretion, on such number or all of said routes as he may desire, to reduce to such an extent as he may deem advisable the rate of postage on food products mailed directly on such routes for delivery at the post offices from which such routes start, and to allow the rural carriers thereon a commission on the postage so received at such rate as the Postmaster General may prescribe, which commission shall be in addition to the carriers' regular salaries. The amounts due the carriers for commissions shall be determined under rules and regulations to be prescribed by the Postmaster General directly from the postal revenues. The amount so paid shall in no case exceed the actual amount of revenue derived from this experimental service.

A report on the progress of this experiment shall be made to Congress at the next regular session. (July 28, 1916, c. 261, § 1, 39 Stat. 424; Feb. 28, 1925, c. 368, § 207 (c), 43 Stat. 1068.)

242. Same; purchase or rental of equipment and supplies for Parcel Post System.—The Postmaster General may provide by purchase, rental, or otherwise, such equipment and supplies, including vehicles, maps, stamps, directories, and printed instructions, as may be necessary, to carry out the provisions of this chapter with reference to fourth-class mail matter, and appoint and compensate such employees as may be required. (Aug. 24, 1912, c. 389, § 8, 37 Stat. 558; Mar. 4, 1913, c. 149, 37 Stat. 928.)

243. Same; disposition of nonmailable matter.—All matter of the fourth class shall be subject to examination. If any matter excluded from the mails by section 240 of this title, except that declared nonmailable by section 334 of Title 18, shall, by inadvertence, reach the office of destination, the same shall be delivered in accordance with its address. The party addressed shall furnish the name and address of the sender to the postmaster at the office of delivery, who shall immediately report the facts to the Postmaster General. If the person addressed refuse to give the required information, the postmaster shall hold the package subject to the order of the Postmaster General. All matter declared nonmailable by section 334 of Title 18, which shall reach the office of delivery, shall be held by the postmaster at the said office subject to the order of the Postmaster General. (Mar. 3, 1879, c. 180, § 21, 20 Stat. 360; Aug. 24, 1912, c. 389, § 8, 37 Stat. 557.)

244. Insurance of parcels and collection of postage.—The Postmaster General shall make provision by regulation for the indemnification of shippers of articles sent by fourth-class mail or third-class domestic mail, for shipments injured or lost, by insurance or otherwise, and, when desired, for the collection on delivery of the postage and price of the article shipped, fixing such charges as may be necessary to pay the cost of such additional services. (Aug. 24, 1912, c. 389, § 8, 37 Stat. 558; June 7, 1924, c. 347, 43 Stat. 652; Feb. 28, 1925, c. 368, § 211 (c), 43 Stat. 1069.)

245. Same; fee for insurance; receipt of delivery.—The fee for insurance shall be 5 cents for indemnification not to exceed \$5; 8 cents for indemnification not to exceed \$25; 10 cents for indemnification not to exceed \$50; and 25 cents for indemnification not to exceed \$100. Whenever the sender of an insured article of mail matter shall so request, and upon payment of a fee of 3 cents, a receipt shall be taken on the delivery of such insured mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery. (Feb. 28, 1925, c. 368, § 211 (a), 43 Stat. 1069.)

246. Same; collect-on-delivery fee.—The fee for collect-on-delivery service shall be 12 cents for collections not to exceed \$10; 15 cents for collections not to exceed \$50; and 25 cents for collections not to exceed \$100. (Feb. 28, 1925, c. 368, § 211 (b), 43 Stat. 1069.)

247. Reformation of classification, etc.—If the Postmaster General shall find on experience that the classification of articles mailable, the weight limit, the rates of postage, zone or zones and other conditions of mailability or any of them are such as to prevent the shipment of articles desirable, or to permanently render the cost of the service greater than the receipts of the revenue therefrom, he shall, subject to the consent of the Interstate Commerce Commission after investigation, reform from time to time such classifications, weight limit, rates, zone or zones or conditions, or either, in order to promote the service to the public or insure the receipt of revenue from such service adequate to pay the cost thereof. (July 28, 1916, c. 261, § 6, 39 Stat. 431; Feb. 28, 1925, c. 368, § 207 (b), 43 Stat. 1067.)

248. Addresses on postal cards and unsealed circulars.—Addresses upon postal cards and unsealed circulars may be either written, printed, or affixed thereto, at the option of the sender. (July 12, 1876, c. 179, § 15, 19 Stat. 82.)

249. Permissible marks on and inclosures in second, third, and fourth class matter.—Mailable matter of the second class shall contain no writing, print, or sign thereon or therein in addition to the original print, except as herein provided, to wit: the name and address of the person to whom the matter shall be sent, index figures of subscription book either printed or written, the printed title of the publication and the place of its publication, the printed or written name and address without addition of advertisement of the publisher or sender, or both, and written or printed words or figures, or both, indicating the date on which the subscription to such matter will end, the correction of any typographical error, a mark except by written or printed words, to designate a word or passage to which it is desired to call attention; the words "Sample copy" when the matter is sent as such, the words "Marked copy" when the matter contains a marked item or article, and publishers or news agents may inclose in their publications bills, receipts, and orders for subscriptions thereto, but the same shall be in such form as to convey no other information than the name, place of publication, subscription price of the publication to which they refer and the subscription due thereon. Upon matter of the third and fourth classes or upon the wrapper or envelope inclosing the same or the tag or label

attached thereto the sender may write his own name, occupation, and residence or business address, preceded by the word "From," and may make marks other than by written or printed words to call attention to any word or passage in the text, and may correct any typographical errors. There may be placed upon the blank leaves or cover of any book or printed matter of such classes a simple manuscript dedication or inscription not of the nature of a personal correspondence. Upon the wrapper or envelope or the tag or label attached thereto may be printed any matter mailable as third-class matter. The sender of any third or fourth class matter may write upon the wrapper or cover thereof, or tag or label accompanying the same, any marks, numbers, names, or letters for purpose of description, or may print thereon the same, and any printed matter not in the nature of a personal correspondence, but there must be left on the address side or face of the package a space sufficient for a legible address and necessary stamps. In all cases directions for transmit, delivery, forwarding, or return shall be deemed part of the address; and the Postmaster General shall prescribe suitable regulations for carrying this section into effect. There may be placed on third or fourth class mail matter, or on the package, wrapper, or envelope inclosing the same, or on a tag or label attached thereto, either in writing or otherwise, the words "Please do not open until Christmas," or words to that effect. With a package of fourth-class matter prepaid at the proper rate for that class the sender may inclose any mailable third-class matter. (Jan. 20, 1888, c. 2, § 1, 25 Stat. 1; Mar. 4, 1911, c. 241, § 6, 36 Stat. 1340; Feb. 28, 1925, c. 368, § 206, 43 Stat. 1067.)

250. Wrapping and securing matter not charged with first-class postage.—The Postmaster General may prescribe, by regulation, the manner of wrapping and securing for the mails all packages of matter not charged with first-class postage, so that the contents of such packages may be easily examined; and no package the contents of which can not be easily examined shall pass in the mails, or be delivered at a less rate than for matter of the first class. (Mar. 3, 1879, c. 180, § 24, 20 Stat. 361.)

251. Same; removing wrappers.—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. (R. S. § 3882.)

252. Newspapers; dried and in wrappers.—No newspapers shall be received to be conveyed by mail unless they are sufficiently dried and inclosed in proper wrappers. (R. S. § 3883.)

253. Same; notice of refusal to receive.—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. (R. S. § 3885.)

254. Same; carrying out of mail.—Contractors or mail carriers may convey, out of the mail, newspapers for sale or distribution to subscribers. (R. S. § 3888.)

255. Identification of persons claiming mail under fictitious address.—The Postmaster General may, upon evidence satisfactory to him, that any person is using any fictitious, false, or assumed name, title, or address in conducting, promoting, or carrying on or assisting therein, by means of the Post Office Establishment of the United States, any business scheme or device in violation of the provisions of sections 338 and 339 of Title 18, instruct any postmaster at any post office at which such letters, cards, or packets, addressed to such fictitious, false, or assumed name or address arrive to notify the party claiming or receiving such letters, cards, or packets to appear at the post office and be identified; and if the party so notified

fails to appear and be identified, or if it shall satisfactorily appear that such letters, cards, or packets are addressed to a fictitious, false, or assumed name or address, such letters, postal cards, or packages shall be forwarded to the dead-letter office as fictitious matter. (Mar. 2, 1889, c. 393, § 3, 25 Stat. 873.)

256. Matter relating to spurious money not mailable.—All matter the deposit of which in the mails is made punishable by sections 338 and 339 of Title 18 is hereby declared nonmailable; but nothing herein contained shall be so construed as to authorize any person other than an employee of the dead-letter office, duly authorized thereto, to open any letter not addressed to himself. (Mar. 2, 1889, c. 393, § 4, 25 Stat. 874.)

257. Delivery of mail to persons not residents of place of address.—Whenever the Postmaster General is satisfied that letters or packets sent in the mails are addressed to places not the residence or business address of the persons for whom they are intended, to enable such persons to escape identification, he may direct postmasters to deliver such letters only from the post office upon identification of persons addressed. (Mar. 2, 1889, c. 393, § 5, 25 Stat. 874.)

258. Letters seized to be returned to senders.—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. (R. S. § 3895.)

259. Mail of persons conducting lotteries or fraudulent schemes returned; evidence of agency.—The Postmaster General may, upon evidence satisfactory to him that any person or company is engaged in conducting any 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 that any person or company is conducting any other scheme or device for obtaining money or property of any kind through the mails by means of false or fraudulent pretenses, representations, or promises, instruct postmasters at any post office at which registered letters or any other letters or mail matter arrive directed to any such person or company, or to the agent or representative of any such person or company, whether such agent or representative is acting as an individual or as a firm, bank, corporation, or association of any kind, to return all such mail matter to the postmaster at the office at which it was originally mailed, with the word "Fraudulent" plainly written or stamped upon the outside thereof; and all such mail matter so returned to such postmasters shall be by them returned to the writers thereof, under such regulations as the Postmaster General may prescribe. Nothing contained in this section shall be so construed as to authorize any postmaster or other person to open any letter not addressed to himself. The public advertisement by such person or company so conducting such lottery, gift enterprise, scheme, or device, that remittances for the same may be made by mail to any other person, firm, bank, corporation, or association named therein shall be held to be prima facie evidence of the existence of said agency by all the parties named therein; but the Postmaster General shall not be precluded from ascertaining the existence of such agency in any other legal way satisfactory to himself. (R. S. § 3929; Sept. 19, 1890, c. 908, § 2, 26 Stat. 466; Mar. 2, 1895, c. 191, § 4, 28 Stat. 964.)

Chapter 7.—POSTAGE.

Sec.

271. Prepayment of postage.

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291. Third-class matter; rate of postage.
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300. Refund of postage paid for service not rendered, or in excess of legal rate.
301. Special joint Congressional committee to investigate postal rates.

Section 271. Prepayment of postage.—Postage on all mail matter must be prepaid by stamps at the time of mailing, unless herein otherwise provided for. (R. S. § 3896.)

272. Payment of postage before delivery.—No mail matter shall be delivered until the postage due thereon has been paid. (R. S. § 3900.)

273. Acceptance and delivery of prepaid first-class matter without stamps affixed.—The Postmaster General, under such regulations as he may prescribe for the collection of such postage, may accept for delivery and deliver, without postage stamps affixed thereto, mail matter of the first class on which the postage has been fully prepaid at the rate provided by law. (Apr. 24, 1920, c. 161, § 5, 41 Stat. 583.)

274. Disposal of partly paid and unpaid mail matter.—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. (R. S. § 3898; June 13, 1898, c. 446, § 4, 30 Stat. 444; Mar. 3, 1903, c. 1009, § 8, 32 Stat. 1176.)

275. Disposal of part-paid first-class matter; deficiency stamps.—All mail matter of the first class upon which one full rate of postage has been prepaid shall be forwarded to its destination, charged with the unpaid rate, to be collected on delivery; but postmasters, before delivering the same, or any article of mail matter upon which prepayment in full has not been made, shall affix, or cause to be affixed, and canceled as ordinary stamps are canceled, one or more stamps equivalent in value to the amount of postage due on such article of mail matter, which stamps shall be of such special design and denomination as the Postmaster General may prescribe, and which shall in no case be sold by any postmaster nor received by him in prepayment of postage. (Mar. 3, 1879, c. 180, § 26, 20 Stat. 361.)

276. Forwarding or returning to sender charged with postage certain fourth-class mail matter.—Under such regulations as the Postmaster General may prescribe, fourth-class matter of obvious value which is of a perishable nature may be for-

warded to the addressee at another post office charged with the amount of the forwarding postage, and when such matter of a perishable nature is undeliverable to the addressee it may be returned to the sender charged with the return postage. Other undeliverable matter of the second, third, and fourth classes may be forwarded to the addressee or to such other person as the sender may direct, at another post office, charged with the amount of the forwarding postage, or it may be returned to the sender charged with the return postage, when it bears the sender's pledge that the postage for forwarding and return will be paid, such postage to be collected on delivery but when the sender refuses to furnish such postage in accordance with his pledge, the acceptance from him of further matter bearing such pledge may be refused. (June 13, 1898, c. 446, § 4, 30 Stat. 444; Mar. 3, 1903, c. 1009, § 9, 32 Stat. 1176; Nov. 19, 1919, c. 119, 41 Stat. 360.)

277. Second-class publications not deliverable at address thereon; return charged with third-class rate.—When copies of any publication of the second class, mailed by a publisher at the pound rate or free in the county of publication, are undeliverable at the address thereon, the postmaster at the office of destination shall promptly notify the publisher of the fact, giving the reason therefor, and copies received five weeks after the mailing of the notice to the publisher, and in no instance until two successive issues thereof have been published, shall, under such regulations as the Postmaster General may prescribe, be separately returned to the publisher thereof charged with postage at the third-class rate. (May 12, 1910, c. 230, 36 Stat. 366.)

278. Returning or remailing without full prepayment; second, third, and fourth class matter.—Except as provided in sections 276 and 277 of this title second, third, and fourth class mail matter shall not be returned to sender or remailed until the postage has been fully prepaid on the same. In all cases where undelivered matter of the second class is of obvious value, the sender, if known, shall be notified of the fact of non-delivery, and be given the opportunity of prepaying the return postage. In all cases when undelivered mail matter of the third and fourth classes is of obvious value, the sender, if known, shall be given the opportunity of prepaying the return postage or accepting delivery to himself or upon his order, at the office where it is held, upon the payment of 1 cent postage for each card notice given him, under such regulations as the Postmaster General may prescribe. (June 13, 1898, c. 446, § 4, 30 Stat. 444; Mar. 3, 1903, c. 1009, § 9, 32 Stat. 1176.)

279. Box rents to be prepaid.—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. (R. S. § 3901.)

280. Postage on first-class matter.—On mailable matter of the first class, except postal cards and drop letters, postage shall be prepaid at the rate of 2 cents for each ounce or fraction thereof; postal cards shall be transmitted through the mails at a postage charge of 1 cent each, including the cost of manufacture; and drop letters shall be mailed at the rate of 2 cents per ounce or fraction thereof, including delivery at letter-carrier offices, and 1 cent for each ounce or fraction thereof where free delivery by carrier is not established. The Postmaster General may, however, 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, to be paid on delivery. (Mar. 3, 1879, c. 180, § 9, 20 Stat. 358; Mar. 3, 1885, c. 342, § 1, 23 Stat. 386; Oct. 3, 1917, c. 63, § 1100, 40 Stat. 327; Feb. 24, 1919, c. 18, § 1401, 40 Stat. 1150.)

281. Postage on private mailing cards.—It shall be lawful to transmit by mail, at the postage rate of 2 cents apiece, payable by stamps to be affixed by the sender, and under such regulations as the Postmaster General may prescribe, written

messages on private mailing cards, such cards to be sent openly in the mails, to be no larger than the size fixed by the convention of the Universal Postal Union, and to be approximately of the same form, quality, and weight as the stamped postal card in general use in the United States on May 19, 1898. (May 19, 1898, c. 347, 30 Stat. 419; Feb. 28, 1925, c. 368, § 201, 43 Stat. 1066.)

282. Postage on second-class matter; time for paying.—Upon the receipt of newspapers and periodical publications at the office of mailing, they shall be weighed in bulk, and postage paid thereon. (June 23, 1874, c. 456, § 6, 18 Stat. 233.)

283. Postage on second-class matter sent by publisher or news agent; second-class matter issued by religious, etc., organizations; second-class matter for delivery by carriers; statements, etc., filed by publishers.—(a) In the case of publications entered as second-class matter (including sample copies to the extent of 10 per centum of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by news agents to actual subscribers thereto, or to other news agents for the purpose of sale—

(1) The rate of postage on that portion of any such publication devoted to matter other than advertisements shall be $1\frac{1}{2}$ cents per pound, or fraction thereof;

(2) On that portion of any such publication devoted to advertisements the rates per pound or fraction thereof for delivery within the eight postal zones established for fourth-class matter shall be as follows:

For the first and second zones, 2 cents, and third zone, 3 cents.

For the fourth, fifth, and sixth zones, 6 cents.

For the seventh and eighth zones, and between the Philippine Islands and any portion of the United States, including the District of Columbia and the several Territories and possessions, 9 cents;

(3) The rate of postage on newspapers or periodicals maintained by and in the interests of religious, educational, scientific, philanthropic, agricultural, labor, or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, shall be $1\frac{1}{2}$ cents per pound or fraction thereof, and the publisher of any such newspaper or periodical, before being entitled to such rate, shall furnish to the Postmaster General, at such times and under such conditions as the Postmaster General may prescribe, satisfactory evidence that none of the net income of such organization or association inures to the benefit of any private stockholder or individual.

(b) Where the space devoted to advertisements does not exceed 5 per centum of the total space, the rate of postage shall be the same as if the whole of such publication was devoted to matter other than advertisements.

(c) The rate of postage on daily newspapers and on the periodicals and newspapers provided for in this section when deposited in a letter-carrier office for delivery by its carriers, shall be the same as otherwise provided by law, and nothing herein shall affect existing law as to free circulation and existing rates on second-class mail matter within the county of publication. The Postmaster General may require publishers to separate or make up to zones, in such a manner as he may direct, all mail matter of the second class when offered for mailing.

(d) With the first mailing of each issue of each such publication the publisher shall file with the postmaster a copy of such issue together with a statement containing such information as the Postmaster General may prescribe for determining the postage chargeable thereon. (June 23, 1874, c. 456, § 5, 18 Stat. 232; Mar. 3, 1885, c. 342, § 1, 23 Stat. 387; Oct. 3, 1917,

c. 63, §§ 1101, 1102, 1103, 40 Stat. 327, 328; Feb. 28, 1925, c. 368, § 202, 43 Stat. 1066.)

284. Postage on proofs of advertisements intended for publication entered as second-class matter.—Single sheets thereof from any publication entered as second-class matter, sent by a publisher to an advertiser or agent on account of and in proof of the insertion of an advertisement, shall, under such rules and regulations as may be prescribed by the Postmaster General, be received and transmitted through the mails at the zone rates of postage applicable under the law to the advertising portions of second-class matter. (Mar. 3, 1923, c. 215, 42 Stat. 1434.)

285. Discontinuance of newspaper stamps; collection of postage on second-class matter; prepayment of postage on newspaper and periodical stamps.—Newspaper and periodical stamps need not be used on second-class matter mailed shall be accounted for under such regulations as the Postmaster General may prescribe. This shall in no manner be construed as to repeal existing law requiring prepayment of postage on second-class mail matter. (June 23, 1874, c. 456, § 233; June 13, 1898, c. 446, § 1, 30 Stat. 443.)

286. Postage on newspapers mailed in county of publication and at free-delivery offices.—Publications of the same or one copy to each actual subscriber residing in the county of publication, if the same are printed, in whole or in part, and published free through the mails; but the same shall not be mailed at letter-carrier offices, or distributed by carriers, unless postage is paid thereon at the rate prescribed in section 283 of this title. The rate of postage on newspapers, excepted from the provisions of this section, and periodicals not exceeding two ounces in weight, when the same are deposited in a letter-carrier office for delivery by its carriers, shall be uniform at 1 cent each; periodicals exceeding more than two ounces shall be subject, when delivered by letter-carriers, to a postage of 2 cents each, and these rates shall be prepaid by stamps affixed. (Mar. 3, 1879, c. 13, 21 Stat. 361.)

287. Postage on second-class matter mailed by publishers or news agents.—The rate of postage on publications entered as second-class matter, when sent by the publisher or news agent, shall be 2 cents for each ounce or fraction thereof, for weights not exceeding one ounce, and for weights of such matter exceeding one ounce the rates of postage prescribed for fourth-class matter shall be applicable thereto. (June 9, 1884, c. 73, 23 Stat. 1917, c. 63, § 1106, 40 Stat. 328; Feb. 28, 1925, c. 368, § 203, 43 Stat. 1067.)

288. Postage on second-class matter not exceeding one pound.—Where the total weight of any one edition of any such publication mailed to any one zone does not exceed one pound, the rate of postage shall be 1 cent. (Mar. 3, 1879, c. 13, 21 Stat. 361; c. 63, § 1104, 40 Stat. 328; Feb. 28, 1925, c. 368, § 204, 43 Stat. 1067.)

289. Zone rate to relate to entire bulk.—The zone rate provided in section 283 of this title shall relate to the entire bulk of matter mailed to any one zone and not to individually addressed copies. (Oct. 3, 1917, c. 63, § 1105, 40 Stat. 328; Feb. 28, 1925, c. 368, § 205, 43 Stat. 1067.)

290. Postage on Congressional Record mailed from the city of Washington.—The postage on each copy of the daily Congressional Record mailed from the city of Washington as transmitted through the mails shall be 1 cent. (June 23, 1874, c. 456, § 13, 18 Stat. 233.)

291. Third-class matter; rate of postage.—The rate of postage on mail matter of the third class shall be $1\frac{1}{2}$ cents per pound or fraction thereof, up to and including one pound, and for weights exceeding one pound, in weight, except that the rate of postage on books, pamphlets, seeds, cuttings, bulbs, roots, scions, and plants, not exceeding eight ounces in weight, shall be 1 cent for each two ounces or fraction thereof. (Feb. 28, 1925, c. 368, § 206, 43 Stat. 1068.)

292. Fourth-class matter; postal zones.—For fourth-class mail matter the United States and its several Territories and possessions, excepting the Philippine Islands, shall be divided into units of area thirty minutes square, identical with a quarter of the area formed by the intersecting parallels of latitude and meridians of longitude, represented on appropriate postal maps or plans, and such units of area shall be the basis of eight postal zones, as follows:

The first zone shall include all territory within such quadrangle, in conjunction with every contiguous quadrangle, representing an area having a mean radial distance of approximately fifty miles from the center of any given unit of area.

The second zone shall include all units of area outside the first zone lying in whole or in part within a radius of approximately one hundred and fifty miles from the center of a given unit of area.

The third zone shall include all units of area outside the second zone lying in whole or in part within a radius of approximately three hundred miles from the center of a given unit of area.

The fourth zone shall include all units of area outside the third zone lying in whole or in part within a radius of approximately six hundred miles from the center of a given unit of area.

The fifth zone shall include all units of area outside the fourth zone lying in whole or in part within a radius of approximately one thousand miles from the center of a given unit of area.

The sixth zone shall include all units of area outside the fifth zone lying in whole or in part within a radius of approximately one thousand four hundred miles from the center of a given unit of area.

The seventh zone shall include all units of area outside the sixth zone lying in whole or in part within a radius of approximately one thousand eight hundred miles from the center of a given unit of area.

The eighth zone shall include all units of area outside the seventh zone. (Aug. 24, 1912, c. 389, § 8, 37 Stat. 557.)

293. Same; rates of postage; service charge.—The rate of postage on fourth-class matter shall be by the pound, as hereinafter provided, the postage in all cases to be prepaid by distinctive postage stamps affixed.

Postage on matter of the fourth class shall be prepaid at the following rates:

On all matter mailed at the post office from which a rural route starts, for delivery on such route, or mailed at any point on such route for delivery at any other point thereon, or at the office from which the route starts, or on any rural route starting therefrom, and on all matter mailed at a city carrier office, or at any point within its delivery limits, for delivery by carriers from that office, or at any office for local delivery, 5 cents for the first pound or fraction of a pound and 1 cent for each additional pound or fraction of a pound.

For delivery within the first zone, except as provided in the next preceding paragraph, 5 cents for the first pound or fraction of a pound and 3 cents for each additional pound or fraction of a pound.

For delivery within the second zone, 6 cents for the first pound or fraction of a pound and 4 cents for each additional pound or fraction of a pound.

For delivery within the third zone, 7 cents for the first pound or fraction of a pound and 5 cents for each additional pound or fraction of a pound.

For delivery within the fourth zone, 8 cents for the first pound or fraction of a pound and 6 cents for each additional pound or fraction of a pound.

For delivery within the fifth zone, 9 cents for the first pound or fraction of a pound and 7 cents for each additional pound or fraction of a pound.

For delivery within the sixth zone, 10 cents for the first pound or fraction of a pound and 9 cents for each additional pound or fraction of a pound.

For delivery within the seventh zone, 11 cents for the first pound or fraction of a pound and 10 cents for each additional pound or fraction of a pound.

For delivery within the eighth zone and between the Philippine Islands and any portion of the United States, including the District of Columbia and the several Territories and possessions, 12 cents for the first pound or fraction of a pound and 12 cents for each additional pound or fraction of a pound. In addition to the rate of postage as established in this section, there shall be a service charge of 2 cents for each parcel, except upon parcels or packages collected on rural delivery routes, to be prepaid by postage stamps affixed thereto, or as otherwise prescribed by the regulations of the Postmaster General. (Aug. 24, 1912, c. 389, § 8, 37 Stat. 557; Feb. 28, 1925, c. 368, § 207 (a, b), 43 Stat. 1067.)

294. Same; special handling.—Whenever, in addition to the postage as hereinbefore provided, there shall be affixed to any parcel of mail matter of the fourth-class postage of the value of 25 cents with the words "Special handling" written or printed upon the wrapper, such parcel shall receive the same expeditious handling, transportation, and delivery accorded to mail matter of the first class. (Feb. 28, 1925, c. 368, § 207 (b), 43 Stat. 1067.)

295. Quantities of identical pieces of third or fourth class matter accepted for transmission without stamps if prepaid.—Under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter in the mails it shall be lawful to accept for transmission in the mails, without postage stamps affixed, quantities of not less than three hundred identical pieces of third-class matter and of second-class matter and two hundred and fifty identical pieces of fourth-class matter, and packages of money and securities mailed under postage at the first or fourth class rate by the Treasury Department: *Provided*, That postage shall be fully prepaid thereon at the rate required by law for a single piece of such matter. (Apr. 28, 1904, c. 1759, § 2, 33 Stat. 440; May 18, 1916, c. 126, § 13, 39 Stat. 162.)

296. Clothing to soldiers by mail.—Packages of woollen, cotton, or linen clothing, not exceeding two pounds in weight, may be sent through the mail to any noncommissioned officer or private in the Army of the United States, if prepaid, at the rate of 1 cent for each one ounce or fraction thereof, subject to such regulations as the Postmaster General may prescribe. (R. S. § 3911.)

297. Postage on foreign mail matter.—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 10 cents for each half ounce or fraction thereof on letters, unless reduced by order of the Postmaster General; 2 cents each on newspapers; and not exceeding 2 cents for 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. (R. S. § 3912.)

298. Postage on irregular sea letters.—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. (R. S. § 3913.)

299. Postage on aeroplane mail.—The Postmaster General, in his discretion, may require the payment of postage on mail

carried by aeroplane at not exceeding 24 cents per ounce or fraction thereof. (May 10, 1918, c. 71, 40 Stat. 548.)

300. Refund of postage paid for service not rendered, or in excess of legal rate.—Whenever it shall be shown to the satisfaction of the Postmaster General that any postage is paid on any mail matter for which service is not rendered, or is collected in excess of the lawful rate, he may, in his discretion, authorize the postmaster at the office where paid to refund the proper amount out of the postal receipts in the possession of the postmaster. (Mar. 3, 1905, c. 1480, §, 2, 33 Stat. 1091.)

301. Special joint Congressional committee to investigate postal rates.—A special joint subcommittee is hereby created to consist of three members of the Committee on Post Offices and Post Roads of the Senate and three members of the Committee on the Post Office and Post Roads of the House, to be appointed by the respective chairmen of said committees. The said special joint subcommittee is authorized and directed to hold hearings prior to the beginning of the first regular session of the Sixty-ninth Congress, to sit in Washington or at any other convenient place and to report during the first week of the first regular session of the Sixty-ninth Congress, by bill, its recommendations for a permanent schedule of postal rates. Said special joint subcommittee is hereby authorized to administer oaths, to send for persons or papers, to employ necessary clerks, accountants, experts, and stenographers, the latter to be paid at a cost not exceeding 25 cents per one hundred words; and the expense attendant upon the work of said special joint subcommittee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon voucher of its chairman. (Feb. 28, 1925, c. 368, Title II, § 217, 43 Stat. 1070.)

Chapter 8.—THE FRANKING PRIVILEGE.

Sec.

- 321. Matter relating to official business; official envelopes.
- 322. Penalty envelopes for answers inclosed.
- 323. Official correspondence of Superintendent of Documents.
- 324. Matter relating to naturalization and census.
- 325. Congressional Record under frank of Members of Congress.
- 326. Public documents sent and received by Vice President and Members of Congress.
- 327. Official correspondence of Vice President and Members of Congress.
- 328. Resident Commissioners.
- 329. Seeds and reports from Department of Agriculture.
- 330. Agricultural extension work between agricultural colleges and Department of Agriculture.
- 331. Reading matter for blind; Bibles.
- 332. Hawaiian Islands.
- 333. Matter admitted under penalty privilege restricted.
- 334. Overweight matter.
- 335. Lending or permitting use of frank unlawful.

Section 321. Matter relating to official business; official envelopes.—It shall be lawful to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to the business of the Government of the United States; official mail matter of all officers of the United States Government, not including Members of Congress; all official mail matter of Smithsonian Institute; all official mail matter of the Pan American Union; and all official mail matter of the National Home for Disabled Volunteer Soldiers, the envelopes of such matter in all cases to bear appropriate indorsement containing the proper designation of the office from which, or officer from whom, the same is transmitted with the statement of the penalty for their misuse. Every such letter or package to entitle it to pass free, shall bear over the words "Official business" an indorsement showing also the name of the department, and if from a bureau or office, the names of the department and bureau or office, as the case may be, whence transmitted. It shall be the duty of each of the executive departments of the United States to provide for itself and its

subordinate offices necessary envelopes and in addition to the indorsement designating the department in which they are to be used, the penalty for the unlawful use of these envelopes shall be stated thereon. Any department or office authorized to use the penalty envelopes may inclose them with return address to any person or persons from or through whom official information is desired, the same to be used only to cover such official information and indorsements relating thereto. Any part paid letter or packet addressed to any of the departments or bureaus may be delivered free, but where there is good reason to believe the omission to prepay the full postage thereon was intentional such letter or packet shall be returned to the sender. This section shall not extend or apply to officers who receive a fixed allowance as compensation for their services including expenses of postages. (Mar. 3, 1877, c. 103, §§ 5, 6, 19 Stat. 335; Mar. 3, 1879, c. 180, § 29, 20 Stat. 362; July 5, 1884, c. 234, § 3, 23 Stat. 158; Aug. 18, 1894, c. 301, § 1, 29 Stat. 412; Feb. 20, 1897, c. 268, 29 Stat. 590.)

322. Penalty envelopes for answers inclosed.—The respective departments shall inclose to Senators, Representatives and Delegates in Congress, in all official communications requiring answers, or to be forwarded to others, penalty envelopes, addressed as far as practicable, for forwarding or answering such official correspondence. (Mar. 3, 1883, c. 128, § 2, 22 Stat. 563.)

323. Official correspondence of Superintendent of Documents.—All official correspondence of the Superintendent of Documents and all replies to the same shall be entitled to free transmission by mail; and he shall be entitled to frank public documents: *Provided*, That in the transmission of such mail matter envelopes, labels, or postal cards are used on which the name of the office and the penalty clause are printed. (Jan. 12, 1895, c. 23, § 65, 28 Stat. 611.)

324. Matter relating to naturalization and census.—All mail matter, of whatever class, relating to naturalization, including duplicate papers required by law or regulation to be sent to the Bureau of Naturalization by clerks of State or Federal courts, addressed to the Department of Labor, or the Bureau of Naturalization, or to any official thereof, and indorsed "Official business," and all mail matter, of whatever class or weight, relating to the census and addressed to the Census Office, or to any official thereof, and indorsed "Official business, Census Office," shall be transmitted free of postage, and by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage or registry fee on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject to a fine of \$300, to be prosecuted in any court of competent jurisdiction. (July 2, 1909, c. 2, § 29, 36 Stat. 10; Oct. 6, 1917, c. 79, § 1, 40 Stat. 376; Mar. 3, 1919, c. 97, § 29, 40 Stat. 1301.)

325. Congressional Record under frank of Members of Congress.—The Congressional Record, or any part thereof, or speeches or reports therein contained, shall, under the frank of a Member of Congress, or Delegate, or Resident Commissioner from Porto Rico or the Philippines, written by himself, be carried in the mail free of postage, under such regulations as the Postmaster General may prescribe. (Mar. 3, 1875, c. 128, § 5, 18 Stat. 343; Aug. 29, 1916, c. 416, § 20, 39 Stat. 552; Mar. 2, 1917, c. 145, § 36, 39 Stat. 963.)

326. Public documents sent and received by Vice President and Members of Congress.—The Vice President, Senators, Representatives, and Delegates in Congress, the Resident Commissioners from Porto Rico and the Philippines, the Secretary of the Senate, and Clerk of the House of Representatives may send and receive through the mail all public documents printed by order of Congress; and the name of the Vice President, Senator, Representative, Delegate, Secretary of the Senate, and Clerk of the House shall be written thereon, with the proper

designation of the office he holds; and the provisions of this section shall apply to each of the persons named therein until the 1st day of December following the expiration of their respective terms of office. (Jan. 12, 1895, c. 23, § 85, 28 Stat. 622; Aug. 29, 1916, c. 416, § 20, 39 Stat. 552; Mar. 2, 1917, c. 145, § 36, 39 Stat. 963.)

327. Official correspondence of Vice President and Members of Congress.—The Vice President, Members and Members-elect of, Delegates and Delegates-elect to Congress, and the Resident Commissioners from Porto Rico and the Philippines, shall have the privilege of sending free through the mails, and under their frank, any mail matter to any Government official or to any person, correspondence, not exceeding four ounces in weight, upon official or departmental business. (Apr. 28, 1904, c. 1759, § 7, 33 Stat. 441; Aug. 29, 1916, c. 416, § 20, 39 Stat. 552; Mar. 2, 1917, c. 145, § 36, 39 Stat. 963.)

328. Resident Commissioners.—The Resident Commissioners from Porto Rico and the Philippines shall be allowed the franking privileges allowed by law to Members of Congress. (Aug. 29, 1916, c. 416, § 20, 39 Stat. 552; Mar. 2, 1917, c. 145, § 36, 39 Stat. 963.)

329. Seeds and reports from Department of Agriculture.—Seeds transmitted by the Department of Agriculture, or by any Member of Congress or Delegate receiving seeds for distribution from said department, together with agricultural reports emanating from that department, and so transmitted, shall, under such regulations as the Postmaster General shall prescribe, pass through the mails free of charge. And the provisions of this section shall apply to ex-Members of Congress and ex-Delegates for the period of nine months after the expiration of their terms as Members and Delegates. (Mar. 3, 1875, c. 128, § 7, 18 Stat. 343; Feb. 9, 1889, c. 122, § 1, 25 Stat. 659.)

330. Agricultural extension work between agricultural colleges and Department of Agriculture.—All correspondence, bulletins, and reports for the furtherance of the purposes of sections 341 to 348 of Title 7, may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General, from time to time, may prescribe, by such college officer or other person connected with the extension department of such college as the Secretary of Agriculture may designate to the Postmaster General. (June 30, 1914, c. 131, 38 Stat. 438.)

331. Reading matter for blind; Bibles.—Books, pamphlets, and other reading matter in raised characters for the use of the blind, whether prepared by hand or printed, in single volumes, not exceeding ten pounds in weight, or in packages not exceeding four pounds in weight and containing no advertising or other matter whatever, unsealed and when sent by public institutions for the blind, or by any public libraries, as a loan to blind readers, or when returned by the latter to such institutions or public libraries, and magazines, periodicals and other regularly issued publications in such raised characters whether prepared by hand or printed, which contain no advertisements, and for which no subscription fee is charged, shall be transmitted in the United States mails free of postage, and under such regulations as the Postmaster General may prescribe. Volumes of the Holy Scriptures, or any part thereof, in raised characters for the use of the blind, whether prepared by hand or printed, which do not contain advertisements, (a) when furnished by an organization, institution, or association not conducted for private profit, to a blind person without charge, shall be transmitted in the United States mails free of postage; (b) when furnished by an organization, institution, or association not conducted for private profit to a blind person at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof; under such regulations as the Postmaster General may prescribe. (Apr. 27, 1904, c. 1612,

33 Stat. 313; Aug. 24, 1912, c. 389, § 1, 37 Stat. 556; June 7, 1924, c. 375, 43 Stat. 668.)

332. Hawaiian Islands.—The franking privilege, as the same is regulated by law, shall extend to the Hawaiian Islands. (Mar. 1, 1899, c. 327, § 4, 30 Stat. 966.)

333. Matter admitted under penalty privilege restricted.—No article, package, or other matter, except postage stamps, stamped envelopes, newspaper wrappers, postal cards, and internal-revenue stamps, shall be admitted to the mails under a penalty privilege, unless such article, package, or other matter, except postage stamps, stamped envelopes, newspaper wrappers, postal cards, and internal-revenue stamps would be entitled to admission to the mails under laws requiring payment of postage. (June 26, 1906, c. 3546, 34 Stat. 477.)

334. Overweight matter.—No article or package exceeding four pounds in weight shall be admitted to the mails under the penalty privilege except postage stamps, stamped envelopes, newspaper wrappers, postal cards, internal-revenue stamps, single books weighing in excess of that amount, and books and documents published or circulated by order of Congress, or printed or written official matter emanating from any of the departments of the Government, or from the Smithsonian Institution. (June 8, 1896, c. 370, 29 Stat. 262; June 26, 1906, c. 3546, 34 Stat. 477; May 18, 1916, c. 126, § 11, 39 Stat. 162.)

335. Lending or permitting use of frank unlawful.—It shall be unlawful for any person entitled under the law to the use of a frank to lend said frank or permit its use by any committee, organization, or association, or permit its use by any person for the benefit or use of any committee, organization, or association. This provision shall not apply to any committee composed of Members of Congress. (June 26, 1906, c. 3546, 34 Stat. 477.)

Chapter 9.—POSTAGE STAMPS, POSTAL CARDS, AND ENVELOPES.

Sec.

- 351. Stamps.
- 352. Same; manufacture by Bureau of Engraving and Printing.
- 353. Same; contracts for manufacture.
- 354. Stamped envelopes.
- 355. Contracts for envelopes by Postmaster General.
- 356. Postal cards.
- 357. Same; international cards.
- 358. Letter-sheet envelopes, double postal cards, double-letter envelopes.
- 359. Deliveries by contractor.
- 360. Improvements in stamps and envelopes.
- 361. Sale of stamps at post offices.
- 362. Limitation on price of stamped envelopes and newspaper wrappers.
- 363. Stamps and envelopes at discount.
- 364. Selling stamps at more than face.
- 365. Stamps to be defaced; precanceled stamps.
- 366. Failure to deface; report.
- 367. Uniform ink or appliance for canceling stamps.
- 368. Permits for special cancellation stamps or postmarking dies; when authorized; duration of; no expenditure of postal funds or appropriations; revocation of permits.
- 369. Use of precanceled stamped envelopes.

Section 351. Stamps.—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. (R. S. § 3014.)

352. Same; manufacture by Bureau of Engraving and Printing.—When in the opinion of the Postmaster General the interests of the Post Office Department require it, the manufacturing of special-delivery and adhesive postage stamps may be done by the Treasury Department (Bureau of Engraving and Printing), in conformity with an agreement satisfactory to both the Postmaster General and the Secretary of the Treasury. (Apr. 21, 1902, c. 563, § 1, 32 Stat. 117.)

353. Same; contracts for manufacture.—No contract for the manufacture of adhesive postage stamps, special-delivery stamps, or books of stamps shall be made by the Government

with any department or bureau of the Government below the cost of such work to the Government. (June 26, 1906, c. 3546, 34 Stat. 475.)

354. Stamped envelopes.—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, impressed 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 or any other envelope furnished or sold by the Government shall contain any lithographing or engraving, nor any printing nor advertisement except that the usual request for return of the letter to the writer may be printed thereon. 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. (R. S. § 3915; June 23, 1874, c. 456, § 1, 18 Stat. 231; Mar. 3, 1893, c. 213, § 1, 27 Stat. 733; June 26, 1906, c. 3546, 34 Stat. 476.)

355. Contracts for envelopes by Postmaster General.—The Postmaster General shall contract, for a period not exceeding four years, for all envelopes, stamped or otherwise, designed for sale to the public, or for use by the Post Office Department, the Postal Service, and other executive departments, and all Government bureaus and establishments, and the branches of the service coming under their jurisdiction, and may contract for them to be plain or with such printed matter as may be prescribed by the department making requisition therefor. (R. S. § 3915; June 26, 1906, c. 3546, 34 Stat. 476.)

356. Postal cards.—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 1 cent each, including the cost of their manufacture. (R. S. § 3916.)

357. Same; international cards.—The Postmaster General may furnish and issue to the public, postal cards with postage stamps impressed upon them, for circulation in the mails exchanged with foreign countries under the provisions of the Universal Postal Union Convention of June 1, 1878, at a postage charge of 2 cents each, including the cost of their manufacture. (June 11, 1880, c. 206, § 1, 21 Stat. 179.)

358. Letter-sheet envelopes, double postal cards, double-letter envelopes.—The Postmaster General may take the necessary steps to introduce and furnish for public use a letter-sheet envelope, on which postage stamps of the denominations in use on ordinary envelopes shall be placed. He may also furnish for public use a double postal card, on which shall be placed two 1-cent stamps, said card to be so arranged for the address that it may be forwarded and returned, and to be sold for 2 cents apiece; and also introduce and furnish for public use a double-letter envelope, on which stamps of the denominations in use may be placed, and with the arrangement for the address similar to the double postal card; said letter sheet and double postal card and double envelope to be issued under such regulations as the Postmaster General may prescribe. No money shall be paid for royalty or patent on

any of the articles named. (Mar. 3, 1879, c. 180, § 32, 20 Stat. 362.)

359. Deliveries by contractor.—In making contracts for stamped envelopes, stamped paper, and all other supplies, the Postmaster General may require the contractor, under such regulations as he may prescribe, to make delivery at such points in the United States as he may direct, whenever, in his opinion, any such contract can be made at a saving to the Government. (July 16, 1894, c. 137, § 2, 28 Stat. 106.)

360. Improvements in stamps and envelopes.—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. (R. S. § 3917.)

361. Sale of stamps at post offices.—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. (R. S. § 3918.)

362. Limitation on price of stamped envelopes and newspaper wrappers.—No stamped envelopes or newspaper wrappers shall be sold by the Post Office Department at less (in addition to the legal postage) than the cost, including all salaries, clerk hire, and other expenses connected therewith. (July 12, 1876, c. 179, § 14, 19 Stat. 82.)

363. Stamps and envelopes at discount.—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 \$100 in value, and the discount shall not exceed 5 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. (R. S. § 3919.)

364. Selling stamps at more than face.—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. (R. S. § 3920.)

365. Stamps to be defaced; precanceled stamps.—Postage stamps affixed to all mail matter or to 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. When practicable postage stamps may be furnished to postmasters precanceled by printing on them the name of the post office at which they are to be used, under such regulations as the Postmaster General may prescribe. (R. S. § 3291; May 18, 1916, c. 126, § 12, 39 Stat. 162.)

366. Failure to deface; report.—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. (R. S. § 3921.)

367. Uniform ink or appliance for canceling stamps.—The Postmaster General may adopt a uniform canceling ink or other appliance for canceling stamps which experiments and tests have proved or may prove to be the most practicable and the best calculated to protect the revenues of the department from the frauds practiced upon it, to be used in all the post offices where stamps are canceled, and he may distribute said canceling ink or other appliance in the same manner as other supplies are distributed to the different post offices in the United States. (June 20, 1878, c. 359, § 1, 20 Stat. 240.)

368. Permits for special cancellation stamps or postmarking dies; when authorized; duration of; no expenditure of

postal funds or appropriations; revocation of permits.—The Postmaster General may, under such rules and regulations as he may prescribe, grant permission for the use in first and second class post offices of special canceling stamps or postmarking dies for advertising purposes in the following cases only: First, where the event to be advertised is for some national purpose for which Congress has made an appropriation; second, where the event to be advertised is of general public interest and importance and is to endure for a definite period of time and is not to be conducted for private gain or profit. Such permit shall not be for a longer period than six months and the duration of the event to be advertised. Nothing in this section shall be construed to authorize the expenditure of any postal funds or appropriation either for the purchase of special canceling stamps or postmarking dies or for adapting canceling machines for the use of such stamps or dies or for installing the same, but all expense shall be prepaid by the permittee. Any permission granted under this section shall be revocable in the event the Government shall find it expedient or necessary to use special canceling stamps or postmarking dies for its own purposes. (May 11, 1922, c. 186, §§ 1, 2, 42 Stat. 540.)

369. Use of precanceled stamped envelopes.—The Postmaster General may, under such regulations as he may prescribe, issue a permit to persons using Government stamped envelopes to deface the postage stamps thereon in connection with the placing on the envelopes of the name of the post office and State of mailing, together with such other indicia as may be prescribed. (Feb. 20, 1925, c. 275, 43 Stat. 955.)

Chapter 10.—REGISTERED MAIL.

Sec.

381. System of registration; indemnity for loss of first-class matter.

382. Payment of limited indemnity claims by postmasters.

383. Indemnity for loss of third-class and fourth-class matter.

384. Registered matter and fees.

385. Registry of letters containing currency.

386. Receipt for delivery of registered mail.

Section 381. System of registration; indemnity for loss of first-class matter.—For the greater security of valuable mail matter the Postmaster General may establish a uniform system of registration, and as a part of such system he may provide rules under which the sender or owners of first-class registered matter shall be indemnified for losses thereof in the mails, the indemnity to be paid out of the postal revenues, but in no case to exceed \$100 for any one registered piece, or the actual value thereof when that is less than \$100, and for which no other compensation or reimbursement to the loser has been made. The Post Office Department or its revenues shall not be liable for the loss of mail matter on account of its having been registered except as provided in this chapter. (R. S. § 3926; Feb. 27, 1897, c. 340, § 1, 29 Stat. 559; Mar. 3, 1903, c. 1009, § 1, 32 Stat. 1174.)

382. Payment of limited indemnity claims by postmasters.—The Postmaster General may, under such rules and regulations as he shall prescribe, authorize postmasters to pay limited indemnity claims on insured and collect-on-delivery mail. (Apr. 24, 1920, c. 161, § 1, 41 Stat. 581.)

383. Indemnity for loss of third-class and fourth-class matter.—The Postmaster General may indemnify the senders or owners of third and fourth class domestic registered matter lost in the mails, the indemnity, which shall be paid out of the postal revenues, not to exceed \$25 for a single piece of registered matter or the actual value thereof if less than \$25: *Provided*, That no indemnity shall be paid if the loser has been otherwise reimbursed. (Mar. 4, 1911, c. 241, § 1, 36 Stat. 1337.)

384. Registered matter and fees.—Mail matter shall be registered only on the application of the party posting the same, and the fees therefor shall not be less than 15 nor more than 20 cents in addition to the regular postage, to be, in all cases, prepaid; and all such fees shall be accounted for in such man-

ner as the Postmaster General shall direct; but the Postmaster General may fix the fee for registered mail matter at any amount less than 20 cents. 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, and any letter or packet to be registered by any of the executive departments or bureaus thereof or by the Public Printer may be registered without the payment of any registry fee. (R. S. § 3927; Mar. 3, 1879, c. 180, § 29, 20 Stat. 362; July 6, 1884, c. 234, § 3, 23 Stat. 158; Feb. 28, 1925, c. 368, § 209, 43 Stat. 1068.)

385. Registry of letters containing currency.—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. (R. S. § 3932.)

386. Receipt for delivery of registered mail.—Whenever the sender shall so request, and upon payment of a fee of 3 cents, a receipt shall be taken on the delivery of any registered mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery. (R. S. § 3928; May 23, 1910, c. 255, 36 Stat. 416; Feb. 28, 1925, c. 368, § 210, 43 Stat. 1068.)

Chapter 11.—UNCLAIMED, DEAD, AND REQUEST LETTERS, AND UNCLAIMED PRINTED MATTER.

Sec.

401. Advertising letters not delivered.

402. Same; foreign letters.

403. Same; posting lists.

404. Same; pay for.

405. Same; charge on.

406. Return of undelivered letters.

407. Unpaid letters to dead-letter office.

408. Disposition of dead letters.

409. Request for return.

410. Forwarding letters.

411. Disposal of uncalled-for printed matter.

Section 401. Advertising letters not delivered.—The Postmaster General may direct the publication of the list of non-delivered letters at any post office by 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. (R. S. § 3930.)

402. Same; foreign letters.—The list of nondelivered 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 section 401 of this title. (R. S. § 3931.)

403. Same; posting lists.—Every postmaster shall post, in a conspicuous place in his office, a copy of each list of nondelivered letters immediately after its publication. (R. S. § 3933.)

404. Same; pay for.—The compensation for publishing the list of nondelivered letters shall in no case exceed 1 cent for each letter so published. (R. S. § 3934.)

405. Same; charge on.—All letters published as nondelivered shall be charged with 1 cent in addition to the regular postage, to be accounted for as part of the postal revenue. (R. S. § 3935.)

406. Return of undelivered letters.—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 can not be delivered to the parties addressed. When letters are returned from the dead-letter office to the writers, a fee of 3 cents shall be collected at the time of delivery, under such rules and regulations as the Postmaster General may prescribe. (R. S. § 3936; Apr. 24, 1920, c. 161, § 4, 41 Stat. 583.)

407. Unpaid letters to dead-letter office.—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. (R. S. § 3937.)

408. Disposition of dead letters.—All letters of domestic origin which can not be delivered by postmasters shall be sent to the Post Office Department or to a post office designated by the Postmaster General and such as contain inclosures of value, other than correspondence, shall be recorded. If the sender or addressee can not be identified, such letters shall be held for a period of one year awaiting reclamation. If within one year they have not been claimed, they shall be disposed of as the Postmaster General may direct. All other undeliverable letters shall be disposed of without record and not held for reclamation. (R. S. § 3938; July 28, 1916, c. 261, § 1, 39 Stat. 418.)

409. Request for return.—When the writer of any letter on which the postage is prepaid shall indorse on 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 the time the writer may direct or the Postmaster General prescribe, shall be returned to the writer without additional charge for postage, and if not then delivered, shall be treated as a dead letter. (R. S. § 3939; June 24, 1910, c. 380, 36 Stat. 630.)

410. Forwarding letters.—Prepaid letters shall be forwarded from one post office to another, at the request of the party addressed, without additional charge for postage. (R. S. § 3940.)

411. Disposal of uncalled-for printed matter.—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. (R. S. § 4061.)

Chapter 12.—CONTRACTS FOR CARRYING THE MAILS.

Sec.

421. Advertisement; general mail lettings.

422. Same; temporary mail lettings; contracts.

Sec.

423. Transmission by pneumatic tubes; contracts; expert commission; report.

424. Contracts for inland and foreign steamboat mail service.

425. Proposals; sealing; opening.

426. Bond of bidder.

427. Same; justification of sureties; false oath.

428. Recording and preserving bids; unaccepted bids; reports as to movement of mails.

429. Contracts to lowest bidder.

430. Signing contracts for mail transportation.

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448. Services performed for contractor or subcontractor.

449. Water-route contracts.

450. Water routes; carriage of mails as freight or express.

451. Star routes served entirely by Rural Delivery Service.

Section 421. Advertisement; general mail lettings.—The Postmaster General shall cause advertisements of all general mail lettings of each State and Territory to be conspicuously posted in each post office named in said advertisements for at least sixty days before the time of such general lettings, and no other advertisement of such lettings shall be required; but this provision shall not apply to any other than general mail lettings. (R. S. § 3941; Mar. 1, 1881, c. 96, § 1, 21 Stat. 374; May 12, 1910, c. 230, 36 Stat. 366.)

422. Same; temporary mail lettings; contracts.—After providing by general advertisement for the transportation of the mails in any State or Territory as authorized by law, the Postmaster General may secure any mail service that may become necessary before the next general advertisement for said State or Territory by posting notices, for a period of not less than ten days, in the post offices at the termini of any route to be let, and upon a bulletin board in the Post Office Department, inviting proposals, in such form and with such guaranty as may be prescribed by the Postmaster General, for the performance of the proposed service. The contract for such service shall be made to run to the end of the contract term under the general advertisement, shall be made with the lowest bidder whose proposal is in due form, and who, under the law, is eligible as a bidder for such postal service. (July 26, 1892, c. 249, § 1, 27 Stat. 268.)

423. Transmission by pneumatic tubes; contracts; expert commission; report.—The Postmaster General may enter into contracts not exceeding in the aggregate \$1,388,750 for the transmission of mail by pneumatic tubes or other similar devices, for a period not exceeding ten years, after public advertisement once a week for a period of six consecutive weeks in not less than five newspapers, one of which shall be published in each city where the service is to be performed. Contracts for this service shall be subject to the provisions of the postal laws and regulations relating to the letting of mail contracts, except as herein otherwise provided, and no advertisement shall issue until after a careful investigation shall have been made as to the needs and practicability of such service and until a favorable report, in writing, shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials, to be named by him; nor shall such advertisement issue until in the judgment of the Postmaster General

the needs of the Postal Service are such as to justify the expenditure involved. Advertisements shall state in general terms only the requirements of the service and in form best calculated to invite competitive bidding.

The Postmaster General shall have the right to reject any and all bids; no contract shall be awarded except to the lowest responsible bidder, tendering full and sufficient guaranties, to the satisfaction of the Postmaster General, of his ability to perform satisfactory service, and such guaranties shall include an approval bond in double the amount of the bid.

No contract shall be entered into in any city for the character of mail service herein provided which will create an aggregate annual rate of expenditure, including necessary power and labor to operate the tubes, and all other expenses of such service in excess of 4 per centum of the gross postal revenue of said city for the last preceding fiscal year.

In the city of New York, including the borough of Brooklyn, the annual rate of expenditure for the transmission of mail by such tubes or devices, including power, labor, and all operating expenses, shall not exceed \$18,500 per mile of double line of tubes or such other sum not exceeding \$19,500 per mile as may have been prescribed by the Interstate Commerce Commission under the Act of June 19, 1922, chapter 227.

No contract shall be made in any other city providing for three miles or more of double lines of tube which shall involve an expenditure in excess of \$17,000 per mile per annum, and said compensation shall cover power, labor, and all operating expenses.

Only such contracts shall be made as may from time to time be provided for in the annual appropriation Act for the Postal Service. Said service shall not be extended in any cities other than those in which the service was under contract under authority of Congress on March 2, 1907, except the borough of Brooklyn, of the city of New York, and the cities of Baltimore, Maryland, Cincinnati, Ohio, Kansas City, Missouri, Pittsburgh, Pennsylvania, and San Francisco, California. (Apr. 21, 1902, c. 563, § 1, 32 Stat. 114; Mar. 2, 1907, c. 2513, 34 Stat. 1211; May 27, 1908, c. 206, 35 Stat. 412.)

424. Contracts for inland and foreign steamboat mail service.—The Postmaster General is authorized to contract for inland and foreign steamboat mail service, when it can be combined in one route, where the foreign office or offices are not more than two hundred miles distant from the domestic office, on the same terms and conditions as inland steamboat service, and pay for the same out of the appropriation for inland steamboat service. (Mar. 3, 1885, c. 342, § 1, 23 Stat. 386.)

425. Proposals; sealing; opening.—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 notice in writing of such withdrawal. (R. S. § 3944; July 28, 1916, c. 261, § 1, 39 Stat. 418.)

426. Bond of bidder.—Every proposal for carrying the mail shall be accompanied by the bond of the bidder, with sureties approved by a postmaster, and in cases where the amount of the bond exceeds \$5,000, by a postmaster of the first, second, or third class, in a sum to be designated by the Postmaster General in the advertisement of each route; to which bond a condition shall be annexed, that if the said bidder shall, within such time after his bid is accepted as the Postmaster General shall prescribe, enter into a contract with the United States of America, with good and sufficient sureties, to be approved by the Postmaster General, to perform the service proposed in

his said bid, and, further, that he shall perform the said service according to his contract, then the said obligation to be void, otherwise to be in full force and obligation in law; and in case of failure of any bidder to enter into such contract to perform the service, or, having executed a contract, in case of failure to perform the service, according to his contract, he and his sureties shall be liable for the amount of said bond as liquidated damages, to be recovered in an action of debt on the said bond. No proposal shall be considered unless it shall be accompanied by such bond, and there shall have been affixed to said proposal the oath of the bidder, taken before an officer qualified to administer oaths, that he has the ability, pecuniarily, 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 is accepted. (R. S. § 3945; June 8, 1872, c. 335, § 245, 17 Stat. 313; June 23, 1874, c. 456, § 12, 18 Stat. 235.)

427. Same; justification of sureties; false oath.—Before the bond of a bidder, provided for in section 426 of this title, is approved, there shall be indorsed thereon the oaths of the sureties therein, taken before an officer qualified to administer oaths, that they are owners of real estate worth in the aggregate a sum double the amount of said bond, over and above all debts due and owing by them, and all judgments, mortgages, and executions against them, after allowing all exemptions of every character whatever. Accompanying said bond and as a part thereof, there shall be a series of interrogatories, in print or writing, to be prescribed by the Postmaster General, and answered by the sureties under oath showing the amount of real estate owned by them, a brief description thereof, and its probable value, where it is situated, in what county and State the record evidence of their title exists. And if any surety shall knowingly and willfully swear falsely to any statement made under the provisions of this section he shall be deemed guilty of perjury, and, on conviction thereof, be punished as is provided by law for commission of the crime of perjury. (R. S. § 3946; June 8, 1872, c. 335, § 246, 17 Stat. 313; June 23, 1874, c. 456, § 12, 18 Stat. 235; Aug. 11, 1876, c. 260, 19 Stat. 129.)

428. Recording and preserving bids; unaccepted bids; reports as to movement of mails.—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 until the end of the contract term to which they relate, after which the proposals that were not accepted may be destroyed or disposed of as waste paper. The reports of the arrivals and departures of the mails on mail routes made and sent by postmasters to the Second Assistant Postmaster General, on which no fines or deductions from the pay of contractors for carrying the mails have been based, and the certificates of oaths taken by carriers on mail routes may be disposed of as waste paper after the expiration of one year from the end of the contract term to which they relate. (R. S. § 3948; June 13, 1898, c. 446, § 2, 30 Stat. 444.)

429. Contracts to lowest bidder.—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 guaranties for faithful performance in accordance with the terms of the advertisement. Such contracts shall require due celerity, certainty, and security in the performance of the service; 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. (R. S. § 3949; May 18, 1916, c. 126, § 6, 39 Stat. 161.)

430. Signing contracts for mail transportation.—Contracts made in the Post Office Department for the various classes of

mail transportation may, upon order of the Postmaster General, be signed in the place and stead of the Postmaster General by the Assistant Postmaster General who is charged with the supervision of the mail transportation involved, and such officer shall attest his signature to such contracts by the seal of the Post Office Department. (Mar. 3, 1887, c. 103, § 3, 19 Stat. 335; Mar. 3, 1917, c. 162, § 2, 39 Stat. 1068.)

431. Copies of contracts.—The Postmaster General shall deliver to the General Accounting Office, within sixty days after the making of any contract for carrying the mail, a duplicate copy thereof. (R. S. § 404; June 10, 1921, c. 18 § 304, 42 Stat. 24.)

432. Combinations to prevent bids.—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. (R. S. § 3950.)

433. Same; for star routes; service, how obtained.—Whenever in the judgment of the Postmaster General the bids received for any star route are exorbitant or unreasonable, or whenever he has reason to believe that a combination of bidders has been entered into to fix the rate for star-route service, the Postmaster General may, out of the appropriation for inland transportation by star routes, employ and use such means or methods to provide the desired service as he may deem expedient, without reference to existing law or laws respecting the employment of personal service or the procurement of conveyances, materials, or supplies. (May 18, 1916, c. 126, § 7, 39 Stat. 161.)

434. Failure to enter into or perform contract; proceedings.—After any regular bidder whose bid has been accepted shall fail to enter into contract for the transportation of the mails according to his proposals, or having entered into contract, shall fail to commence the performance of the service stipulated in his or their contract as therein provided, the Postmaster General shall proceed to contract with the next lowest bidder or bidders in the order of their bids, for the same service, who will enter into a contract for the performance thereof, unless the Postmaster General shall consider such bid or bids too high, and in case each of said bids shall be considered too high, then the Postmaster General shall be authorized to enter into contract, at a price less than that named in said bids, with any person, whether a bidder or not, who will enter into contract to perform the service in accordance with the terms and provisions prescribed for the execution of other contracts for similar service; and in case no satisfactory contract can be thus obtained, he shall readvertise such route. And if any bidder whose bid has been accepted, and who has entered into a contract to perform the service according to his proposal, and in pursuance of his contract has entered upon the performance of the service, to the satisfaction of the Postmaster General, shall subsequently fail or refuse to perform the service according to his contract, the Postmaster General shall proceed to contract with the next lowest bidder for such service, under the advertisement thereof, (unless the Postmaster General shall consider such bid too high) who will enter into contract and give bond, with sureties, to be approved by the Postmaster General, for the faithful performance thereof, in the same penalty and with the same terms and conditions thereto an-

nexed as were stated and contained in the bond which accompanied his bid; and in case said next lowest bidder shall decline to enter into contract for the performance of such service, then the Postmaster General may award the service to, and enter into contract with, any person, whether a bidder on said route or not, who will enter into contract to perform the service and execute a bond of like tenor and effect as that required of bidders, in a penalty to be prescribed, and with sureties to be approved by the Postmaster General, for the performance of the service contracted to be performed at a price not exceeding that named in the bid of the said next lowest bidder; and if no contract can be secured at the price named in said next lowest bid, then the Postmaster General shall proceed to secure a contract, at a price not considered too high, with any person who will execute such contract in accordance with the law applicable thereto, giving in all cases, the preference to the regular bidders on the list whose bids do not exceed the price at which others will contract therefor; and if no satisfactory contract can be thus secured, the route shall be readvertised. Whenever an accepted bidder shall fail to enter into contract, or a contractor on any mail route shall fail or refuse to perform the service on said route according to his contract, or when a new route shall be established or new service required, or when, from any other cause, there shall not be a contractor legally bound or required to perform such service, the Postmaster General may make a temporary contract for carrying the mail on such route, without advertisement, for such period as may be necessary, not in any case exceeding one year, until the service shall have commenced under a contract made according to law. The cost of temporary service rendered necessary by reason of the failure of any accepted bidder to enter into contract or a contractor to perform service shall be charged to such bidder or contractor. The Postmaster General shall not employ temporary service on any route at a higher price than that paid to the contractor who shall have performed the service during the last preceding contract term. In all cases of regular contracts 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. (R. S. § 3951; June 8, 1872, c. 335, § 251, 17 Stat. 314; June 23, 1874, c. 456, § 12, 18 Stat. 235; Aug. 11, 1876, c. 260, 19 Stat. 129; Aug. 3, 1882, c. 379, § 21, 22 Stat. 216; May 18, 1916, c. 126 § 8, 39 Stat. 16.)

435. New sureties on mail contracts.—The Postmaster General, whenever, he may deem it consistent with the public interest, may accept or require new surety upon any contract existing or hereafter made for carrying the mails, in substitution for and release of any existing surety. (R. S. § 3955; Mar. 3, 1879, c. 180, § 30, 20 Stat. 362.)

436. Limit of time of contract.—Except as otherwise provided by law, 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. (R. S. § 3956.)

437. Changing terms of contract.—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. (R. S. § 3957.)

438. Same; notice of intention.—Whenever it becomes necessary to change the terms of an existing contract for carrying the mail otherwise than as provided in section 437 of this title, notice thereof shall be given and proceedings had thereon the same as at the letting of original contracts. (R. S. § 3958.)

439. Payment on contract.—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. (R. S. § 3959.)

440. Pay for additional regular service.—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. (R. S. § 3960.)

441. Allowance for additional expedition; limit.—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. The Postmaster General shall not expedite the service under any contract either now existing or hereafter given to a rate of pay exceeding 50 per centum upon the contract as originally let. (R. S. § 3961; Apr. 7, 1880, c. 48, § 2, 21 Stat. 72.)

442. Extension of mail route.—The Postmaster General may, in cases where the mail service would be thereby improved, extend service on a mail route under contract, at not exceeding pro rata additional pay. The extensions beyond either terminus ordered during a contract term shall not, in the aggregate, exceed twenty-five miles. (Mar. 4, 1911, c. 241, § 1, 36 Stat. 1339.)

443. Fining contractors.—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. (R. S. § 3962.)

444. Mail contracts not assignable.—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. (R. S. § 3963.)

445. Subletting or transfer of contract.—No subletting or transfer of any mail contracts shall be permitted without the consent in writing of the Postmaster General; and whenever it shall come to the knowledge of the Postmaster General that any contractor has sublet or transferred his contract, except with the consent of the Postmaster General as aforesaid, the same shall be considered as violated and the service may be again advertised as provided by law; and the contractor and his securities shall be liable on their bond to the United States for any damage, resulting to the United States in the premises. (May 17, 1878, c. 107, § 2, 20 Stat. 62.)

446. Same; settlements and payments.—When any person or persons being under contract with the Government of the United States for carrying the mails, shall lawfully sublet any such contract, or lawfully employ any other person or persons to perform the service by such contractor agreed to be per-

formed, or any part thereof, he or they shall file in the office of the Postmaster General a copy of his or their contract; and thereupon it shall be the duty of the Postmaster General to notify the General Accounting Office of the fact of the filing in his office of such contract. Said notice shall embrace the name or names of the original contractor or contractors, the number of the route or routes, the name or names of the subcontractor or subcontractors, and the amount agreed to be paid to the subcontractor or subcontractors. And upon the receipt of said notice by the General Accounting Office it shall be his duty to retain, out of the amount due the original contractor or contractors, the amount stated in said notice as agreed to be paid to the subcontractor or subcontractors, and shall pay said amount, upon the certificate of the Postmaster General, to the subcontractor or subcontractors, under the same rules and regulations governing the payments made to original contractors. Upon satisfactory evidence that the original contractor or contractors have paid off and discharged the amount due under his or their contract to the subcontractor or subcontractors, it shall be the duty of the Postmaster General to certify such fact to the General Accounting Office; and thereupon said office shall settle with the original contractor or contractors, under the same rules as are provided by law for such settlements. (May 17, 1878, c. 107, § 3, 20 Stat. 62; July 28, 1916, c. 261, § 1, 39 Stat. 418; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

447. Cancellation of contract sublet; subcontractor's rights.—Whenever any contractor or subcontractor shall sublet his contract for the transportation of the mail on any route for a less sum than that for which he contracted to perform the service, the Postmaster General may, whenever he shall deem it for the good of the service, declare the original contract at an end, and enter into a contract with the last subcontractor, without advertising, to perform the service on the terms at which the last subcontractor agreed with the original contractor or former subcontractor to perform the same. Such last subcontractor shall enter into a good and sufficient bond and the original contractor shall not be released from his contract until a good and sufficient bond has been made by such last subcontractor and accepted by the Post Office Department. When a contract is declared void on account of its having been sublet, the contractor shall not be entitled to one month's extra pay as formerly provided. Where any person, corporation, or partnership shall have contracts for the performance of mail service upon more than one route, and any failure to perform the service according to contract on any one or more of such routes shall occur, no payment shall be made for service on any of the routes under contract with such person, corporation, or partnership until such failure has been removed and all penalties therefor fully satisfied. (May 4, 1882, c. 116, § 1, 22 Stat. 53.)

448. Services performed for contractor or subcontractor.—If any person shall hereafter perform any service for any contractor or subcontractor in carrying the mail, he shall, upon filing in the department his contract for such service and satisfactory evidence of its performance, thereafter have a lien on any money due such contractor or subcontractor for such service to the amount of same; and if such contractor or subcontractor shall fail to pay the party or parties who have performed service as aforesaid the amount due for such service within two months after the expiration of the month in which such service shall have been performed the Postmaster General may cause the amount due to be paid said party or parties and charged to the contractor. Such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor. (May 18, 1916, c. 126, § 9, 39 Stat. 162.)

449. Water-route contracts.—When from any cause it may become necessary to make a new contract for carrying the mails upon any water route between the ports of the United States,

upon which mail service has previously been performed, the Postmaster General may contract with the owner or master of any steamship, steamboat or other vessel plying upon the waters or between ports of the United States, for carrying the mail upon said route for any length of time not exceeding 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 upon the same route. And the Postmaster General may contract with the owners or masters of steamships, steamboats or other vessels plying upon the waters or between ports of the United States for carrying the mails upon such routes where no mail service has previously been performed, without advertising for proposals therefor; but no contract for such new service shall be for a longer time than one year. No contract for carrying the mails between the United States and any foreign port shall be for a longer time than two years, unless otherwise directed by Congress. (R. S. § 3943; May 17, 1878, c. 107, § 5, 20 Stat. 62.)

450. Water routes; carriage of mails as freight or express.—When there is no competition for inland transportation by steamboat or other power-boat routes or by aeroplanes and the rate of compensation asked is excessive, or no proposal is received, the Postmaster General may require that the mails be carried as freight or express, and it shall be unlawful for any common carrier by water to refuse to carry the mails when so required, and the penalty for such offense shall be a fine of \$500. Each day of refusal shall constitute a separate offense. (July 2, 1918, c. 117, § 1, 40 Stat. 747.)

451. Star routes served entirely by Rural Delivery Service.—No part of the appropriation for inland transportation by star routes shall be expended for continuance of any star-route service the patronage of which shall be served entirely by the extension of Rural Delivery Service, nor shall any of said sum be expended for star-route service for a patronage a major portion of which has been served by Rural Delivery Service, unless the services of a qualified rural carrier can not be secured. (July 2, 1918, c. 117, § 1, 40 Stat. 751.)

Chapter 13.—AIR MAIL.

Sec.

- 461. Short title.
- 462. Air mail defined.
- 463. Same; postage rates.
- 464. Same; contracts for transportation of air mail.
- 465. Same; rules and regulations.
- 466. Aeroplane for aeroplane mail service.
- 467. Purchase of equipment and supplies for aeroplane mail service.
- 468. Sale of unsuitable aviation material.

Section 461. Short title.—Sections 461 to 465 of this chapter may be cited as the "Air Mail Act." (Feb. 2, 1925, c. 128, § 1, 43 Stat. 805.)

462. Air mail defined.—When used in sections 463 to 465 of this title the term "air mail" means first-class mail prepaid at the rates of postage herein prescribed. (Feb. 2, 1925, c. 128, § 2, 43 Stat. 805.)

463. Same; postage rates.—The rates of postage on air mail shall be not less than 10 cents for each ounce or fraction thereof. (Feb. 2, 1925, c. 128, § 3, 43 Stat. 805.)

464. Same; contracts for transportation of air mail.—The Postmaster General may contract with any individual, firm, or corporation for the transportation of air mail by aircraft between such points as he may designate at a rate not to exceed four-fifths of the revenues derived from such air mail, and further contract for the transportation by aircraft of first-class mail other than air mail at a rate not to exceed four-fifths of the revenues derived from such first-class mail. The cost of such transportation to be paid for out of the appropriation for inland transportation by railroad routes. (Mar. 1,

1921, c. 88, § 1, 41 Stat. 1152; Feb. 2, 1925, c. 128, § 4, 43 Stat. 805.)

465. Same; rules and regulations.—The Postmaster General may make such rules, regulations, and orders as may be necessary to carry out the provisions of sections 462 to 465 of this title. Nothing in such sections shall be construed to interfere with the postage charged or to be charged on Government-operated air mail routes. (Feb. 2, 1925, c. 128, § 5, 43 Stat. 806.)

466. Aeroplanes for aeroplane mail service.—The Postmaster General may expend any sum appropriated for that purpose for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points, including service to and between points in Alaska, as he may determine. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1064; Feb. 28, 1919, c. 69, § 1, 40 Stat. 1194.)

467. Purchase of equipment and supplies for aeroplane mail service.—The Postmaster General shall purchase, as far as practicable, such available and suitable equipment and supplies for the aeroplane mail service as may be owned by or under construction for the War Department or the Navy Department when no longer required because of the cessation of war activities, and it shall be his duty to first ascertain if such articles of the character described may be secured from the War Department or the Navy Department before purchasing such equipment or supplies elsewhere. If such equipment or supplies, other than emergency supplies, are purchased elsewhere than from the War Department or the Navy Department, the Postmaster General shall report such action to Congress, together with the reasons for such purchases. All articles purchased from either of said departments shall be paid for at a reasonable price considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts. The Secretary of War and the Secretary of the Navy are authorized and directed to deliver immediately to the Postmaster General, as he may request, and as hereinbefore provided, such aeroplane machines, supplies, equipment, and parts as may be serviceable and available for the aeroplane mail service, the same to be out of any equipment that the War Department or the Navy Department has on hand or under construction, the War Department and the Navy Department appropriations to be credited with the equipment turned over to the Post Office Department. Separate accounts shall be kept of the amount expended for aeroplane mail service. (Feb. 28, 1919, c. 69, § 1, 40 Stat. 1194.)

468. Sale of unsuitable aviation material.—The Postmaster General may sell under such rules and regulations as he may prescribe any airplanes, parts thereof, field equipment, tools and other aviation material which have become unsuitable in the Postal Service or which will deteriorate and become unsuitable before it can be used. The proceeds of such sales shall be covered into the Treasury as "Miscellaneous receipts." (June 5, 1920, c. 253, § 1, 41 Stat. 1031.)

Chapter 14.—CARRYING THE MAIL.

Sec.

- 481. What are post roads.
- 482. Post routes.
- 483. Provisions for carrying the mail.
- 484. Mail to every courthouse.
- 485. Carrying the mail on canals.
- 486. Carrying the mail on plank roads.
- 487. Carrying the mail on waters of the United States.
- 488. Emergency mail service in Alaska.
- 489. Extending line of posts; compensation.
- 490. Selecting post roads.
- 491. Change of post-road terminus.
- 492. Discontinuing service on post road.
- 493. Contract for service over routes not established by law.

Sec.

494. Mail carrying by vessels not in mail service.

495. Prepaid way letters to be received.

496. Carrying foreign letters.

497. Searching vessels for letters.

498. Seizing and detaining letters.

499. Disposition of seizures.

500. Letters in stamped envelopes carried out of mail.

501. Separating letter mail for expedition.

502. Transfer of motor-propelled vehicles and equipment belonging to Military Establishment to Post Office Department; purposes of.

503. Freight charges on property transferred; payment by States for property received.

504. Transfer of motor vehicles, aeroplanes, machinery, and tools to Postmaster General for use in Postal Service.

Section 481. What are post roads.—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 courthouse 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. (R. S. § 3964.)

482. Post routes.—All public roads and highways while kept up and maintained as such are post routes. (Mar. 1, 1884, c. 9, 23 Stat. 3.)

483. Provisions for carrying the mail.—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. (R. S. § 3965.)

484. Mail to every courthouse.—The Postmaster General shall cause a mail to be carried from the nearest post office on any established post road to the courthouse of any county in the United States which is without a mail. (R. S. § 3966.)

485. Carrying the mail on canals.—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. (R. S. § 3967.)

486. Carrying the mail on plank roads.—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. (R. S. § 3968.)

487. Carrying the mail on waters of the United States.—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. (R. S. § 3969.)

488. Emergency mail service in Alaska.—The Postmaster General may provide difficult or emergency mail service in Alaska, including the establishment and equipment of relay stations, in such manner as he may think advisable without advertising therefor. (Feb. 21, 1925, c. 283, 43 Stat. 960.)

489. Extending line of posts; compensation.—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. (R. S. § 3971.)

490. Selecting post roads.—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. (R. S. § 3972.)

491. Change of post-road terminus.—The Postmaster General may change the terminus of post roads connecting with or intersecting railways when the service can be thereby improved. (R. S. § 3973.)

492. Discontinuing service on post road.—Whenever, in the opinion of the Postmaster General, the postal service can not 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. (R. S. § 3974.)

493. Contract for service over routes not established by law.—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. (R. S. § 3975.)

494. Mail carrying by vessels not in mail service.—The Postmaster General may pay, to the master or owner of any vessel not regularly employed in carrying the mail, 2 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. (R. S. § 3978.)

495. Prepaid way letters to be received.—Every railway 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. (R. S. § 3980; July 31, 1882, c. 361, § 1, 22 Stat. 180.)

496. Carrying foreign letters.—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 500 of this title; 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. (R. S. § 3987.)

497. Searching vessels for letters.—Any post-office inspector, 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. (R. S. §§ 3989, 4017; June 11, 1880, c. 206, § 1, 21 Stat. 177.)

498. Seizing and detaining letters.—Any post-office inspector, 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. (R. S. §§ 3990, 4017; June 11, 1880, c. 206, § 1, 21 Stat. 177.)

499. Disposition of seizures.—Every package or parcel seized by any post-office inspector, 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. (R. S. §§ 3991, 4017; June 11, 1880, c. 206, § 1, 21 Stat. 177.)

500. Letters in stamped envelopes carried out of mail.—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. (R. S. § 3993.)

501. Separating letter mail for expedition.—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 effecting the same. (R. S. § 3994; Feb. 18, 1875, c. 80, § 1, 18 Stat. 319.)

502. Transfer of motor-propelled vehicles and equipment belonging to Military Establishment to Post Office Department; purposes of.—The Secretary of War is hereby authorized and directed to transfer such motor-propelled vehicles and motor equipment, including spare parts, pertaining to the Military Establishment as are or may be found to be surplus and no longer required for military purposes, to the Post Office Department for use in the transmission of mails. (Mar. 15, 1920, c. 100, § 1, 41 Stat. 530.)

503. Freight charges on property transferred; payment by States for property received.—Freight charges incurred in the transfer of the property provided for in section 502 of this title shall not be defrayed by the War Department, and if the War Department shall load any of said property for shipment the expense of said loading shall be reimbursed the War Department by the Post Office Department by an adjustment of the appropriations of the two departments. (Mar. 15, 1920, c. 100, § 4, 41 Stat. 531.)

504. Transfer of motor vehicles, aeroplanes, machinery, and tools to Postmaster General for use in Postal Service.—The Secretary of War is also authorized, in his discretion, to deliver and turn over to the Postmaster General, without charge therefor, from time to time, such motor vehicles, aeroplanes, and parts thereof, and machinery and tools to repair and maintain the same, as may be suitable for use in the Postal Service; and the Postmaster General is authorized to use the same in the transportation of the mails and to pay the necessary expenses thereof, including the replacement, maintenance, exchange, and repair of such equipment, out of any appropriation available for the service in which such vehicles or aeroplanes are used. (July 2, 1918, c. 117, § 8, 40 Stat. 753; Apr. 24, 1920, c. 161, § 3, 41 Stat. 583.)

Chapter 15.—RAILWAY SERVICE.

Sec.

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Section 521. Carrying mail on railway routes by horse express.—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. (R. S. § 3999.)

522. Transportation of official matter by railway or express companies.—The Postmaster General may provide for the transportation of official matter of any department of the Government, over any railroad or express company, whenever he can do so at a saving to the Government and without detriment to the public service. Nothing in this section shall apply to official matter franked by Members of Congress. (July 13, 1892, c. 165, § 5.)

523. Carrying on trains without extra charge persons in charge of.—Every railroad company carrying the mails shall carry on any train it operates and without extra charge therefor the persons in charge of the mails and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and the Railway Mail Service and post-office inspectors while traveling on official business, upon the exhibition of their credentials. (July 28, 1916, c. 261, § 1, 39 Stat. 419.)

524. Conditions of railway service; adjustment of compensation.—The Postmaster General is authorized and directed to adjust the compensation to be paid to railroad companies for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided. (July 28, 1916, c. 261, § 5, subd. 1, 39 Stat. 425.)

525. Classes of routes enumerated.—The Postmaster General may state railroad mail routes and authorize mail service thereon of the following four classes, namely: Full railway post-office car service, apartment railway post-office car service, storage-car service, and closed-pouch service. (July 28, 1916, c. 261, § 5, subd. 2, 39 Stat. 425.)

526. Full railway post-office car service.—Full railway post-office car mail service shall be service by cars forty feet or more in length, constructed, fitted up, and maintained for the distribution of mails on trains. The authorizations of full railway post-office cars shall be for standard-sized cars sixty feet in length, inside measurement, except as hereinafter provided. (July 28, 1916, c. 261, § 5, subd. 3, 39 Stat. 425.)

527. Apartment railway post-office car service.—Apartment railway post-office car mail service shall be service by apartments less than forty feet in length in cars constructed, fitted up, and maintained for the distribution of mails on trains. Two standard sizes of apartment railway post-office cars may be authorized and paid for, namely, apartments fifteen feet and thirty feet in length, inside measurement, except as hereinafter provided. (July 28, 1916, c. 261, § 5, subd. 4, 39 Stat. 425.)

528. Storage-car service.—Storage-car mail service shall be service by cars used for the storage and carriage of mails in transit other than by full and apartment railway post-office cars. The authorizations for storage cars shall be for cars sixty feet in length, inside measurement, except as hereinafter provided. Storage space in units of three feet, seven feet, fifteen feet, and thirty feet, both sides of car, may be authorized in baggage cars at not exceeding pro rata of the rates hereinafter named for sixty-foot storage cars. (July 28, 1916, c. 261, § 5, subd. 5, 39 Stat. 425.)

529. Service by full and apartment railway post-office cars and storage cars.—Service by full and apartment railway

post-office cars and storage cars shall include the carriage therein of all mail matter, equipment, and supplies for the mail service and the employees of the Postal Service or Post Office Department, as shall be directed by the Postmaster General to be so carried. (July 28, 1916, c. 261, § 5, subd. 6, 39 Stat. 426.)

530. Closed-pouch service.—Closed-pouch mail service shall be the transportation and handling by railroad employees of mails on trains on which full or apartment railway post-office cars are not authorized, except as hereinbefore provided. The authorizations for closed-pouch service shall be for units of seven feet and three feet in length, both sides of car. (July 28, 1916, c. 261, § 5, subd. 7, 39 Stat. 426.)

531. Rates of payment for classes of routes.—The rates of payment for the services authorized in accordance with this section shall be as follows, namely:

(a) Full railway post-office car service.—For full railway post-office car mail service at not exceeding 21 cents for each mile of service by a sixty-foot car.

In addition thereto he may allow not exceeding \$4.25 as a combined initial and terminal rate for each one-way trip of a sixty-foot car.

(b) Apartment railway post-office car service.—For apartment railway post-office car mail service at not exceeding 11 cents for each mile of service by a thirty-foot apartment car and 6 cents for each mile of service by a fifteen-foot apartment car.

In addition thereto he may allow not exceeding \$2.75 as a combined initial and terminal rate for each one-way trip of a thirty-foot apartment car and \$2 as a combined initial and terminal rate for each one-way trip of a fifteen-foot apartment car.

(c) Storage-car service.—For storage-car mail service at not exceeding 21 cents for each mile of service by a sixty-foot car.

In addition thereto he may allow not exceeding \$4.25 as a combined initial and terminal rate for each one-way trip of a sixty-foot car.

(d) Closed-pouch service.—For closed-pouch service, at not exceeding 1½ cents for each mile of service when a three-foot unit is authorized, and 3 cents for each mile of service when a seven-foot unit is authorized.

In addition thereto he may allow not exceeding 25 cents as the combined initial and terminal rate for each one-way trip of a three-foot unit of service and 50 cents as a combined initial and terminal rate for each one-way trip of a seven-foot unit of service. (July 28, 1916, c. 261, § 5, subd. 8 (a, b, c, e), 39 Stat. 426.)

532. Cars of less than standard lengths; cars of excess length.—Where authorizations are made for cars of the standard lengths of sixty, thirty, and fifteen feet, as provided by sections 526 and 527 of this title, and the railroad company is unable to furnish such cars of the length authorized, but furnishes cars of lesser length than those authorized, but which are determined by the department to be sufficient for the service, the Postmaster General may accept the same and pay only for the actual space furnished and used, the compensation to be not exceeding pro rata of that provided by section 531 of this title for the standard length so authorized. The Postmaster General may accept cars and apartments of greater length than those of the standard requested, but no compensation shall be allowed for such excess lengths. (July 28, 1916, c. 261, § 5, subd. 8 (d), 39 Stat. 426.)

533. Initial and terminal rates to cover certain expenses; varying allowances for full railway post-office cars, apartment railway post-office cars, and storage cars.—The initial and terminal rates provided for in section 531 of this title shall cover expenses of loading and unloading mails, switching, lighting, heating, cleaning mail cars, and all other expenses incidental to station service and required by the Postmaster General in connection with the mails that are not included

in the car-mile rate. The allowance for full railway post-office cars, apartment railway post-office cars, and storage cars may be varied in accordance with the approximate difference in their respective cost of construction and maintenance. (July 28, 1916, c. 261, § 5, subd. 8 (g), 39 Stat. 426.)

534. Computation of car-miles; railway post-office cars and apartment railway post-office cars.—In computing the car-miles of the full railway post-office cars and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless otherwise mutually agreed upon. (July 28, 1916, c. 261, § 5, subd. 8 (h), 39 Stat. 427.)

535. Same; storage cars.—In computing the car-miles of storage cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless the car be used by the company in the return movement, or otherwise mutually agreed upon. (July 28, 1916, c. 261, § 5, subd. 8 (i), 39 Stat. 427.)

536. Land-grant roads.—Railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress, on the condition that the mails should be transported over their roads at such price as Congress should by law direct, shall receive only 80 per centum of the compensation otherwise authorized by this chapter. (July 28, 1916, c. 261, § 5, subd. 8 (f), 39 Stat. 426.)

537. Style, construction, and maintenance of post-office cars; pay for unsound cars; steel cars.—All cars or parts of cars used for the Railway Mail Service shall be of such construction, style, length, and character, and furnished in such manner as shall be required by the Postmaster General, and shall be constructed, fitted up, maintained, heated, lighted, and cleaned by and at the expense of the railroad companies. No pay shall be allowed for service by any railway post-office car which is not sound in material and construction and which is not equipped with sanitary drinking-water containers and toilet facilities, nor unless such car is regularly and thoroughly cleaned. The Postmaster General shall not approve or allow to be used, or pay for service by, any full railway post-office car not constructed of steel or steel underframe or equally indestructible material; and all full railway post-office cars accepted for this service and contracted for by the railroad companies shall be constructed of steel. (July 28, 1916, c. 261, § 5, subd. 11, 39 Stat. 427.)

538. Facilities for carrying and handling mails; cars at station; station room; offices for employees.—Railroad companies carrying the mails shall furnish all necessary facilities for caring for and handling them while in their custody. They shall furnish all cars or parts of cars used in the transportation and distribution of the mails, except as herein otherwise provided, and place them in stations before the departure of trains at such times and when required to do so. They shall provide station space and rooms for handling, storing, and transfer of mails in transit, including the separation thereof, by packages for connecting lines, and such distribution of registered mail in transit as may be necessary, and for offices for the employees of the Railway Mail Service engaged in such station work when required by the Postmaster General, in which mail from station boxes may be distributed if it does not require additional space. (July 28, 1916, c. 261, § 5, subd. 13, 39 Stat. 427.)

539. Selection of trains; carrying on any train.—The Postmaster General shall in all cases decide upon what trains and in what manner the mails shall be conveyed. Every railroad company carrying the mails shall carry on any train it operates, and with due speed, all mailable matter, equipment, and supplies directed to be carried thereon. If any such railroad company shall fail or refuse to transport the mails, equipment,

and supplies when required by the Postmaster General on any train or trains it operates, such company shall be fined such reasonable amount as may, in the discretion of the Postmaster General, be deemed proper. (July 28, 1916, c. 261, § 5, subd. 15, 39 Stat. 425.)

540. Service operated by railroad and steamboats.—The provisions of sections 524 to 568, 576 and 579 of this title shall apply to service operated by railroad companies partly by railroad and partly by steamboats. (July 28, 1916, c. 261, § 5, subd. 17, 39 Stat. 428.)

541. Transportation required in manner, under conditions, and with service prescribed by Postmaster General; compensation therefor.—All railway common carriers are hereby required to transport such mail matter as may be offered for transportation by the United States in the manner, under the conditions, and with the service prescribed by the Postmaster General and shall be entitled to receive fair and reasonable compensation for such transportation and for the service connected therewith. (July 28, 1916, c. 261, § 5, subd. 27, 39 Stat. 429.)

542. Interstate Commerce Commission to fix and determine rates and compensation.—The Interstate Commerce Commission is hereby empowered and directed to fix and determine from time to time the fair and reasonable rates and compensation for the transportation of such mail matter by railway common carriers and the service connected therewith, prescribing the method or methods by weight, or space, or both, or otherwise, for ascertaining such rate or compensation, and to publish the same, and orders so made and published shall continue in force until changed by the commission after due notice and hearing. (July 28, 1916, c. 261, § 5, subd. 28, 39 Stat. 429.)

543. Relation between the railroads as public-service corporations and the Government to be considered.—In fixing and determining the fair and reasonable rates for such service the commission shall consider the relation existing between the railroads as public-service corporations and the Government, and the nature of such service as distinguished, if there be a distinction, from the ordinary transportation business of the railroads. (July 28, 1916, c. 261, § 5, subd. 29, 39 Stat. 429.)

544. Procedure for ascertaining rates.—The procedure for the ascertainment of said rates and compensation shall be as provided in sections 545 to 554 of this title. (July 28, 1916, c. 261, § 5, subd. 30, 39 Stat. 429.)

545. Filing of statement by Postmaster General with Interstate Commerce Commission showing transportation required.—The Postmaster General shall file with the commission a statement showing the transportation required of all railway common carriers, including the number, equipment, size, and construction of the cars necessary for the transaction of the business; the character and speed of the trains which are to carry the various kinds of mail; the service, both terminal and en route, which the carriers are to render; and all other information which may be material to the inquiry, but such other information may be filed at any time in the discretion of the commission. (July 28, 1916, c. 261, § 5, subd. 30 (a), 39 Stat. 429.)

546. Employment of clerical assistance; plan for transportation filed with Interstate Commerce Commission.—The Postmaster General may employ such clerical and other assistance as shall be necessary to carry out the provisions of sections 524 to 568, 576 and 579 of this title, and may rent quarters in Washington, District of Columbia, if necessary, for the clerical force engaged thereon, and pay for the same out of the appropriation for inland transportation by railroad routes. The Postmaster General shall file with the commission a comprehensive plan for the transportation of the mails on said railways and shall embody therein what he believes to be the

reasonable rate or compensation the said railway carriers should receive. (July 28, 1916, c. 261, § 5, subd. 30 (b), 39 Stat. 430.)

547. Notice by Interstate Commerce Commission to railroads; answer of railroads; hearings.—Thereupon the commission shall give notice of not less than thirty days to each carrier so required to transport mail and render service, and upon a day to be fixed by the commission, not later than thirty days after the expiration of the notice herein required, each of said carriers shall make answer and the commission shall proceed with the hearing as provided by law for other hearings between carriers and shippers or associations. (July 28, 1916, c. 261, § 5, subd. 30 (c), 39 Stat. 430.)

548. Taking testimony, evidence, penalties, and procedure.—All the provisions of the law for taking testimony, securing evidence, penalties, and procedure are hereby made applicable. (July 28, 1916, c. 261, § 5, subd. 30 (d), 39 Stat. 430.)

549. Classification of carriers by Interstate Commerce Commission.—For the purpose of determining and fixing rates or compensation hereunder the commission is authorized to make such classification of carriers as may be just and reasonable and, where just and equitable, fix general rates applicable to all carriers in the same classification. (July 28, 1916, c. 261, § 5, subd. 30 (e), 39 Stat. 430.)

550. Additional weighing of mails.—Pending such hearings, and the final determination of the question, if the Interstate Commerce Commission shall determine that it is necessary or advisable, in order to carry out the provisions of this chapter, to have additional and more frequent weighing of the mails for statistical purposes, the Postmaster General, upon request of the commission, shall provide therefor in the manner prescribed by law, but such weighing need not be for more than thirty days. (July 28, 1916, c. 261, § 5, subd. 30 (f), 39 Stat. 430.)

551. Orders of Interstate Commerce Commission establishing rate or compensation.—At the conclusion of the hearing the commission shall establish by order a fair, reasonable rate or compensation to be received, at such stated times as may be named in the order, for the transportation of mail matter and the service connected therewith, and during the continuance of the order the Postmaster General shall pay the carrier from the appropriation for inland transportation by railroad routes such rate or compensation. (July 28, 1916, c. 261, § 5, subd. 30 (g), 39 Stat. 430.)

552. Percentage of rates allowed land-grant railroads.—The Interstate Commerce Commission shall allow to railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress on condition that the mails should be transported over their roads at such price as Congress should by law direct only 80 per centum of the compensation paid other railroads for transporting the mails and all service by the railroads in connection therewith. (July 28, 1916, c. 261, § 5, subd. 30 (j), 39 Stat. 430.)

553. Applications for reexaminations.—Either the Postmaster General or any such carrier may at any time after the lapse of six months from the entry of the order assailed apply for a reexamination, and thereupon substantially similar proceedings shall be had with respect to the rate or rates for service covered by said application, provided said carrier or carriers have an interest therein. (July 28, 1916, c. 261, § 5, subd. 30 (h), 39 Stat. 425.)

554. Powers conferred on Interstate Commerce Commission.—For the purposes of sections 524 to 568 of this title the Interstate Commerce Commission is hereby vested with all the powers which it is authorized by law to exercise in the investigation and ascertainment of the justness and reasonableness of freight, passenger, and express rates to be paid by private shippers. (July 28, 1916, c. 261, § 5, subd. 30 (i), 39 Stat. 430.)

555. Conveyance under special arrangement in freight trains; rates.—The provisions of sections 524 to 568 of this title respecting the rates of compensation shall not apply to mails conveyed under special arrangement in freight trains, for which rates not exceeding the usual and just freight rates may be paid, in accordance with the classifications and tariffs approved by the Interstate Commerce Commission. (July 28, 1916, c. 261, § 5, subd. 18, 39 Stat. 428.)

556. Proof of performance of service.—Railroad companies carrying the mails shall submit, under oath when and in such form as may be required by the Postmaster General, evidence as to the performance of service. (July 28, 1916, c. 261, § 5, subd. 19, 39 Stat. 428.)

557. Information from Interstate Commerce Commission as to revenues from express companies; rates for transporting matter other than first class.—The Postmaster General shall, from time to time, request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General. (July 28, 1916, c. 261, § 5, subd. 20, 39 Stat. 428.)

558. Determination by Interstate Commerce Commission of postal carload or less rate for transportation of fourth-class matter and periodicals.—The Postmaster General may, in his discretion, petition the Interstate Commerce Commission for the determination of a postal carload or less-than-carload rate for transportation of mail matter of the fourth class and periodicals, and may provide for and authorize such transportation, when practicable, at such rates, and it shall be the duty of the railroad companies to provide and perform such service at such rates and on the conditions prescribed by the Postmaster General. (July 28, 1916, c. 261, § 5, subd. 21, 39 Stat. 428.)

559. Distinguishing between several classes of matter.—The Postmaster General may, in his discretion, distinguish between the several classes of mail matter and provide for less frequent dispatches of mail matter of the third and fourth classes and periodicals when lower rates for transportation or other economies may be secured thereby without material detriment to the service. (July 28, 1916, c. 261, § 5, subd. 22, 39 Stat. 428.)

560. Return to mails; postal cards, stamped envelopes, and newspaper wrappers.—The Postmaster General may return to the mails, when practicable for the utilization of car space paid for and not needed for the mails, postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the Postal Service. (July 28, 1916, c. 261, § 5, subd. 23, 39 Stat. 429.)

561. Same; empty mail bags.—The Postmaster General, in cases of emergency between October 1 and April 1 of any year, may return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and, where such return requires additional authorization of car space pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes. (July 28, 1916, c. 261, § 5, subd. 24, 39 Stat. 429.)

562. Weighing mail; computations.—The Postmaster General may have the weights of mail taken on railroad mail routes, and computations of the average loads of the several classes of cars and other computations for statistical and administrative purposes made at such times as he may elect, and pay the expense thereof out of the appropriation for inland transportation by railroad routes. (July 28, 1916, c. 261, § 5, subd. 25, 39 Stat. 429.)

563. Refusal to perform service at rates or methods of compensation provided by law.—It shall be unlawful for any

railroad company to refuse to perform mail service at the rates or methods of compensation provided by law when required by the Postmaster General so to do, and for such offense shall be fined \$1,000. Each day of refusal shall constitute a separate offense. (July 28, 1916, c. 261, § 5, subd. 33, 39 Stat. 431.)

564. New and additional service; reduction or discontinuance of service.—New service and additional service may be authorized at not exceeding the rates herein provided, and service may be reduced or discontinued with pro rata reductions in pay, as the needs of the Postal Service may require. No additional pay shall be allowed for additional service unless specifically authorized by the Postmaster General. (July 28, 1916, c. 261, § 5, subd. 9, 39 Stat. 427.)

565. Special contracts for transportation; reports of.—The Postmaster General is authorized to make special contracts with the railroad companies for the transportation of the mails where in his judgment the conditions warrant the application of higher rates than those herein specified, and make report to Congress of all cases where such special contracts are made and the terms and reasons therefor. (July 28, 1916, c. 261, § 5, subd. 10, 39 Stat. 427.)

566. Service over property owned by another company; over land-grant companies.—Service over property owned or controlled by another company or a terminal company shall be considered service of the railroad company using such property and not that of the other or terminal company. Service over land-grant road shall be paid for as herein provided. (July 28, 1916, c. 261, § 5, subd. 12, 39 Stat. 427.)

567. Failure to furnish cars or compartments.—If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper. (July 28, 1916, c. 261, § 5, subd. 14, 39 Stat. 428.)

568. Deductions from pay for reduction in or nonperformance of service.—The Postmaster General may make deductions from the pay of railroad companies carrying the mails under the provisions of sections 524 to 568 of this title for reduction in service or infrequency of service where, in his judgment, the importance of the facilities withdrawn or reduced requires it, and impose fines upon them for delinquencies. He may deduct the price of the value of the service in cases where it is not performed, and not exceeding three times its value if the failure be occasioned by the fault of the railroad company. (July 28, 1916, c. 261, § 5, subd. 16, 39 Stat. 428.)

569. Rates for transportation by electric and cable cars.—The rate of compensation to be paid per mile for inland transportation of mail by electric and cable cars shall not exceed the rate paid on April 24, 1920, to companies performing such service, except that the Postmaster General, in cases where the quantity of mail is large and the number of exchange points numerous, may, in his discretion, authorize payment for closed-pouch service at a rate per mile not to exceed one-third above the rate per mile paid on that date for closed-pouch service; and for mail cars and apartments carrying the mails, not to exceed the rate of 1 cent per linear foot per car-mile of travel. The rates for electric-car service on routes over twenty miles in length outside of cities shall not exceed the rates paid for service on steam railroads. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1066; Apr. 24, 1920, c. 161, § 1, 41 Stat. 530.)

570. Same; rates fixed by Interstate Commerce Commission.—The Interstate Commerce Commission is empowered

and directed to fix and determine from time to time the fair and reasonable rates and compensation for the transportation of mail matter by urban and interurban electric railway common carriers and the service connected therewith, prescribing the method or methods by weight or space, or both, or otherwise, for ascertaining such rate or compensation and to publish same, and orders so made and published shall continue in force until changed by the commission after due notice and hearing. It shall be unlawful for any urban or interurban electric railroad to refuse to perform mail service at the rates or methods of compensation thus provided for such service when required by the Postmaster General so to do, and for such offense shall be fined \$100. Each day of refusal shall constitute a separate offense. (July 2, 1918, c. 117, § 1, 40 Stat. 748.)

571. Contracts with railways without advertising.—The Postmaster General may enter into contracts for carrying the mail, with railway companies, without advertising for bids therefor. (R. S. § 3942.)

572. Weighing of mails; readjustments.—When, during a weighing period, on account of floods or other causes, interruptions in service occur on railroad routes and the weights of mail are decreased below the normal, or where there is an omission to take weights, the Postmaster General, for the purpose of readjusting compensation on such railroad routes as are affected thereby, may, in his discretion, add to the weights of mails ascertained on such routes during that part of the weighing period when conditions are shown to have been normal the estimated weights for that part of the weighing period when conditions are shown to have been not normal, or where there has been an omission to take weights, based upon the average of weights taken during that part of the weighing period during which conditions are shown to have been normal, the actual weights and the estimated weights to form the basis for the average weight per day upon which to readjust the compensation according to law on such railroad routes for the transportation of the mails. (May 18, 1916, c. 126, § 4, 39 Stat. 161.)

573. Same; withdrawal of freightable lots of postal supplies.—The Postmaster General shall require, when in freightable lots and whenever practicable, the withdrawal from the mails of all postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the postal service, except postage stamps, in the respective weighing divisions of the country, immediately preceding the weighing period in said divisions, and thereafter such postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the Postal Service, except postage stamps, shall be transmitted by either freight or express. (May 12, 1910, c. 230, 36 Stat. 362.)

574. Readjustment of pay for mail diverted after weighing periods.—When, after a weighing of the mails for the purpose of readjusting the compensation for their transportation on a railroad route, mails are diverted therefrom or thereto, the Postmaster General may, in his discretion, ascertain the effect of such diversion by a weighing of such mails for such number of successive working days as he may determine, and have the weights stated and verified to him as in other cases, and readjust the compensation on the routes affected accordingly. (Aug. 24, 1912, c. 389, § 4, 37 Stat. 554.)

575. Weighing mails; payment of expenses of computations.—Out of the appropriation for inland mail transportation the Postmaster General may pay rental if necessary in Washington, District of Columbia, and compensation to tabulators and clerks employed in connection with the weighings for assistance in completing computations, in connection with the expenses of taking the weights of mails on railroad routes, as provided by law. (Mar. 4, 1911, c. 241, § 1, 36 Stat. 1334.)

576. Sending second-class matter by freight; discriminations; appeals; precedence of proceedings in Court of Appeals.—No publication shall be sent by freight if such method of transportation results in unfair discrimination. Whenever the owner of any publication required by an order of the Post Office Department to be transmitted by freight believes that he is unfairly discriminated against, he may apply to the Post Office Department for an opportunity to be heard; and upon such application being duly filed in writing, the owner of such publication shall have opportunity for a full and fair hearing before said department, and pending final determination no change shall be made in the method of transportation of such publication as ordered by the department. The testimony in any such hearing or proceedings shall be reduced to writing and filed in the Post Office Department prior to entering an order upon such hearing. Upon such hearing if the Post Office Department decides adversely to the contention of the publisher, such publisher shall have the right, within the period of twenty days after the date of the order of the Post Office Department made upon such hearing, to appeal to the United States Court of Appeals of the District of Columbia, for a review of such order by said court of appeals, by filing in the court a written petition praying that the order of the Post Office Department be set aside. A copy of such petition shall be forthwith served upon the Post Office Department and thereupon the said department forthwith shall certify and file in the court a transcript of the record and testimony. Upon the filing of such transcript the court shall have jurisdiction to affirm, set aside or modify the order of the department.

The jurisdiction of the Court of Appeals of the District of Columbia to affirm, set aside or modify such orders of the Post Office Department shall be exclusive.

Such proceedings in the Court of Appeals of the District of Columbia shall be given precedence over other cases pending therein and shall be in every way expedited. (July 28, 1916, c. 261, § 2, 39 Stat. 424.)

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 quarterly, for a term not exceeding twenty years. (Mar. 9, 1914, c. 33, 38 Stat. 301; Apr. 24, 1920, c. 161, § 1, 41 Stat. 580.)

578. Mail messengers.—The Postmaster General may employ such mail-messenger service as may be necessary for the carriage of the mails in connection with railroad and steamboat service, transfer service between depots, over bridges or ferries, between post offices, post offices and branch offices or stations, in cases where by the laws and regulations of the Post Office Department, railroad companies, steamboat companies, and the masters of vessels are not required to deliver into and take from the post offices the mails carried on their lines or vessels. (Mar. 3, 1887, c. 346, 24 Stat. 492.)

579. Same; contracts for service.—In the discretion of the Postmaster General, postmasters, assistant postmasters, and clerks at post offices of the third class, and postmasters, assistant postmasters, and clerks at post offices of the fourth class may enter into contracts for the performance of mail-messenger service, and allowance may be made therefor from the appropriations for mail-messenger service. The total amount payable under such contract to any postmaster, assistant postmaster, or clerk shall not exceed \$300 in any one year. Special-delivery messengers at post offices of all classes may enter into contracts for mail-messenger service. (July 28, 1916, c. 261, § 1, 39 Stat. 418; June 3, 1924, c. 237, 43 Stat. 356.)

Chapter 16.—RAILWAY MAIL OFFICERS AND EMPLOYEES.

Sec.

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Section 601. Expenses of officers of Railway Mail Service.—The superintendent and the assistant general superintendent and chief clerk of the Railway Mail Service shall be paid their necessary and actual expenses while traveling on the business of the department. (Apr. 16, 1890, c. 85, 26 Stat. 56.)

602. Salaries of division superintendents, assistant division superintendents, assistant superintendents at large, assistant superintendents in charge of car construction, chief clerks, and assistant chief clerks.—The annual salaries of employees of the Railway Mail Service shall be as follows: Division superintendents, \$4,500; assistant division superintendents and assistant superintendents at large, \$3,600; assistant superintendent in charge of car construction, \$3,300; chief clerks, \$3,300; assistant chief clerks, \$2,800. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1061.)

603. Assistant superintendents; traveling expenses.—Assistant superintendents may receive a per diem allowance in lieu of actual and necessary traveling expenses at the rate of \$4 per day while actually traveling on business of the department away from their several designated headquarters. (Mar. 3, 1901, c. 851, § 1, 31 Stat. 1105.)

604. Expenses of supervisory employees.—Supervisory employees of the Railway Mail Service shall be paid their actual expenses as fixed by law. (Feb. 28, 1925, c. 368, § 2, 43 Stat. 1055.)

605. Rating of clerks in charge of sections in offices of division superintendents.—The clerks in charge of sections in the offices of the division superintendents shall be rated as assistant chief clerks at \$2,800 salary. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

606. Laborers; grades; salaries.—Laborers in the Railway Mail Service shall be divided into two grades with annual salaries as follows: Grade 1, salary \$1,500; grade 2, \$1,600. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

607. Same; promotion; readjustment of grades.—Laborers shall be promoted to grade 2 after one year's satisfactory service in grade 1. In the readjustment of the service to conform to the grades herein provided for laborers, each grade shall include laborers in the grade of the same number existing on December 31, 1924. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

608. Classification of railway postal clerks.—The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary and fix their salaries within the grades provided by law without regard to the classification of railway post-offices. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 555.)

609. Railway postal clerks; appointment.—The Postmaster General may appoint railway postal clerks in such manner and of such respective grades and salaries as may be provided for in the annual appropriation acts for the service of the Post Office Department, for the purpose of sorting and distributing the mail in railway post offices, railway post-office terminals and transfer offices, and for service in the offices of division superintendents and chief clerks, and as transfer clerks and such other services as may pertain to the Railway Mail Service. Such clerks shall be designated as railway postal clerks. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 555.)

610. Same; classes and grades; salaries.—Railway postal clerks shall be divided into two classes, class A and class B, and into seven grades with annual salaries as follows: Grade 1, salary \$1,900; grade 2, salary \$2,000; grade 3, salary \$2,150; grade 4, salary \$2,300; grade 5, salary \$2,450; grade 6, salary \$2,600; grade 7, salary \$2,700. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

611. Same; original appointments; time of promotion.—All original appointments shall be made to the rank of substitute railway postal clerk, and promotions shall be made successively at the beginning of the quarter following a total satisfactory service of three hundred and six days in the next lower grade. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 556; Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

612. Same; readjustment of grades.—In the readjustment of the service to conform to the grades herein provided, each grade shall include clerks in the grade of the same number existing on December 31, 1924. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

613. Same; hours of service; overtime pay or compensatory time.—Service of clerks shall be based on an average of not exceeding eight hours daily for three hundred and six days per annum, including proper allowances for all service required on lay-off periods. Clerks required to perform service in excess of eight hours daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time at their option for such overtime. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1063.)

614. Substitute clerks; probationary period; pay; credit for time served as probationers on appointment as regular clerks; promotion.—Substitute railway postal clerks shall be paid for services actually performed at the rate of \$1,850 per annum, the first year of service to constitute a proba-

tionary period, and when appointed regular clerks shall receive credit on the basis of one year of actual service performed as a substitute and be appointed to the grade to which such clerk would have progressed had his original appointment as a substitute been to grade 1. Any fractional part of a year's substitute service will be included with his service as a regular clerk in determining eligibility for promotion to the next higher grade following appointment to a regular position. (Mar. 2, 1907, c. 2513, 34 Stat. 1213; Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

615. Same; full time and travel expenses when traveling under orders.—Substitute railway postal clerks shall be credited with full time while traveling under orders of the department to and from their designated headquarters to take up an assignment, together with actual and necessary travel expenses, not to exceed \$3 per day, while on duty away from such headquarters. When a substitute clerk performs service in a railway post office starting from his official headquarters he shall be allowed travel expenses under the law applying to clerks regularly assigned to the run. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

616. Compensatory time to laborers or railway postal clerks at terminal railway post offices and transfer offices for work on Sundays or holidays; overtime in lieu thereof.—When the needs of the service require the employment on Sundays or holidays of laborers or railway postal clerks at terminal railway post offices and transfer offices, they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within thirty days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Sundays in the calendar year or on Christmas Day in lieu of compensatory time. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1065.)

617. Classes of railway post-office lines; promotion of clerks.—Railway post-office lines shall be divided into two classes, class A and class B, and clerks assigned to class A lines shall be promoted successively to grade 4 and clerks in charge to grade 5. Clerks assigned to class B lines shall be promoted successively to grade 5 and clerks in charge to grade 6. Lines in class A existing on December 31, 1924, shall be continued in class A, and lines in class B existing on that date shall be continued in class B. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

618. Classes of terminal railway post offices; promotion of clerks.—Terminal railway post offices shall be divided into two classes, class A and class B; those having less than twenty employees shall be assigned to class A, and those having twenty or more employees shall be assigned to class B. Clerks in class A terminals shall be promoted successively to grade 4, and clerks in charge of tours to grade 5. Clerks in class B terminals shall be promoted successively to grade 5, and clerks in charge of tours to grade 6. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1063.)

619. Classes of transfer offices; promotion of clerks.—Transfer offices shall be divided into two classes, class A and class B; those having less than five employees shall be assigned to class A and those having five or more employees to class B. Clerks in class A shall be promoted successively to grade 4, and clerks in charge of tours to grade 5. Clerks in class B shall be promoted successively to grade 5, and clerks in charge of tours to grade 6. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1063.)

620. Clerk in charge defined.—A clerk in charge is defined as a clerk in charge of a railway post office, terminal railway post office, or transfer office whether he performs service alone or

has a crew of clerks under his supervision, or of a tour or a crew within a tour of a terminal railway post office or transfer office. (June 5, 1920, c. 254, 41 Stat. 1050.)

621. Promotion of clerks assigned to offices of division superintendents or chief clerks.—Clerks assigned to the office of division superintendent or chief clerk shall be promoted successively to grade 4, and in the office of division superintendent four clerks may be promoted to grade 5 and eight clerks to grade 6, and in the office of chief clerk one clerk may be promoted to grade 5 and two clerks to grade 6. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1063.)

622. Promotion of examiners.—Examiners shall be promoted successively to grade 6 and assistant examiners to grade 5 whether assigned to the office of division superintendent or chief clerk. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1063.)

623. Promotions for meritorious services.—Promotions above these grades hereinbefore specified, but within the maximum grades of the classification, may be made in the discretion of the Postmaster General for meritorious service. No promotion shall be made except upon evidence satisfactory to the Post Office Department of the efficiency and faithfulness of the employee during the preceding year. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 556.)

624. Same; transfer.—A clerk of any grade of any classification of railway post offices, terminal railway post offices, transfer offices, or in the office of a division superintendent or chief clerk, may be transferred and assigned to any classification of railway post offices, terminal railway post offices, transfer offices, or to an office of a division superintendent or chief clerk under such regulations as the Postmaster General may deem proper. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 556.)

625. Same; failing of promotion.—Whenever the promotion of an employee provided for in this chapter is withheld because of unsatisfactory service such employee may be promoted at the beginning of the second quarter thereafter or any subsequent quarter on evidence that his record has been satisfactory during the intervening period. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 556; Feb. 28, 1925, c. 368, § 11, 43 Stat. 1064.)

626. Same; in highest grades of their lines; promotions.—Clerks in the highest grade in their respective lines or other assignments shall be eligible for promotion to positions of clerks in charge in said lines or corresponding positions in other assignments, and clerks assigned as assistant chief clerks and clerks in charge of crews consisting of more than one clerk, either assigned to the line, the transfer service, or to a terminal railway post office, and clerks in the highest grades in offices of division superintendents in their respective divisions, shall, after two years of continuous service in such capacity, be eligible for promotion to positions of chief clerks in said division for satisfactory, efficient, and faithful service during the preceding two-year period, under such regulations as the Postmaster General shall prescribe. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 556.)

627. Same; restoration after reduction in grade.—Whenever an employee provided for in this chapter shall have been reduced in salary for any cause he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year. All employees provided for in this chapter in automatic grades who have not reached the maximum grades to which they are entitled to progress automatically, shall be promoted at the beginning of the quarter following the completion of one year's satisfactory service since their last promotion, regardless of any increases granted them by

the provisions of this chapter. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 556; Feb. 28, 1925, c. 368, § 11, 43 Stat. 1065.)

628. Same; advancement restricted.—In filling positions below that of chief clerk no clerk shall be advanced more than one grade in a period of a year. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 556.)

629. Hours of work for postal clerks assigned to terminal railway post offices and transfer offices, and laborers in Railway Mail Service; overtime pay.—Railway postal clerks assigned to terminal railway post offices and transfer offices and laborers in the Railway Mail Service shall be required to work not more than eight hours a day, and the eight hours of service shall not extend over a longer period than ten consecutive hours, but in cases of emergency, or if the needs of the service require, they may be required to work in excess of eight hours a day, and for such additional service they shall be paid in proportion to their salaries as fixed by law. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1063.)

630. Postal clerks assigned to road duty; full time for delay to trains.—Clerks assigned to road duty shall be credited with full time for delays to trains equal to the period of time between the scheduled arrival and actual arrival of the train at destination of run. (Feb. 28, 1925, c. 368, § 7, 43 Stat. 1063.)

631. Postal clerks; residences.—All clerks appointed to the Railway Mail Service and to perform duty on railway post offices shall reside at some point on the route to which they are assigned; but railway postal clerks appointed prior to February 28, 1895, and performing such duty on August 24, 1912, shall not be required to change their residences, except when transferred to another line. (Aug. 24, 1912, c. 389, § 7, 37 Stat. 556.)

632. Transfer; salaries not reduced.—When railway postal clerks are transferred from one assignment to another because of changes in the service their salaries shall not be reduced by reason of such change. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1065.)

633. Same; travel allowances.—In addition to the salaries provided by law, the Postmaster General may make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, assigned to duty in railway post-office cars, while on duty, after ten hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such an allowance exceed \$3 per day. (Aug. 24, 1912, c. 389, § 1, 37 Stat. 548; Mar. 3, 1917, c. 162, § 1, 39 Stat. 1065; Feb. 28, 1925, c. 368, § 7, 43 Stat. 1062.)

634. Same; preference in transfers from service to department or post offices.—In the assignment or transfer of clerks from the Railway Mail Service, preference shall be given to the persons honorably discharged from the military or naval service who served in the civil war and who are serving as clerks on the railway mail cars in order that they may be transferred to clerical service in the department or in the post offices and relieved from service on said cars as rapidly as practicable, provided they are found to possess the business capacity necessary for the proper discharge of the duties of the offices to which they may be transferred. (June 26, 1906, c. 3546, 34 Stat. 474.)

635. Same; annual vacation.—The Postmaster General may allow railway postal clerks an annual vacation of fifteen days, with pay, and may, in his discretion, under such regulations as he may provide, allow any railway postal clerk leave of absence with pay for a period not exceeding thirty days, with

the understanding that his duties will be performed without expense to the Government during the period for which leave is granted, he to provide a substitute at his own expense. (Mar. 3, 1901, c. 851, § 1, 31 Stat. 1105; Mar. 1, 1909, c. 232, 35 Stat. 667; Mar. 4, 1913, c. 143, 37 Stat. 798; July 28, 1916, c. 261, § 1, 39 Stat. 420.)

636. Same; full time to clerks deadheading under orders.—Railway postal clerks and substitute railway postal clerks shall be credited with full time when deadheading under orders of the department. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1065; Apr. 24, 1920, c. 161, § 1, 41 Stat. 580.)

637. Substitutes for clerks absent otherwise than on annual leave.—When any clerk in the Railway Mail Service is absent from duty for any cause, other than the fifteen days' annual leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk, at a rate not to exceed the pay of the grade of work performed by such substitute. (Mar. 3, 1905, c. 1480, § 1, 33 Stat. 1085.)

638. Badges of postal clerks and mail messengers.—Postal clerks, railway postal clerks, and mail messengers shall not be required to wear uniform other than a cap or badge. (Mar. 3, 1879, c. 180, § 1, 20 Stat. 357; July 31, 1882, c. 361, § 1, 22 Stat. 180.)

639. Newspapers; delivery by railway postal clerks.—The Postmaster General may provide by order the terms upon which railway postal clerks 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. (R. S. § 3889.)

Chapter 17.—FOREIGN MAIL SERVICE.

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669. Transportation of Canadian mail through the United States.

670. Payment of postage by consuls.

671. Postage on letters carried in foreign vessel.

672. Resident agents on Isthmus of Panama, etc.

673. Agents on mail steamers to foreign ports.

674. Postal agencies in China and Japan.

Section 651. Foreign mail-transportation contracts.—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. (R. S. § 4006.)

652. Same; for carrying mails between the United States and foreign countries.—The Postmaster General may, after

advertising for proposals, enter into contract for the transportation of the mail between the United States and any foreign country whenever the public interests will thereby be promoted. (R. S. § 4007.)

653. How mail transported.—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. (R. S. § 4008.)

654. Pay for transporting.—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 except as otherwise provided by law; and if by a foreign steamship or by a sailing vessel, any sum not exceeding the sea postage, on the mail so transported. (R. S. § 4009.)

655. Fine of contractors for delay.—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 except as otherwise provided by law. (R. S. § 4010.)

656. Discontinuing transportation contracts.—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. (R. S. § 4011.)

657. Ocean mail service on American vessels; contracts.—The Postmaster General is authorized and empowered to enter into contracts for a term not less than five nor more than ten years in duration, with American citizens, for the carrying of mails on American steamships, between ports of the United States and such ports in foreign countries, the Dominion of Canada excepted, as in his judgment will best subserve and promote the postal and commercial interests of the United States, the mail service on such lines to be equitably distributed among the Atlantic, Mexican Gulf, and Pacific ports. Said contracts shall be made with the lowest responsible bidder for the performance of said service on each route, and the Postmaster General shall have the right to reject all bids not in his opinion reasonable for the attaining of the purposes named. (Mar. 3, 1891, c. 519, § 1, 26 Stat. 830.)

658. Same; advertisements for proposals.—Before making any contract for carrying ocean mails in accordance with sections 657 to 665 of this title the Postmaster General shall give public notice by advertising once a week, for three months, in such daily papers as he shall select in each of the cities of Boston, New York, Philadelphia, Baltimore, New Orleans, Saint Louis, Charleston, Norfolk, Savannah, Galveston, and Mobile, and when the proposed service is to be on the Pacific Ocean, then in San Francisco, Tacoma, and Portland. Such notice shall describe the route, the time when such contract will be made, the duration of the same, the size of the steamers to be used, the number of trips a year, the times of sailing, and the time when the service shall commence, which shall not be more than three years after the contract shall be let. The details of the mode of advertising and letting such contracts shall be conducted in the manner prescribed in chapter 12 of this title so far as the same shall be applicable to the ocean mail service. (Mar. 3, 1891, c. 519, § 2, 26 Stat. 831.)

659. Same; ownership of vessels; classification.—The vessels employed in the mail service under sections 657 to 665 of this title shall be American-built steamships, owned and officered

by American citizens, in conformity with law, or so owned and officered and registered according to law, and upon each departure from the United States the following proportion of the crew shall be citizens of the United States, to wit: During the first two years of such contract for carrying the mails, one-fourth thereof; during the next three succeeding years, one-third thereof; and during the remaining time of the continuance of such contract at least one-half thereof; and shall be constructed after the latest and most approved types, with all the modern improvements and appliances for ocean steamers. They shall be divided into four classes. The first class shall be iron or steel screw steamships, capable of maintaining a speed of twenty knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than eight thousand tons. No vessel except of said first class shall be accepted for said mail service under the provisions of sections 657 to 665 between the United States and Great Britain. The second class shall be iron or steel steamships, capable of maintaining a speed of sixteen knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than five thousand tons. The third class shall be iron or steel steamships, capable of maintaining a speed of fourteen knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than two thousand five hundred tons. The fourth class shall be iron or steel or wooden steamships, capable of maintaining a speed of twelve knots an hour at sea in ordinary weather, and of a gross registered tonnage of not less than one thousand five hundred tons. It shall be stipulated in the contract or contracts to be entered into for the said mail service that said vessels may carry passengers with their baggage in addition to said mails and may do all ordinary business done by steamships. (Mar. 3, 1891, c. 519, § 3, 26 Stat. 831; Mar. 3, 1917, c. 162, § 1, 39 Stat. 1066.)

660. Same; construction of vessels; specifications; inspection.—All steamships of the first, second, and third classes employed as above and built after March 3, 1891, shall be constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, and according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and they shall be of sufficient strength and stability to carry and sustain the working and operation of at least four effective rifled cannon of a caliber of not less than six inches, and shall be of the highest rating known to maritime commerce. And all vessels of said three classes built prior to such date and so employed shall, before they are accepted for the mail service herein provided for, be thoroughly inspected by a competent naval officer or constructor detailed for that service by the Secretary of the Navy; and such officer shall report, in writing, to the Secretary of the Navy, who shall transmit said report to the Postmaster General; and no such vessel not approved by the Secretary of the Navy as suitable for the service required shall be employed by the Postmaster General. (Mar. 3, 1891, c. 519, § 4, 26 Stat. 831.)

661. Same; rates of compensation; deductions and fines.—The rate of compensation to be paid for such ocean mail service of the said first-class ships shall not exceed the sum of \$4 a mile, and for the second-class ships, \$2 a mile, by the shortest practicable route, for each outward voyage; for the third-class ships shall not exceed \$1 a mile. And for the fourth-class ships two-thirds of \$1 a mile for the actual number of miles required by the Post Office Department to be traveled on each outward-bound voyage. In the case of failure from any cause to perform the regular voyages stipulated for in said contracts, or any of them, a pro rata deduction shall be made from the compensation on account of such omitted voyage or voyages. Suitable fines and penalties may be imposed for delays or irregularities in the due performance of service according to the

contract, to be determined by the Postmaster General. No steamship so employed and so paid for carrying the United States mails shall receive any other bounty or subsidy from the Treasury of the United States. (Mar. 3, 1891, c. 519, § 5, 26 Stat. 832.)

662. Same; transportation of messengers.—Upon each of said vessels the United States shall be entitled to have transported, free of charge, a mail messenger, whose duty it shall be to receive, sort, take in charge and deliver the mails to and from the United States, and who shall be provided with suitable room for the accommodation of himself and the mails. (Mar. 3, 1891, c. 519, § 6, 26 Stat. 832.)

663. Same; service of naval officers on vessels; compensation; duties.—Officers of the United States Navy may volunteer for service on said mail vessels, and when accepted by the contractor or contractors may be assigned to such duty by the Secretary of the Navy whenever in his opinion such assignment can be made without detriment to the service, and while in said employment they shall receive furlough pay from the Government, and such other compensation from the contractor or contractors as may be agreed upon by the parties. They shall only be required to perform such duties as appertain to the merchant service. (Mar. 3, 1891, c. 519, § 7, 26 Stat. 832.)

664. Same; cadets or apprentices on vessels.—Said vessels shall take, as cadets or apprentices, one American-born boy under twenty-one years of age for each one thousand tons gross register, and one for each majority fraction thereof, who shall be educated in the duties of seamanship, rank as petty officers, and receive such pay for their services as may be reasonable. (Mar. 3, 1891, c. 519, § 8, 26 Stat. 832.)

665. Same; payment for vessels taken as transports.—Such steamers may be taken and used by the United States as transports or cruisers, upon payment to the owners of the fair actual value of the same at the time of the taking, and if there shall be a disagreement as to the fair actual value of the same at the time of the taking, between the United States and the owners, then the same shall be determined by two impartial appraisers, one to be appointed by each of said parties, they at the same time selecting a third, who shall act in said appraisement in case the two shall fail to agree. (Mar. 3, 1891, c. 519, § 9, 26 Stat. 832.)

666. Contracts for service on American vessels; rate.—The Postmaster General may enter into contracts with American citizens for the carrying of the mail between the United States and Great Britain on steamships built in the United States capable of maintaining a speed of thirty knots an hour at sea in ordinary weather and of a gross registered tonnage of not less than thirty-five thousand tons, the said service to commence not more than four years after the contract shall be let. The rate of compensation to be paid for the said ocean mail service shall not exceed the sum of \$8 per mile by the shortest practicable route for each outward voyage. The Postmaster General shall have the right to reject all bids not in his opinion reasonable for the attaining of the purposes named. All of the provisions of sections 657 to 665 of this title, so far as they are not inconsistent herewith shall control and apply to the methods to be used and contracts to be made hereunder. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1066.)

667. Sea post service; transfer of foreign mails.—The Postmaster General is authorized to expend such sums as may be necessary, not to exceed the amounts appropriated by Congress, to cover the cost to the United States for maintaining sea post service on ocean steamships conveying the mails to and from the United States; and for transferring the foreign mail from incoming steamships in New York Bay to the steamship and

railway piers, for transferring the foreign mail from incoming steamships in San Francisco Bay to the piers and for transferring the foreign mail from incoming steamships at Honolulu from quarantine to the piers; also for transferring the mail from steamships performing service under contract for transporting United States mail. (Mar. 2, 1907, c. 2513, 34 Stat. 1214; Mar. 4, 1913, c. 143, 37 Stat. 799; Jan. 22, 1925, c. 87, Title II, 43 Stat. 786.)

668. Sea post clerks; disability allowance; compensation for death.—Acting clerks may be employed in place of clerks or substitutes injured while on duty who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per centum of the clerk's annual salary for the period of disability exceeding one year but not exceeding twelve months additional, and the Postmaster General may pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representative of any sea post clerk or substitute sea post clerk who shall be killed while on duty, or who, being injured while on duty, shall die within one year thereafter as the result of such injury. (Mar. 4, 1913, c. 143, 37 Stat. 799.)

669. Transportation of Canadian mail through the United States.—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. (R. S. § 4012.)

670. Payment of postage by consuls.—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 nonpayment 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. (R. S. § 4014.)

671. Postage on letters carried in foreign vessel.—The Postmaster General, under the direction of the President of the United States, is 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 postage 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. (R. S. § 4015.)

672. Resident agents on Isthmus of Panama, etc.—The Postmaster General may establish resident mail agencies at the ports of Panama and Colon, in the Republic of Panama; 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. (R. S. § 4021.)

673. Agents on mail steamers to foreign ports.—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 \$2,000 a year. (R. S. § 4022.)

674. Postal agencies in China and Japan.—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. (R. S. § 4023.)

Chapter 18.—POST-OFFICE INSPECTORS.

Sec.

- 691. Expenses of chief of post-office inspectors.
- 692. Post-office inspectors; appointment.
- 693. Same; grades and salaries; promotions.
- 694. Same; expenses while on official business away from homes.
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- 696. When to give bond.
- 697. Assistant Postmasters General as inspectors.
- 698. Clerks at division headquarters; grades; promotions; transfer of clerks or carriers in City Delivery Service to position of clerks at division headquarters.
- 699. Same; substitutes.
- 700. Searches authorized.
- 701. Reduction in salary; restoration to former grade or advancement to immediate grade.
- 702. Promotion regardless of increase of pay.
- 703. Promotion of employee whose promotion withheld.

Section 691. Expenses of chief of post-office inspectors.—The chief of post-office inspectors shall be paid his actual expenses while traveling on the business of the department. (Mar. 1, 1881, c. 96, § 1, 21 Stat. 374.)

692. Post-office inspectors; appointment.—The Postmaster General may employ such number of post-office inspectors as the good of the service and the safety of the mail may require; and the appointment of additional inspectors shall be made upon certification of the Civil Service Commission. (R. S. § 4017; June 11, 1880, c. 206, § 1, 21 Stat. 177; June 19, 1922, c. 227, § 1, 42 Stat. 655; Jan. 22, 1925, c. 87, Title II, 43 Stat. 784.)

693. Same; grades and salaries; promotions.—Post-office inspectors shall be divided into six grades, as follows: Grade 1—salary, \$2,800; grade 2—salary, \$3,000; grade 3—salary, \$3,200; grade 4—salary, \$3,500; grade 5—salary, \$3,800; grade 6—salary, \$4,000, and there shall be fifteen inspectors in charge at \$4,500. In the readjustment of grades for inspectors to conform to the grades herein provided, inspectors in grades 1 and 2 on December 31, 1924, shall be included in grade 1;

inspectors in grade 3 on that date shall be included in grade 2; inspectors in grade 4 on that date shall be included in grade 3; inspectors in grade 5 on that date shall be included in grade 4; inspectors in grade 6 on that date shall be included in grade 5; and inspectors in grade 7 on that date shall be included in grade 6. Inspectors shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory service in the next lower grade, and not to exceed 35 per centum of the force to grade 6 for meritorious service after not less than one year's service in grade 5; and the time served by inspectors in their grade on December 31, 1924, shall be included in the year's service required for promotion in the grades provided herein, except as to inspectors in grade 1 on that date. (Feb. 28, 1925, c. 368, § 2, 43 Stat. 1055.)

694. Same; expenses while on official business away from homes.—Inspectors shall be paid their actual expenses not to exceed \$5 per day while engaged on official business away from their homes and official domiciles. (Apr. 24, 1920, c. 161, § 1, 41 Stat. 574; June 5, 1920, c. 254, 41 Stat. 1052; Feb. 28, 1925, c. 368, § 2, 43 Stat. 1055.)

695. Salary and per diem of inspector detailed to free-delivery system.—The bureau of accounts, in the Post Office Department, shall charge to the appropriation for the free-delivery system the salary and per diem of the post-office inspector detailed for that service. (R. S. §§ 4017, 4020; June 11, 1880, c. 206, § 1, 21 Stat. 177; Mar. 3, 1897, c. 385, § 1, 29 Stat. 648; June 10, 1921, c. 18, 42 Stat. 23.)

696. When to give bond.—Whenever a post-office inspector 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. (R. S. § 4018.)

697. Assistant Postmasters General as inspectors.—The Postmaster General may employ, when the service requires it, the Assistant Postmasters General and superintendents in his department as post-office inspectors; and he may allow them therefor not exceeding the amount expended by them as necessary traveling expenses while so employed. (R. S. § 4019.)

698. Clerks at division headquarters; grades; promotions; transfer of clerks or carriers in City Delivery Service to position of clerks at division headquarters.—Clerks at division headquarters of post-office inspectors shall be divided into six grades, as follows:

Grade 1—salary, \$1,900; grade 2—salary, \$2,000; grade 3—salary, \$2,150; grade 4—salary, \$2,300; grade 5—salary, \$2,450; grade 6—salary, \$2,600; and there shall be one chief clerk at each division headquarters at a salary of \$3,000. In the readjustment of grades for clerks at division headquarters to conform to the grades herein provided, clerks in each of the grades existing on December 31, 1924, shall be included in the grade of the same number herein provided. Clerks at division headquarters shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory service in the next lower grade and not to exceed 35 per centum of the force to grade 6 for meritorious service after not less than one year's service in grade 5, and the time served by clerks in their grades on December 31, 1924, shall be included in the year's service required for promotion in the grades provided herein. Whenever in the discretion of the Postmaster General the needs of the service require such action, he is authorized to transfer clerks or carriers in the City Delivery Service from post offices at which division headquarters of post-office inspectors are located to the position of clerk at such division headquarters after passing a noncompetitive examination at a salary not to exceed \$2,300. After such transfer is made effective clerks so transferred shall be eligible for promotion to the grades of salary provided for clerks at

division headquarters of post-office inspectors. (Feb. 28, 1925, c. 368, § 2, 43 Stat. 1055.)

699. Same; substitutes.—When any clerk in the office of division headquarters in the post-office inspection service is absent from duty for any cause other than leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk at a rate not to exceed the grade of pay of the clerk absent without pay. (Feb. 28, 1925, c. 368, § 2, 43 Stat. 1056.)

700. Searches authorized.—The Postmaster General may, by a letter of authorization under his hand, to be filed among the records of his department, empower any post-office inspector or other officer of the Post Office Establishment to make searches for mailable matter transported in violation of law; and the inspector 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 such box, package, or packet may be contained, whenever such inspector or officer has reason to believe that mailable matter, transported contrary to law, may therein be found. (R. S. § 4026.)

701. Reduction in salary; restoration to former grade or advancement to intermediate grade.—Whenever an employee provided for in this chapter shall have been reduced in salary for any cause, he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1064.)

702. Promotion regardless of increase of pay.—All employees provided for in this chapter in automatic grades who have not reached the maximum grades to which they are entitled to progress automatically, shall be promoted at the beginning of the quarter following the completion of one year's satisfactory service since their last promotion, regardless of any increases in salaries granted them by the provisions of this chapter. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1065.)

703. Promotion of employee whose promotion withheld.—Whenever the promotion of an employee provided for in this chapter is withheld because of unsatisfactory service, such employee may be promoted at the beginning of the second quarter thereafter, or of any subsequent quarter, on evidence that his record has been satisfactory during the intervening period. (Feb. 28, 1925, c. 368, § 11, 43 Stat. 1064.)

Chapter 19.—THE MONEY-ORDER SYSTEM.

Sec.

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715. Blanks and books in business.

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- 739. Disposition of money-order statements.

Section 711. Money-order system established.—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." (R. S. § 4027.)

712. Foreign money-order exchanges.—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 \$100 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 systems of exchange may be paid out of the proceeds of the money-order business. (R. S. § 4028; Jan. 30, 1889, c. 100, § 1, 25 Stat. 654.)

713. Issuance of money orders at branch offices and stations.—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. (R. S. § 4029.)

714. Who to act in absence of postmaster.—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. (R. S. § 4031.)

715. Blanks and books in business.—Except as provided in section 111 of Title 44, or otherwise provided by law, all blanks, blank books, and printed or engraved matter supplied to postmasters by the Postmaster General or used in his department for the transaction of the money-order business shall be obtained from the lowest responsible bidders for furnishing printed and engraved matter, respectively, under separate advertisements calling for proposals to furnish the same for a period of

four years, upon such conditions as the Postmaster General may prescribe. The Director of the Bureau of Engraving and Printing of the Treasury Department shall submit estimates of the cost of furnishing such printed and engraved matter as may be required for use in the money-order business, and shall furnish such printed and engraved matter whenever upon his estimates of cost the expenditure therefor will be less than upon proposals made as above provided for. (Mar. 3, 1883, c. 123, § 2, 22 Stat. 527; June 4, 1897, c. 2, § 1, 30 Stat. 18.)

716. Amount of orders, and fees.—A money order shall not be issued for more than \$100, and the fees for domestic orders shall be as follows—

For orders not exceeding \$2.50, 5 cents.

For orders exceeding \$2.50 and not exceeding \$5, 7 cents.

For orders exceeding \$5 and not exceeding \$10, 10 cents.

For orders exceeding \$10 and not exceeding \$20, 12 cents.

For orders exceeding \$20 and not exceeding \$40, 15 cents.

For orders exceeding \$40 and not exceeding \$60, 18 cents.

For orders exceeding \$60 and not exceeding \$80, 20 cents.

For orders exceeding \$80 and not exceeding \$100, 22 cents.

(Mar. 3, 1883, c. 123, § 3, 22 Stat. 527; Jan. 27, 1894, c. 21, § 2, 28 Stat. 31; Feb. 28, 1925, c. 368, § 208, 43 Stat. 1068.)

717. Clerks; compensation; additional clerks at international exchange offices.—Postmasters at money-order post offices of the first and second classes may be allowed by the Postmaster General to employ such number of clerks in the transaction of their money-order business, and at such rates of compensation, respectively, as he may deem expedient, except as otherwise provided in chapter 1 of this title. At all money-order post-offices, other than post offices of the first, second, and third classes, the compensation for the clerical labor in the money-order business shall be paid out of the fees received for the issue of money orders, and shall be 3 cents for each domestic or international money order issued. The Postmaster General may allow to the postmaster at each international exchange office such additional amount in each case, out of the annual appropriation for clerks in post offices, as he may deem expedient to enable these postmasters to obtain the clerical labor necessary for the performance of such special duties as are imposed upon them by the operations of the money-order system and are not required of other postmasters. The salaries of postmasters, as fixed by law, shall be deemed and taken to be full compensation for the responsibility and risk incurred and for the personal services rendered by them as custodians of the money-order and other funds of the Post Office Department. (Mar. 3, 1883, c. 123, § 4, 22 Stat. 528; Jan. 27, 1894, c. 21, § 3, 28 Stat. 31; Feb. 28, 1925, c. 368, §§ 1, 3, 4, 43 Stat. 1054, 1056, 1059.)

718. Unpaid orders.—Domestic money orders shall not be paid at the offices upon which they are drawn, or at the offices of issue after one year from the last day of the month of issue of such money orders; but such money orders shall be sent to the Post Office Department and shall be paid by a warrant of the Postmaster General countersigned by the Comptroller General of the United States out of any money in the Treasury to the credit of the Post Office Department, to the extent of the moneys paid in on this account, the payments so made to be charged to an appropriation account hereby created to be denominated "Unpaid money orders more than one year old." (Mar. 3, 1883, c. 123, § 5, 22 Stat. 528; Jan. 27, 1894, c. 21, § 4, 28 Stat. 32; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

719. Blank applications for orders.—The Postmaster General shall supply such money-order offices, as he may deem expedient, with blank forms of applications for money orders, in such form as he may direct. (R. S. § 4033; Jan. 27, 1894, c. 21, § 7, 28 Stat. 32.)

720. Forms for orders.—The Postmaster General shall prescribe the forms for the issue of money orders and shall furnish money-order offices with printed or engraved forms for domestic money orders, and no money order shall be valid unless drawn upon such form. (R. S. § 4034; Jan. 27, 1894, c. 21, § 9, 28 Stat. 33; Mar. 1, 1899, c. 327, § 5, 30 Stat. 966; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

721. Limited money-order offices.—The Postmaster General may authorize postmasters at post offices other than those designated as money-order offices to issue money orders in the same form as provided for in section 720 of this title, excepting that such money orders shall be in such form as to prevent their being drawn for a sum in excess of \$5; the rates for such money orders to be the same as those provided for in section 716 of this title, and post offices so authorized shall be designated "limited money-order offices." (Jan. 27, 1894, c. 21, § 10, 28 Stat. 33.)

722. Regulations; designation of officer to sign warrants.—The Postmaster General shall have power to make all needful regulations for the enforcement of this chapter, and may designate any officer of the Post Office Department above the grade of fourth-class clerk to sign all warrants authorized by this chapter in his stead, and such warrants when so signed shall be of the same validity as if they had been signed by the Postmaster General. (Jan. 27, 1894, c. 21, § 12, 28 Stat. 33.)

723. Indorsement of orders.—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. (R. S. § 4037; Feb. 18, 1875, c. 80, § 1, 18 Stat. 320.)

724. Identification of payee.—Postmasters shall not issue any money order conditioned that identification of payee, indorsee, or attorney may be waived, nor shall any postmaster pay any money order issued without requiring identification of the payee, indorsee, or attorney. (Mar. 1, 1899, c. 327, § 5, 30 Stat. 966.)

725. Changes and modification of orders.—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. (R. S. § 4038.)

726. Orders to correct errors.—Money orders may be drawn by the Superintendent of the Division of Money Orders without the exaction of an additional fee for the purpose of correcting errors made by issuing or paying postmasters. (Mar. 1, 1899, c. 327, § 5, 30 Stat. 966.)

727. Orders payable at any office.—Under such rules and regulations as the Postmaster General shall prescribe postal money orders may be issued payable at any money-order post office, and all money orders shall be legally payable at any money-order post office, although drawn on a specified office. (Feb. 6, 1914, c. 15, 38 Stat. 280.)

728. Repayment of orders.—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. (R. S. § 4039; Jan. 27, 1894, c. 21, § 6, 28 Stat. 32; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

729. Replacing lost orders.—Whenever a money order has been lost within one year from the last day of the month of

issue 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 person 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. Whenever a money order, which has not been paid within one year from the last day of the month of issue, has been lost, the Postmaster General, upon the application of the remitter or payee of such order, shall issue a warrant for the payment thereof, as provided for in section 718 of this title, without charge, on the certificate of the General Accounting Office, or upon such other proof satisfactory to the Postmaster General, that the order has not been paid. (R. S. § 4040; Jan. 27, 1894, c. 21, § 11, 28 Stat. 33; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

730. Payment; unpaid orders after lapse of seven years.—The Postmaster General upon evidence satisfactory to him, and under such special regulations as he shall prescribe, may cause payment to be made in the manner prescribed in sections 718 and 729 of this title, of the amount of any money order remaining unpaid after the lapse of seven years from the date of its issue. (July 16, 1894, c. 137, § 4, 28 Stat. 107; Mar. 3, 1897, c. 385, 29 Stat. 648.)

731. Same; domestic orders unpaid after three years.—The Postmaster General, upon evidence satisfactory to him, and under such special regulations as he shall prescribe, may cause payment to be made in the manner prescribed in sections 718 and 729 of this title, of the amount of any domestic money order remaining unpaid after the lapse of three years from the date of its issue. It shall be the duty of the General Accounting Office to maintain a complete and permanent record of all unpaid money orders issued by postmasters in the United States, or such of its insular possessions as are amenable to the authority of the Postmaster General for payment within its own territory, such record to serve as a basis for adjudicating claims for payment by warrant of the amounts of said orders. (May 27, 1908, c. 206, 35 Stat. 416; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

732. Payment of orders issued in favor of lotteries.—The Postmaster General may, upon evidence satisfactory to him that any person or company is engaged in conducting any 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 that any person or company is conducting any other scheme for obtaining money or property of any kind through the mails by means of false or fraudulent pretenses, representations, or promises, forbid the payment by any postmaster to said person or company of any postal money orders drawn to his or its order, or in his or its favor, or to the agent of any such person or company, whether such agent is acting as an individual or as a firm, bank, corporation, or association of any kind, and may provide by regulation for the return to the remitters of the sums named in such money orders.

This shall not authorize any person to open any letter not addressed to himself.

The public advertisement by such person or company so conducting any such lottery, gift enterprise, scheme, or device, that remittances for the same may be made by means of postal money orders to any other person, firm, bank, corporation, or association named therein shall be held to be prima facie evidence of the existence of said agency by all the parties named therein; but the Postmaster General shall not be precluded from ascertaining the existence of such agency in any other legal way. (R. S. § 4041; Sept. 19, 1890, c. 908, § 3, 26 Stat. 466.)

733. Transfer of funds.—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. (R. S. § 4042.)

734. Transfer by warrant to funds.—The Postmaster General may transfer to the postmaster at any money-order office, by warrant on the Treasury, countersigned by the Comptroller General of the United States 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. (R. S. § 4043; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

735. Report of funds.—It shall be the duty of postmasters at post offices authorized to issue money orders to render to the comptroller, bureau of accounts, Post Office Department, quarterly, monthly, semimonthly, weekly, semiweekly, 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. (R. S. § 4044; Jan. 27, 1894, c. 21, § 8, 28 Stat. 32; Feb. 18, 1925, c. 265, 43 Stat. 950.)

736. What to be funds.—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 Treasurer of the United States or depositary designated by the Secretary of the Treasury under section 476 of Title 31 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 comptroller of the bureau of accounts in the Post Office Department. (R. S. § 4045; June 10, 1921, c. 18, § 304, 42 Stat. 24; May 29, 1920, c. 214, § 1, 41 Stat. 655.)

737. Duplicates of lost checks.—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. (R. S. § 4046.)

738. Postal notes.—The Postmaster General may authorize postmasters at such offices as he shall designate, under such regulations as he shall prescribe, to issue and pay money orders of fixed denominations, not exceeding \$10, to be known as postal notes.

Postal notes shall be valid for six calendar months from the last day of the month of their issue, but thereafter may be paid under such regulations as the Postmaster General may prescribe.

Postal notes shall not be negotiable or transferable through indorsement.

If a postal note has been once paid, to whomsoever paid, the United States shall not be liable for any further claim for the amount thereof. (Mar. 4, 1911, c. 241, § 8, 36 Stat. 1340.)

739. Disposition of money-order statements.—The Secretary of the Treasury and the Postmaster General shall cause to be destroyed, in such manner as they may deem best, all money-order statements rendered by postmasters and all paid money orders accompanying the same, as well as all descriptive lists

of international money orders certified to or by the exchange offices designated for conducting money-order transactions with foreign countries, and all coupons of issued international money orders filed in the General Accounting Office, after three years shall have elapsed from the expiration of the period covered by such statements and lists. (May 27, 1908, c. 206, § 1, 35 Stat. 415; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

Chapter 20.—POSTAL SAVINGS DEPOSITORIES.

Sec.

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Section 751. Board of trustees; regulations; annual report.—There shall be a board of trustees for the control, supervision, and administration of the postal savings depository offices designated and established under the provisions of this chapter, and of the funds received as deposits at such postal savings depository offices by virtue thereof. Said board shall consist of the Postmaster General, the Secretary of the Treasury, and the Attorney General, severally, acting ex officio, and, except as otherwise provided by section 768 of this title, shall have power to make all necessary and proper regulations for the receipt, transmittal, custody, deposit, investment, and repayment of the funds deposited at postal savings depository offices.

The board of trustees shall submit a report to Congress at the beginning of each regular session showing by States and Territories (for the preceding fiscal year) the number and names of post offices receiving deposits, the aggregate amount of deposits made therein, the aggregate amount of withdrawals therefrom, the number of depositors in each, the total amount standing to the credit of all depositors at the conclusion of the year, the amount of such deposits at interest, the amount of interest received thereon, the amount of interest paid thereon, the amount of deposits surrendered by depositors for bonds issued by authority of this chapter, and the number and amount of unclaimed deposits. Also the amount invested in Government securities by the trustees, the amount of extra expense of the Post Office Department and the Postal Service incident to the operation of the postal savings depository system, and all other facts which it may deem pertinent and proper to present. (June 25, 1910, c. 386, § 1, 36 Stat. 814; Aug. 24, 1912, c. 389, § 10, 37 Stat. 559; Sept. 23, 1914, c. 308, 38 Stat. 716.)

752. Mail pertaining to business transmitted free.—The provisions of section 321 of this title are hereby extended and made applicable to all official mail matter pertaining to the business of the Postal Savings System. (June 25, 1910, c. 386, § 2, 36 Stat. 815; Sept. 23, 1914, c. 308, 38 Stat. 716.)

753. Designation of offices.—Every post office designated by order of the Postmaster General is declared to be a postal savings depository office within the meaning of this chapter and to be authorized and required to receive deposits of funds from the public and to account for and dispose of the same, according to the provisions of this chapter and the regulations made in pursuance thereof. (June 25, 1910, c. 386, § 3, 36 Stat. 815; Aug. 24, 1912, c. 389, § 10, 37 Stat. 559.)

754. Opening accounts and making deposits.—Accounts may be opened and deposits made in any postal savings depository established under this chapter by any person of the age of ten years or over, in his or her own name, and by a married woman in her own name and free from any control or interference by her husband; but no person shall at the same time have more than one postal savings account in his or her own right. (June 25, 1910, c. 386, § 4, 36 Stat. 815.)

755. Pass books; entries therein.—The postmaster at a postal savings depository office shall, upon the making of an application to open an account under this chapter and the submission of an initial deposit, deliver to the depositor a pass book free of cost, upon which shall be written the name and signature or mark of the depositor and such other memoranda as may be necessary for purposes of identification, in which pass book entries of all deposits and withdrawals shall be made in both figures and writing: *Provided*, That the Postmaster General may adopt some other device or devices in lieu of a pass book as a means of making and preserving evidence of deposits and withdrawals. (June 25, 1910, c. 386, § 5, 36 Stat. 815; Aug. 24, 1912, c. 389, § 10, 37 Stat. 559.)

756. Deposits; amount; cards and stamps for small amounts.—At least \$1, or a larger amount in multiples thereof, must be deposited before an account is opened with the person depositing the same, and \$1, or multiples thereof, may be deposited after such account has been opened, but the balance to the credit of any one person, upon which interest is payable, shall not exceed \$2,500, exclusive of accumulated interest, and noninterest paying deposits shall not be accepted. In order that smaller amounts may be accumulated for deposit, any person may purchase for 10 cents, from any postal savings depository, specially prepared adhesive stamps to be known as "postal savings stamps," and attach them to a card which shall be furnished for the purpose. A card with ten postal savings stamps affixed shall be accepted as a deposit of \$1 either in opening an account or in adding to an existing account, or may be redeemed in cash. It is hereby made the duty of the Postmaster General to prepare such postal savings cards and postal savings stamps of denominations of 10 cents, and to keep them on sale at every postal savings depository office, and to prescribe all necessary rules and regulations for the issue, sale, and cancellation thereof. (June 25, 1910, c. 386, § 6, 36 Stat. 815; May 18, 1916, c. 126, § 1, 39 Stat. 159; July 2, 1918, c. 117, §§ 12, 13, 40 Stat. 754.)

757. Interest; limitation of balance.—Interest at the rate of 2 per centum per annum shall be allowed and entered to the credit of each depositor once in each year; the same to be computed on such basis and under such rules and regulations as the board of trustees may prescribe; but interest shall not be computed or allowed on fractions of a dollar. (June 25, 1910, c. 386, § 7, 36 Stat. 816; May 18, 1916, c. 126, § 1, 39 Stat. 159; July 2, 1918, c. 117, § 12, 40 Stat. 754.)

758. Withdrawals; payment from deposits.—Any depositor may withdraw the whole or any part of the funds deposited to his or her credit, with the accrued interest, upon demand and under such regulations as the Postmaster General may prescribe. Withdrawals shall be paid from the deposits in the State or Territory, so far as the postal funds on deposit in such State or Territory may be sufficient for the purpose, and, so far as practicable, from the deposits in the community in

which the deposit was made. No bank in which postal savings funds shall be deposited shall receive any exchange or other fees or compensation on account of the cashing or collection of any checks or the performance of any other service in connection with the Postal Savings Depository System. (June 25, 1910, c. 386, § 8, 36 Stat. 816; Aug. 24, 1912, c. 389, § 10, 37 Stat. 559.)

759. Deposit of funds in banks; interest; reserve; security; deposits with treasurer of board of trustees.—Postal savings funds received under the provisions of this chapter shall be deposited in solvent banks, whether organized under national or State laws, and whether member banks or not of the Federal reserve system, being subject to national or State supervision and examination, and the sums deposited shall bear interest at the rate of not less than 2¼ per centum per annum, which rate shall be uniform throughout the United States and Territories thereof; but 5 per centum of such funds shall be withdrawn by the board of trustees and kept with the Treasurer of the United States, who shall be treasurer of the board of trustees, in lawful money as a reserve. The board of trustees shall take from such banks such security in public bonds or other securities, authorized by Act of Congress or supported by the taxing power, as the board may prescribe, approve, and deem sufficient and necessary to insure the safety and prompt payment of such deposits on demand. The funds received at the postal savings depository offices in each city, town, village, and other locality shall be deposited in banks located therein (substantially in proportion to the capital and surplus of each such bank) willing to receive such deposits under the terms of this chapter and the regulations made by authority thereof. If one or more member banks of the Federal reserve system exists in the city, town, village, or locality where the postal savings deposits are made, such deposits shall be placed in such qualified member banks substantially in proportion to the capital and surplus of each such bank, but if such member banks fail to qualify to receive such deposits, then any other bank located therein may, as hereinbefore provided, qualify and receive the same. If no such member bank and no other qualified bank exists in any city, town, village, or locality, or if none where such deposits are made will receive such deposits on the terms prescribed, then such funds shall be deposited under the terms of this chapter in the bank most convenient to such locality. If no such bank in any State or Territory is willing to receive such deposits on the terms prescribed, then such funds shall be deposited with the treasurer of the board of trustees and shall be counted in making up the reserve of 5 per centum. Such funds may be withdrawn from the treasurer of said board of trustees, and all other postal savings funds, or any part of such funds, may be at any time withdrawn from the banks and savings depository offices for the repayment of postal savings depositors when required for that purpose. If at any time the postal savings deposits in any State or Territory shall exceed the amount which the qualified banks therein are willing to receive under the terms of this chapter, and such excess amount is not required to make up the reserve fund of 5 per centum hereinbefore provided for, the board of trustees may invest all or any part of such excess amount in bonds or other securities of the United States. When, in the judgment of the President, the general welfare and interests of the United States so require, the board of trustees may invest all or any part of the postal savings funds, except the reserve fund of 5 per centum herein provided for, in bonds or other securities of the United States. The board of trustees may in its discretion purchase from the holders thereof bonds which have been or may be issued under the provisions of section 760 of this title. Interest and profit accruing from the deposits or investment of postal savings funds shall be applied to the payment of interest due to postal

savings depositors, as hereinbefore provided, and the excess thereof, if any, shall be covered into the Treasury of the United States as a part of the postal revenue. Postal savings funds in the treasury of said board shall be subject to disposition as provided in this chapter, and not otherwise. The board of trustees may at any time dispose of bonds held as postal savings investments and use the proceeds to meet withdrawals of deposits by depositors. The word "Territory" as used herein shall be held to include the District of Columbia, the Territory of Alaska, and Porto Rico, and the word "bank" shall be held to include savings banks and trust companies doing a banking business. (Aug. 24, 1912, c. 387, § 1, 37 Stat. 512; May 18, 1916, c. 126, § 2, 39 Stat. 159.)

760. Bonds issued to depositors; investment of savings funds in bonds.—Any depositor in a postal savings depository may surrender his deposit, or any part thereof, in sums of \$20, \$40, \$60, \$80, \$100, and multiples of \$100 and \$500, and receive in lieu of such surrendered deposits, under such regulations as may be established by the board of trustees, the amount of the surrendered deposits in United States coupon or registered bonds of the denominations of \$20, \$40, \$60, \$80, \$100, and \$500, which bonds shall bear interest at the rate of 2½ per centum per annum, payable semiannually, and be redeemable at the pleasure of the United States after one year from the date of their issue and payable twenty years from such date, and both principal and interest shall be payable in United States gold coin of the present standard of value. The bonds herein authorized shall be issued only (first) when there are outstanding bonds of the United States subject to call, in which case the proceeds of the bonds shall be applied to the redemption at par of outstanding bonds of the United States subject to call, and (second) at times when under authority of law other than that contained in this chapter the Government desires to issue bonds for the purpose of replenishing the Treasury, in which case the issue of bonds under authority of this chapter shall be in lieu of the issue of a like amount of bonds issuable under authority of law other than that contained in this chapter. The bonds authorized by this chapter shall be issued by the Secretary of the Treasury under such regulations as he may prescribe. The authority contained in section 759 of this title for the investment of postal savings funds in United States bonds shall include the authority to invest in the bonds herein authorized whenever such bonds may be lawfully issued. The bonds herein authorized shall be exempt from all taxes or duties of the United States as well as from taxation in any form by or under State, municipal, or local authority. No bonds authorized by this chapter shall be receivable by the Treasurer of the United States as security for the issue of circulating notes by national banking associations. (June 25, 1910, c. 386, § 10, 36 Stat. 817.)

761. Investment of funds in United States bonds subject to call for redemption.—Whenever the trustees of the postal savings fund have in their possession funds available for investment in United States bonds they may notify the Secretary of the Treasury of the amount of such funds in their hands which they desire to invest in bonds of the United States subject to call, whereupon, if there are United States bonds subject to call, the Secretary of the Treasury shall call for redemption an amount of such bonds equal to the amount of the funds in the hands of the trustees which the trustees desire to thus invest, and the bonds so called shall be redeemed at par with accrued interest at the Treasury of the United States on and after three months from the date of such call, and interest on the said bonds shall thereupon cease. Said bonds when redeemed shall be reissued at par to the trustees without change in their terms as to rate of interest and date of maturity. The bonds so reissued may, in the discretion of the Secretary of the Treasury, be called for redemption from the trustees in like manner

as they were originally called for redemption from their former owners whenever there are funds in the Treasury of the United States available for such redemption. (June 25, 1910, c. 386, § 11, 36 Stat. 818.)

762. Funds kept separate; accountability therefor; application of laws relating to postal receipts; additional bonds of postmasters.—Postal savings depository funds shall be kept separate from other funds by postmasters and other officers and employees of the Postal Service, who shall be held to the same accountability under their bonds for such funds as for public moneys; and no person connected with the Post Office Department shall disclose to any person other than the depositor the amount of any deposits, unless directed so to do by the Postmaster General. All statutes relating to the safe-keeping of and proper accounting for postal receipts are made applicable to postal savings funds, and the Postmaster General may require postmasters, assistant postmasters, and clerks at postal savings depositories to give any additional bond he may deem necessary. (June 25, 1910, c. 386, § 12, 36 Stat. 818.)

763. No additional compensation to postmasters or other employees.—Postmasters, assistant postmasters, clerks, or other employees at post offices of the presidential grade, and postmasters at post offices of the fourth class, shall not be allowed or paid any additional compensation for the transaction of postal savings depository business. (June 25, 1910, c. 386, § 13, 36 Stat. 818; Sept. 23, 1914, c. 308, 38 Stat. 716.)

764. Duties of postmasters and other officers.—The Postmaster General is authorized to require postmasters and other postal officers and employees to transact, in connection with their other duties, such postal savings depository business as may be necessary; and he is also authorized to make, and with the approval of the board of trustees to promulgate, and from time to time to modify or revoke, subject to the approval of said board, such rules and regulations not in conflict with law as he may deem necessary to carry the provisions of this chapter into effect. (June 25, 1910, c. 386, § 14, 36 Stat. 818.)

765. Application of safeguards for protection of public moneys and of laws as to offenses against Postal Service.—All the safeguards provided by law for the protection of public moneys, and all statutes relating to the embezzlement, conversion, improper handling, retention, use, or disposal of postal and money-order funds and the punishments provided for such offenses are hereby extended and made applicable to postal savings depository funds, and all statutes relating to false returns of postal and money-order business, the forgery, counterfeiting, alteration, improper use or handling of postal and money-order blanks, forms, vouchers, accounts, and records, and the dies, plates, and engravings therefor, with the penalties provided in such statutes, are hereby extended and made applicable to postal savings depository business, and the forgery, counterfeiting, alteration, improper use or handling of postal savings depository blanks, forms, vouchers, accounts, and records, and the dies, plates, and engravings therefor. (June 25, 1910, c. 386, § 15, 36 Stat. 818.)

766. Faith of United States pledged to payment of deposits.—The faith of the United States is solemnly pledged to the payment of the deposits made in postal savings depository offices, with accrued interest thereon as herein provided. (June 25, 1910, c. 386, § 16, 36 Stat. 819.)

767. Judgment adjudicating right or interest in deposit.—The final judgment, order, or decree of any court of competent jurisdiction adjudicating any right or interest in the credit of any sums deposited by any person with a postal savings depository if the same shall not have been appealed from and the time for appeal has expired shall, upon submission to the Postmaster General of a copy of the same, duly authenticated in the manner provided by the laws of the United States for the authentication of the records and judicial proceedings of

the courts of any State or Territory or of any possession subject to the jurisdiction of the United States, when the same are proved or admitted within any other court within the United States, be accepted and pursued by the board of trustees as conclusive of the title, right, interest, or possession so adjudicated, and any payment of said sum in accordance with such order, judgment, or decree shall operate as a full and complete discharge of the United States from the claim or demand of any person or persons to the same. (June 25, 1910, c. 386, § 17. 36 Stat. 819.)

768. Powers of Postmaster General as to designation of offices, compensation of superintendents and inspectors, office hours, and regulations as to deposits and withdrawals.—The Postmaster General shall select and designate the post offices which are to be postal savings depository offices, and shall appoint and unless otherwise provided by law, fix the compensation of such superintendents, inspectors, and other employees as may be necessary in conducting, supervising, and directing the business of such offices, including the employees of a central office at Washington, District of Columbia, and shall prescribe the hours during which postal savings depository offices shall remain open. He shall also from time to time make rules and regulations with respect to the deposits in and withdrawals of moneys from postal savings depositories and the issue of pass books or such other devices as he may adopt as evidence of such deposits or withdrawals. (Aug. 24, 1912, c. 389, § 10, 37 Stat. 559.)

769. Transaction of business of Postal Savings System.—The Secretary of the Treasury may employ such number of clerks and employees of the several classes and at the several rates of compensation recognized by law, and expend such sums for contingent and miscellaneous items, as may be necessary, in his judgment, to transact the business of the Postal Savings System in the office of the Treasurer of the United States: *Provided*, That the money required to pay such clerks and employees, and contingent and miscellaneous items, shall be advanced to the Secretary of the Treasury at regular intervals out of any available appropriation for the establishment, maintenance, and extension of postal savings depositories: *Provided further*, That estimates hereunder shall be submitted in detail annually. (Aug. 23, 1912, c. 350, § 1, 37 Stat. 377.)

Chapter 21.—ACCOUNTS AND REVENUES.

Sec.

781. Manner of keeping accounts.

782. Miscellaneous and money-order receipts.

783. Postal revenue to be accounted for.

784. Disposal of moneys recovered for loss of registered matter not restored to owners.

785. Box holders may provide lock boxes.

786. Revenues appropriated for Postal Service.

787. Payments, how made; advances.

788. Transfer of debts to contractors.

789. Suits to recover wrongful or fraudulent payments.

790. Delivery of stolen money to owner.

791. Disposal of fines, penalties, and forfeitures.

792. Preservation of accounts.

Section 781. Manner of keeping accounts.—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:

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. (R. S. § 4049; Mar. 3, 1875, c. 128, § 4, 18 Stat. 343.)

782. Miscellaneous and money-order receipts.—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 employee 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 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 bureau of accounts in the Post Office Department in the accounts of such department, under the head of "revenue from money-order business." (R. S. § 4050; June 10, 1921, c. 18, 42 Stat. 23.)

783. Postal revenue to be accounted for.—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. (R. S. § 4051.)

784. Disposal of moneys recovered for loss of registered matter not restored to owners.—All moneys recovered or collected on account of loss of first-class domestic registered matter which in the course of adjustment are not restored to the original owners, shall be covered into the Treasury of the United States. (May 27, 1908, c. 206, 35 Stat. 415.)

785. Box holders may provide lock boxes.—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. (R. S. § 4052.)

786. Revenues appropriated for Postal Service.—The money required for the Postal Service in each year shall be appropriated by law out of the revenues of the service except as otherwise provided by law. (R. S. § 4054.)

787. Payments, how made; advances.—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 General Accounting Office; but advances of necessary sums to defray expenses may be made by the Postmaster General to post-office inspectors employed to investigate mail depredations, examine post routes and offices, and on other like services, to be charged to them by the General Accounting Office, and to be accounted for in the settlement of their accounts. (R. S. § 4055; June 10, 1921, c. 18, § 304, 42 Stat. 24.)

788. Transfer of debts to contractors.—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. (R. S. § 4056.)

789. Suits to recover wrongful or fraudulent payments.—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 serv-

ice 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 employee 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. (R. S. § 4057.)

790. Delivery of stolen money to owner.—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. (R. S. § 4058.)

791. Disposal of fines, penalties, and forfeitures.—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. (R. S. § 4059.)

792. Preservation of accounts.—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. (R. S. § 4060.)

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

Sec.

- 801. Salaries of requisition fillers and packers in division of equipment and supplies.
- 802. Contracts; rental of canceling machines, hire of equipages for City Delivery Service and collection service.
- 803. Same; miscellaneous supplies.
- 804. Same; printing post-route maps.
- 805. Sale of post-route maps and rural-delivery maps.
- 806. Post-route maps; pay rolls of topographer's office.
- 807. Contracts for furnishing Official Postal Guide; sale thereof.
- 808. Contracts for supplies with persons combining to fix prices.
- 809. Contracts; mail bags, mail locks, and keys.
- 810. Metric postal balances.
- 811. Civil pension roll prohibited.
- 812. No employee to receive fees.
- 813. Rewards for inventions and improvements in service.
- 814. Bonds: Liberty loan bonds in lieu of other bonds.
- 815. Bonds of postmaster, clerk, carrier, or postal employees; renewal.
- 816. Payment to legal representatives of deceased clerks killed or dying from injuries.
- 817. Acting employees for employees and substitutes injured while on duty.
- 818. Reinstatement of employees entering military service.
- 819. Termination of employment by reason of absence on account of illness.
- 820. Per diem allowed to officers and employees of department only when actually traveling.
- 821. Compensation and promotion of printers, mechanics, etc.
- 822. Salaries at annual or monthly rate; division of time and computation of pay.
- 823. Leaves of absence; sick leave.
- 824. Same; employees of mail-bag and mail-lock repair shops.
- 825. Suits and prosecutions in State courts.
- 826. Ascertainment of revenues derived from and cost of carrying and handling several classes of mail matter; statement of annually; payment of cost.
- 827. Motor-vehicle truck routes and motor express routes.

Section 801. Salaries of requisition fillers and packers in division of equipment and supplies.—The salary of requisition fillers and packers in the division of equipment and supplies shall be as follows: One foreman, \$2,100 per annum; ten requisition fillers and nine packers at \$1,800 each per annum. (Feb. 28, 1925, c. 363, § 9, 43 Stat. 1064.)

802. Contracts; rental of canceling machines, hire of equipages for City Delivery Service and collection service.—The Postmaster General may, in his discretion, enter into contracts for a period of not exceeding four years for the rental of canceling machines, for the hire of the equipages for the City Delivery Service, for the collection service by means of boxes attached to street cars, and for the steamboat and other equipment necessary for the Detroit River Postal Service, but no contract shall be made for any canceling machine for more than \$270 per annum, including repairs on said machine, and all contracts entered into shall be let after having advertised for bids and shall be awarded on the basis of cheapness and efficiency. (Mar. 4, 1911, c. 241, § 1, 36 Stat. 1333; Mar. 9, 1914, c. 33, 38 Stat. 303.)

803. Same; miscellaneous supplies.—The Postmaster General may also contract for a term not exceeding four years, for miscellaneous equipment and supplies for the Postal Service, when, in his judgment, it shall appear to be for the best interests of the service. (Apr. 21, 1902, c. 563, § 1, 32 Stat. 114.)

804. Same; printing post-route maps.—The Postmaster General may, in his discretion, cause the contract for printing post-route maps to be let for a term of four years. (Mar. 2, 1895, c. 177, § 1, 28 Stat. 803.)

805. Sale of post-route maps and rural-delivery maps.—The Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blue prints at the cost of printing and 10 per centum thereof added, the proceeds of such sale to be used as a further appropriation for the preparation and publication of post-route maps and rural-delivery maps or blue prints. (Mar. 3, 1917, c. 162, § 1, 39 Stat. 1067; Mar. 1, 1921, c. 88, § 1, 41 Stat. 1154.)

806. Post-route maps; pay rolls of topographer's office.—The disbursements of the moneys appropriated for the preparation and publication of post-route maps shall be made by a regular bonded disbursing officer of the Post Office Department, according to the laws, rules, and customs as recognized by the General Accounting Office. The pay rolls of the draftsmen, clerks, messengers, and other employees of the topographer's office, shall be regularly made out by the topographer, examined and checked by the appointment clerk of the Post Office Department, and the payments thereof made by a bonded disbursing officer of the Post Office Department. All expenditures made by the topographer for the preparation and publication of post-route maps shall be accounted for by vouchers, accompanied by affidavit, and the moneys therefor shall be disbursed by a disbursing officer of the Post Office Department; and all of the above disbursements shall be paid out of the appropriation for the preparation and publication of post-route maps. (June 17, 1878, c. 259, § 2, 20 Stat. 143; June 10, 1921, c. 18, § 304, 42 Stat. 24; Feb. 14, 1923, c. 79, 42 Stat. 1249.)

807. Contracts for furnishing Official Postal Guide; sale thereof.—Except as otherwise provided in section 111 of Title 44 Postmaster General may, in his discretion, cause the contract for furnishing the Official Postal Guide to be let for a term of four years, and he may authorize the sale to the public of such guides at the total cost thereof, the proceeds of such sale to be covered into the Treasury as a miscellaneous receipt.

Contracts let for the publication of such guide shall provide for the supply of such copies as may be required for public use by the several executive departments and other Government establishments at a price not exceeding the cost of such guides to the Post Office Department. (May 28, 1896, c. 252, § 1, 29 Stat. 176; May 10, 1916, c. 117, § 1, 39 Stat. 108; Mar. 3, 1921, c. 124, § 1, 41 Stat. 1295.)

808. Contracts for supplies with persons combining to fix prices.—No contract for furnishing supplies to the Post Office Department or the Postal Service shall be made with any

person who has entered, or proposed to enter, into any combination to prevent the making of any bid for furnishing such supplies, or to fix a price or prices therefor, 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, or to bid at a specified price or prices thereon; and if any person so offending is a contractor for furnishing such supplies, his contract may be annulled, and the person so offending shall be liable to a fine of not less than \$100 nor more than \$5,000, and may be further punished, in the discretion of the court, by imprisonment for not less than three months nor more than one year. (Aug. 24, 1912, c. 389, § 2, 37 Stat. 553.)

809. Contracts; mail bags, mail locks, and keys.—Section 13 of Title 41 shall not apply to, or include mail bags, mail locks and keys, postal cards, postage stamps, newspaper wrappers, or stamped envelopes. (Mar. 24, 1874, No. 6, 18 Stat. 286.)

810. Metric postal balances.—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. (R. S. § 3880.)

811. Civil pension roll prohibited.—Except as otherwise provided by law, the establishment of a civil pension roll or an honorable-service roll, or the exemption of any of the officers, clerks, and persons in the Postal Service from the existing laws respecting employment in such service, is hereby prohibited. (Mar. 1, 1909, c. 232, 35 Stat. 670.)

812. No employee to receive fees.—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. (R. S. § 3858.)

813. Rewards for inventions and improvements in service.—The Postmaster General may 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. The sums so paid to employees shall be in addition to their usual compensation. The total amount paid shall not exceed \$1,000 in any month or for any one invention or suggestion. No employee shall be paid a reward 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. (Mar. 4, 1913, c. 143, 37 Stat. 795; Jan. 22, 1925, c. 87, 43 Stat. 782.)

814. Bonds; Liberty loan bonds in lieu of other bonds.—The Postmaster General may, under such rules and regulations as he shall prescribe, accept United States Liberty loan bonds in lieu of either corporate or personal surety from contractors, officers, and employees of the Postal Service to indemnify the Government against losses resulting from the failure of any contractor, officer, or employee of the Postal Service to properly discharge his official duty. (July 2, 1918, c. 117, § 6, 40 Stat. 753.)

815. Bonds of postmaster, clerk, carrier, or postal employees; renewal.—Whenever any postmaster, clerk, carrier, or other person in the Postal Service, employed in the Post Office Department or elsewhere, notifies the Postmaster General of his desire to execute a new bond, or whenever any of the sureties of such postmaster, clerk, carrier, or other person, notifies the Postmaster General of his desire to be released from such

suretyship, or whenever the Postmaster General deems a new bond necessary or expedient, the execution of the new bond may be directed by the Postmaster General. When accepted by the Postmaster General the sureties of postmasters 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, and the sureties of other persons in the prior bond shall be released from responsibility for all acts or defaults of such persons which may be done or committed subsequent to the day such new bond becomes operative. (Mar. 3, 1905, c. 1488, 33 Stat. 1259.)

816. Payment to legal representatives of deceased clerks killed or dying from injuries.—The Postmaster General may pay the sum of \$2,000, which shall be exempt from payment of debts of the deceased, to the legal representatives, for the benefit of wife, children, or dependent relatives, of any railway postal clerk, substitute railway postal clerk, supervisory official of the Railway Mail Service, post-office inspector, letter carrier in the City Delivery Service, rural letter carrier, post-office clerk, special-delivery messenger, post-office laborer or any classified civil-service employee in post offices of the first and second classes who shall be killed while on duty, or who, being injured while on duty, shall die within one year thereafter as the result of such injury. No compensation shall be paid any such employee for any injury occasioned by his own negligence. (July 28, 1916, c. 261, § 1, 39 Stat. 413.)

817. Acting employees for employees and substitutes injured while on duty.—The Postmaster General shall have authority to employ acting employees in place of all employees or substitutes mentioned in section 816 of this title who are injured while on duty, who shall be granted leave of absence with full pay during the period of disability, but not exceeding one year, then at the rate of 50 per centum of the employee's salary for the period of disability exceeding one year, but not exceeding twelve months additional. (July 28, 1916, c. 261, § 1, 39 Stat. 413.)

818. Reinstatement of employees entering military service.—Any postal employee who has entered or shall enter the military service of the United States shall, upon being honorably discharged therefrom, be permitted to resume the position in the postal department which he left to enter such military service. Employees, including substitute employees, of the Postal Service who entered the military or naval service of the United States prior to July 2, 1918, or thereafter during the existence of the World War shall, when honorably discharged from such service, be reassigned to their duties in the Postal Service at the salary to which they would have been automatically promoted had they remained in the Postal Service, provided they are physically and mentally qualified to perform the duties of such positions. (July 28, 1916, c. 261, § 1, 39 Stat. 413; July 2, 1918, c. 117, § 9, 40 Stat. 754.)

819. Termination of employment by reason of absence on account of illness.—The Postmaster General shall not approve or continue any rule or regulation which terminates the employment of any employee by reason of absence on account of illness for a period of less than one year. (July 28, 1916, c. 261, § 1, 39 Stat. 413.)

820. Per diem allowed to officers and employees of department only when actually traveling.—All officers and employees of the Post Office Department who are entitled to a per diem allowance when traveling, in lieu of actual expenses, shall only be allowed such per diem when actually engaged in traveling on official business away from their home, their official domicile, and their headquarters. The Postmaster General shall designate an official domicile and headquarters within the division or territory to which such officer or employee is assigned. (Apr.

28, 1904, c. 1759, § 4, 33 Stat. 440; Apr. 24, 1920, c. 161, § 1, 41 Stat. 574; June 5, 1920, c. 254, 41 Stat. 1052.)

821. Compensation and promotion of printers, mechanics, etc.—Printers, mechanics, and skilled laborers, employees of the United States Stamped Envelope Agency at Dayton, Ohio, shall for the purpose of promotion and compensation be deemed a part of the clerical force. (Feb. 28, 1925, c. 368, § 4, 43 Stat. 1059.)

822. Salaries at annual or monthly rate; division of time and computation of pay.—Where the salary or compensation of any employee in the Postal Service is at an annual or monthly rate, the following rules shall be followed in computing the amount due: An annual salary or compensation shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payment for a fractional part of any calendar month there shall be paid such proportion of one of such installments, or of the amount of the monthly salary or compensation, as the number of days in the fractional part of that month bears to the actual number of days in that month. (Mar. 4, 1911, c. 241, § 4, 36 Stat. 1339.)

823. Leaves of absence; sick leave.—Employees in the Postal Service shall be granted fifteen days' leave of absence with pay exclusive of Sundays and holidays, each fiscal year, and sick leave with pay at the rate of ten days a year, exclusive of Sundays and holidays, to be cumulative, but no sick leave with pay in excess of thirty days shall be granted during any one fiscal year. Sick leave shall be granted only upon satisfactory evidence of illness in accordance with regulations to be prescribed by the Postmaster General.

The fifteen days' leave shall be credited at the rate of one and one-quarter days for each month of actual service. Not exceeding five days of the fifteen days' annual leave with pay, exclusive of Sundays and holidays, granted to railway postal clerks assigned to road duty each fiscal year may be carried over to the succeeding fiscal year. (June 27, 1884, c. 126, 23 Stat. 60; Oct. 1, 1890, c. 1260, 26 Stat. 648; May 27, 1908, c. 206, 35 Stat. 413; Aug. 24, 1912, c. 389, 37 Stat. 546; June 5, 1920, c. 254, 40 Stat. 1052; June 19, 1922, c. 227, § 3, 42 Stat. 660; Feb. 28, 1925, c. 368, §§ 7, 11, 43 Stat. 1063, 1064.)

824. Same; employees of mail-bag and mail-lock repair shops.—The employees of the mail-bag repair shop in Washington, District of Columbia, and Chicago, Illinois, and the employees of the mail-lock repair shop in Washington, District of Columbia, may be allowed thirty days' annual leave of absence. (Aug. 24, 1912, c. 389, 37 Stat. 546.)

825. Suits and prosecutions in State courts.—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. (R. S. § 3833.)

826. Ascertainment of revenues derived from and cost of carrying and handling several classes of mail matter; statement of annually; payment of cost.—The Postmaster General is authorized to continue the work of ascertaining the revenues derived from and the cost of carrying and handling the several classes of mail matter and of performing the special services, and to state the results annually as far as practicable and pay the cost thereof out of the appropriation for inland transportation by railroad routes. (Feb. 28, 1925, c. 368, § 214, 43 Stat. 1069.)

827. Motor-vehicle truck routes and motor express routes.—To promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer and the delivery to producers of articles necessary in the production of such food products, the Postmaster General is hereby authorized to conduct experiments in the operation of motor-vehicle truck routes, to be selected by him. The Postmaster General is further authorized to conduct experiments in the operation of country motor express routes, which shall be primarily operated as a means of expediting the transportation of fourth-class mail between producing and consuming localities and shall not displace or supplant any existing methods of mail transportation or delivery. These two classes of experiments shall be conducted under such rules and regulations, including modifications in rates of postage and in packing and wrapping requirements, as the Postmaster General may prescribe.

Mail other than that of the fourth class shall not be dispatched on experimental motor-vehicle truck routes or on experimental country motor express routes unless the same can be expedited thereby in delivery at destination.

Separate accounts shall be kept of the amount of all the mail of all classes carried on such routes. The Postmaster General shall report to Congress the result of such experiments at the beginning of the next regular session. (Feb. 28, 1919, c. 69, § 1, 40 Stat. 1198.)

PRINTING

See Title 44, PUBLIC PRINTING AND DOCUMENTS.

PRISONS AND PRISONERS

See Title 10, ARMY (United States Disciplinary Barracks);
Title 18, CRIMINAL CODE AND CRIMINAL PROCEDURE.

PRIZE

See Title 34, NAVY.

PROBATION SYSTEM

See Title 18, CRIMINAL CODE AND CRIMINAL PROCEDURE.

PROHIBITION

See Title 27, INTOXICATING LIQUORS.