

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. § 3043; 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-bout 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. Aeroplanes 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. 102, § 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. § 3904.)

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. § 3905.)

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. § 3906.)

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. § 3907.)

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. § 3908.)

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. § 3909.)

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. 301, § 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. 200, § 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. 101, § 3, 41 Stat. 583.)

Chapter 15.—RAILWAY SERVICE.

Sec.

521. Carrying mail on railway routes by horse express.

522. Transportation of official matter by railway or express companies.

523. Carrying on trains without extra charge persons in charge of.

524. Conditions of railway service, adjustment of compensation.

Sec.

525. Classes of routes enumerated.

526. Full railway post-office car service.

527. Apartment railway post office car service.

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

530. Closed-pouch service.

531. Rates of payment for classes of routes.

(a) Full railway post-office car service.

(b) Apartment railway post-office car service.

(c) Storage-car service.

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532. Cars of less than standard lengths; cars of excess length.

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.

534. Computation of car-miles; railway post-office cars and apartment railway post-office cars.

535. Same; storage cars.

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538. Facilities for carrying and handling mails; cars at stations; station room; offices for employees.

539. Selection of trains; carrying on any train.

540. Service operated by railroad and steamboats.

541. Transportation required in manner, under conditions, and with service prescribed by Postmaster General; compensation therefor.

542. Interstate Commerce Commission to fix and determine rates and compensation.

543. Relation between the railroads as public-service corporations and the Government to be considered.

544. Procedure for ascertaining rates.

545. Filing of statement by Postmaster General with Interstate Commerce Commission showing transportation required.

546. Employment of clerical assistance; plan for transportation filed with Interstate Commerce Commission.

547. Notice by Interstate Commerce Commission to railroads; answer of railroads; hearings.

548. Taking testimony, evidence, penalties, and procedure.

549. Classification of carriers by Interstate Commerce Commission.

550. Additional weighing of mails.

551. Orders of Interstate Commerce Commission establishing rate or compensation.

552. Percentage of rates allowed land-grant railroads.

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554. Powers conferred on Interstate Commerce Commission.

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558. Determination by Interstate Commerce Commission of postal car-load or less rate for transportation of fourth-class matter and periodicals.

559. Distinguishing between several classes of matter.

560. Return to mails; postal cards, stamped envelopes, and newspaper wrappers.

561. Same; empty mail bags.

562. Weighing mail; computations.

563. Refusal to perform service at rates or methods of compensation provided by law.

564. New and additional service; reduction or discontinuance of service.

565. Special contracts for transportation; reports of.

566. Service over property owned by another company; over land-grant companies.

567. Failure to furnish cars or compartments.

568. Deductions from pay for reduction in or nonperformance of service.

569. Rates for transportation by electric and cable cars.

570. Same; rates fixed by Interstate Commerce Commission.

571. Contracts with railways without advertising.

572. Weighing of mails; readjustments.

573. Same; withdrawal of freightable lots of postal supplies.

574. Readjustment of pay for mail diverted after weighing periods.

575. Weighing mails; paying of expenses of computations.

576. Sending second-class matter by freight; discriminations; appeals; precedence of proceedings in Court of Appeals.

577. Lease of terminal railway post offices.

578. Mail messengers.

579. Same; contracts for service.