

## H. R. 653.

IN THE HOUSE OF REPRESENTATIVES.

DECEMBER 11, 1848.

Mr. GOGGIN, on leave, introduced the following bill; which was read twice, committed to the Committee of the Whole House on the state of the Union, and ordered to be printed.

### A BILL

To reduce the rates of postage on letters and newspapers, to establish uniform postal charges, and to correct abuses of the franking privilege.

1 *Be it enacted by the Senate and House of Repre-*  
2 *sentatives of the United States of America in Congress*  
3 *assembled,* That from and after the first day of April next,  
4 on all letters deposited in any post office to be carried in  
5 the United States mails, not exceeding half an ounce in  
6 weight, there shall be charged and pre-paid the uniform post-  
7 age of three cents, for all distances within the United States  
8 or the territories thereof, and for any additional weight  
9 or excess, there shall be charged an additional postage of  
10 three cents for each half ounce, or for any fraction less  
11 than half an ounce; and when not pre-paid, there shall be  
12 charged five cents instead of three for each half ounce or  
13 fraction less than a half ounce; and that so much of the-



14 first section of the act "to reduce the rates of postage, to limit  
 15 the use and correct the abuse of the franking privilege, and  
 16 for the prevention of frauds on the revenues of the Post  
 17 Office Department," approved the third of March, eigh-  
 18 teen hundred and forty-five, and all other acts or parts of  
 19 acts as are in conflict with the provisions of this act, be,  
 20 and the same are hereby, repealed.

1        SEC. 2. *And be it further enacted*, That from and  
 2 after the period aforesaid, there shall be charged and paid  
 3 on all newspapers, at the time of being deposited in the  
 4 office or other place, to be sent through the mails, of a  
 5 greater size or superficies than nineteen hundred square  
 6 inches, the uniform rate of one cent on each paper for all  
 7 distances ; on all newspapers, when so deposited, of any  
 8 size, over five hundred and less than nineteen hundred  
 9 square inches, there shall be charged and paid the uniform  
 10 rate of one half cent for all distances ; and on all news-  
 11 papers, when so deposited, of a less size than five hundred  
 12 square inches, there shall be charged and paid the uniform  
 13 rate of one-fourth of a cent for all distances within the  
 14 United States or the territories thereof. And that it shall  
 15 hereafter be the duty of postmasters, in all places where  
 16 newspapers are deposited to be sent by mail to regular  
 17 subscribers, to collect of the persons so depositing them, or  
 18 from others, the postage for one quarter in advance on



19 each newspaper ; otherwise the same shall not be received  
 20 or sent by mail : *Provided, however,* It shall be law-  
 21 ful for subscribers or others to pre-pay the postage for  
 22 each quarter of a year on their newspapers, to the post-  
 23 master at the office to which the paper shall be sent, of  
 24 which such subscriber, or some one for him, shall notify  
 25 the postmaster at the office from which the paper is sent,  
 26 in which case no charge of postage shall be made at such  
 27 office : *And provided, further,* That it shall be lawful for  
 28 the Postmaster General, in the settlement of the last quar-  
 29 terly accounts of postmasters, to make such allowance for  
 30 distribution of newspapers to subscribers as he may deem  
 31 fair and adequate, in all cases where the number of news-  
 32 papers distributed to subscribers or others, and not pre-paid  
 33 at such office, shall have amounted to per  
 34 quarter.

1       SEC. 3. *And be it further enacted,* That all printed  
 2 or lithographed circulars and hand bills, or advertisements  
 3 printed, or lithographed on quarto post, or single cap  
 4 paper, or paper not larger than single cap, folded, directed,  
 5 and unsealed, sent from the office or place of publication,  
 6 shall be charged with postage at the rate of one cent for  
 7 each sheet and no more, whatever be the distance the  
 8 same may be sent, to be pre-paid in all cases when de-  
 9 posited.



1        **SEC. 4. *And be it further enacted,*** That all news-  
 2 papers, commonly called transient newspapers, not sent  
 3 from the office or place of publication, and all printed or  
 4 lithographed circulars and hand bills, or advertisements,  
 5 printed or lithographed, as mentioned in the preceding  
 6 section, and not sent from the office or place of publica-  
 7 tion, shall be charged with postage at the rate of two cents  
 8 for each sheet, whatever be the distance the same may  
 9 be sent, to be pre-paid in all cases when deposited in any  
 10 post office, to be conveyed by mail; and all such postages,  
 11 as are embraced in this section, shall be received and ac-  
 12 counted for by postmasters in the settlement of their ac-  
 13 counts, as newspaper and not as letter postage.

1        **SEC. 5. *And be it further enacted,*** That all pamphlets,  
 2 magazines, periodicals and every other kind and description  
 3 of printed or other matter, except as hereinbefore provided  
 4 for, which shall be unconnected with any manuscript com-  
 5 munication whatever, and which it is, or may be lawful to  
 6 transmit by mail, shall be charged with postage at the rate  
 7 of two cents for each copy sent of no greater weight than  
 8 one ounce, and one cent additional shall be charged for  
 9 each additional ounce of the weight of any such pamphlet,  
 10 magazine, matter, or thing which may be rightfully trans-  
 11 mitted through the mail, whatever be the distance the  
 12 same may be sent; and any fractional excess of not less



13 than one-half of an ounce in the weight of any such mat-  
14 ter or thing, above one or more ounces, shall be charged  
15 for as if said excess amounted to a full half ounce, to be  
16 pre-paid in all cases when deposited in the office.

1       SEC. 6. *And be it further enacted*, That the pub-  
2 lishers of all pamphlets, magazines, and periodicals may  
3 send one copy of the same to each and every other pub-  
4 lisher of a work of the like kind within the United States,  
5 free of postage, as is now provided for by law in regard to  
6 free exchanges between the publishers of newspapers, un-  
7 der such regulations as the Postmaster General shall  
8 adopt.

1       SEC. 7. *And be it further enacted*, That it shall be the  
2 duty of the Postmaster General, at all post offices where  
3 the gross aggregate of receipts for postage amounts to  
4       thousand dollars annually, to provide for conveying  
5 letters to the post office, by establishing suitable and con-  
6 venient places of deposit, and by employing carriers to  
7 receive and deposit them in the post office free of charge;  
8 and at all such offices it shall also be his duty to cause  
9 letters to be delivered, by suitable carriers to be appointed  
10 by the postmaster at such office for that purpose, for which  
11 there shall be made a charge not exceeding one cent for  
12 each letter; and on advertised letters, there shall be an  
13 additional charge not exceeding one cent: *Provided, how-*



14 *ever*, That nothing in the preceding clauses of this act  
 15 shall be so construed as to disallow the use of postage  
 16 stamps, as authorized by the eleventh section of the act  
 17 entitled an act "to establish certain post routes and for  
 18 other purposes," approved March 3, 1847; and that here-  
 19 after it shall be the duty of the Postmaster General, to  
 20 cause to be prepared stamps, corresponding in value with  
 21 the rates of postage established by this act, of the denomi-  
 22 nation of from one-fourth of a cent to that of ten cents,  
 23 to be used as provided for by the section of the act afore-  
 24 said.

1        SEC. 8. *And be it further enacted*, That the foreign  
 2 postage, as charged by the United States on foreign mail  
 3 matter, shall be of the uniform rate of        cents,  
 4 and that the Postmaster General, under the direction of  
 5 the President, shall have power to raise or lower the said  
 6 rate of postage whenever the postal regulations of other  
 7 countries may seem to render it proper.

1        SEC. 9. *And be it further enacted*, That the franking  
 2 privilege shall hereafter be taken and held to extend to  
 3 the persons herein named, and upon conditions provided  
 4 for in this act: that is to say, the President and Vice  
 5 President of the United States, to the Secretary of the  
 6 Senate and Clerk of the House of Representatives, during  
 7 their continuance in their respective offices; to the Ex-



8 Presidents and widows of deceased Presidents of the  
9 United States during life; to the members of the Senate  
10 and House of Representatives, and to the delegates from  
11 the Territories of the United States, for thirty days before  
12 the commencement of the first session of that branch of  
13 Congress to which they shall have been elected, or ap-  
14 pointed, or of which they shall be members, to continue  
15 during such Congress, and until the meeting of the first  
16 session of the succeeding Congress.

1       SEC. 10. *And be it further enacted*, That the per-  
2 sons and officers hereinbefore named, may frank and send  
3 through the mails, free of charge, only such letters as are  
4 written by themselves, and such newspapers and packets  
5 as properly belong to them, such letters, newspapers and  
6 packets not exceeding two ounces in weight; and may re-  
7 ceive also, for the time specified in the preceding section,  
8 free of charge, through the mails, such letters, newspapers  
9 and packets, not exceeding the weight aforesaid, for their  
10 own use or benefit, and none other.

1       SEC. 11. *And be it further enacted*, That the officers  
2 mentioned in the first section of this act, during their con-  
3 tinuance in office, and the Senators, members, and dele-  
4 gates therein named, during the time within which they  
5 are thereby allowed the benefit of the franking privilege  
6 upon letters, packets, and newspapers, shall also have the



7 power to send and receive public documents, not exceed-  
8 ing three pounds in weight, through the mails, which may  
9 have been printed by the order of either House of Con-  
10 gress.

1       SEC. 12. *And be it further enacted*, That no letter,  
2 newspaper, packet, or document, shall be conveyed by  
3 mail free of postage, unless the same shall be superscribed  
4 by the person having a right to frank the same, or writing  
5 his or her name on the outside of such letter, newspaper,  
6 packet, or document: *Provided, however*, if any person  
7 entitled to the franking privilege shall be disabled by dis-  
8 ease, old age, or any bodily infirmity, from writing his or  
9 her name, or from writing letters on his or her business,  
10 then, and in such cases only, such person may employ  
11 another to write such letters, and to frank the same, and  
12 also all newspapers, packets, or documents, as such person  
13 is authorized to frank under the provisions of this act:  
14 *Provided, further*: That no person shall be entitled to the  
15 benefit of the franking privilege, under the provisions of  
16 this act, until he or she shall have furnished the postmaster  
17 nearest his or her residence, as well as the postmaster of  
18 the city of Washington, with his or her name, written in  
19 his or her own proper handwriting, or the handwriting of  
20 the person intended to be employed in cases of disability,  
21 as provided for, of which notice shall be given to the post-



masters at said offices; and said name and handwriting, in all cases, shall be preserved by such postmasters for comparison, if need be, with the name and handwriting of the person, the genuineness of whose frank may be questioned.

SEC. 13. *And be it further enacted*, That if any person having the franking privilege, shall use any stamp or fac simile of his own handwriting, or the handwriting of another having the franking privilege; or if any person, not having such privilege, shall use the stamp or name of another, who has, on any letter, newspaper, packet, or document, for the purpose of passing the same as a frank; or if any person shall frank any letter or letters, other than such as are written by himself or herself, or as herein provided for, or shall frank any newspaper, packet, or document, other than those allowed by this act, such person shall, on conviction, pay a fine of not less than fifty dollars for every such offence, and if entitled to the franking privilege, he or she shall forfeit all right to the same for a period of thirty days, of which the nearest postmaster shall notify the Postmaster General, who shall cause such notification, and the record of such conviction, to be duly registered in his department.



1        SEC. 14. *And be it further enacted,* If any person  
 2 shall counterfeit or imitate the handwriting, frank, or name  
 3 of another, entitled to the franking privilege, or shall cause  
 4 the same to be done, in order to evade the payment of  
 5 postage, such person shall, for every such offence, forfeit  
 6 and pay the sum of fifty dollars on conviction; one half to  
 7 be given to the prosecutor, the other to go to the United  
 8 States, in all cases of prosecutions under this law.

1        SEC. 15. *And be it further enacted,* That if any per-  
 2 son, having the right to receive letters free of postage,  
 3 shall receive, enclosed to him or her, any letter or packet  
 4 to be franked by such person, with the view of evading in  
 5 any way the payment of postage, from a person not having  
 6 the right to frank, it shall be his or her duty to return the  
 7 same to the post office from whence it was received, mark-  
 8 ing thereon the office or place from whence it is returned,  
 9 if known, that it may be charged with the proper postage.

1        SEC. 16. *And be it further enacted,* That when a  
 2 letter, newspaper, packet, or document, is above the weight  
 3 authorized by this act, and which a person entitled to  
 4 frank might send through the mail free of postage, if of  
 5 proper weight, it shall not be lawful for two or more persons,  
 6 entitled to the privilege, to put two or more franks upon  
 7 the same, with the view of transmitting the same free; but,  
 8 if such case shall occur, it shall be the duty of the post-



9 master to return such letter, newspaper, packet, or docu-  
10 ment, to one of the persons whose frank is on the same;  
11 and if, after that, it is again brought or sent to any office  
12 to be mailed, the postmaster shall, thereupon, charge the  
13 same with letter postage.

1 SEC. 17. *And be it further enacted,* That if any  
2 postmaster shall improperly refuse or fail to deliver any  
3 franked letter, newspaper, packet, or document, when  
4 demanded, to the person entitled to receive the same, he  
5 shall forfeit the sum of fifty dollars on conviction for  
6 each offence, to be recovered as aforesaid. And if a  
7 reasonable doubt shall arise as to the genuineness of a  
8 frank on any letter, newspaper, packet, or document, it  
9 shall be the duty of the postmaster, nevertheless, to deliver  
10 it to the person to whom it is addressed, or to those au-  
11 thorized to receive it, for that time; but if a doubt shall  
12 still exist on the mind of the postmaster, on the arrival of  
13 any other letter, newspaper, packet, or document, franked  
14 as aforesaid, with the same name to the same individual,  
15 then it shall be the duty of the postmaster to withhold the  
16 same, and immediately to notify the person by whom it  
17 purports to have been franked, by letter addressed to such  
18 person at the office nearest which he is then supposed to  
19 be; and if, thereupon, such person shall give a satisfactory  
20 assurance to the postmaster that he or she franked the



21 same, then the postmaster shall deliver it to the person to  
 22 whom it is addressed, or to those authorized to receive it:  
 23 *Provided*, That nothing in this act contained shall be so  
 24 construed as to authorize a postmaster to detain any let-  
 25 ter, newspaper, packet, or document, when a frank on the  
 26 same appears to be genuine, though the direction or ad-  
 27 dress is in a handwriting different from the frank.

1 SEC. 18. *And be it further enacted*, That no per-  
 2 son entitled to the franking privilege shall, by anything in  
 3 this act contained, be authorized to have distributed, sent,  
 4 or in any way disposed of, envelopes with his or her frank  
 5 thereon, to be used by others; and if any person shall so  
 6 offend, he, she, or they, shall forfeit and pay the sum of  
 7 ten dollars; and the person using them also the sum of  
 8 ten dollars, in each case on conviction, to be recovered as  
 9 aforesaid.

1 SEC. 17. *And be it further enacted*, That the frank-  
 2 ing privilege, or the right to receive or send free any letters,  
 3 newspapers, packets, or documents, as given to other  
 4 persons not enumerated in this act, shall remain as it is  
 5 under existing laws and regulations: *Provided, however*,  
 6 that the fourth section of the act entitled an act to establish  
 7 certain post routes, and for other purposes, approved the  
 8 3d March, 1847, be, and the same is hereby, repealed.