

REPORT  
OF  
THE POSTMASTER GENERAL,

COMMUNICATING

(In compliance with a resolution of the Senate)

*Information in relation to the establishment of a private express mail  
between New York and New Orleans.*

JANUARY 21, 1845.

Read, referred to the Committee on the Post Office and Post Roads, and ordered to be printed and that a *motion* to print 1,500 additional copies be referred to the Committee on Printing.

JANUARY 27, 1845.

Committee report in favor, and the extra number ordered.

POST OFFICE DEPARTMENT, *January 16, 1845.*

SIR: The Senate of the United States, by resolution of the 14th instant, requires that the Postmaster General communicate to that body "any information in his possession relative to the establishment of a private express, now running between New York and New Orleans, for the transmission of mailable matter, and whether, under existing laws, the Post Office Department has the power of correcting this evil; and, if no authority for the correction of said evil now exists, that he further communicate to the Senate his views as to the proper legislative provisions to be made upon the subject."

In obedience to said resolution, I have the honor to state that this department learned first through the columns of the newspapers of the establishment of a private express between the cities of New York and New Orleans. Letters were received from the postmaster of Mobile, and from the editor of one of the daily papers printed in New Orleans, stating that an express had been established, under the avowed auspices of the editor of the Crescent, a newspaper published in New Orleans, in which it was supposed an editor or individuals in the city of New York were concerned; by which express, papers and intelligence, in advance of the United States mail some one or two days, were received at those cities.

More recently, I have had communicated to the department the letters of certain editors and publishers of newspapers in New York, and the letter of the president of the Chamber of Commerce of that city, stating the fact of the establishment of this private express, and complaining of the evils which have and must be inflicted upon the public and upon the commerce of the country, if this express is allowed to continue its operations in ad-

vance of the mail. Copies of these letters, and my reply to the same, accompany this communication.

Of the existence and operations of this express, that it conveysailable matter over a post road, in advance of the mail, between the city of New York and New Orleans, there is no doubt. Who are the owners and active operators in this enterprise and violation of law, I am unable to state. In order to obtain more satisfactory information upon this subject, I have despatched to the South an experienced agent, to investigate the subject and report the result. A copy of the instructions given this agent is sent with this report.

I invite attention, particularly, to the extracts of letters from the postmasters at Montgomery and New Orleans, as furnishing more minute evidence of the operation and effects of this express, than any thing else in the possession of the department.

The mode by which this express now operates, so far as I am informed, is this: Mailable matter, such as newspapers and slips, prices current, &c., for New Orleans, is put into the mail at New York, directed to some agent at Covington, Georgia, which is the terminus of railroad transportation. At Covington, the matter so mailed is taken out of the post office, and sent by horse express to Montgomery, Alabama, a distance of 190 miles, at a speed of about 10 miles per hour. In this mode it is made to overtake, at Montgomery or Mobile, the mail going south of the previous day. The same operation, reversed upon the Northern mail, places the matter brought by this horse express 24 hours in advance of the mail from New Orleans. At Covington, the United States mail is transferred from railroad to four-horse post coaches; its average weight I would suppose to be not less than 1,100 pounds. It is transported in stages to Mobile, a distance of 397 miles, in summer in 76½ hours, and in winter in four days, thence, in steamboat, to New Orleans in 25 hours.

The condition of the roads between these two points, and the weight of mail, forbid the hope that the time allowed for the trip can be reduced without greatly increasing the danger of breaking the connexions—an occurrence, I regret to say, not unfrequent under existing schedules, particularly in the winter season. If the mail fail to connect between those two points, or between Covington and Montgomery, the express will be in advance of the mail 48 hours.

The resolution requests, in the second place, the opinion of the Postmaster General whether, under existing laws, the power exists to correct the evil. The provisions of the existing laws which bear upon this question will be found in the 19th and 24th sections of the act of 1825, and the 3d section of the act of 1827, concerning the Post Office Department. This latter section provides, that no person, other than the Postmaster General or his authorized agent, shall set up any foot or horse post, for the conveyance of letters or packets, upon any post road which is or may be established as such by law; and any person who shall offend herein shall incur a penalty of not exceeding fifty dollars for each offence.

It is well worthy of remark, upon the provisions referred to, that the Legislature has denounced the transporting of letters over a post road, and the setting up of any foot or horse post, for the conveyance of letters and packets upon any post road, as offences, whether or not the persons derive any benefit by the same or receive a consideration by way of postage. It is not the fact of accepting or charging postage for transporting letters or

packets by such conveyances, but the setting up a foot or horse post for the conveyance of letters or packets, which is denounced. The injury to the department and the evil of the encroachment upon the rights of the Government are as great, whether the persons engaged charge and receive a consideration for the conveyance of letters and packets or not. These remarks are made, because it has been intimated that this express has been established by individuals for their own exclusive benefit.

Beside the evil of depriving the Government of a portion of its legitimate business in the transportation of the public mail, no doubt higher considerations animated the Congress of the United States in the enactments referred to. The objects and purposes of a public mail are, to convey intelligence, by letter or packets, for all alike who may desire to send. The power which establishes and controls this mail should not permit it to be superseded by individual combinations, by the establishment of regular expresses, between important points, for the conveyance of mail matter with or without charge. It must have been as obvious to Congress in 1825 and 1827 as it is to us of the present day, that, upon certain post routes between important commercial cities, individuals, by the employment of proper means, could transmit regularly packets and letters in less time, their matter being of less weight, transported for none but selected favorites, than the Government, who is bound to carry all which is offered, and to distribute on the way side to intermediate towns and cities. To prevent the injury to commerce and trade, and to agriculture and manufactures, upon which the commerce and trade of a country depend, it was evidently designed by Congress that no person but the Postmaster General or his authorized agents should set up any foot or horse post for the purpose of conveying letters or *packets* on a post road. The words *packets* or *letters* are not used in this connexion as synonymous. Packets, more properly, may be defined to mean printed matter, such as newspapers, prices current, slips, &c.

The present attempt is one which strikingly illustrates the wisdom of the law quoted, and demands of Congress an enlargement of its provisions and penalties.

New Orleans is the great mart for the sale of the rich agricultural staples of the South and West. The prices of those articles to the producer depend mainly upon the markets of Europe. The intelligence of the state of these markets reaches the United States most generally at Boston and New York. The least possible time in which the United States mail can be regularly transported from New York to New Orleans, allowing the time necessary to supply the intermediate towns and cities, and make an exchange of mail matter, is 8 days and 6 hours. If this express is permitted to continue its operations, it can and will reach Mobile and New Orleans 24 hours in advance of the regular mail, because of the mode of conveyance, weight of mail, and condition of the roads between Covington and Mobile. Imagine the cotton, tobacco, and provision market at New Orleans glutted. In this state and condition of things, intelligence is received at New York of a sudden and important rise in the markets of Europe. Intelligence of this fact is sent by this or any other regular express 24 or 48 hours in advance of the mail; the speculator's unreasonable profit would be the planter's loss.

As the United States mail advances as rapidly as the ordinary channels of conveyance and the condition of the roads will allow, it will diffuse in

its progress and on its arrival the same intelligence to all. Not so a private express. Besides, these private expresses may be the means of conveying false intelligence, operating equal injury upon the commercial interest.

It may be said, that this particular express is owned by and for the benefit of editors of certain newspapers, to enable them to exchange intelligence in advance of the mail, for their own advantage as editors.

The answer to this position is, that, in the acts of Congress referred to, the prohibition is general; there is no exception in favor of editors of newspapers. There are in this country, or should be, no privileged classes. The editors of newspapers should not be permitted to do that which is denied in general terms to all citizens.

The evil intended to be prohibited was the transmission of letters or *packets* over mail roads. The evil is no less to the community and to the Government, whether it be done by an editor or a merchant.

It may be urged, that the Government ought to counteract this evil, not by penal sanctions against it, but by running a Government express with equal expedition. And this may have been within the contemplation of the Senate in that portion of the resolution adopted, wherein it is asked if, under the existing laws, power exists to correct this evil. It is true, power is vested, by existing laws, in the Postmaster General to run a Government express over the same road. Whether or not this be the most certain way of correcting the evil, experience has proved it to be an enormously expensive one.

The experiment of a Government express mail between those points was tried in the years 1836, 1837, 1838, and 1839, for the conveyance of letters and newspaper slips in advance of the regular mail, and found to be very expensive, and not entirely satisfactory to the whole country. All could not avail themselves of this Government express. The newspapers and regular and larger portion of the correspondence were left to wend their way in the slow mail, as it was called.

If the attempt shall now be made to run a public express between Covington and Mobile, by horse, at the speed of 10 miles per hour, the amount of matter it would carry would be inconsiderable. It could not transport more than one-tenth of the letters which usually pass in the mail between those points. Is it desirable to institute a mode of conveying the public mail which is not capable of serving the entire public, or would it be wise policy to make a discrimination by the exaction of the high rate of postage upon letters sent by a Government express mail?

An express established by Government could not, under existing laws, transport any matter at a less rate of postage than that fixed by the law of 1836, which is treble the regular postage.

Indeed, if the finances of the department were in a condition to justify the establishment of an express in opposition to this private post, which would cost not less between Covington and Mobile than \$30,000 per annum, I am satisfied the evil complained of could not, in this mode, be effectually "corrected" and suppressed.

If it be lawful, and consistent with public policy, to run private expresses between post towns and commercial cities, is it consistent with the dignity and character of our Government, by competition, to injure and break down its citizens in the exercise of a lawful and proper business?

If it be unlawful, if it be inconsistent with public policy, and at war with the interests which it is the duty of Congress to protect, under its con-

ceded and admitted powers, that private individuals should establish posts between post towns, the way to "correct the evil" is to prohibit it by such penal sanctions of the public law as the citizen will find it his interest, if not his duty, to respect.

In this view of the subject, in answer to the latter part of the resolution, requiring me to "communicate my views as to the proper legislative provisions to be made upon the subject," I am constrained to say that I am decidedly of opinion that Congress should promptly enlarge the provisions of the existing laws to meet this and similar cases.

What is the risk of paying the penalty of \$50 to a wealthy combination of speculators, when compared with not only the hope, but the certainty of gain which the existence of such an express would give them in the seasons of business and trade?

If, however, it shall be the pleasure of Congress not to change the existing laws, those who are interested have my assurance that every thing within the power and competency of the department, while I have the control of it, will be done "to correct the evil" of which they complain.

I have the honor to be, respectfully,

C. A. WICKLIFFE.

HON. W. P. MANGUM,  
*President United States Senate.*

*Extract of a letter from N. Blue, postmaster at Montgomery, Alabama, under date of 28th December, 1844.*

"For the last few days, letters and papers have been received here from Social Circle,\* I presume by express, and remained at this place for Stockton; the news or intelligence thus conveyed is one day in advance of the regular mail. I hope there is no impropriety in remailing those letters and papers; they are placed in the office before the time for closing the Southern mail, and the postage in all cases paid upon them—the letters and slips always paying letter postage by weight. If there should be any objection to the course pursued here, please inform me."

*Extract of a letter to L. G. Alexander, special agent of the department, from A. G. Penn, postmaster at New Orleans, Louisiana, under date of 1st January, 1845.*

"The mail failed yesterday beyond Columbus, and the foreign news was brought through by the private express which seems to have been established by the Crecent City office of New Orleans. It is bad enough to have this private express beating our mails every trip, but to have come through yesterday, and our European mail failing, is well calculated to destroy, as it has done, all patience in our mercantile community.

"Shall we ask the favor of you to look well into the cause of this last failure, and ascertain, as nearly as practicable, how this private express is managed, and how it could get, as it did last week, two days in advance of our mail?"

"This new enterprise has induced our merchants to look into the matter; and unless we offer a speedy remedy, we shall soon have another private express from this to Washington."

\* The terminus of the railroad has since been changed to Covington.

POST OFFICE DEPARTMENT, *January 15, 1845.*

SIR: It is reported that a private express is run between Covington, Georgia, and Montgomery, Alabama, for the purpose of conveying mail matter, particularly certain newspapers published in New York and New Orleans, in advance of the mail. You are hereby directed and instructed, as one of the special agents of this department, to proceed to that point, and ascertain all the facts and circumstances connected with this matter, and report the same to me.

The mail is conveyed on railroad from the great Eastern and Northern cities, south, as far as Covington, in Georgia; thence it goes in four-horse coaches to Montgomery, in Alabama, by way of Columbus, Georgia, a distance of 204 miles. The contractor has permission to use the Uphanpee and Montgomery railroad, and probably avails himself of the privilege.

The schedules make the mail depart from Covington at 8 a. m., and arrive at Montgomery by 11 p. m. of the next day, in summer; in winter, by 10 a. m. of the second day. It leaves Montgomery at 1 a. m. in summer, and at 12 m. in winter, and arrives at Covington by 2 p. m. next day in summer, and in winter by 1 p. m. of the second day; making a period of 39 hours in summer and 50 hours in winter going, and 37 hours in summer and 49 hours in winter returning. There is a shorter road by which to reach Montgomery from Covington; namely, by West Point, Georgia; the length of this route, striking the Montgomery railroad at Uphanpee, is about 190 miles. It is presumed that the express is established upon this road; and that by running relays of horses at a speed of something more than 10 miles to the hour, (or something less, if the winter schedule is conformed to by the mail coach,) they are enabled to effect a gain of 24 hours upon the movement of the mail, and thus convey intelligence to Mobile and New Orleans, from the North, in advance of it.

You will, in the first place, ascertain how the matter thus conveyed by express over the road mentioned is despatched to Covington—if by mail, to whom it is addressed, and by whom taken out and placed in the express; and whether it is again replaced in the mail at Montgomery or at Mobile, or at any other point, or is taken on out of the mail to New Orleans; and like inquiries will be made in regard to the matter sent north.

You will ascertain who runs the express, and whether any contractor or contractors for conveying the United States mail is or are concerned in any way in getting up or running said express. You will investigate the state of the roads, and other circumstances touching the question of changing the route of the great mail from the Columbus to the West Point road, and see whether the summer schedule, at least, may not be run during the winter, and the winter schedule be entirely dispensed with. Further, whether any expedition may be effected in the running of the great mail, so as to render it impossible for an express to make a gain upon it of 24 hours. In connexion with this, you will ascertain whether the contractors between Montgomery and Mobile cannot, in winter, run through in 37 hours, and dispense with any resort to the 48 hours allowed in their winter schedule; also, whether the express is extended upon this line, and the contractors upon it have any agency in the running of the express.

You are particularly instructed to ascertain at what rate of cost per mile a daily express could be set up and run by this department; the speed at which it could be run; and the weight of mail that could thus be conveyed

at a speed of ten miles to the hour, or at such speed as it should become necessary to adopt. You will also ascertain the same particulars in regard to an express to be run as often as the mail steamers between Liverpool and Boston perform their trips—understood to be once a month in the winter, and twice a month the residue of the year.

You are hereby authorized and advised to call on postmasters and contractors, and all others in the service of the Department, for any necessary or useful assistance in the matter.

CHARLES A. WICKLIFFE.

E. T. BRIDGE, Esq.

WASHINGTON CITY, *January 14, 1845.*

SIR: I have the honor herewith to enclose to you copies of communications recently addressed to me on the grievances growing out of the private express mail now running between New York and New Orleans. Feeling the importance of the subject they bring to notice, I have come to this city, to present them personally to your consideration.

The first communication is signed by a large number of the conductors of the public press, and I am satisfied is a fair representation of the views of the press generally, not only of the city of New York, but of other cities between the points named.

The second is from James De Peyster Ogden, Esq., the president of the Chamber of Commerce of New York, and is expressive of the general views of the commercial community of that city, and more especially of those whose interests are connected with the cotton trade and other staples of the South and West.

The communications need no further comment on my part; the sources whence they originated give them the largest possible claim to confidence.

I will only add, that the difficulties alluded to do not appear to me to be overrated, and that it seems to me to be indispensable to institute, without delay, such measures as the department has at command, to grant the relief sought.

Should it not be in your power to apply an early *permanent* remedy, I beg to suggest that immediate arrangements be made to forward, with increased despatch, to New Orleans, the mails of the British steamers, as they shall arrive at Boston. The news by the next steamer is looked forward to with greater interest than usual, especially at the South; hence the great importance of effecting the earliest arrangements for its speediest transmission.

I am, very respectfully, your obedient servant,

JOHN LORIMER GRAHAM,

*Postmaster.*

Hon. C. A. WICKLIFFE,

*Postmaster General, Washington City.*

NEW YORK, *January 8, 1845.*

DEAR SIR: It is doubtless known to you, as it has for some weeks been known to us, that a private express, to subserve certain speculation or pri-

vate interests, has been arranged between this city and New Orleans, to run through thirty-six to forty-eight hours in advance of the mail.

At a meeting of the representatives of the press last evening, it was unanimously resolved, that measures ought to be taken without delay to protect the community from the speculations which the express is designed to subserve, and which, without some counteracting measure, it is certain to render effective. The unfair advantage it would give to a few individuals over the mass of merchants at the North, as it respects the products of the great valley of the Mississippi, and at New Orleans and Mobile as it respects the state of prices in the Northern markets and in Liverpool, is too obvious to require remark. Aware of the interests you have felt in the establishment of the Government express from Boston to this city on the arrival of the Liverpool steamers, and the great advantage which has resulted therefrom to the post office revenue as well as to the public, we are inclined to bring the present grievance to your notice, in the belief that your influence will be readily exerted with the department for the establishment of a Government express on the ground now occupied by this private express, and that thus the monopolizing objects of the latter will be defeated, and the interests of the public promoted, without disadvantage to the post office revenue.

We think it will be obvious to your mind, that a monopoly of intelligence like that of which we complain cannot be tolerated either by the press or the mercantile community; and that unless a Government express should be established, as rapid and efficient as the private express alluded to, other private expresses will necessarily be run in self-defence, and that thus both the revenue and the reputation of the department may suffer.

We therefore have decided to make our first appeal to you, as the representative of the Post Office Department in our city, for such action in the premises as your judgment shall dictate, and the department shall deem itself competent to afford.

We cannot doubt the disposition of the department, as we are well assured of yours, to render the public every possible facility in the equal and early diffusion of intelligence.

We are yours, respectfully,

HALE & HALLOCK,

*Journal of Commerce.*

W. VAN BENTHUYSEN,

*New York American.*

WILLIAM C. BRYANT & CO.,

*New York Evening Post.*

MORRIS, WILLIS, & FULLER,

*New York Evening Mirror.*

HENRY G. LANGLEY,

*For Proprietors Morning News.*

H. J. RAYMOND,

*For Editor Courier & Enquirer.*

TOWNSEND & BROOKS,

*New York Express.*

GREELY & McELRATH,

*New York Tribune.*

CASPAR C. CHILDS,

*New York Daily Plebeian.*

J. LORIMER GRAHAM, Esq., *Postmaster.*

NEW YORK, January 10, 1845.

SIR: Having understood that an express is about to be established, or is already in operation, to carry intelligence from New Orleans to this city in nearly two days less time than is required by the United States mail, I would beg leave to call your attention to the subject, and to inquire whether, by means of extra exertion, the mail might not perform the service in the same time. Private enterprise more usually outstrips the more tardy action of Government; still, if it can be avoided, the few should not be benefited at the expense of the many; and accordingly it becomes important that Government should not be superseded by private effort in the conveyance of general intelligence by the public mail. As so much has already been done by your department in aid of public convenience, and as more is still expected from Congress, I have been induced to ask for this subject also the favorable consideration of the Post Office Department.

I remain, very respectfully, your obedient servant,

JAMES D. OGDEN.

JOHN LORIMER GRAHAM, Esq.,  
Postmaster, New York.

POST OFFICE DEPARTMENT, January 16, 1845.

SIR: Your communication, covering copies of the letters addressed to you by the editors and publishers of the press in New York, and of the president of the Chamber of Commerce of that city, upon the subject of the private express recently established between New York and New Orleans, has been received and duly considered by me.

I may be allowed to express the satisfaction I feel, that these gentlemen are impressed with the magnitude of the evil which must ensue by the toleration of private expresses, which interfere with and anticipate the regular United States mail.

I have endeavored to restrain, by all the legal means allowed me by the laws of Congress, every effort to transport by private expresses or mail companies mail matter over mail routes, wherever or by whomsoever made.

I am satisfied that the express between New York and New Orleans, if tolerated, is calculated to inflict great evil upon the commerce of the country.

I had received other information of the existence of this express, communicated to the department from Mobile and New Orleans, and have been in progress to ascertain its operations.

As I am now informed, the matter transported by this express is sent by the mail from New York to Covington, in Georgia, at which point the railroad service terminates. The matter, which is addressed to some agent at that point, is taken out of the mail, and despatched by horse, at a speed of ten miles per hour, to Montgomery, Alabama, a distance of 190 miles. At this point it overtakes the United States mail of the previous day, which is transported in four-horse post coaches a distance of 204 miles on the mail road by Columbus. This stage is loaded with a mail of the average weight of 1,100 lbs. It is impossible, I fear, to give this mail, over a dirt road, greater speed than it has heretofore been running. Indeed, failures

on this long line of 204 miles of dirt road are not unfrequent, particularly in the winter season. When a failure thus occurs, this express is placed 48 hours in advance of the mail it has left at Covington, going south, and the same effects occur when coming north.

I have despatched an experienced agent, Mr. Bridge, to the South, with instructions full upon this subject, a copy of which I enclose you. A resolution of the Senate upon this subject is before me, which will receive my immediate attention. You will assure the gentlemen whose letter to you you delivered me, that every thing within the power and competency of the department to do in the premises will be done, to avoid the evils they apprehend from the continuation of this private express.

C. A. WICKLIFFE.

J. L. GRAHAM, Esq.,  
Postmaster, New York.

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