

quired by treaty stipulations and agreements to expend from each of said funds or from the Federal Treasury, giving references to the existing treaty or agreement or statute, (third) the amounts which the Secretary of the Interior recommends to be spent from each of the tribal funds held in trust or otherwise, and the purpose for which said amounts are to be expended, and said statement shall show the amounts which he recommends to be disbursed (a) for per capita payments in money to the Indians, (b) for salaries or compensation of officers and employees, (c) for compensation of counsel and attorney fees, and (d) for support and civilization: *Provided*, That thereafter no money shall be expended from Indian tribal funds without specific appropriation by Congress except as follows: Equalization of allotments, education of Indian children in accordance with existing law, per capita and other payments, all of which are hereby continued in full force and effect: *Provided further*, That this shall not change existing law with reference to the Five Civilized Tribes.

SEC. 28. On or before the thirty-first day of December, nineteen hundred and sixteen, the Bureau of Efficiency shall prepare and submit to the Secretary of the Interior a system of bookkeeping and accounting for the Bureau of Indian Affairs that will enable the said Secretary, on or before July first, nineteen hundred and seventeen, to meet the requirements of section twenty-six of the Indian Appropriation Act approved June thirtieth, nineteen hundred and thirteen (Thirty-eighth Statutes at Large, page one hundred and three).

Approved, May 18, 1916.

CHAP. 126.—An Act To amend the Act approved June twenty-fifth, nineteen hundred and ten, authorizing the postal savings system, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That such part of section six of the Act approved June twenty-fifth, nineteen hundred and ten, authorizing a system of postal savings depositories, as reads "but no one shall be permitted to deposit more than \$100 in any one calendar month" is hereby amended to read as follows: "but the balance to the credit of any person, upon which interest is payable, shall not exceed \$1,000, exclusive of accumulated interest"; and said Act is further amended so that the proviso in section seven thereof shall read as follows: "*Provided*, That the board of trustees may, in their discretion, and under such regulations as such board may promulgate, accept additional deposits not to exceed in the aggregate \$1,000 for each depositor, but upon which no interest shall be paid."

SEC. 2. That postal savings funds received under the provisions of this Act shall be deposited in solvent banks, whether organized under National or State laws, and whether member banks or not of the Federal reserve system established by the Act approved December twenty-third, nineteen hundred and thirteen, being subject to National or State supervision and examination, and the sums deposited shall bear interest at the rate of not less than two and one-fourth per centum per annum, which rate shall be uniform throughout the United States and Territories thereof; but five per centum of such funds shall be withdrawn by the board of trustees and kept with the Treasurer of the United States, who shall be treasurer of the board of trustees, in lawful money as a reserve. The board of trustees shall take from such banks such security in public bonds or other securities, authorized by Act of Congress or supported by the taxing power, as the board may prescribe, approve, and deem sufficient and necessary to insure the safety and prompt payment of such deposits on demand. The funds received at the postal savings depository offices in each city, town, village, and other locality shall

Disbursements recommended.

Per capita.

Salaries.

Counsel fees.

Provisos.

No payment without specific appropriation. Exceptions.

Five Civilized Tribes not affected.

Bureau of Efficiency. To submit system of bookkeeping, etc., to comply with existing law.

Post, p. 802.

Vol. 38, p. 103.

May 18, 1916.

[H. R. 562.]

[Public, No. 81.]

Postal service. Postal savings system.

Vol. 36, p. 815, amended.

Amount of deposit, bearing interest, increased.

Additional deposits without interest increased.

Vol. 36, p. 816, amended.

Deposit of funds in banks.

Vol. 36, p. 816, amended.

Whether Federal reserve banks or not.

Vol. 38, p. 265, amended.

Interest required.

Reserve fund.

Security required.

Distribution of deposits locally.

Proriso.
Preference to Fed-
eral reserve member
banks.
Vol. 33, p. 251.

Deposits with treas-
urer.

Withdrawals for re-
payments.

Amount to be in-
vested in Government
bonds, etc.

Purchases from
holders of postal sav-
ings bonds.
Vol. 36, p. 817.

Application of in-
terest, etc.

Restriction on use
of funds.

Disposal of bonds.

Definitions.
"Territory."

"Bank."

Empty mail bags.
Return to mails al-
lowed in emergency
cases.

Cartage.

be deposited in banks located therein (substantially in proportion to the capital and surplus of each such bank) willing to receive such deposits under the terms of this Act and the regulations made by authority thereof: *Provided, however,* If one or more member banks of the Federal reserve system established by the Act approved December twenty-third, nineteen hundred and thirteen, exists in the city, town, village, or locality where the postal savings deposits are made, such deposits shall be placed in such qualified member banks substantially in proportion to the capital and surplus of each such bank, but if such member banks fail to qualify to receive such deposits, then any other bank located therein may, as hereinbefore provided, qualify and receive the same. If no such member bank and no other qualified bank exists in any city, town, village, or locality, or if none where such deposits are made will receive such deposits on the terms prescribed, then such funds shall be deposited under the terms of this Act in the bank most convenient to such locality. If no such bank in any State or Territory is willing to receive such deposits on the terms prescribed, then such funds shall be deposited with the treasurer of the board of trustees and shall be counted in making up the reserve of five per centum. Such funds may be withdrawn from the treasurer of said board of trustees, and all other postal savings funds, or any part of such funds, may be at any time withdrawn from the banks and savings depository offices for the repayment of postal savings depositors when required for that purpose. If at any time the postal savings deposits in any State or Territory shall exceed the amount which the qualified banks therein are willing to receive under the terms of this Act, and such excess amount is not required to make up the reserve fund of five per centum hereinbefore provided for, the board of trustees may invest all or any part of such excess amount in bonds or other securities of the United States. When, in the judgment of the President, the general welfare and interests of the United States so require, the board of trustees may invest all or any part of the postal savings funds, except the reserve fund of five per centum herein provided for, in bonds or other securities of the United States. The board of trustees may in its discretion purchase from the holders thereof bonds which have been or may be issued under the provisions of section ten of the Act of June twenty-fifth, nineteen hundred and ten. Interest and profit accruing from the deposits or investment of postal savings funds shall be applied to the payment of interest due to postal savings depositors, as hereinbefore provided, and the excess thereof, if any, shall be covered into the Treasury of the United States as a part of the postal revenue: *Provided further,* That postal savings funds in the treasury of said board shall be subject to disposition as provided in this Act, and not otherwise: *And provided further,* That the board of trustees may at any time dispose of bonds held as postal savings investments and use the proceeds to meet withdrawals of deposits by depositors. For the purposes of this Act the word "Territory" as used herein shall be held to include the District of Columbia, the District of Alaska, and Porto Rico, and the word "bank" shall be held to include savings banks and trust companies doing a banking business.

SEC. 3. That the Postmaster General, in cases of emergency, between October first and April first of any year, may hereafter return to the mails empty mail bags theretofore withdrawn therefrom as required by law, and for such times may pay for their railroad transportation out of the appropriation for inland transportation by railroad routes at not exceeding the rate per pound per mile as shown by the last adjustment for mail service on the route over which they may be carried, and pay for necessary cartage out of the appropriation for freight or expressage.

SEC. 4. That when, during a weighing period, on account of floods or other causes, interruptions in service occur on railroad routes and the weights of mail are decreased below the normal, or where there is an omission to take weights, the Postmaster General, for the purpose of readjusting compensation on such railroad routes as are affected thereby, is hereafter authorized, in his discretion, to add to the weights of mails ascertained on such routes during that part of the weighing period when conditions are shown to have been normal the estimated weights for that part of the weighing period when conditions are shown to have been not normal, or where there has been an omission to take weights, based upon the average of weights taken during that part of the weighing period during which conditions are shown to have been normal, the actual weights and the estimated weights to form the basis for the average weight per day upon which to readjust the compensation according to law on such railroad routes for the transportation of the mails, notwithstanding the provision of the Act of Congress approved March third, nineteen hundred and five, requiring that the average weight shall be ascertained by the actual weighing of the mails for such a number of successive working days, not less than ninety, as the Postmaster General may direct: *Provided further*, That readjustments from July first, nineteen hundred and thirteen, may be made under this provision on routes in the first section affected by the floods in the Ohio Valley and tributary territories, commencing about March twenty-fifth, nineteen hundred and thirteen.

SEC. 5. That so much of section four of "An Act making appropriations for the service of the Post Office Department for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes," approved August twenty-fourth, nineteen hundred and twelve, as provides that no adjustment shall be made unless the diverted mails equal at least ten per centum of the average daily weight on any of the routes affected is hereby repealed.

SEC. 6. That section thirty-nine hundred and forty-nine of the Revised Statutes be amended to read as follows:

"All contracts for carrying the mail shall be in the name of the United States and shall be awarded to the lowest bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement: *Provided, however*, That such contracts require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract."

SEC. 7. That whenever in the judgment of the Postmaster General the bids received for any star route are exorbitant or unreasonable, or whenever he has reason to believe that a combination of bidders has been entered into to fix the rate for star-route service, the Postmaster General be, and he is hereby, authorized, out of the appropriation for inland transportation by star routes, to employ and use such means or methods to provide the desired service as he may deem expedient, without reference to existing law or laws respecting the employment of personal service or the procurement of conveyances, materials, or supplies.

SEC. 8. That whenever an accepted bidder shall fail to enter into contract, or a contractor on any mail route shall fail or refuse to perform the service on said route according to his contract, or when a new route shall be established or new service required, or when, from any other cause, there shall not be a contractor legally bound or required to perform such service, the Postmaster General may make a temporary contract for carrying the mail on such route, without advertisement, for such period as may be necessary, not in any case exceed-

Mail transportation.
Readjustment of pay
for, when weighing in-
terrupted by floods,
etc.

Ascertaining average
weights.

Basis for pay.

Vol. 33, p. 1088.

Proviso.
Applicable to routes
affected by Ohio Val-
ley floods, 1913.

Diverted mails.
Limit on allowance
for, repealed.
Vol. 37, p. 554.

Mail contracts.
R. S., sec. 3949, p.
766, amended.

Awarded to lowest
bidder according to ad-
vertisement.

Proviso.
Celerity, certainty,
and security required.

Star route bids.
Substitution of other
service if bids exorbi-
tant, etc.

Temporary contracts
on failure by accepted
bidder.

Limitation.

Proviso.
Cost charged to defaulting contractor, etc.

Services to contractors.
Lien allowed for.

Payment by Postmaster General.

Proviso.
Limitation.

Criminal Code.
Vol. 35, p. 1126, amended.
Post, p. 418.

Willfully injuring mail receptacles, stealing mail therefrom, etc.

Punishment for.

First-class mail.
Limit of weight.
Proviso.
Restriction on penalty privilege matter.
Vol. 29, p. 262.

Vol. 34, p. 477.

Canceling of stamps.
R. S., sec. 3921, p. 762, amended.

Proviso.
Precanceling allowed.

Mail in bulk.
Vol. 33, p. 440, amended.

Acceptance of matter in quantities without stamps.

Number.

Money, etc., by Treasury Department.

ing one year, until the service shall have commenced under a contract made according to law: *Provided*, That the cost of temporary service rendered necessary by reason of the failure of any accepted bidder to enter into contract or a contractor to perform service shall be charged to such bidder or contractor.

SEC. 9. That if any person shall hereafter perform any service for any contractor or subcontractor in carrying the mail, he shall, upon filing in the department his contract for such service and satisfactory evidence of its performance, thereafter have a lien on any money due such contractor or subcontractor for such service to the amount of same; and if such contractor or subcontractor shall fail to pay the party or parties who have performed service as aforesaid the amount due for such service within two months after the expiration of the month in which such service shall have been performed the Postmaster General may cause the amount due to be paid said party or parties and charged to the contractor: *Provided*, That such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor.

SEC. 10. That the Act of March fourth, nineteen hundred and nine (Thirty-fifth Statutes, page eleven hundred and twenty-six), be amended to read as follows:

"That whoever shall willfully or maliciously injure, tear down, or destroy any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or shall break open the same, or shall willfully or maliciously injure, deface, or destroy any mail deposited therein, or shall willfully take or steal such mail from or out of such letter box or other receptacle, or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than \$1,000 or by imprisonment for not more than three years."

SEC. 11. That the limit of weight of mail matter of the first class shall be the same as is applicable to mail of the fourth class: *Provided*, That no article or package exceeding four pounds in weight shall be admitted to the mails under the penalty privilege unless it comes within the exceptions named in the Acts of June eighth, eighteen hundred and ninety-six (chapter three hundred and seventy, Twenty-ninth Statutes, page two hundred and sixty-two), and June twenty-sixth, nineteen hundred and six (chapter thirty-five hundred and forty-six, Thirty-fourth Statutes, page four hundred and seventy-seven).

SEC. 12. That postage stamps affixed to all mail matter or to stamped envelopes in which the same is inclosed shall, when deposited for mailing or delivery, be defaced by the postmaster at the mailing office: *Provided*, That when practicable postage stamps may be furnished to postmasters precanceled by printing on them the name of the post office at which they are to be used, under such regulations as the Postmaster General may prescribe.

SEC. 13. That section two of the Act of April twenty-eighth, nineteen hundred and four (chapter seventeen hundred and fifty-nine, Thirty-third Statutes, page four hundred and forty), be amended to read as follows:

"That under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter in the mails it shall be lawful to accept for transmission in the mails, without postage stamps affixed, quantities of not less than three hundred identical pieces of third-class matter and of second-class matter and two hundred and fifty identical pieces of fourth-class matter, and packages of money and securities mailed under postage at the first or fourth class rate by the Treasury Depart-

ment: *Provided*, That postage shall be fully prepaid thereon at the rate required by law for a single piece of such matter."

SEC. 14. That the Act approved January twenty-first, nineteen hundred and fourteen (Thirty-eighth Statutes, page two hundred and seventy-eight), authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty, be so amended as to include Navy mail clerks and assistant Navy mail clerks.

SEC. 15. That hereafter the Postmaster General may enter into contracts for the conduct of contract stations for a term not exceeding two years.

SEC. 16. That on and after July first, nineteen hundred and sixteen, when the total compensation of any postmaster at a post office of the fourth class for four consecutive quarters shall amount to \$1,000, exclusive of commissions on money orders issued, and the receipts of such post office for the same period shall aggregate as much as \$1,900, the Auditor for the Post Office Department shall so report to the Postmaster General, who shall, in pursuance of such report, assign such post office to its proper class, to become effective at the beginning of the next succeeding quarterly period, and fix the salary of the postmaster accordingly.

SEC. 17. That all laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Approved, May 18, 1916.

Proviso.
Prepayment required.
Claims for losses.
Vol. 38, p. 278, amended.

Navy mail clerks included.

Contract stations.
Two-year term allowed.

Fourth class postmasters.
Vol. 22, p. 602.
Assignment to higher class.
Post, p. 418.

Conflicting laws repealed.

CHAP. 127.—An Act To provide for the removal of what is now known as the Aqueduct Bridge, across the Potomac River, and for the building of a bridge in place thereof.

May 18, 1916.
[H. R. 759.]

[Public, No. 82.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause to be constructed a bridge across the Potomac River at or near what is now known as the Aqueduct Bridge, replacing said bridge with a substantial structure, at a cost for the bridge and the necessary approaches thereto of not more than \$1,000,000.

Potomac River, D.C.
Aqueduct Bridge to be replaced by a new one.

Cost.

SEC. 2. That the Secretary of War is further authorized, if in his judgment it should be necessary, to acquire any lands, easements, rights, or property on each side of the Potomac River, by purchase or condemnation, as may be necessary for the construction of said bridge and the approaches thereto.

Acquirement of lands for approaches, etc.

SEC. 3. That in the discharge of his duties hereunder, the Secretary of War is hereby authorized and directed to employ the services of such engineers and other persons as he shall determine to be necessary to carry out the provisions of this Act.

Employment of engineers, etc.

SEC. 4. That the sum of \$150,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of securing proper plans and for the payment of any lands, easements, rights, or property necessary in the construction of said bridge: *Provided*, That the plans and specifications herein authorized shall be so drawn and prepared as to insure the construction of a bridge and approaches thereto within the limit of cost of \$1,000,000 as fixed herein. The Secretary of War shall advise with the Commission of Fine Arts in regard to the location, plans and specifications of said bridge and approaches. As soon as the plans and specifications are approved the Secretary of War shall give public notice of the specifications and invite competitive bids for the construction of the bridge and

Appropriation for plans, lands, etc.

Proviso.
Limit of cost.

Advice of Commission of Fine Arts.

Bids for construction.