FORTY-THIRD CONGRESS. Sess. 1. Ch. 456. 1874.

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CHAP. 456.—An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes.

June 23, 1874.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the service of the Post-Office Department for the year ending June thirtieth, eighteen hundred and seventy-five, out of any money in the Treasury arising from the revenues of said Department, in conformity to the act of July second, eighteen hundred and thirty-six, as follows:

For inland-mail transportation, sixteen million four hundred thousand dollars.

For pay of mail messengers, six hundred and forty-three thousand five hundred and thirty-three dollars.

For pay of route-agents, nine hundred and twenty-nine thousand and thirty-five dollars.

For pay of mail-route messengers, one hundred and sixty thousand dollars.

For pay of local agents, one hundred and ten thousand three hundred and eighty-three dollars.

For pay of foreign-mail transportation, three hundred and twenty-five thousand dollars.

For pay of ship, steamboat, and way letters, seven thousand five hundred dollars.

For pay of postmasters, six million five hundred thousand dollars.

For pay of clerks for post-offices, three million two hundred and fifty thousand dollars.

For pay of letter-carriers, one million and nine hundred thousand dollars: Provided, That hereafter letter-carriers shall not be employed for the free delivery of mail-matter in towns and cities whose population within their corporate limits, as shown by the last report of the national census or by any subsequent census taken in pursuance of State statute or by order of the mayor and common council of such town or city, shall be less than thirty thousand; but this proviso shall not affect the free delivery in towns and cities where it is now established.

And for the more efficient management of the free-delivery system, the Postmaster-General may designate a fourth class clerk to act as superintendent of free-delivery in the Post-Office Department at an annual salary of two thousand five hundred dollars; and for this purpose the sum of seven hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated.

For wrapping-paper, twenty-seven thousand dollars.

For twine, forty-eight thousand dollars.

For letter-balances, thirty thousand dollars.

For office furniture, six thousand five hundred dollars.

For advertising, eighty thousand dollars: Provided, That hereafter no payment shall be made to any newspaper published in the District of Columbia for advertising any other routes than those in Virginia and Maryland.

For manufacture of adhesive postage-stamps, one hundred and eighteen thousand six hundred and sixty-seven dollars.

For stamped envelopes and wrappers, five hundred and thirty-five thousand four hundred and twenty-four dollars: Provided, That hereafter no envelope, as furnished by the Government, shall contain any lithographing and engraving, nor any printing except a printed request to return the letter to the writer.

For pay of distributing agents and assistants, ten thousand two hundred dollars.
Postal cards. For manufacture of postal cards, one hundred and sixty-eight thousand two hundred and seventy dollars.

Distributing agents. For pay of agents and assistants to distribute postal cards, five thousand six hundred dollars.

Mail-depredations. For payments on account of mail-depredations and for special agents, one hundred and sixty thousand dollars.

Mail-bags, &c. For mail-bags and mail-bag catchers, one hundred and eighty thousand dollars.

Locks and keys. For mail-locks and keys, fifty thousand dollars.

Postmarking, &c. For postmarking and canceling stamps, nine thousand dollars.

Post-route maps. For preparing and publishing post-route maps, thirty thousand dollars.

Foreign balances. For balances due foreign countries, two hundred and sixty thousand dollars.

Rent of post-offices. For rent of post-offices, three hundred and fifty thousand dollars.

Fuel. For fuel for post-offices, one hundred and fifty thousand dollars.

Lights. For light for post-offices, one hundred and sixty thousand dollars.

Stationery, &c. For stationery and miscellaneous items, sixty thousand dollars.

Postmarking, &c. For postmarking and canceling stamps, nine thousand dollars.

Post-route maps. For preparing and publishing post-route maps, thirty thousand dollars.

Foreign balances. For balances due foreign countries, two hundred and sixty thousand dollars.

Mail-bags, &c. For mail-bags and mail-bag catchers, one hundred and eighty thousand dollars.

Locks and keys. For mail-locks and keys, fifty thousand dollars.

Postmarking, &c. For postmarking and canceling stamps, nine thousand dollars.

Post-route maps. For preparing and publishing post-route maps, thirty thousand dollars.

Foreign balances. For balances due foreign countries, two hundred and sixty thousand dollars.

Rent of post-offices. For rent of post-offices, three hundred and fifty thousand dollars.

San Francisco, Japan, and China; United States and Brazil; San Francisco and the Sandwich Islands.

Official postage stamps. For official postage stamps, nine hundred and fifty thousand dollars.

Law books. For the purchase of law books for the use of the Post-Office Department, two thousand dollars.

Official envelopes. For official envelopes for postmasters, sixty thousand dollars.

Dead-letter return envelopes. For envelopes for returning dead letters, four thousand five hundred dollars.

Fees to marshals, attorneys, &c. For fees to marshals, attorneys, and clerks of courts, seven thousand five hundred dollars.

Engraving, &c. For engraving, printing, and binding drafts and warrants, three thousand dollars.

Miscellaneous. For miscellaneous items, two thousand five hundred dollars.

Steamship mail-service between—San Francisco, Japan, and China; United States and Brazil; San Francisco and the Sandwich Islands.

Official postage stamps. For official postage stamps, nine hundred and fifty thousand dollars.

Law books. For the purchase of law books for the use of the Post-Office Department, two thousand dollars.

Conditional deficiency appropriation.

Revised Statutes not to be published in newspapers.

Rates of postage on newspapers and periodicals.

When delivered by carrier, &c.

Proviso.

FORTY-THIRD CONGRESS. Sess. I. Ch. 456. 1874.

SEC. 2. That the following sums, or so much thereof as may be necessary, be, and the same are hereby, appropriated for the year ending June thirtieth, eighteen hundred and seventy-five, out of any money in the Treasury not otherwise appropriated, namely:

San Francisco, Japan, and China; United States and Brazil; San Francisco and the Sandwich Islands.

For steamship service between San Francisco, Japan, and China, five hundred thousand dollars.

For steamship service between the United States and Brazil, one hundred and fifty thousand dollars.

For steamship service between San Francisco and the Sandwich Islands, seventy-five thousand dollars.

For official postage stamps, nine hundred and fifty thousand dollars.

For the purchase of law books for the use of the Post-Office Department, two thousand dollars.

SEC. 3. That if the revenues of the Post-Office Department shall be insufficient to meet the appropriations made by this act, then the sum of five million four hundred and ninety-seven thousand eight hundred and forty-two dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post-Office Department for the year ending June thirtieth, eighteen hundred and seventy-five.

SEC. 4. That the Revised Statutes of the United States shall not be published by the United States in any newspaper, anything in existing laws to the contrary notwithstanding.

SEC. 5. That on and after the first day of January, eighteen hundred and seventy-five, all newspapers and periodical publications mailed from a known office of publication or news agency, and addressed to regular subscribers or news agents, postage shall be charged at the following rates: On newspapers and periodical publications, issued weekly and more frequently than once a week, two cents for each pound or fraction thereof and on those issued less frequently than once a week, three cents for each pound or fraction thereof: Provided That nothing in this act shall be held to change or amend section ninety nine of the act en-
An Act to revise consolidate and amend the statutes relating to the Post-Office Department, approved June eight, eighteen hundred and seventy-two:

SEC. 6. That on and after the first day of January, eighteen hundred and seventy-five, upon the receipt of such newspapers and periodical publications at the office of mailing, they shall be weighed in bulk, and postage paid thereon by a special adhesive stamp, to be devised and furnished by the Postmaster-General, which shall be affixed to such matter, or to the sack containing the same, or upon a memorandum of such mailing, or otherwise, as the Postmaster-General may, from time to time, provide by regulation.

SEC. 7. That newspapers, one copy to each actual subscriber residing within the county where the same are printed, in whole or in part, and published, shall go free through the mails; but the same shall not be delivered at letter-carrier offices or distributed by carriers unless postage is paid thereon as by law provided.

SEC. 8. That all mailable matter of the third class, referred to in section one hundred and thirty-three of the act entitled "An Act to revise, consolidate, and amend the statutes relating to the Post-Office Department," approved June eight, eighteen hundred and seventy-two, may weigh not exceeding four pounds for each package thereof, and postage shall be charged thereon at the rate of one cent for each two ounces or fraction thereof; but nothing herein contained shall be held to change or amend section one hundred and thirty-four of said act.

SEC. 9. That 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 under the provisions of this act, or news agent who distributes any of such newspapers or periodical publications under the provisions of this act, 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 one 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, be shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not exceeding one thousand dollars for each refusal; and if any such person shall knowingly and willfully mail any such matter without the payment of postage as provided by this act, or procure the same to be done with the intent to avoid the prepayment of postage thereon; or if any postmaster or post-office official shall knowingly permit any such matter to be mailed without the prepayment of postage as provided in this act, and in violation of the provisions of the same, he or they shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not more than one thousand dollars, or imprisoned not exceeding one year, one or both, in the discretion of the court.

SEC. 10. That so much of this act as changes the rate of postage on newspapers and periodical publications shall not take effect until the first day of January next.

SEC. 11. That the sixty-third, eighty-first, eighty-second, eighty-third, eighty-fourth, and eighty-sixth sections of the said Act to revise, consolidate, and amend the statutes relating to the Post-Office Department, approved June eighth, eighteen hundred and seventy-two, be amended to read as follows:

"SEC. 63. That the postmasters, except the postmaster at New York City, whose annual salary is hereby fixed at six thousand dollars, shall be divided into four classes, as follows: The first class shall embrace all those whose annual salaries are not more than four thousand dollars nor
Second class. less than three thousand dollars; the second class shall embrace all
those whose annual salaries are less than three thousand dollars but not
less than two thousand dollars; the third class shall embrace all those
whose annual salaries are less than two thousand dollars but not less
than one thousand dollars; the fourth class shall embrace all postmas-
ters whose annual compensation, exclusive of their commissions on the
money-order business of their offices, amounts to less than one thousand
dollars."

"SEC. 80. That the postmaster at New York City and postmasters of
the first, second, and third classes shall be appointed and may be re-
moved 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 the Auditor
for the Post-Office Department."

"SEC. 81. That the compensation of the postmaster at New York City
shall be six thousand dollars per annum, and the respective compensa-
tions of postmasters of the first, second, and third classes shall be an-
ual salaries, assigned in even hundreds of dollars, and payable in
quarterly payments, to be ascertained and fixed, by the Postmaster-
General, from their respective quarterly returns to the Auditor for the
Post-Office Department, or copies or duplicates thereof, for four quar-
ters immediately preceding the adjustment or re-adjustment, by adding
to the whole amount of box-rents, not exceeding two thousand dollars
per annum, commissions also not to exceed two thousand dollars per
annum on the other postal revenues of the office, at the following rates,
namely: On the first one hundred dollars per quarter, fifty per centum;
on all over one hundred dollars and not over four hundred dollars per
quarter, forty per centum; on all over four hundred dollars and not
over two thousand four hundred dollars per quarter, thirty per centum;
and on all over two thousand four hundred dollars per quarter, ten per
centum. And in order to ascertain the amount of the postal receipts of
each office, the Postmaster-General may require postmasters to furnish
duplicates of their quarterly returns to the Auditor at such times and
for such periods as he may deem necessary in each case: Provided, That
whenever, by reason of the extension of free delivery of letters, the box-
rents of any post office are decreased, the Postmaster-General may allow,
out of the receipts of such office, a sum sufficient to maintain the salary
thereof at the amount at which it had been fixed before the decrease in
box rents."

"SEC. 82. That the compensation of postmasters of the fourth class
shall be the box-rents collected at their offices and commissions on
other postal revenues of their offices at the rate of sixty per centum
on the first one hundred dollars or less per quarter; fifty per centum on
the next three hundred dollars or less per quarter; forty per centum on
the excess above four hundred dollars per quarter; the same to be as-
certain and allowed by the Auditor in the settlement of the quarterly
accounts of such postmasters: Provided, That when the aggregate an-
nual compensation, exclusive of commissions on money-order business,
of any postmaster of this class shall amount to one thousand dollars,
the Auditor shall report such fact to the Postmaster-General, in order
that such postmaster may be assigned to his proper class, and his sal-
ary fixed as heretofore provided."

"SEC. 83. That the salaries of postmasters of the first, second, and
third classes, except that of the postmaster at New York City, shall be
re-adjusted by the Postmaster-General once in two years, and in special
cases as much oftener as he may deem expedient."
quarter next following such order: Provided, That in cases of not less than fifty per centum increase or decrease in the business of any post office, the Postmaster-General may adjust the salary of the postmaster at such office, to take effect from the first day of the quarter or period the returns for which form the basis of re-adjustment.

"SEC. 86. That 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."
contract for the performance thereof, unless the Postmaster-General shall consider such bid too high, in which case he shall re-advertise such service. 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 annexed as were stated and contained in the bond which accompanied his bid; but in case each and every of the next lowest bidders for such service whose respective bids are not considered too high by the Postmaster-General shall refuse to enter into contract and give bond as herein required for the faithful performance of his contract, the Postmaster-General shall immediately advertise for proposals to perform the service on said route. 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 six months, until the service shall have commenced under a contract made according to law: Provided, however, That 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 regular contract-term. And in all cases of regular contracts hereafter made, 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.

"Sec. 253. That hereafter all bidders upon every mail-route for the transportation of the mails upon the same, where the annual compensation for the service on such route at the time exceeds the sum of five thousand dollars, shall accompany their bids with a certified check or draft, payable to the order of the Postmaster-General, upon some solvent national bank, which check or draft shall not be less than five per centum on the amount of the annual pay on said route at the time such bid is made, and, in case of new or modified service, not less than five per centum of the amount of the bond of the bidder required to accompany his bid, if the amount of the said bond exceeds five thousand dollars. In case any bidder, on being awarded any such contract, shall fail to execute the same, with good and sufficient sureties, according to the terms on which such bid was made and accepted, and enter upon the performance of the service to the satisfaction of the Postmaster-General, such bidder shall, in addition to his liability on his bond accompanying his bid, forfeit the amount so deposited to the United States, and the same shall forthwith be paid into the Treasury for the use of the Post-Office Department; but if such contract shall be duly executed and the service entered upon as aforesaid, such draft or check so deposited, and the checks or drafts deposited by all other bidders, on the same route, shall be returned to the respective bidders making such deposits. No proposals for the transportation of the mails where the amount of the bond required to accompany the same shall exceed five thousand dollars shall be considered, unless accompanied with the check or draft herein required, together with the bond...
required by a preceding section: Provided, That nothing in this act shall be construed or intended to affect any penalties or forfeitures which have heretofore accrued under the provisions of the sections hereby amended.

SEC. 13. That hereafter the postage on public documents mailed by any member of Congress, the President, or head of any Executive Department shall be ten cents for each bound volume, and on unbound documents the same rate as that on newspapers mailed from a known office of publication to regular subscribers; and the words "Public Document" written or printed thereon, or on the wrapper thereof, and certified by the signature of any member of Congress, or by that of the President, or head of any Executive Department shall be deemed a sufficient certificate that the same is a public document; and the term "public document" is hereby defined to be all publications printed by order of Congress, or either House thereof: Provided, That the postage on each copy of the daily Congressional Record mailed from the city of Washington as transient matter shall be one cent.

Approved, June 23, 1874.

CHAP. 457.—An act making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, for the repair, preservation, and completion of the following public works hereinafter named:

For continuing the improvement of the entrance to the inner harbor of Du Luth, ten thousand dollars.
For continuing the improvement of the harbor at Ontonagon, twenty-three thousand dollars.
For continuing the improvement of the harbor at Marquette, fifteen thousand dollars.
For continuing the improvement of the Fox and Wisconsin Rivers, three hundred thousand dollars. Not exceeding twenty-five thousand dollars of the above may be used for the purchase of such real estate as may be required for the right of way, or for flowing, in the completion of the Fox and Wisconsin improvement.
For continuing the improvement of the harbor at Green Bay, Wisconsin, ten thousand dollars.
For continuing the improvement of the harbor at Menomonee, Michigan and Wisconsin, twenty-five thousand dollars.
For continuing the improvement of the harbor of refuge at the entrance of the Sturgeon Bay Canal, ten thousand dollars.
For continuing the improvement of the harbor at Two Rivers, Wisconsin, fifteen thousand dollars.
For continuing the improvement of the harbor at Manitowoc, Wisconsin, ten thousand dollars.
For continuing the improvement of the harbor at Sheboygan, Wisconsin, ten thousand dollars.
For continuing the improvement of the harbor at Port Washington, Wisconsin, ten thousand dollars.
For continuing the improvement of the harbor at Racine, Wisconsin, ten thousand dollars.
For continuing the improvement of the harbor at Kenosha, Wisconsin, ten thousand dollars.
For continuing the improvement of the harbor at Chicago, seventy-five thousand dollars.
For continuing the improvement of the harbor at Calumet, Illinois, twenty-five thousand dollars.

June 23, 1874.