States; and the said supreme, district, and probate court, respectively, shall possess chancery as well as common-law jurisdiction and authority for the redress of all wrongs committed against the laws of said Territory, affecting persons or property. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exceptions, and appeals shall be allowed from the final decisions of said district and probate courts to the supreme court, under such regulations as shall be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error, and appeals from the final decisions of said supreme court shall be allowed and may be taken to the supreme court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, when the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of said supreme and district courts shall have and exercise the same jurisdiction in all cases arising under the constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws; and writs of error and appeals in all such cases shall be made to the supreme court of said Territory the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Oregon Territory received for similar services.

Probate courts.
Chancery powers.
Clerks.
Writs of error, &c.
Trial by jury.
Clerks.
Appeals, &c., to supreme court of the United States.
Habeas corpus.
Precedence of trials.
Fees of clerks.

Sec. 4. *And be it further enacted*, That the provisions of sections one and two of this act shall be applicable to the Territory of Dakota, and shall have like effect as in the Territory of Colorado.

Part of act applicable to Dakota.

Approved, March 2, 1863.

1861, ch. 86.
Ante, p. 239.

Chap. LXXI. — *An Act to amend the Laws relating to the Post-Office Department.*

March 3, 1863

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General shall have power to appoint and commission all postmasters whose salary or compensation for the preceding fiscal year shall at the time of such appointment have been ascertained to be less than one thousand dollars per year; and in all other cases the President shall appoint. The person appointed postmaster shall reside within the delivery of the office to which he shall be appointed.

Postmasters.
Appointment.
Residence.

Sec. 2. *And be it further enacted*, That the Postmaster-General, all postmasters, and special agents, and all persons employed in the General Post-Office, or in the care, custody, or conveyance of the mail, hereafter appointed or employed, shall, previous to entering upon the duties assigned to them, or the execution of their trusts, and before they shall be entitled to receive any emoluments therefor, in addition to the oath of office prescribed by the act of July two, eighteen hundred and sixty-two, respectively take and subscribe the following oath or affirmation before some magistrate, and cause a certificate thereof to be filed in the General Post-Office: "I, A. B., do swear (or affirm, as the case may be) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post-

All persons employed in post-office to take oath of office.
1862, ch. 128.
Ante, p. 502.
Form of oath.

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office and post-roads within the United States; and that I will honestly and truly account for and pay over any moneys belonging to the said United States which may come into my possession or control; so help me God."

Persons not taking oath liable to penalties, etc.

Every person who shall be in any manner employed in the care, custody, conveyance or management of the mail, shall be subject to all pains, penalties, and forfeitures for violating the injunctions or neglecting the duties required of him by the laws relating to the establishment of the post-office and post-roads, whether such persons shall have taken the oath or affirmation above prescribed or not.

Postage to be paid before delivery.

Box-rent to be prepaid.

SEC. 3. *And be it further enacted*, That no mail matter shall be delivered by the postmaster until the postage due thereon shall have been paid; and no box at any post-office shall be assigned to the use of any person until the rent therefor has been paid for at least one quarter, for which the postmaster shall give a receipt, and keep a record thereof in his office, which record shall be delivered to his successor.

Postmasters to keep record of stamps, &c., sold, moneys received, &c.

Records to be delivered to successor.

SEC. 4. *And be it further enacted*, That every postmaster shall keep a record in his office of all postage stamps and envelopes, and of all postal books, blanks, or property received from his predecessor in office, or from the Post-Office Department, or from any of its agents, and also of all payments in money for postages, and all payments for box-rents, and of all other receipts on account of any part of the postal service, and of any other transactions which shall be required by the Postmaster-General, and these records shall be preserved and delivered over to his successor in office, and shall be at all times subject to examination of any special agent of the department.

Compensation for extra labor.

SEC. 5. *And be it further enacted*, That whenever, by reason of the presence of a military or naval force near any post-office, unusual business accrues thereat, the Postmaster-General is hereby required to make a special order allowing proportionately reasonable compensation to the postmaster, and for clerical service, during the period of such extraordinary business.

Postmasters to make returns quarterly of emoluments, &c.

Not to retain more than salary.

Sworn statement, form of.

SEC. 6. *And be it further enacted*, That it shall be the duty of postmasters to render a quarter-yearly account to the Postmaster-General, under oath, in such form as the latter shall prescribe, of all emoluments or sums by them respectively received for boxes or pigeon-holes, or other receptacles for letters or papers, and by them charged for to individuals; or for the delivery of letters or papers at or from any place whatever; and of all emoluments, receipts, and profits that have come to their hands by reason of keeping branch post-offices; and no postmaster shall hereafter, under any pretence whatever, have or receive or retain for himself, in the aggregate, more than the amount of his salary. And the Postmaster-General is further authorized to require, by a form to be prepared by him, a sworn statement to accompany or following the quarterly account of any or all postmasters, to the effect that such postmaster has in such account truly stated the entire amount of postages, box-rents, and all other charges and emoluments collected or received by him at his office during such quarter; and that he has not knowingly delivered, or permitted to be delivered, to any person any mail matter on which the postage had not been paid at the time of delivery; and that such quarterly account exhibits truly and faithfully the entire receipts of his office which have been collected thereat, and the entire sum which could have been by due diligence collected thereat, as he verily believes; and that the credits he claims are just and true, as he verily believes; and any false swearing therein shall render him liable to the pains and penalties of perjury.

Perjury.

Dead letters.

SEC. 7. *And be it further enacted*, That the Postmaster-General is hereby authorized to regulate the periods during which undelivered letters shall remain in any post-office, and the times such letters shall be returned to the dead-letter office, and to make regulations for their return to the writers from the dead-letter office, when he is satisfied they cannot be

delivered to the parties addressed. He is authorized also to order the publication of the list of non-delivered letters at any post-office, in his discretion, by writing, posted in a public place or places, or in any daily or weekly newspaper regularly published within the post-office delivery having the largest circulation within such delivery; and where no daily paper is published within the post-office delivery, such list may be published in any daily newspaper of an adjoining delivery having the largest circulation within the delivery of the post-office publishing [the] list; but in no case shall compensation for such publication be allowed at a rate exceeding one cent for each letter so advertised; and no such publication shall be required except where the Postmaster-General shall decide that the public interest requires it: *Provided*, That letters addressed to parties foreign born may be published in a journal of the language most used by the parties addressed, if such be published in the same, or an adjoining delivery.

Lists of non-delivered letters posted or published.

Pay for publication.

Foreign languages.

SEC. 8. *And be it further enacted*, That dead letters containing valuable enclosures shall be registered in the department; and when it appears that they can neither be delivered to their address, nor to the writers, the contents thereof, so far as available, shall be included with the receipts of the Post-Office Department, and the amount thereof shall be shown in the annual report, and shall be subject to reclamation by either the party addressed, or by the sender, for four years from registry thereof, careful account being kept of the same. All other letters deemed of value or of importance to the party addressed, or to the writer, and which it appears cannot be returned to either destination, shall be disposed of as the Postmaster-General shall direct.

Dead letters with valuables to be registered.

Disposal of their contents.

SEC. 9. *And be it further enacted*, That the Postmaster-General may provide by regulation for the disposition, for the benefit of the Department, of printed matter which remains in any post-office, or in the Department, not called for by the party addressed; but the postmaster shall notify the publisher of any newspaper or periodical of the fact when any subscriber shall refuse to take the same from the office, or shall neglect to call for the same for the period of one month, which notice may be sent free under regulation to be provided by the Postmaster-General.

Printed matter not called for, how disposed of.

Notice to publishers.

SEC. 10. *And be it further enacted*, That the action of the Post-Office Department respecting foreign dead letters shall be subject to conventional stipulations with the respective foreign administrations.

Foreign dead letters.

SEC. 11. *And be it further enacted*, That letter-carriers shall be employed at such post-offices as the Postmaster-General shall direct for the delivery of letters in the places respectively where such post-offices are established; and for their services they shall severally receive a salary, to be prescribed by the Postmaster-General, not exceeding eight hundred dollars per year: *Provided*, That, on satisfactory evidence of their diligence, fidelity, and experience as carriers, the Postmaster-General may increase their respective salaries from time to time to any sum not exceeding one thousand dollars, at offices where the income from postages on the local letters shall yield a sum more than sufficient to pay all expenses of the carrier system at such offices; each of the said carriers shall give bond, with sureties, to be approved by the Postmaster-General, for the safe custody and delivery of all letters, packets, and moneys received by him.

Letter-carriers.

Pay.

Bond.

SEC. 12. *And be it further enacted*, That whenever the Postmaster-General shall have perfected the carrier system in any postal district so as, in his judgment, to justify him therein, he is authorized to make delivery, within any prescribed postal district, of mail matter by letter-carriers, as frequently as the public convenience in such district shall require, and shall make all proper regulations for that purpose.

Frequent delivery by carriers.

SEC. 13. *And be it further enacted*, That the Postmaster-General is authorized, when, in his judgment, the public interest or convenience may

Branch offices.

Ante, pp. 379, 380.

require it, to establish one or more branch post-offices, and also pillar boxes, or other receiving-boxes, for the safe deposit of matter for the mails and for delivery; and in case of such establishment of a branch office, the person in charge thereof shall be appointed, and his salary fixed, as in the case of a letter-carrier, and the like bond required: *Provided*, That the post officer in charge of the branch office may also be a depositary for the sale of stamps, to be delivered to him for that purpose by the postmaster of that postal district in sums not at any time to exceed one half of the penalty of his bond.

Receiving-boxes, &c., may be established.

Salary, &c., of branch officer.

Sale of stamps.

Expenses of letter-carriers, &c., to be kept distinct.

Sec. 14. *And be it further enacted*, That all expenses for the letter-carriers, branch offices, and receiving boxes, or incident thereto, shall be entered and reported in a separate account from the ordinary postal expenses of such post-office, and shall be shown in comparison with the proceeds of the postages on local mail matter at each office, in order that the Postmaster-General may be guided in the expenditures for that branch of the postal service by the income derived therefrom; and all such expenses shall be paid out of the income of the post-office at the district in which they are incurred.

How to be paid.

Publishers of newspapers, &c., may contract for delivery thereof by postal-carriers.

Sec. 15. *And be it further enacted*, That the postmaster of any office where letter-carriers are employed may contract with the publishers of any newspapers or periodicals, and with the publishers of any circulars, for the delivery by postal-carriers, within his postal district, of any such publications not coming through the mails, at rates and upon terms to be agreed upon, such arrangement and terms being equally open to all like publishers; but such contract shall have no force or effect until approved by the Postmaster-General. The Postmaster-General may also provide by regulation for the delivery by such carriers of small packets other than letters or papers, and not exceeding the maximum weight of mailable packages; but such packages must be prepaid by postage stamps at the rate of two cents for each four ounces or fraction thereof.

Delivery of packets, &c.

Prepayment.

Packages by mail not to weigh over four pounds, except, &c.

Sec. 16. *And be it further enacted*, That no postmaster shall receive to be conveyed by the mail any packet or package which shall weigh more than four pounds, except books published or circulated by order of Congress.

Mail-matter to be prepaid by stamps.

Sec. 17. *And be it further enacted*, That upon the following mailable matter the postage must be prepaid at the time of mailing, by stamps, unless otherwise expressly provided in this act: —

Domestic letters.

First. Upon all domestic letters, whether passing through the mails, or collected, or delivered by postal agents or carriers.

Transient printed matter.

Second. On all transient printed matter.

Seeds, pamphlets, books, &c.

Third. On all seeds, cuttings, bulbs, roots, and scions; all pamphlets, books, book manuscripts, and proof-sheets, maps, prints, engravings, blanks, flexible patterns, samples, and sample cards, phonographic paper, letter envelopes, postal envelopes, paper, and photographic representations of different types.

Other things.

Fourth. Upon all other things in the mail not otherwise herein provided for.

Certain matter to be prepaid quarterly.

Sec. 18. *And be it further enacted*, That upon the following mailable matter the postage shall be paid before delivery for not less than one quarter nor more than one year; and such payment for a term may be made either at the mailing office or at the office of delivery. If the term commences at any other time than at the beginning of a quarter, such payment must be made to cover such fractional quarter, and also for the next following quarter; otherwise the postage shall be collected thereon as on transient matter. Upon regular weekly, tri-weekly, semi-weekly, and daily publications, and all other regular publications, issued from a known office of publication at stated periods and sent to regular subscribers.

Daily, &c., publications.

Division of mail-matter.

Sec. 19. *And be it further enacted*, That mailable matter shall be di-

vided into three classes, namely: first, letters; second, regular printed matter; third, miscellaneous matter.

First class.

SEC. 20. *And be it further enacted*, That the first class embraces all correspondence, wholly or partly in writing, except that mentioned in the third class. The second class embraces all mailable matter exclusively in print, and regularly issued at stated periods, without addition by writing, mark, or sign. The third class embraces all other matter which is or may hereafter be by law declared mailable; embracing all pamphlets, occasional publications, books, book manuscripts, and proof sheets, whether corrected or not, maps, prints, engravings, blanks, flexible patterns, samples and sample cards, phonographic paper, letter envelopes, postal envelopes, or wrappers, cards, paper, plain or ornamental, photographic representations of different types, seeds, cuttings, bulbs, roots, and scions.

Second class

Third class.

Weight and rate of single letter postage.

SEC. 21. *And be it further enacted*, That the maximum standard weight for the single rate of letter postage is one half ounce avoirdupois.

SEC. 22. *And be it further enacted*, That the rate of postage on all domestic letters transmitted in the mails of the United States, and not exceeding one half ounce in weight, shall be uniform at three cents; and for each half ounce, or fraction thereof of additional weight, there shall be charged an additional rate of three cents, to be in all cases prepaid by postage stamps plainly affixed to such letter.

Prepayment.

Drop letters.

SEC. 23. *And be it further enacted*, That the rate of postage on all letters not transmitted through the mails of the United States, but delivered through the post-office or its carriers, commonly described as local or drop letters, and not exceeding one half ounce in weight, shall be uniform at two cents, and an additional rate for each half ounce or fraction thereof of additional weight, to be in all cases prepaid by postage stamps affixed to the envelope of such letter, but no extra postage or carrier's fee shall hereafter be charged or collected upon letters delivered by carriers, nor upon letters collected by them for mailing or for delivery.

No carrier's fee

Letter postage to include what.

SEC. 24. *And be it further enacted*, That the domestic letter rate of postage is established for all mailable matter which is wholly or partly in writing, or is so marked as to convey any other or further intelligence or information than is conveyed by the original print in case of printed matter, or which is sent in violation of law or regulations of the department touching the enclosure of matter which may be sent at less than letter rates, and for all matter introduced into the mails for which no different rate is provided by law: *Provided*, That book manuscripts and corrected proofs passing between authors and publishers may pass at the rate of printed matter: *And provided further*, That publishers of newspapers and periodicals may print or write upon their publications sent to regular subscribers the address of subscribers and the date when the subscription expires, and may enclose therewith receipts for payment and bills for subscription thereto.

Proofs.

Address of subscribers may be written or printed.

Matter not enumerated to be treated as letter postage.

SEC. 25. *And be it further enacted*, That on all matter not enumerated as mailable matter, and to which no specific rates of postage are assigned, and which shall nevertheless be mailed, the rate, if the same shall be forwarded, is established at the rate of letter postage.

Matter not prepaid to be charged double on delivery.

SEC. 26. *And be it further enacted*, That if any matter on which by law the postage is required to be prepaid at the mailing office shall reach its destination without such prepayment, double the prepaid rates shall be charged and collected on delivery.

Soldiers' letters, &c.

SEC. 27. *And be it further enacted*, That the Postmaster-General is authorized to provide by uniform regulation for transmitting unpaid and duly certified letters of soldiers, sailors, and marines in the service of the United States to destination; and all other letters which from accident or neglect appear to have been deposited for mailing without prepayment of postage, where, in the latter class, the writer is not known, or cannot be promptly advised of his default; but in all cases of letters not prepaid,

Letters not prepaid by accident.

except certified soldiers' and naval letters, the same shall be charged with double rates of postage. to be collected on delivery.

Letters, when may be returned to writers.

SEC. 28. *And be it further enacted*, That when any writer of a letter on which the postage is prepaid shall indorse in writing or in print upon the outside thereof his name and address, with a request that the same be returned to him if not called for or delivered within any number of days, (not to exceed thirty days,) any such letter shall not be advertised nor treated as a dead letter at the office addressed, but shall be returned as requested, charged with the proper postage at the prepaid rate, to be collected on the return delivery; and if not then delivered, shall be treated as a dead letter.

Postage on dead letters.

SEC. 29. *And be it further enacted*, That the postage on returned dead letters, not registered as valuable, shall be three cents for the single rate; on returned dead letters, registered as valuable, double rates shall be charged.

Forwarding of letters.

SEC. 30. *And be it further enacted*, That all letters directed to any person not found at the office addressed may be forwarded to any other office where he may be found, with additional charge of postage therefor.

Ship, &c., letters.

SEC. 31. *And be it further enacted*, That the Postmaster-General shall have authority to pay, or cause to be paid, a sum not exceeding two cents each for all letters conveyed in any vessel or steamboat, not employed in carrying the mail, from one port or place to any other port or place in the United States, or from any foreign port to any port within the United States, subject to such regulations as the Postmaster-General may prescribe, but all such letters shall be deposited in the post-office at the port of arrival, for mailing or delivery; and if for delivery within the United States shall be rated with double rates of postage, which shall cover the fee paid to the vessel; no fees shall be allowed for letters collected by a carrier on a mail route.

Registration of valuable letters.

SEC. 32. *And be it further enacted*, That, for the greater security of valuable letters posted for transmission in the mails of the United States, the Postmaster-General is authorized to establish a uniform plan for the registration of such letters on application of parties posting the same, and

Fees.

to require the payment of the postage, as well as a registration fee not exceeding twenty cents, on every such letter or packet, to be accounted for by postmasters receiving the same in such manner as the Postmaster-

Department not made liable.

General shall direct: *Provided, however*, That such registration shall not be compulsory, and it shall not render the Post-Office Department or its revenue liable for the loss of such letters or packets, or the contents thereof; and provision shall be made by regulation for a return receipt to the writer, showing to whom and when such registered letter was delivered, which receipt shall be received in the courts as primâ facie evidence of such delivery.

Maximum of single rate of printed matter.

SEC. 33. *And be it further enacted*, That the maximum standard weight for the single rate of postage on matter classed as printed matter, and also on that classed as miscellaneous matter, is four ounces avoirdupois, subject to the exception in the next following section provided.

Postage on transient matter.

SEC. 34. *And be it further enacted*, That the rate of postage on transient mailable matter of the second class, and also on all miscellaneous mailable matter of the third class, (except circulars and books,) shall be two cents for each four ounces or fraction thereof contained in any one package to one address; and such postage shall in all cases be fully prepaid by stamps, plainly affixed to the wrapper thereof. Double these rates shall be charged for books. Unsealed circulars not exceeding three in number shall pass at the single rate of two cents, and in that proportion for a greater number, adding one rate for three circulars, or less number thereof, directed to one address. No extra postage shall be charged for a card printed or impressed upon an envelope or wrapper. These

To be prepaid by stamps.

rates must in all cases be prepaid by stamps.

Postage on matter of second class.

Newspapers, &c.

SEC. 35. *And be it further enacted*, That the rate of postage upon mailable matter of the second class, issued once a week or more frequently from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post-offices of the United States between any points therein, the rate for each quarter of the year shall be: for publications issued once a week, five cents; issued twice a week, ten cents; issued three times a week, fifteen cents; issued six times a week, thirty cents; issued seven times a week, thirty-five cents; and in that proportion, adding one rate for each issue more frequent than once a week. For weight exceeding four ounces, and not exceeding eight ounces, an additional rate shall be charged; and on the same scale, an additional rate for each additional weight of four ounces or fraction thereof; and such postage must be prepaid for a term not less than one quarter nor more than one year, at either the office of mailing or of delivery, at the option of the subscriber, of which payments a record shall be made and preserved in the post-office where paid; and no such publication shall be delivered from the office until such payment is made; but the publishers of weekly newspapers may send to each actual subscriber within the county where their papers are printed and published one copy thereof free of postage.

Over four ounces in weight.

Prepayment.

Newspapers within the county to be free.

Postage on periodicals issued less than once a week.

SEC. 36. *And be it further enacted*, That the rate of postage upon mailable matter of the second class, issued less frequently than once a week, from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers, magazines, and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post-offices of the United States between any points therein, the rate for each such paper or periodical shall be one cent, and an additional rate of one cent for each additional weight of four ounces or fraction thereof: *Provided*, That the Postmaster-General may provide by regulation for the transportation of small newspapers in packages at the same rate by the standard weight of the package when sent to one address; and the rates herein provided must be prepaid at either the office of mailing or of delivery, at the option of the subscriber, for a term not less than one quarter nor more than one year, except that news-dealers may pay the postage upon their packages as received at the same rates pro rata as yearly or semi-annual subscribers who pay postage quarterly in advance.

Packages.

Subscription bills may be enclosed.

SEC. 37. *And be it further enacted*, That publishers may enclose in their publications sent to regular subscribers the bills for subscription thereto without any additional charge for postage, and may write or print upon their publications, or upon the wrappers thereof, the name and address of the subscribers thereto, and the date when the subscription will expire; but any other enclosure or addition in writing or in print shall subject the same to letter postage, which shall be collected before delivery thereof.

Delivery by route agents.

SEC. 38. *And be it further enacted*, That the Postmaster-General may from time to time provide by order the rates and terms upon which route agents may receive and deliver at the mail car or steamer packages of newspapers and periodicals delivered to them for that purpose by the publishers, or any news-agent in charge thereof, and not received from, nor designed for delivery at any post-office.

Wrappers of mail matter.

SEC. 39. *And be it further enacted*, That the Postmaster-General has authority to prescribe by regulation the manner of wrapping and securing for the mails all matter not charged with letter postage nor lawfully franked, so that the same may be conveniently examined by postmasters; and if not so wrapped and secured, the same shall be subject to letter postage. He may also provide by regulation for ascertaining by furnished lists, by affidavit or otherwise, whether publishers send or have sent their

publications unpaid through the mails to other than their regular subscribers.

Postmasters may remove wrappers, &c.

Sec. 40. *And be it further enacted*, That postmasters, at the office of delivery, are authorized, and it shall be their duty, to remove the wrappers and envelopes from printed and other matter not charged with letter postage, nor lawfully franked, for the purpose of ascertaining whether there is upon, or connected with, any such printed matter or in such package any matter or thing which would authorize or require the charge of a higher rate of postage thereon.

Publishers may be required to make affidavit, &c.

Sec. 41. *And be it further enacted*, That the Postmaster-General may require an affidavit in form, to be prescribed by general regulation, to be taken by any publisher, or any clerk, agent, or servant of such publisher of any paper or periodical, which, by the terms of this act, may be sent to regular subscribers without prepayment of postage at the mailing office, to the effect that neither he nor any other proprietor, clerk, agent, or employé, within his knowledge, has sent, or caused or permitted to be sent, through the mails, without prepayment by postage stamps, any copies of such paper or periodical, (naming it,) except the same were sent to bona fide and regular subscribers thereto. And if it be ascertained that such papers or periodicals have been thus unlawfully sent, with the knowledge or consent of such proprietors, or of the agent or clerk in charge of that business, or if such affidavit, when required by the Postmaster-General, or by a special agent of the Post-Office Department, shall be refused, the person guilty of such offence, or refusing such oath, shall be liable to a fine of fifty dollars in each case, to be recovered by suit before any court of competent jurisdiction, one half of which when recovered shall be paid to the informer.

Penalty for sending to others than subscribers, &c.

One half to informer.

Franking privilege.

Sec. 42. *And be it further enacted*, That authority to frank mail matter is conferred upon and limited to the following persons. First. The President of the United States, by himself or his private secretary. Second. The Vice-President of the United States. Third. The chiefs of the several executive departments. Fourth. Such principal officers, being heads of bureaus or chief clerks, of each executive department, to be used only for official communications, as the Postmaster-General shall by regulation prescribe. Fifth. Senators and representatives in the Congress of the United States, including delegates from territories, the secretary of the senate and clerk of the House of Representatives; to cover correspondence to and from them, and all printed matter issued by authority of Congress, and all speeches, proceedings, and debates in Congress, and all printed matter sent to them; their franking privilege to commence with the term for which they are elected and to expire on the first Monday of December following such term of office. Sixth. All official communications addressed to either of the executive departments of Government by an officer responsible to that department: *Provided*, That in all such cases the envelope shall be marked "official," with the signature thereto of the officer writing the communication. Seventh. Postmasters have also the franking privilege for their official communications to other postmasters: *Provided*, That in all such cases the envelope shall be marked 'official' with the signature of the writer thereto, and for any and every such endorsement of 'official' falsely made the person making the same shall forfeit and pay three hundred dollars. Eighth. Petitions to either branch of Congress shall pass free in the mails. Ninth. All communications addressed to any of the franking officers above described, and not excepted in the foregoing clauses, must be prepaid by postage stamps. The franking privilege hereinbefore granted shall be limited to packages weighing not exceeding four ounces, except petitions to Congress and congressional or executive documents, and such publications or books as have or may be published, procured, or purchased by order of either House of Congress, or a joint resolution of the two Houses, which

Envelopes, how marked.

Penalty for false marking.

Limit in weight.

Except, &c.

shall be considered as public documents, and entitled to be franked as such; and except also seeds, cuttings, roots, and scions, the weight of the packages of which may be fixed by regulation of the Postmaster-General. Weight of packages of seeds.

SEC. 43. *And be it further enacted*, That all publishers of periodicals, magazines, and newspapers which shall not exceed sixteen ounces in weight shall be allowed to interchange their publications reciprocally free of postage: *Provided*, That such interchange shall be confined to a single copy of each publication. Publishers may interchange free except, &c.

SEC. 44. *And be it further enacted*, That this act shall be in force and take effect from and after the thirtieth day of June, eighteen hundred and sixty-three. When act to take effect.

SEC. 45. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repealing clause.

APPROVED, March 3, 1863.

CHAP. LXXII. — *An Act to disapprove of the twenty-sixth Section of the Act of the Legislative Assembly of the Territory of Nevada, and for other Purposes.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-six of an act of the Legislative Assembly of the Territory of Nevada entitled "An act to provide for the formation of corporations for certain purposes," approved December twenty, eighteen hundred and sixty-two, said section being as follows: "Section 26. All corporations heretofore formed under the provisions of acts of incorporation in other States or Territories, and holding or owning property within this Territory of such character as specified in section first of this act, and managed by a board or boards of trustees or directors, and having their principal place of business outside the limits of this Territory, are hereby required to remove their places of business, principal offices, books, and papers, heretofore kept, or necessary for the transaction of such business, to some point to be designated by said corporation, within the limits of this Territory, within six months after the passage of this act, or otherwise such corporation or corporations shall be disregarded in law as a corporation, and the corporators or stockholders thereof be treated as tenants in common, or joint owners of such property so owned or held within this Territory. Any corporation, by filing and recording its certificate of incorporation, or a certified copy thereof, with the secretary of the Territory, and with the clerk of the county in which such corporation may locate as the principal place of business, and fully complying with all the provisions of this act, shall be deemed sufficient to entitle such corporation to all the rights and privileges under the provisions of this act," be and the same is hereby disapproved, and the same is hereby annulled and made void. Law of Nevada Territory respecting corporations disapproved.

SEC. 2. *And be it further enacted*, That all incorporated companies, duly organized within any state or territory of the United States, may sue and be sued, plead and be impleaded, in the several courts of the Territory of Nevada, anything in the laws of said Territory to the contrary notwithstanding. Corporations in Nevada may sue &c.

APPROVED, March 3, 1863.

CHAP. LXXIII. — *An Act to provide Ways and Means for the Support of the Government.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to borrow, from time to time, on the credit of the United States, a sum not exceeding three hundred millions of dollars for the current fiscal year, and six hundred millions for the The Secretary of Treasury may borrow not over $300,000,000 for this year, and $600,000,000 for the next.