

# AN ACT

## RELATING TO THE POSTAL LAWS.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all domestic letters, except letters lawfully franked, and duly certified letters of soldiers, and mariners, in the service of the United States, which are deposited for mailing in any post office of the United States, on which the postage is unpaid, shall be sent by the postmaster to the Dead Letter Office in Washington; and all letters deposited for mailing, paid only in part, shall be forwarded to destination, charged with the unpaid rate, to be collected on delivery.

INSTRUCTION, SEC. 1. (a.) Letters lawfully franked must be forwarded free as heretofore under section 42, act approved March 3, 1863, and instructions therewith issued, modified by act of June 1, 1864, which provides, substantially: That all communications on official business, of whatever origin, addressed to heads of the Executive Departments of Government, or heads of bureaus therein, or to Chief Clerks of Departments, or one authorized by the Postmaster General to frank official matter, shall be received and conveyed by mail free of postage, without being franked or endorsed "Official Business."

(b.) All domestic letters *partly* prepaid, and soldiers' and sailors' letters duly certified according to instruction 27 issued with act of March 3, 1863, must be forwarded to their destinations, charged with the amounts of postage due, at prepaid rates, to be collected on delivery, except letters bearing requests for their return to the writers if unclaimed, which, whether partly or wholly unpaid, must be marked "*Held for postage*," and immediately returned to the writers with stamps *not* canceled.

(c.) All domestic letters wholly unpaid, including "Drops," except "Request" letters above described, must be marked "*Held for postage*," postmarked, and specially sent to the Third "Assistant Postmaster General," accompanied by a list of persons addressed, a copy of which must be preserved by the postmaster for reference. The package must be marked outside, "*Held for postage*," and sent as unmailable letters, under section 7, Instructions No. 7, law of March 3, 1863.

(d.) All domestic letters upon which *less than one full rate* of postage is prepaid, must be treated as if wholly unpaid; the stamps must *not* be canceled.

(e.) SECTION 30, Laws and Instructions of 1863, relative to forwarding letters, remains unchanged.

SEC. 2. *And be it further enacted,* That the provisions of the act entitled "An act for the relief of postmasters who have been robbed by Confederate forces or rebel guerrillas," approved April twenty-nine, eighteen hundred and sixty-four, be, and the same are hereby, extended to cases of loyal postmasters, where, by reason of the presence of armed forces, a post office is destroyed and the postmaster loses the fixtures and furniture or postage stamps and stamped envelopes; and also to cases where such losses are occasioned by armed forces other than those of the so-called Confederate States.

INSTRUCTION, SEC. 2. Postmasters seeking relief either under the act of April 29, 1864, or under its provisions as above extended, will make a statement under oath as to the value of each particular item destroyed or stolen, (as the case may be,) and all the attending circumstances, and transmit the same promptly to the Third Assistant Postmaster General, accompanied by all other evidence that can be obtained in the particular case.

Where a claim is made for money so destroyed or stolen, the postmaster must also be able to state positively that it was the property of and belonged to the United States, and that he had no claim to the same, or any portion thereof, by reason of commissions or salary due to him by the Department, or from any cause, matter, or thing whatsoever.

Incontestable evidence must be produced of the past and present loyalty of the claimant.

SEC. 3. *And be it further enacted,* That, in addition to the items of rent, fuel, light, and clerks, enumerated in the fifth section of the act approved July first, eighteen hundred and sixty-four, the Postmaster General be, and he is hereby, authorized to allow, at his discretion, out of the revenues of the office at New York, and of offices of the first, second, third, and fourth classes, a just and reasonable sum for the necessary cost, in whole or in part, as well of the foregoing items as of furniture, stationery, printing, and other items of expenditure required at offices of those classes, to be adjusted upon a satisfactory exhibit of the facts; and that he be authorized to pay out of the proceeds of the money-order business the cost of stationery and such other incidental expenses as are necessary to the transaction of that business.

INSTRUCTION, SEC. 3. Expenditures for clerk hire, rent, fuel, and light, in the case of offices of the first and second classes, will be fixed by an order on the receipt of an estimate from the postmasters of such offices, and shall remain for one year, or until otherwise ordered; and other items of expense for furniture, stationery, &c., under this section, in the case of the same class of offices, must be made only under special authority from the Postmaster General, and applications must be made to him for such authority, accompanied with estimates, previous to incurring such expense.

Offices of the first and second classes will hereafter be furnished with envelopes for official use by the Department; and postmasters of those offices are prohibited from purchasing envelopes except in case of emergency, when they must confine purchases to immediate wants, and an explanation must accompany the vouchers therefor.

Applications for envelopes must be made to the Third Assistant Postmaster General.

Allowances, in the discretion of the Postmaster General, for any items of expense named in this section, to postmasters of the third and fourth classes, will be governed by section 6 of the act of July 1, 1864.

SEC. 4. *And be it further enacted,* That the seventh section of the act entitled "An act to amend the laws relating to the Post Office Department," approved March three, eighteen hundred and sixty-three, be, and the same is hereby, amended so as to authorize the Postmaster General to allow for the publication, in newspapers, of the list of non-delivered letters at any post office, compensation at a rate not to exceed two cents for each letter so advertised.

INSTRUCTION, SEC. 4. Postmasters who advertise letters in newspapers under Instruction No. 7, issued with act of March 3, 1863, are authorized to pay two cents for every letter so advertised. This charge is to be marked on each letter and collected on delivery.

SEC. 5. *And be it further enacted,* That the seventeenth section of the act entitled "An act to establish salaries for postmasters, and for other purposes," approved July one, eighteen hundred and sixty-four, be, and the same is hereby, amended so as to restore, from the date of its passage, to the Special Agent of the Post Office Department in the Pacific States and Territories, his regular salary of two thousand five hundred dollars per annum, under the act of March two, eighteen hundred and sixty-one, with an allowance, in addition thereto, of a sum not exceeding five dollars per diem, to provide for his actual traveling and incidental expenses while actively employed in the service. And the Postmaster General is hereby authorized to appoint an additional Special Agent for the Pacific States and Territories, and two additional Special Agents to superintend postal matters connected with the railway mail service of the United States, who shall receive the same salary and per diem allowance, in addition, for traveling and incidental expenses, to be paid out of the appropriation for mail transportation.

SEC. 6. *And be it further enacted,* That hereafter Special Agents of the Post Office Department, other than those appointed for the Pacific States and Territories, or those appointed under the authority of the preceding section of this act to superintend postal matters connected with the railway service of the United States, shall be

allowed for their necessary traveling and incidental expenses, while actively employed in the service, a sum not exceeding five dollars per diem.

SEC. 7. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to pay, out of the appropriation for miscellaneous expenses, the sum of ten thousand dollars, or so much thereof as may be required, for defraying the necessary expense of preparing and publishing a set of post-route maps, arranged by States and groups of States, and showing all the permanent mail routes, distances, and post offices thereon, in the United States, with other statistical information.

SEC. 8. *And be it further enacted*, That for the purpose of assorting and distributing letters and other mail matter in railway post offices, the Postmaster General may, from time to time, appoint clerks, who shall be paid out of the appropriation for mail transportation: *Provided*, That the salary of each head clerk so appointed and employed shall not exceed fourteen hundred dollars per annum, and that the salary of other clerks shall not exceed twelve hundred dollars each per annum.

SEC. 9. *And be it further enacted*, That the provisions of the fourth section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-one," approved June fifteenth, eighteen hundred and sixty, be, and the same are hereby, modified so as to authorize the Postmaster General to cause the mails to be transported between the United States and any foreign port or ports, or between ports of the United States, touching at a foreign port, by steamship, allowing and paying therefor, if by an American vessel, any sum not exceeding the sea and United States inland postage, and if by a foreign vessel, any sum not exceeding the sea postage on the mails so conveyed.

SEC. 10. *And be it further enacted*, That no steamship or other vessel departing from the United States for a foreign port or ports, shall be permitted to receive on board or convey any letters or letter packets originating in the United States, which have not been regularly posted at, and received from, the post office at the port of departure; and it shall be the duty of the collector or other officer of the port empowered to grant clearances of vessels, to require as a condition of clearance, from the master or commander of such steamship or vessel, an oath or affirmation that he has not received on board his ship or vessel, and has not under his care or within his control, and will not receive and convey, any letters or letter packets addressed to a foreign country, except as hereinafter excepted, which have not been delivered to him from the post office at the port of departure: *Provided, however*, That the provisions of this section shall not apply to any letters or letter packets which relate to the cargo and are addressed to the owner or consignee of such steamship or other vessel, or to any letters or packets which are inclosed in a United States stamped envelope of a denomination sufficient in amount to cover the United States postage legally chargeable thereon if such letters or packets had been posted and transmitted by the regular mail.

SEC. 11. *And be it further enacted*, That nothing contained in the act entitled "An act to establish a postal money-order system," approved May seventeen, eighteen hundred and sixty-four, or in any other act, shall be so construed as to prevent deputy postmasters at money-order or other offices from depositing in the national banks designated by the Secretary of the Treasury as public depositories, to their own credit as deputy postmasters, money-order or other funds in their charge, under the direction of the Postmaster General, nor to prevent their negotiating drafts, orders, or other evidences of debt through these banks, as they may be instructed and required by the Postmaster General.

INSTRUCTION, SEC. 11. Any postmaster who desires to deposit, in the mode prescribed by this section, the public moneys in his custody in a National Bank designated by the Secretary of the Treasury as a public depository, should make written application to the Postmaster General for a permission to make such deposits. The application should state explicitly the locality and name of the bank, together with the names of its officers, and also the date of its designation as a depository of public moneys.

SEC. 12. *And be it further enacted*, That the balance which may remain unexpended of the appropriation of one hundred thousand dollars to meet any deficiencies in the proceeds of the money-order system during the present fiscal year, under the thirteenth section of the act approved May seventeen, eighteen hundred and sixty-four, may be used, as far as may be necessary, to supply deficiencies in the proceeds of the aforesaid system during the fiscal year commencing July first, eighteen hundred and sixty-five.

SEC. 13. *And be it further enacted*, That if any person or persons shall willfully and maliciously injure, tear down, or destroy any letter-box, pillar-box, or other receiving boxes established by authority of the Postmaster General of the United States for the safe deposit of matter for the mails and for delivery, or shall willfully aid and assist in injuring, tearing down, or destroying any such box or boxes, every such offender, being thereof duly convicted, shall, for every such offense, be fined not less than one hundred, nor more than one thousand dollars, or be imprisoned not less than one year, nor more than three years, or both, according to the circumstances and aggravations of the offense. And if any clerk or other person employed in any of the departments of the Post Office establishment shall willfully and unlawfully remove from any letter posted at or received in any post office or branch

post office established by authority of the Postmaster General of the United States, any postage stamp or stamps affixed thereto in payment of postage, every such offender, being thereof duly convicted, shall, for every such offense, be fined not more than one hundred dollars, or imprisoned not more than six months, according to the circumstances and aggravations of the offense.

INSTRUCTION, SEC. 13. Postmasters will report to the Department any violation of this section of the law, with the evidence relied on to prove the charge.

SEC. 14. *And be it further enacted*, That the yearly advertisement for proposals to carry the mails of the United States shall be published hereafter, for a period of six weeks, in one or more, but not to exceed five, newspapers, printed in the State or Territory where the mail service is to be performed, one of which shall be printed at the seat of government of such State or Territory.

SEC. 15. *And be it further enacted*, That nothing contained in the act entitled "An act to amend the laws relating to the Post Office Department," approved March third, eighteen hundred and sixty-three, shall be so construed as to repeal or modify the second section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-one," for the delivery of letters and other mail matter from post offices where the system of free delivery by carriers has not been established: *Provided, nevertheless, and it is hereby further enacted*, That the system of free delivery shall be established in every place containing a population of fifty thousand within the delivery of the office thereof, and at such other places as the Postmaster General, in his judgment, shall direct: *And provided further*, That the prepayment postage on drop letters in all places where free delivery is not established shall be one cent only.

INSTRUCTION, SEC. 15. Postmasters at offices where free delivery is not in operation, if in their opinion it will be beneficial to the service, may nominate one or more suitable persons to act as Penny-post men. Application for the appointment of such men must be made to the First Assistant Postmaster General.

The general rules applicable to the free delivery system, as shown in Instructions under laws of March 3, 1863, and July 1, 1864, will apply to the Penny-post delivery, except so far as relates to compensation of carriers.

Penny-post men will receive no compensation other than the fees they may receive for delivering mail matter. They will demand not exceeding one cent for each letter they may deliver.

The rate of postage on Drop letters, where free delivery does not exist, will be one cent, always to be prepaid by stamps, which will be furnished to postmasters upon application to the Department; but at free delivery offices, the prepaid rate for "Drops" will be two cents, as heretofore.

SEC. 16. *And be it further enacted*, That no obscene book, pamphlet, picture, print, or other publication of a vulgar and indecent character, shall be admitted into the mails of the United States. Any person or persons who shall deposit or cause to be deposited in any post office or branch post office of the United States, for mailing or for delivery, an obscene book, pamphlet, picture, print, or other publication, knowing the same to be of a vulgar and indecent character, shall be deemed guilty of a misdemeanor, and, being duly convicted thereof, shall, for every such offense, be fined not more than five hundred dollars, or imprisoned not more than one year, or both, according to the circumstances and aggravations of the offense.

INSTRUCTION, SEC. 16. Violations of this section must be promptly noticed by Postmasters, and the District Attorney notified by them, when the party violating the law is known with reasonable certainty, and the evidence, including the obscene matter, placed in his hands.

When the guilty party is not known, the books or other obscene matter must be sent to the Third Assistant Postmaster General, in a sealed package marked "SPECIAL," and, at the same time, a letter must be written informing him that the package has been sent.

## ADDITIONAL INSTRUCTIONS.

### REGISTERED LETTERS.

SEC. 447, Regulations of 1859, and Instructions under section 32, act of March 3, 1863, are so modified as to require that every registered letter or parcel of registered letters, with its appropriate bill, shall be mailed in a sealed envelope or wrapper, addressed to the Postmaster of the office to which it is destined, but in the same package with the unregistered letters sent from the mailing office, by the same mail, to the same destination. When registered letters are to pass through a distributing office, they must be billed and mailed to such distributing office as if they were for delivery there, the letters "D. P. O." merely being added to the heading of the

registered letter bill. *Never send a registered letter in a package of letters intended for distribution.*

#### REQUEST LETTERS.

The latter part of the last paragraph of Instruction No. 28, 1863, is so modified, that no account need be kept of "Request" letters received from other offices for delivery to the writers; and in place of sending to this Department *copies* of the accounts required to be kept by the first part of said paragraph, a simple statement of the whole number of such letters sent back to the writers during each quarter, must be sent by special letter to the Third Assistant Postmaster General; *never* to be included in the quarterly returns.

Attention is also called to the necessity of erasing the *whole* original address, and properly marking such letters before returning them to the writers, (as directed by the Instruction aforesaid,) as well as to the requirements of Sec. 10, Law of 1864.

#### WRAPPING LETTERS.

It appears that a misconstruction has been placed upon a paragraph in a circular issued from this Department in October, 1864. It was not intended to authorize postmasters to abandon wrappers to the extent that has been unwarrantably practiced to the embarrassment of the service. Postmasters are, therefore, now instructed to conform fully to the first paragraph of section 47, and to sections 42 and 43 of chapter IV of the Regulations of 1859. Postmasters, however, whose offices are supplied in whole or in part by Railway Post Offices in operation, or to be put in operation hereafter, will

be governed by instructions from the Superintendent of Railway Mail Service in regard to the manner of making up mails. The discontinuance of wrappers was intended to be confined to those offices receiving mails through Railway Post Offices, and to that service exclusively.

#### CANCELING POSTAGE STAMPS.

Special attention is called to the regulations concerning post-marking letters and canceling postage stamps.

The latter clause of the Regulations of 1859, section 397, is repealed, and the use of the office rating or post-marking stamp as a canceling instrument is positively prohibited, inasmuch as the post-mark, when impressed on the postage stamp, is usually indistinct, and the cancellation effected thereby is imperfect. The postage stamp must therefore be effectually canceled with a separate instrument.

"If the canceling has been omitted on the mailing of the letter, packet, or parcel, or if the cancellation be incomplete, the postmaster at the office of delivery will cancel the stamp in the manner directed, and forthwith report the delinquent postmaster to the Postmaster General, as the law requires."

Neglect of these duties on the part of a postmaster will be considered a sufficient cause for his removal from office.

N. B.—Failure of postmasters to give their constant personal attention to their official duties, will be cause for removal.

WILLIAM DENNISON,

*Postmaster General.*

POST OFFICE DEPARTMENT, *May 1, 1865*