

Act of 3 March 1865

An Act Relating to the Postal Law

This was the last war time legislation that revised postage rates.

Section 1 – Unpaid postage and partially paid postage

Section 2 – Advertising letters

Section 4 – Advertising letters

Section 15 – Drop Letters

March 3, 1865.

CHAP. LXXXIX. — *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 domestic letters, except, &c., to be sent to dead-letter office.

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.

Part-paid letters to be forwarded.

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.

Provisions of act 1864, ch. 73; extended.
Ante, p. 62.

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 for the transaction of that business.

Allowance at certain offices for furniture, stationery, &c.
1864, ch. 197, § 5.
Ante, p. 336.

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.

Certain expenses of money-order business to be paid from proceeds.

Pay for advertising letters not to exceed two cents each.
1863, ch. 71, § 7.
Vol. xii. p. 702.

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 travelling 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 for travelling and incidental expenses, to be paid out of the appropriation for mail transportation.

Salary of special agent in Pacific states, &c.
1864, ch. 197, § 17.
Ante, p. 339.

1861, ch. 73, § 5.
Vol. xii. p. 205.

Additional special agents.

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 travelling and incidental expenses, while actively employed in the service, a sum not exceeding five dollars per diem.

Special agents to be allowed for travelling, &c., expenses.

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

Post-route maps may be prepared and published.

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.

Clerks in railway post-offices.

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.

Pay.

Mail service by steamship to foreign ports, &c., how may be paid.

1860, ch. 131,
§ 4.
Vol. xi. p. 39.

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 fifteen, 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.

Letters and packets, unless regularly posted at the post-office of the port, not to be received by steamships, &c.

Conditions of clearance of vessels.

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 *hire* 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 enclosed 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.

Proviso.

Deputy postmasters may deposit in certain national banks, and negotiate drafts, &c., through them.

1864, ch. 87.
Ante, p. 76.

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-orders, 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.

Appropriations for money-order system for 1865 may supply deficiencies for 1866.

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

wilfully 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 wilfully 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 offence, 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 offence. And if any clerk or other person employed in any of the departments of the post-office establishment shall wilfully 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 offence, be fined not more than one hundred dollars, or imprisoned not more than six months, according to the circumstances and aggravations of the offence.

Wilful, &c., injury to letter-boxes, &c., how punished.

Penalty upon clerks, &c., in post-office, for unlawfully removing postage-stamps from letters.

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.

Publication of advertisements for proposals for carrying the mails.

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.

Delivery of mail matter from post-offices.
1863, ch. 71.
Vol. xii. p. 701.

1861, ch. 121,
§ 2.
Vol. xii. p. 29.

System of free delivery to be established, when, &c.

Postage on drop-letters.

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 offence 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 offence.

Obscene books, &c., not to be admitted into mails.

Penalty for knowingly depositing such books, &c., for mailing.

APPROVED, March 3, 1865.