

adequate to their several services in that respect: *Provided*, That the same shall not exceed in the whole, five per cent on the whole amount of postages on letters and newspapers received for distribution: *Provided also*, That if the number of mails, received at and dispatched from any such office, is not actually increased by the distributing system, then no additional allowance shall be made to the post master.

Sec. 6. *And be it further enacted*, That whenever it shall be made to appear to the satisfaction of the post master general, that any road established, or which hereafter be established as a post road, is obstructed by fences, gates or bars, or other than those lawfully used on turnpike roads to collect their toll, and not kept in good repair, with proper bridges and ferries where the same may be necessary, it shall be the duty of the post master general to report the same to Congress with such information as can be obtained, to enable Congress to establish some other road instead of it in the same main direction.

Sec. 7. *And be it further enacted*, That if any person shall knowingly and wilfully obstruct or retard the passage of the mail, or of any driver or carrier, or of any horse or carriage carrying the same, he shall upon conviction, for every such offence, pay a fine not exceeding 100 dollars; and if any ferryman shall by wilful negligence or refusal to transport the mail across any ferry, delay the same, he shall forfeit and pay for every ten minutes that the same shall be so delayed, a sum not exceeding ten dollars.

Sec. 8. *And be it further enacted*, That it shall be the duty of the post master general to give public notice in one or more of the newspapers published at the seat of government of the United States, and in one or more of the newspapers published in the state or states or territory, where the contract is to be performed, for at least six weeks before entering into any contract for carrying the mails, that such contract is intended to be made, and the day on which it is to be concluded, describing the places from and to which such mail is to be conveyed, the time at which it is to be made up and the day and hour at which it is to be delivered. He shall moreover within 90 days after the making of any contract, lodge a duplicate thereof, together with the proposals which he shall have received respecting it, in the office of the comptroller of the treasury of the U. States: *Provided*, That no contract shall be entered into for a longer term than four years.

Sec. 9. *And be it further enacted*, That every post master shall keep an office in which one or more persons shall attend on every day on which a mail, or bag, or other packet or parcel of letters shall arrive by land or water, as well as on other days, at such hours as the post master general shall direct, for the purpose of performing the duties thereof; and it shall be the duty of the post master at all reasonable hours, on every day of the week, to deliver on demand any letter, paper or packet, to the person entitled to or authorized to receive the same; and all letters brought to any post office half an hour before the time of making up the mail at such office shall be forwarded therein; except at such post offices, where, in the opinion of the post master general, it requires more time for making up the mail, and which he shall accordingly prescribe: but this shall in no case exceed one hour.

Sec. 10. *And be it further enacted*, That no fees or perquisites shall be received by any person employed in the general post office on account of the duties to be performed by virtue of his appointment.

Sec. 11. *And be it further enacted*, That the following rates of postage shall be charged on all letters and packets (excepting such as are hereinafter exempted) conveyed by the posts of the U. States: viz, for every letter composed of a single sheet of paper, conveyed not exceeding 40 miles, 8 cents; over 40 & not exceeding 90 miles, 10 cents; over 90 and not exceeding 150 miles, 12½ cents; over 150 and not exceeding 300 miles, 17 cents; over 300 and not exceeding 500 miles, 20 cents; over 500 miles 25 cents. And for every double letter, or one composed of two pieces of paper, double these rates; and for every triple-letter or one composed of three pieces of paper, triple those rates; and for every packet composed of four or more pieces of paper, or other thing, and weighing one ounce avoirdupois, quadruple those rates, & in that proportion for all greater weight: *Provided*, That no packet of letters conveyed by the water mails shall be charged

with more than quadruple postage, unless the same shall actually contain more than four distinct letters. No postmaster shall be obliged to receive, to be conveyed by the mail, any packet which shall weigh more than three pounds: And the postage marked on any letter or package and charged on the postbill which may accompany the same, shall, in favor of the postmaster who delivers out said letter be conclusive evidence of the lawful postage thereon, unless said letter shall be opened in the presence of the said postmaster or his clerk.

Sec. 12. *And be it further enacted*, That every letter or packet brought into the U. States, or carried from one port therein to another, in any private ship or vessel, shall be charged with six cents, if delivered at the post office where the same shall arrive, and if destined to be conveyed by post to any place, with two cents, added to the ordinary rates of postage.

Sec. 13. *And be it further enacted*, That if any postmaster, or other person authorized by the post master general, to receive the postage of letters, shall fraudulently demand or receive any rate of postage, or gratuity, or reward, other than is provided by this act for the postage of letters or packets; on conviction thereof he shall forfeit for every such offence, 100 dollars, and shall be rendered incapable of holding any office or appointment under the government of the United States.

Sec. 14. *And be it further enacted*, That no ship or vessel arriving at any port within the U. States, where a post office is established, shall be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the post master all letters directed to any person or persons within the United States, or the territories thereof, which, under his care, or within his power, shall be brought in such ship or vessel, except such as are directed to the owner or consignee of the ship or vessel, and except such also as are directed to be delivered at the port of delivery to which such ship or vessel may be bound.—

And it shall be the duty of the collector, or other officer of the port, empowered to receive entries of ships or vessels, to require, from every master or commander of such ship or vessel, an oath or affirmation, purporting that he has delivered all such letters except as aforesaid. And if any commander or master of any such ship or vessel shall break bulk before he shall have complied with the requirements of this act, every such offender shall on conviction thereof, forfeit for every such offence a sum not exceeding 50 dollars: *Provided*, That no mail carriers shall make such deliveries at any place not on the post road: *Provided also*, That the receipt and delivery of letters on the way, between post offices, shall not be required of the mail carriers in case where in the opinion of the post master general, the time or manner of carrying the mail, or the speed of conveyance, is incompatible with such receipts and deliveries.

shall come to their hands; and for this

purpose the post riders and other carriers of the mail, receiving any way letter or letters (and it shall be their duty to receive them, if presented more than two miles from a post office) shall deliver the same, together with the postage, if paid, at the first post office to which they shall afterwards arrive, where the postmaster shall duly enter the same, and specify the number and rate or rates in the post bill, adding to the rate of each way letter, one cent, which shall be paid by the postmaster to the mail carrier from whom such way letters shall be received.

And that letters directed to persons living between post offices may be delivered, and the postage thereof duly collected, it shall be the duty of the carriers of the mail, to take charge of, and deliver all such letters as shall for that purpose be committed to them by any postmaster, and collect the postage thereon, which shall be paid over to such postmaster on demand. And for every letter so delivered, the mail carrier delivering the same shall be allowed to demand and receive two cents to his own use, besides the ordinary postage. And if any postmaster or other agent of the post master general shall neglect so to account, he or they so offending, shall, on conviction thereof, forfeit for every such offence a sum not exceeding 50 dollars: *Provided*, That no mail carriers shall make such deliveries at any place not on the post road: *Provided also*, That the receipt and delivery of letters on the way, between post offices, shall not be required of the mail carriers in case where in the opinion of the post master general, the time or manner of carrying the mail, or the speed of conveyance, is incompatible with such receipts and deliveries.

(To be continued.)

and the minister of the marine and of war, after having taken the opinion of a commission composed of one of the administrators of indirect duties, of one member of the council of maritime prizes, and of one officer of the marine.

Our ministers of the finances, of war, and of the marine, are charged, as far as it concerns them respectively, with the execution of the present decree.

(Signed) JOACHIM NAPOLEON.

Paris, 16th April, 1810.

SIR,—The John Adams being yet detained, I am able to inform you, that on the 11th inst. the emperor directed the sale of all the American vessels taken in the ports of Spain, and that the money arising therefrom, should be placed in his *caisse privée*. He has also refused to give up the Hero, and has ordered that the case be brought before the council of prizes, where condemnation necessarily awaits it. I send a copy of a note upon which this last order was taken, and another relating to our business in Naples, and am, sir, with very high consideration, your most obedient, and very humble servant.

JOHN ARMSTRONG.

Hon. R. Smith, &c.

Paris, 20th March, 1810.

SIR,—The United States wishing to fulfil their engagements to the holders of their public debt in Holland, but unable from the present state of commerce to do so by the ordinary mode of remitting bills of exchange, found it necessary to enter into contracts with certain merchants of the said states, to make remittance in tobacco. A cargo of this article was accordingly put on board of the American ship Hero, and dispatched for the port of Tönning, in Denmark, with orders, that the net proceeds should be placed in the hands of the American bankers in Amsterdam, for the purpose above mentioned. The passage having been uncommonly stormy, the ship much damaged, and the crew quite exhausted, the captain believed it to be his duty, on the principle of self preservation, to enter the first port he could make. He accordingly entered that of the Texel, and, after having taken on board two pilots, & being within the fourth buoy, was captured by a boat belonging to a French privateer. Besides the customary papers, all of which are in rule, the Hero sailed under a certificate granted by the government, that the voyage was undertaken for the purpose of effecting a national remittance.

I have thought, sir, that the peculiarity of these circumstances made it proper for me to ask a special decision of his majesty on this case, and with this view I have the honor of offering to your excellency the present representation.—Accept, sir, &c.

(Signed) JOHN ARMSTRONG; His excellency the duke of Cadore.

PARIS, 21st March, 1810.

SIR—I had yesterday the honor of stating to your excellency the case of the American ship Hero, and requesting thereon his majesty's decision. I have now that of informing you that a number of American ships coming directly from the U. States to the port of Naples, under a promise of protection from his majesty the king, have notwithstanding been seized and their cargoes sold for the benefit of the fise. Nor does the injury stop here. Tho' thus deprived of all means of subsisting themselves, the captains have been obliged to subsist the crews (amounting to near 300 men) and are now menaced with a farther exaction for port charges. This, in the strong language of one of the sufferers, is literally to strip them naked and then to demand from them the expence of doing so. As the consular agent of the U. States at Naples has made several unavailing representations on this subject to the king, and as he has reason to believe that the system, of which this treatment is a branch, emanates from his majesty the emperor, it becomes my duty to submit the facts to your excellency, and to seek through your intervention, such correction of the evil, as humanity and justice may conspire to dictate. A remark which equally applies to the crews of the ships captured in Spain and Naples, is, that should the vessels to which they belong be confiscated, means ought to be afforded them of returning to their country. In this event therefore, I have to propose to your excellency, that two or more ships be put at the disposition of the nearest American consul, and permitted to sail for

Naples, 12th March, 1810.

Joachim Napoleon, king of the two Sicilies has decreed and does decree that which follows:

Art. 1. In conformity to the orders which we have given from Paris the 21st of December 1809, we declare confiscated the American vessels whose names are subjoined; that is to say:

[Here followed a list of thirty two vessels.]

Art. 2. Such of the cargoes of the said vessels as have not yet been sold, as well as the ships, are hereby directed to be disposed of at public sale, by the minister administrator general of the indirect duties, and under the inspection of our minister of finances, or may be otherwise sold, at private sale, by the said minister, as he shall judge most conducive to our interests.

Art. 3. The proceeds of these sales shall be deposited in a particular bank, to be hereafter employed as we shall judge convenient.

Art. 4. If any of the captors of the aforesaid vessels have claims upon them which they may think proper to advance, they are authorized to present and explain their pretensions in relation to the same, and we shall decide thereupon in pursuance of the report which we shall cause to be made to us by our minister of the finances