

Copy of the notes taken by the Hon D. O. Shattuck presiding  
Judge, in the suit brought in the Superior Court of the  
City of San Francisco by the Penny Post Co. against Charles  
L. Weller, the Post Master at San Francisco

The Penny Post Co. ) July 9<sup>th</sup> 1856

Charles L. Weller, P.M. ) ~~Jury.~~

Certificate of Incorporation of the Penny  
Post Co. put in evidence -

A motion was first made in this case by the dft. for a  
continuance on the ground that, Folger one of the Corporators  
was a witness by whom he could prove that no Corporation  
had been formed, and certain facts were set forth in an  
affidavit filed; whereupon the plaintiff objected to the tes-  
timony as incompetent, but upon the Court ruling a con-  
tinuance, unless the affidavit was admitted in evidence,  
he admitted the ~~evidence~~ affidavit to be read, saving his  
exceptions to the competency &c -

Hermann Schetter, Sworn for Pltfs.

I was in the pltfs. employ from June 1855, when they  
started, to some time in July last. The Pltfs. had  
many letters addressed to their care through the P.O.

Envelope presented. That is one of their envelopes.  
Objected to as evidence, because not directed to the care of  
the Penny Post Co. Admitted, read and filed as exhibit  
(A) and dft. excepts.

\* Not directed in manuscript

Off. also objected to evidence tending to show the delivery of letters in these envelopes to the pltf. and afterward withholding them. Witness proceeds.

The Penny Post Co. had a lock-box at the Office, and letters in these envelopes were, for a week or two, put into the pltf's box - Afterwards they were withheld.

The Envelopes were afterwards changed. Envelope presented, marked exhibit (B) Off. objecting. That was the second order of envelopes - The Post Master put letters enclosed in this class of envelopes, in the ~~box~~<sup>boxes</sup> of the persons to whom ~~it~~<sup>they were</sup> addressed. If he had no box the letter, I think, was delivered to the pltf.

The pltf. obtained written orders from many of the business men for the Post Master to deliver their letters to the pltf., and I presented some of them.

Sometimes the letters, in the envelopes presented, went into the general delivery box ~~including the names~~ instead of pltf's box. I never got any from general delivery box myself.

The letters, though in P. Post covers, were put in the delivery box including the name found on the back of the letter - and if the same box contained letters for different persons for whom I had orders, I could ~~only~~<sup>only</sup> call for <sup>one</sup> at a time,

At the Post Office

As the Post Master put these "care letters" into the boxes of the merchants, and as they were not in the habit of visiting the Post Office regularly, except on the arrival of the Atlantic Mails semi-monthly, <sup>the Penny Post Co.</sup> in order to obtain <sup>addresses to their care,</sup> these ~~care~~ letters, <sup>were obliged to procure</sup> the ~~Penny Post Co.~~ these orders ~~from~~ from the merchants

and ~~then~~ <sup>then</sup> must go to the foot of the line and come up again, and so on for as many names as I had orders to enquire for, although found in the same box.

Another envelope presented, marked (C) identified and put in evidence, the dft. objecting - Another envelope (C.1.) This was sent with the last to be enclosed in it.

Letters enclosed in this class of envelopes were delivered to the ptfs, or put into their box, if they had one at that time.

Envelopes D and D 2 presented, These went together and letters in them were delivered to ptfs but later than others got their letters.

The ptfs' letters were put into their box all at one time, and a half hour later than some other deliveries. Our letters were distributed last.

I unlocked <sup>the box</sup> it several different times to look and never got any <sup>letters</sup> until all were distributed. I have seen other Box-Holders get their letters and go away with them a half hour before I could get the ptfs'.

I never got any until <sup>7 PM</sup> 7 o'clock, of those that came from Sac. City, and Stockton.

Mr. Armstrong was the distributing clerk <sup>the</sup> most of the time.

<sup>obj-ecting</sup> About the first of October, the time of sending the box ran out, and I applied to rent a box for ptfs. and the dft, or his agent refused saying "he had ~~During the morning distribution~~ <sup>usually</sup> I unlocked the box several times during the morning distributions

no box to rent. I tendered the money for the box, but was refused.

The one we had formerly used was empty, as I knew by frequently opening it afterwards, for plts had put on the lock, and I had the key, but they <sup>(have the use of the box)</sup> would not let us have it. <sup>(use it)</sup>

I had then to go to the general delivery box to get any and all letters, addressed to the plts or their customers.

It would be <sup>about</sup> 12 o'clock <sup>(A.M.)</sup> before I could get up-river letters and much longer, on arrival of Eastern Mails.

At one time I went to the office about 6 o'clock <sup>A.M.</sup> to get up country letters, when the Eastern Mail would soon be in, and the up country mail had been distributed. Mr. Ferguson refused to deliver and said I must see Mr. Weller - He was asleep and I did not see him, and did not get the letters until late in the day.

After the first of October, if the <sup>party</sup> ~~letter~~ to whom the letter was addressed had a box, the letter was put into his box, notwithstanding addressed to plts care, and sometimes would be a day or two before <sup>the</sup> delivery.

The Post Master would not deliver letters upon a general order, unless shown him each time or taking them out of the box.

Memo. book presented. That is my hand writing;

I see by it that on the 21<sup>st</sup> day of November 2 o'clock P.M. I received a letter addressed to the

P. P. Leo, mailed at Stockton on the 19<sup>th</sup> of Nov.

It was directed to C. O. Gillingham, Care of or, for the Penny Post Leo. It had been opened before I got it, I enquired on the 20 & 21<sup>st</sup> in the morning.

On the 1<sup>st</sup> Jan'y last I applied to the P. office for letters in the morning about 7 o'clock, and again at 10 o'clock, and then saw Geo. O. Whitney take a letter out of his box directed to the P. P. Leo for Geo. O. Whitney.

### Cross Examined

I was employed by pl'tfs as a clerk and messenger. I think the custom of the P. O. was to only ask for one name at a time at the general delivery.

I tendered the usual price for the rent of the box, and the clerk told me there were no boxes.

Think it was Mr. Armstrong, I was told to open the box by Mr. Goodwin. He insisting that he had a right to it, and ~~pl'tf~~ insisted that pl'tf. had no right to it. I opened it because I was told. Don't know the object of pl'tf in telling me to open it. Did not open it to obtain evidence that boxes were empty.

The general delivery opened at 8 o'clock in the morning. It was not open when I asked Mr. Ferguson to get up country letters. Don't recollect

Porter page says the Stockton mail of Nov 19 arrived on the morning the 20<sup>th</sup>. On page witness testified that the up country mail had been reported. Consequently, the holders of lock boxes could have claimed their letters 5 or 6 hours before pl'tfs.

whether he was inside the P. O. or not; he may have been about the door. The Gillingham letter was in a Glap Box. My attention was called to it by Mr. Goodum\*, I got it from the General delivery: think it was the same letter I saw in the Glap box. It had money in it, and was endorsed that it had been opened by G. A. Gillingham.

I examined Dr. Hammond's box once to see if there was a certain letter. I did not take it out because I had no order. The letter was addressed to Miss Mary C. Hammond, Care of the P. P. Co. or something like it. Mr. Goodum gave me the key.

Wm. J. Folger, sworn for ptfs.

Two letters presented. These letters are directed to me. One dated 28 Aug 1855. from Wells Fargo & Co. The other Aug 23<sup>d</sup> from the P. P. Co.

I got the last first, enquiring for the first. I then went to the Penny Post Co and enquired for my letter and Mr. Goodum went up to the Post Office and got it for me.

to be followed by note

\* on the day previous, the 20<sup>th</sup>, his attention had been called to it  
\* copy of one of the letters (not read in evidence)

Suscol Ranch Aug 28<sup>th</sup> 1855

Wm Chapman & Folger Gent.

Gentl.

(continued on page 83 attached) On Friday last, I wrote

being in C. A. Williams' hands

you for Penny Post Co, and requested you to forward  
me a repel immediately, and pay \$3.00 for ton  
if none would come for \$2.50 and not one word  
have I heard from you.

What is the cause of this delay? Are there no  
repels to be found or do you not wish to sell  
for us?

If the latter is the reason, write and let me  
know at your earliest moment and I will

you for Penny Post Co, and requested you to forward  
a repel immediately, and pay \$3.00 for ton if none  
would come for \$2.50 and not one word have I  
heard from you

What is the cause of this delay? Are there no  
repels to be found or do you not wish to sell  
for us?

If the latter is the reason write and let me  
know at your earliest moment and I will  
relieve you

Yours Respectfully  
(Signed) G. E. Clark

July 10. Otto Schetter, Summ for plttfs.

I am acquainted with the formation of the <sup>Ferry Post Co</sup> P.P. Co.  
 Prior to the organization, I called on Mr. Weller, P. M.  
 in reference to the formation of a company, telling  
 him the object of the Co, would be to carry letters  
 to and from the office, and receive letters from the  
 office directed to our care. Then I showed one  
 of the envelopes, under which we expected to receive  
 letters, I proposed that all letters directed to our  
 care at any place, should be put in ~~one bag~~ a sep-  
 arate bag and received by us on the arrival of the river  
 boat and distributed immediately. He made some  
 objections to this unless the Post Master at Sacramento  
 would take the trouble to see that the postage was  
 properly paid, and <sup>(said)</sup> he would write to the Post master



to that effect. In all other things he approved the arrangement, and said he would render such facilities as were consistent for him to render.

It was the same business as that of the P.P. Co. but the name had not been given.

I thought then, of taking an interest in it, but afterwards declined, and the P.P. Co. was formed to carry out the business.

I was at the office once when Mr. Goodwin offered to ~~pay~~ money to pay for a box for the Co. The clerk said he was instructed by Mr. Waller that there was no box for the Penny Post Co.

Cross Examination

I know there was no difficulty between the P.P. Co and the P. Master but don't know the particulars. My brother, I understood was one of the Co. I went to see the money tendered at Mr. Goodwin's request. The P. Master made no other objections to the project at first, than having our letters in separate bags. I recommended Mr. Goodwin to go ahead with the project; that Mr. Waller was "all right" except the separate bag. I went to see the P. M. at Sac. on the subject of a separate bag but he said Mr. Waller had not written to him about it. I declined going into it, because it would take more money than I had to spare.

H. H. W. Clarke Sworn for Pitts.

I have been connected with the Evening Journal.

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and to gain some information about the P.P. Co.  
Mr. Goodwin requested me to make a statement  
in my paper that letters directed to the Care of the  
P.P. Co or P.P. Co. would be delivered by the P.M.  
He showed me one of their envelopes. I, knowing  
there had been some difficulty about it, refused  
to publish until I had seen Mr. Weller, and took  
the envelope for that purpose and called on Mr.  
Weller. He said the letters in that class of  
envelopes would be delivered, and the Penny  
Post Co. would have every facility granted to any  
Express Co.

### Camp Examined.

I think the envelopes were directed "Agent of the  
Penny Post Co." I wrote an article regarding it for  
the Eve. Journal.

C. G. Haggott Sworn for. p. 174.

I was in the employ of the Penny Post Co.  
delivering letters about town and sometimes  
going to the P. O. for letters. I had to get a  
written order from the persons to whom the letters  
were addressed, <sup>(before the Penny Post Co. would deliver letters although addressed)</sup> in P.P. envelopes, and present  
the order every ~~day~~ time. I had to apply in name  
of the persons, for they would not deliver to P.P. Co.

On applying for each person and showing my  
order, I could get the letters otherwise not. About  
August '53 I applied for a letter for Gordon, Brooks &  
Root. The clerk asked me for the order. I told him

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the order was in the office. He said by G-d you cant get the letter then, I then applied to Mr Ferguson who referred me to the Post Master. I finally got the letter of Mr. Wells, but he saying, in the mean time, that he wanted nothing to do with such a d-d rascal as Godwin.

Letters presented marked (C.) These are the letters referred to.

We brought up country letters in a separate bag for a while, outside of the mails. We could then deliver as early as we pleased usually by 6 O'clock.

Letters addressed to Care of the Penny Post Co. were put into the plts Box for some ten days, and but then <sup>(they)</sup> refused to do so, and put them into the box of the carrier, or into the general delivery, and this injured our business, for we could not deliver these letters in time.

Some 15 minutes after having this controversy about Post & Co's letters, I found some dozen letters in our box. There were none there before, this was some 9 o'clock in the morning.

### Crops Examined

They were not delivering the Atlantic mails. Godwin was with me when getting the Gordon Brooks & Post letters. I had to present an order every time to get a letter. Those envelopes to the Agent of the Penny Post Co were put in our box as long as we had one, these to the General

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Delivery. Those addressed "Care of the P. P. Co." <sup>very</sup> just in our box about ten days, then to box of owners, or to general delivery. The clerks in the office told me that letters addressed to our care were placed in the owner's box or general delivery. The Co. was doing a fair business until the off. changed his course, then the business fell off very fast.

R. H. Porter, Sworn for ptfts

I am mailing clerk in the P. office, since 149 I open and close the mails. In June and July of last year I opened the up river mails about 6 o'clock A.M. When the P. P. Co. first commenced, I saw Mr. Goodwin inside the P.O. frequently. I think ~~the~~ letters were delivered to him a few mornings inside the P.O. There was some talk\* about opening the up river mails at night so that ptty could get his letters earlier, but no final arrangement was made.

The Stockton mail of Oct 16<sup>th</sup> was received here, arrived here about 5 o'clock the 17<sup>th</sup> October.

The Benicia mail of 2<sup>nd</sup> Nov reached here about 6 o'clock of the 3<sup>rd</sup>. The Stockton mails of the 7<sup>th</sup> October arrived at 4 o'clock A.M. that of the 8<sup>th</sup> about 5 o'clock A.M. of the 9<sup>th</sup>, and that of <sup>the 14<sup>th</sup></sup> the 14<sup>th</sup> 5 o'clock [on the 20<sup>th</sup>]

Benicia mail of 18 Feb came to hand about 12 o'clock same night, Marysville mail Feb 13-26<sup>th</sup>, last arrived here the morning thereafter. The Stockton mail 18<sup>th</sup> July arrived 19<sup>th</sup> 5 A.M.

\* Some talk between Winters and the Postmaster

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Keep no memorandum of Potluma mail. It comes about three times a week but is not a regular route.

On the arrival of the Eastern mails, it is the custom to let Agents of Express Companies, Periodical men &c be present at the opening of the mail, and take their matter, as they may find it there. Don't know of Goodwins being refused admittance.

Cross Examined.

So far as I know, the pl'ts had the same facilities about their papers that other l'os had.

The Custom of up River mails is to deliver between 5 and 6 to the office, and we go to opening immediately. Mails are sometimes delayed and may be several days behind time.

It sometimes happens that letters for l'tos office get into bags containing letters for distribution, and then they are <sup>not</sup> delivered so soon. Think the average of pl'ts <sup>letters</sup> were not more than 25 or 30 pr. day, and of course a losing business. Their receipts were 7 cts pr. letter. Don't think it would pay if they had the delivery of all the letters in the city.

Re-examined

Don't receive any letters for Pl'ts now. Don't think they are doing business. The letters received through the mail daily from three to five hundred. Think the Expresses receive ~~from~~ <sup>over</sup> a thousand to fifteen hundred more.

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Alexander Coleman. Sworn for pltfs.

I was in employ of the pltfs from the last of June to about 1<sup>st</sup> Jan'y. My business was receiving and distributing letters. I visited the P.O. nearly every morning. While the pltfs were allowed a box I could get the letters from it about 7 o'clock; from general delivery about 8 o'clock and on an order.

Those addressed Care of the pltfs were put into a private box, or general delivery. Envelopes presented, I have a private memorandum on these envelopes by which I see they were received respectively Nov 5<sup>th</sup> Nov 6. & Oct 23<sup>rd</sup>. They are Post marked Nov 2 Benuecia; Nov 1<sup>st</sup> Petatumas; and the third Oct 16, Stockton. Marked F, F1, F2.

Letters were called for at the office every morning. Thinks the pltfs alleged averaged from 20 to 50 through the P.O. pr day. [That is - 20 to 50 were delivered to them.]  
 The pltfs attempted to send letters by the Stockton boats out side the mails. Had a box on the boat and sent letters in it for a while. After some days <sup>for some cause</sup> were refused, and thrown ashore by the clerk. They were in P.P. covers, and all prepaid.

I was present at the P.O. frequently on the arrival of the Eastern Mails. Goddum was not allowed to be present, Sullivan and other agents I have seen inside the P.O.

Goddum was in the habit of receiving two

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or three thousand small packages, not so many papers, but more packages than Le Count and Strong, or Sullivan. Some 20 to 25 persons were usual present. Some of them boys; each one in departing, would take the packages belonging to their house —

Several packages of ptfts were stopped by the P. M. because full postage had not been paid, but don't recollect particular ones.

### Crop Examined

I received \$50. a month from ptfts, and found myself. That was the agreement. Hermann Schetter and Geo. Haggatt were the other employees; don't know what they got. Schetter kept the books, Book-Keeps are worth from \$75. to \$300 p. month. I went inside the office with another employe, but we were insufficient for the work, and Goddard was prohibited. Sullivan had 5 or 6 men inside beside himself. Mr. Ferguson assisted us sometimes, and granted the employees of the ptft the same facilities as others.

Think ptft got one package once that belonged to some other Co and sent it back to the P. O.

Geo. J. Ades and C. G. Haggatt at San Francisco Office  
No allusion made to Sacramento, Stockton or other  
Office

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Leonidas Haskell, Sworn for pl'tfs.

I received letters from Sacramento, Marysville and Stockton through the P.P. Co.

In October last I instructed my correspondent in Stockton, to prepare and ship certain hides in time\* for the next steamer. He answered that he was unable to do so, until he could obtain a certain poison from here, and enclosed <sup>(his letter)</sup> in <sup>the</sup> pl'tfs envelopes. This letter we did not receive on next day as we should have done, and therefore could not answer it next day, and were too late to effect our object in regard to the hides, disappointing us very much. Think most <sup>of the</sup> letters from the interior are by Express, I receive mine that way, but I ceased patronizing the pl'tfs on account of these delays.

Expos Examined.

I don't know whether the pl'tfs received the letter alluded to by due course of mail.\*

M. J. Whiting, Sworn for Pl'tfs.

I am a merchant. Had a box at the P. O. prior to P.P. Co which we gave up to patronize the pl'tfs, but not being able to get our letters

\* In time to send the box to U.S. by the next steamer. ~~The~~

the letter alluded to by this witness was among <sup>these</sup> which Schetter applied for. <sup>at 6 o'clock P.M., and which were not delivered till 11:30 P.M.</sup> ~~the page 112 P.M.~~

The envelope having been lost, the connecting link in the evidence is wanting



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regularly, we ceased to employ them and rented a box again.

Cross Examined

Dont know whether the fault was with the P. O. or P. P. Co<sup>th</sup>

Re-examined. <sup>Envelope presented</sup> The letter enclosed in this envelope was received <sup>the</sup> day after we should have received it. It contained an order for goods, that should have been shipped the day before we received it. Envelope used (S.)

Cross Exd.

I think this is the same letter but dont know whose fault it was that it was delayed, of my own knowledge, He had given pltf's a written order to receive all our letters, and told the clerk at the window of delivery so, but dont know that pltf. showed the order.

Samuel Miller, sworn for pltf's.

I was at the Post office about the 14 July, <sup>last year</sup> Goodwin first went to his box for letters and got none. He then went to the windows and asked for letters and was refused. This was about 9. A.M. At the general delivery ~~window~~ the clerk said he would not deliver them by e-d. Mr. Ferguson directed him to Mr. Veller, and Veller said he would have nothing to do with such a d-d scoundrel or words to that effect.

Some 10 minutes after that he found the letters in  
\* See Schettler's testimony. folio -

his box.

Cross Examined. The letter he enquired for was Gordon, Brooks & Root & Co. He had the order for it, Goodwin enquired of Ferguson, after being refused, at the delivery window, for letters which he expected to have received. Ferguson referred him to Weller.

Letter of Mr. Weller July 1855 as published in response to one from Moore & Folger & Co read and filed, marked H.

**Post Office and "Penny Post Company."**

The following correspondence has occurred between some of our citizens and our Postmaster, regarding the so-called "Penny Post Co.," and as it contains matters of general interest it has been handed us for publication. We cheerfully give it a place in our columns, as it furnishes some information not heretofore generally known in the community:

SAN FRANCISCO, July 4, 1855.

C. L. WELLER, Esq., Postmaster.

SIR: The undersigned, merchants and others, of San Francisco, having witnessed the operations of the "Penny Post Company" during the last ten days, and their promptness and efficiency in delivering letters, believe the company to be fully entitled to our, and your confidence. In addition, some of us have been acquainted with the parties for several years, and know that they will perform all they undertake.

The "Penny Post Co." have, thus far, delivered such of our letters as they have transmitted outside the mails, from those cities where they have offices, as promptly as any express company, and we learn that they will engage to deliver all of our letters arriving at the Post Office at San Francisco, with equal promptness, provided they can obtain them at an early hour after the arrival of the mails.

Heretofore the bulk of our correspondence has been entrusted to expressmen, and for delivering our letters we have paid them more than eight times the legal postage. We see no reason why letters placed in the mails, which mails are brought by the same conveyance that brings express matter, cannot be transmitted with equal dispatch and greater security than those brought by the express companies; and if such is the case, and we can obtain our letters from the Post Office, so that they can be delivered at the earliest business hours, we certainly should feel inclined to avail ourselves of a cheaper mode of receiving our correspondence.

We address you, therefore to enquire.

First—Whether the Postal Laws and the regulations of the Department are such as will enable us to receive our letters arriving in the mails, at an early hour.

Second—Whether they can be received by the Penny Post Co. and brought to our doors.

Third—If they can, whether the envelopes of the "P. P. Co." are a sufficient order to enable them to obtain letters covered by such envelopes, or whether a written order from each of us would be necessary.

Fourth—Having given an order to the "Penny Post Company" for our letters, whether any further action would be necessary on our part to obtain them as early as we now obtain those arriving by Express.

We are yours, &c.

- |                          |                        |
|--------------------------|------------------------|
| MOORE & FOLGER,          | PLINY, PRABODY & Co.,  |
| JAMES M. BROWN & Co.,    | WIL. T. COLBMAN & Co., |
| DE HO BENDIXEN & Co.,    | W. H. DOW & Co.,       |
| GOODWIN & Co., & MEEKER, | DeLONG, McNEIL & Co.,  |
| ARRINGTON & Co.,         | J. H. COGHILL & Co.,   |
| NICHOLS, PARKER & Co.,   | HOWES & Co.,           |
| MCCRACKEN & MERRILL,     | GORDON, BROOKS & ROOT. |
| JAMES PATRICK & Co.,     | FRASE, ALTON & Co.,    |
| GEO. WHITING & Co.,      | H. E. BREWSTER & Co.,  |
| REDDINGTON & Co.,        | E. FITZGERALD.         |

**REPLY.**

POST-OFFICE, SAN FRANCISCO, }  
California, 11th July, 1855. }

GENTLEMEN:—I have received your communication, of date 4th inst., in which you inquire "whether the Postal Laws and Regulations of the Department are such as will enable you to receive your letters arriving in the mails, at an early hour?" and in answer thereto, I have to say, I know of no provision of law or regulations of the Department obstructing in the least degree the delivery of letters arriving in the mails "at an early hour." On the contrary, ready dispatch and early delivery are prominent features of our postal regulations, and every Postmaster is required to give all reasonable attention thereto. At this office, letters are assorted immediately upon arrival, and are ready for delivery "at an early hour;" but I have not the necessary authority to employ a person to deliver letters outside the office.

You desire an assurance that your letters can be delivered at the "earliest business hours." If there be no difference of opinion between us as to what are the "earliest business hours," (and I cannot believe we will differ upon this,) then I can give you the assurance you seek. May six to seven o'clock be called the "earliest business hours?" All letters for box-holders are now deposited in their boxes

thus early every morning, and I hope to have the authority and the means hereafter to enable me to increase these facilities, which however cannot be done through self-styled Penny Post companies not authorized by law. In this connection let me call attention to the fact that all other federal officers and clerks are required to labor only from 9 A. M. to 3 P. M., whilst Post-office clerks are employed from 7 A. M. to 5 P. M., (and frequently much longer,) and some of them even a greater number of hours daily, and yet complaints are uttered against the shortness of this time. However, I doubt not but if they were to labor the whole twenty-four hours, still some constitutional grumbler would complain of the days not being composed of more hours.

In answer to your second inquiry, "Whether your letters can be received by the 'Penny Post Co.,' and brought to your doors?" I have to say, that Company have no legal existence under the U. S. Postage laws, and therefore can have no official connection with the Post Office. I am compelled to regard them precisely as any other outsiders, are regarded by the regulations of the Department, and therefore can extend to them no further facilities than are extended to the community in common. Under the regulations of the Department no one is entitled to handle, or come within reach of the U. S. mails when being opened, except he be a sworn officer or clerk of the Post Office. However, box holders may give to whosoever they please access to their boxes, and may make, in that way, any arrangement they desire in order to have their letters carried to their doors.

Letters deposited in boxes, are considered as delivered, and I relieved the special charge of. Therefore I can object to no one taking the letters from a private box if he have the proper key to the box, except I know him to be wrongfully in possession of that key.

Your third inquiry is, "Whether the envelopes of the 'Penny Post Co.' are a sufficient order to enable them to obtain letters covered by such envelopes, or whether a written order from each of you, would be necessary?"

As I understand the envelopes alluded to, they simply consign the letters to the care of "Penny-Post Co.," but also contain on the face of them the address of the persons to whom the enclosures belong. Now, it is my duty first, to make an effort to deliver all letters to the principals, but failing in that, in due time, then secondly, to deliver to the care address, if it be sufficiently distinctive to enable me to individualize it. Practising this rule, no written order is necessary, nor in the case where the letter goes into a pri-

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vate box. To vary this rule, a written order is necessary. In a case where a letter is addressed to a box-holder, and consigned to the care of another box-holder, of course the letter is first deposited in the private box of the principal. If addressed to a principal, not a box-holder, it will first go into the general delivery, and if a due effort to deliver fails, then it will go into the box of the individual to whose care it is consigned. Any other rule than this, would be unjust to box-holders, partiality to particular classes of letters, and ruinous to the revenue of the office. By a compliance with the demands of the Penny-Post Co., to the contrary of this rule, the entire community might have lock box accommodations through one single box, for the nominal sum of \$10 dollars per quarter, which arrangement would exceedingly enrich the "Penny-Post Co.," by impoverishing this office, and leaving me, individually, in the lurch for thousands of dollars in a short space of time, in the item of office expenses, not covered by receipts of the office applicable thereto, and therefore liable to disallowance by the Post Master General.

In your fourth enquiry you ask, "Whether any further action would be necessary on your part to obtain your letters as early as you now obtain those arriving by Express?"

I know of no further action of yours needed, in order to facilitate the delivery of your letters, than simply to stand disconnected from all Express Companies, and rely upon the facilities furnished by the Post Office system, which I believe equal to those of any Express Company.

Finally, I must say, the so-called "Penny Post Company" is simply an Express Company, according to my understanding; and I cannot, in the strict discharge of my duty, extend to it any facility which I will not also extend to any other Express Company, nor have any connection with them which I would not also form with any other Express Company.

Notwithstanding a confinement to my bed for several days, since receiving your communication, still I would have answered you sooner if I had not believed that you felt less interest in my reply than does the prime instigator for the queries addressed to me.

Being to assure you, that I will do every thing in my power, compatible with the postal laws, and regulations of the Department, to facilitate the delivery of your letters,

I am, very respectfully,  
Your obedient servant,  
C. L. WELLES, Postmaster.

April 11th, the former matter

Wm. J. ...

F. D. Cassus, sworn for ptfts

I am in the dead letter department of the Post Office in this city, I have delivered letters to the ptfts from the general delivery directed to their care and otherwise, I delivered them upon the orders of the persons to whom they were addressed.

There are some ~~7 or 8~~ general delivery clerks and one box clerk.

Cross Examined, The general delivery clerks mark the letters for the boxes.\*

Ferdinand Brighton, sworn for ptfts.

I was last year general delivery clerk at the D. window, Mr. Goodwin was in the habit of calling for letters for the Penny Post Co. These addressed

\* ~~mark~~ ~~the number of the box upon the letters, when the Atlantic mail arrived.~~ X L. C. F. G. and after August 23, F. G. H.

Murphy

to the Co were delivered to him. If to the care of the Co they were put in the box of the owners.

My alarm was from L. to G. <sup>of Knox</sup> Nothing of the other delivery boxes. Envelope handed "A" I have no recollection of seeing this before. Have no recollection of any circumstance connected with this letter. I do recollect of Mr. Goodwin calling for a letter for Gordon, Brooks & Root to the pt's care.

I refused to deliver because they presented no order for it. Another envelope presented. I recollect a letter to this address was in the office a good while - Goodwin frequently asked for it - but would not take it out. Last envelope marked II. (~~Goodwin insisted it should be put in the Co's box~~)

A care letter would ~~go~~ <sup>be</sup> into the box of the person to whom it was addressed, until the next advertising day, then be put in the care box. If the care has no box, it would remain to the address of the owner until (it went to) the dead letter office. This was one of the rules of the office.

Cross Examined - I know of no difference in the treatment of the P.P. Co and others.

Mark Sheldon, sworn for pt's.

Envelope handed. I recollect of receiving a letter

# Addressed "To the Agt. of the Penny Post Co"

The writer of the enclosed requests the P.P. Co to deliver the same.

To Garrett & Co, Care Whiting & Co"

(A blank letter mailed by Whiting & Co.)

Post marked San Francisco July 11 - Goodwin insisted it should be put in the P.P. Co's box which was done Aug 31 ~~at the~~ <sup>after complaint had been laid before the</sup>

U.S. District and

If I knew the party, I always delivered to the ~~care~~<sup>care</sup>,  
and sometimes, without his calling for them,  
would say "I have a letter to your care, will  
you take it?" I delivered <sup>the</sup> letters for the Penny  
Post Co, because Mr. Gordon was the principal  
agent his name belonging to my care.

The Gordon, Moore, & Post letter I should have  
delivered if he had had an order. He got the  
letter the same day, after quarreling with the  
P.M. I think neither of the Gordon letters were  
in P.P. Co envelopes - (Haggitt's letters one was)

Re Examined. The Penny Post Co's letters first  
went to the W. window #

# Always delivered <sup>care</sup> letters, when application was  
made in the name of the principal. Witness was  
shown letter for Capt Henry Hunting care of Moore  
& Folger - which letters came to witness window  
under the letter H - Witness knew that ~~plts~~ received  
Moore & Folgers letters. Witness himself delivered to ~~plts~~  
F. B. Folgers private letters (he being <sup>of Moore & Folger</sup> one of the firm) yet  
these letters of Capt Hunting's were not delivered, but  
on the contrary, were advertised, and escaped the  
the dead-letter office by the advertisement having been  
seen <sup>met</sup> by Moore & Folger, but by an acquaintance

of Capt Hunting's <sup>to Haggitt's testimony page</sup> - and  
by reference <sup>to exhibit</sup> it will be seen  
# See page

addressed "To the Penny Post Co for Mark Sheldon" 121

Griffin

Mark Sheldon, sworn for pltfs.

Envelope handed, I recollect of receiving a letter in this envelope <sup>#</sup> from my box in the P.O. the 6<sup>th</sup> of the month, it was ~~the~~ the 6<sup>th</sup>.

I was in the habit of receiving all my letters by Express and Penny Post Co. from the interior and did not go to my box every day.

Cross Examined - Don't know when the letter arrived. I have been examined once before in regard to it. <sup>+</sup>

Mrs. R. Lewis, sworn for pltfs.

I recognize this as a letter I received from Benevise. It is directed to the Penny Post Co for me. I got it out of my box, some three days after its date. I gave up my box at the P.O. to patronize the Penny Post, and took it again because I could not get my letters from the P.P. Co. Envelope filed exhibit R.

\* Addressed to the Penny Post Co, for Mark Sheldon in Exhibit

In another suit

Continued from page 129

It will be seen that one of the letters was in the P.P. Co's envelopes - and that the other was not - Haggitt page identified the letters - Miller page <sup>it will be remembered is noted as having</sup> ~~is~~ noted as having <sup>said this</sup> ~~was~~ <sup>was</sup> about 19 July - It was the 19 July, Miller remembering that it was the same morning as that on which the mill in which he <sup>was</sup> ~~was~~ <sup>worked</sup> ~~was~~ <sup>burned</sup>, The Postmark says <sup>Stockton</sup> July 18<sup>th</sup> Stockton. Porter page says that <sup>mail</sup> arrived by 5 o'clock the 19<sup>th</sup> and there can be no ~~question~~ <sup>question</sup> that one of these letters was in P.P. Co's envelopes

Herman Schetter, recalled for the plttf.

Two envelopes handed. The one from Mapa City to Whiting & Co 21<sup>st</sup> Oct I received. The <sup>and</sup> 23<sup>d</sup> Oct a little before 10 in the morning etc. The other was mailed at Steinbergers the 19 October and received by me on the 20<sup>th</sup> of at 1/2 past 8 in the morning Irish exhibit L. last G. The Steinberger letter should have been received about 4 o'clock the day it was mailed.

W. H. Rhodes, sworn for plttf.

I had a conversation with Mr. Weller at the request of Mr. Goodwin in reference to the P. P. Leo. Mr. Goodwin wished to send a bag <sup>(letter bag)</sup> up the river out-side of the mails.

Mr. Weller objected, saying, "no one on the boat from the Capt. down had a right to carry letters a bag but a special messenger. Two persons were with me, Wadsworth was one of them.

Cross Examined. It was 8 months to a year ago. Mr. Weller thought the law would not allow it.

W. T. H. Reynolds, sworn for plttf.

I was in the employ of Seeland's Express Co last year. They had a separate bag which they <sup>was</sup> this was the letter referred to by Whiting page. It came in the San Jose mail which Armstrong page testifies arrived by 4 o'clock P.M.

sent outside the mails, with their mail and Express matter. The office was in the P. O. building. The bag was sent without a messenger, unless there was a large amount of money to send. Never heard of the Post Master objecting to it. Think he must have known it, as it was done right before his day by day. Goddum was not allowed to go inside of the P. office on the arrival of the Eastern Mails. He was allowed to have one man there but not to come in himself. The room was too full for more to work to advantage.

### Cross Examined

Mr. Ferguson Asst. P. M. was there to regulate the room in Weller's absence. The manner of managing the newspaper bags, was for the P. O. clerk to open the bags, and the various newspaper men to assist in opening it, and each carrying their own away. If these newsmen, it should be borne in mind, were not the Post Masters duly sworn assistants, and they were admitted in direct violation of the Section 47 of the Regulations of 1852 by which the Post Master professed to be governed. Witness says each took their own packages away. It cannot but be seen that great liability of packages getting into the wrong hands, especially as the owners of some of them were not permitted to be present.



The mail matter that was sent by Seland outside of the mails was usually prepaid, sometimes in P.O. envelopes and sometimes in money and sometimes prepayment was not made. Don't think that Weller knew that letters were thus sent were not prepaid.

To the Penn Post Co. for C & T. 1/27/42

C. L. Gaylor, sworn for plaintiffs

Sometime last Feby. we received a letter from Manserville, Envelope <sup>presented</sup> (M) We should have had it a day or two sooner than we did. It was put in our box. Lay there until some friend <sup>informed</sup> us we had a letter there. I endorsed on the back the time of the receipt. Was not in the habit of visiting the box; because I had arranged with the P.P. Co to bring our letters, and they were addressed to their care. This was a letter of importance, and its delayed caused us to discontinue our patronage to the Penn Post Co. Cross Examined

My partner took it out of the office, I published the facts in the newspaper.

Had not been at the lock-box for two days.

F. C. Lagutierre sworn for plts

Envelopes handed, I have seen this before. I got it from the P.O. in my box. Was informed # Until their co-boxholder informed them. Letter contained an order for shipment of goods.

by Mr. Goodwin that there was a letter for me  
in the box #. I receive my letters by Express  
and did not visit the box more than once  
or twice a week, Envelopes filed exhibit (M.)  
Co. P. Lolo, Sworn for plffs

I am a ~~member~~ merchant of this city  
and am in the habit of sending and receiving  
letters from the interior every day, Patronize<sup>the</sup>  
expresses until the P.P. Co started them, and  
until I found there were difficulties between  
them and the Post Master. I know that the  
Stockton boat refused to carry letters for the  
P.P. Co in the way they were carrying for  
others. The clerk took one from me, as a  
special favor, that was in the P.P. envelope  
Wm Morris Sworn for plffs.

I am Secy. of the Steam Navigation Co  
never had any conversation with the P.M.  
as to carrying P.P. Co matter.

Henry Loomis Sworn for plffs.

I was in employ of the P.P. Co since Nov last  
Envelopes presented, I recognize them, I received  
three from the P.O. Deer. The one marked  
O. from Petatumna was Post marked Dec 14<sup>th</sup>

# The agent of the P.P. Co at Stockton was in the habit  
of sending to the office in this City, a list of letters  
mailed at Stockton. This letter contained a check,  
and probably it would have remained in the P.O.  
several days had it not been for this notice.

and received the 15<sup>th</sup> about 12 o'clock: The one dated<sup>d</sup> Dec 31<sup>st</sup> was received the 1<sup>st</sup> Jan'y about 5 o'clock. I don't know whether the office was visited in the morning or not. #

The Eastern Mail arrived that morning.

John Lawless, sworn for pl'tfs.

Envelope handed, I recognize this. I got this from the P.O. some time in February last, sometime after its date, some 8 days after it was written. I called at the office every day or two and got it at the general delivery. I was expecting a letter from the up country, I visited the office every day or two.

Cross Examined. The memorandum on the back, I did not put there. It was some four or five days after the Post Mark before I received it, and I think 7 or 8 days. Marked & filed. (Letter addressed Care of the P.P.Co. for John Lawless)

C. W. Taylor, sworn for pl'tfs.

The words and figures on the back of this envelope (Q) is in my hand writing, and made in my drawing the complaint, as a supposition when the letter arrived at San Francisco and I left the time of delivery blank.

X Dated (Post Marked). # Schette's page testified he was at the Post office Jan'y 1<sup>st</sup> in the morning -

Addressed "Care of the Sunny Pass to John Lawless Please Deliver immediately." Witness said he was anxious to receive this letter as it was from his landlord, and the term had expired for which he had rented the house.

W. H. Cheever, sworn for plffs.

I am a clerk in the District court of the United States. Made application to secure the copy right of his envelopes. I have no recollection of any conversation with the dft in regard to it.

Plffs rest

Chas. A. Gillingham, sworn for dft.

About Nov. last Mr. Goodwin came to my store and asked me if I had been to the P.O. that morning. I said I had not. He said he supposed there was a letter there for me in my box, which he supposed, was sent to test a question, and would be glad, if I had no objections, the letter might remain there awhile. It was addressed C. C. Gillingham and upon the clerk of the general delivery presenting it to me, I opened it, found it contained a note to Goodwin and some small silver coin, I immediately sealed it again and endorsed on it that I had opened it through mistake, believing it was intended for me, I ~~do~~<sup>know</sup> of ~~no~~<sup>no</sup> C. C. Gillingham in this City.

Cross Examined When the P. P. Co first started I ~~engaged~~<sup>encouraged</sup> them, sent and received letters by them, and gave them a written order to receive all letters for us, at the P. Office. After this, my letters were frequently

(letters)  
 put in my box, at ~~the~~ that were in plts envelopes.  
 Mine was a flap box.

W. W. Armstrong, sworn for dept.

I am a box clerk in the P.O. sworn as such.  
 Our business is to be at the office between 6 & 7 A.M.  
 and distribute the mails by the up country boats.  
 In distributing I make a division according  
 to the names. After all are divided according  
 to the Lock Boxes, I then go right around and  
 put them in their respective boxes.

My stand was in front of the flap boxes, and  
 in dividing, if I found letters for flap boxes within  
 my reach, I put the letters into it. After the  
 division, I began to the lowest No of lock-boxes,  
 and went on according to numbers. The plts box  
 was in the last section of that side between 130 and  
 200 and therefore would generally be the last dis-  
 tributed on that side of me.

Sometimes I began on that side and then  
 the plts box would not be in the last section.  
 A person standing outside could see me through  
 the flap boxes. It was our rule if a letter  
 came directed to a man having a box, to put  
 into his box, if not, into the general delivery.

If being directed to the care of another made  
 no difference, we paid no attention to the care  
 unless the time for advertising, then if not taken  
 out, we put it into the care box.

The Sacramento and Stockton mails are due 4 to 5 o'clock P.M. (A.M.)

Petaluma is not a regular mail route - mails arrive about 3 o'clock P.M. San Jose about same time.

The plts' letters, and those to their care, were treated precisely like all others, so far as I was concerned. I have seen one of the box clerks all the time since the plts commenced business their enterprise.

Mr. Godwin once tendered <sup>money for</sup> me a box sent in October. I told him he could have a box for himself but not for the Penny P. Co.

The rule is - that a box is \$4.00 pr. quarter for two names, or a firm. For each additional name two dollars more. It has been reduced one third <sup>if</sup> Box receipts presented. This is the kind used marked N. 1.

Godwin and the P.M. had had some differences and I was instructed not to let the Penny Post Co. have a box after their first quarter expired. Godwin wanted the box for the Penny Post Co. and offered me the money for it. I refused, and he called on persons to witness it. I remember the letter

\* Prior to 1 Jan'y 56. Box Rent was \$6 pr. quarter. Preference was made to a notice printed on their receipts. "It is discretionary, with the P.M. whether to put into boxes Case letters for those who are not box holders."

addressed to Mr. Gillingham. I took it down to him myself. It was in the P. Post Envelope, Had been in the office some time; Was mailed at Stockton; had some small coin in it. I took it to him, He opened it, Said it was for Mr. Godwin sealed it up again, and I returned it to the office.

I left, I think, instructed the employees to treat Godwin as they did all other men, Godwin has presented orders for letters and I have delivered them. I required this order whether directed to the care of the Penny Post Co or not.

Exhibit D. \* presented. That, I would put into Mr. Sheldon's box, if he had one, if not, into the general delivery. K \* presented

That would go to the general delivery. When the P. P. Co it would have gone to Neville & Co.

[A] Presented, That would have gone to Dabritch's, or to the general delivery.

Exhibit B<sup>2</sup> presented, That would go to Adams Box if he had one. Exhibit C<sup>3</sup>. presented. That would go to the P. P. Co's box.

Exhibit D<sup>4</sup> presented. That would go to Garrat's box.

\* To the Penny Post Co, For Mark Sheldon Esq.

+ To the Penny Post Co, Care of Neville & Co

1 Care of the Penny Post Co - W. Dabritch Esq. 2 To Agt P. P. Co.

3 To Agt Penny Post the Penny Post Co 4 To Agt Penny Post

The writer request the P. P. Co to deliver the same to Garrat & Co.

*11/11/54*  
 Cross Examined. The up country mail is usually in the box about 7 o'clock from 5 minutes before to 10 minutes after. It was not more than 10 or 15 minutes from the first deposit to the last.

Letters are not put into the Care Box because frequently box-holders object to care letters being put into their box. Think the owner will get his letters quicker through the general delivery than if put into the Care box.

Know of no instructions from the P.M.G. on the subject. Thinks the P.M. regulates the matter.

There were vacant boxes at the time Goodrich applied for a box. Wells Fargo & Co and other Express Companies have a box. Don't know what the Penny Post Co having a box would have injured U.S. Revenues. The receipt for box rent produced.

I think was adopted in '51 or '52. Box rent receipt of Jan'y 1<sup>st</sup> 1854. That is genuine and different.

Another of April 1854. This also is different.

Should not give the P.P. Co letters to their care without a written order. Order of C.W. Easton presented. Don't recollect this. Think upon this I would put his letters into P.P. Co's box.

J.G. Ware had a box. Envelope R. presented I should put this into Ware's box.

\* J.B. Ware not J.G. Ware. # These box receipts differed from No. 1. in that they had not the printed notice thereon, alluded to on page 32. The Box receipts issued by



Peny Post Co  
vs  
Heller

Certificates of incorporation  
introduced - objected to on the ground  
that it appeared by said certificates that  
the objects of said corporations are  
not within the scope of the statute.

H. Schetter & now -

Was in employ of plff up to Jan -  
My commencing in June 1854 -  
At the commencement of plff busi-  
ness letters came to plffs in printed  
envelopes such as marked 'A' -  
~~white~~ <sup>envelopes printed</sup> letters in Exhibit A - were  
placed in plffs box for a time -

they had a box - a lock box -

After a short time such letters  
were not put in plffs box -

Such letters were delivered for  
perhaps two weeks - I don't re-  
member any conversation had  
by me with deft - The envelopes  
were changed by the plffs - Such  
as marked Exhibit B - were  
next used - Letters in the last  
named envelopes addressed to box -  
holders were put in their boxes  
and others I think were de-  
livered to plffs - I know of the  
P.P. Co company obtaining orders  
for letters addressed to them  
because the deft would not  
deliver them -

I know of letters addressed to the

P.P.s being placed in the general delivery during the time the Co. had a box - I know this from the other clubs -

I was subsequently in the habit of calling at the post office for letters and was compelled to call at the window as many times as I had orders for letters - this was the case with the names commenced with the same letter -

Style of envelopes marked "C" next used - These envelopes were used by enclosing therein another envelope marked "B" -

The last named style were placed in puffs box as long as they had a box -

Envelopes marked "D" next used - they were placed in puffs box while they had one -

Letters in such envelopes coming to San Francisco by the morning and night boats were placed in puffs box at 7 o'clock next morning - in other boxes they were distributed half an hour sooner - they were put in their box all at once -

I know that the puffs letters were put into their box last of all -

I think so from the reason that I often waited at the

2  
P.O. for pffs letters and the clerk  
would put their letters in the box  
just as he had finished his  
work - I have known others  
to get their letters from the office  
half an hour before the pffs  
could obtain theirs -

~~Sometimes in August last~~

I attended the box sent to the  
P.M. & he refused me some of  
the clerks & he told me there  
were no boxes - the pffs had  
had a box prior to that -

The box formerly used by the pffs  
had a lock on it belonging to pffs  
and I opened it frequently after  
the refusal to rent a box and  
it was always empty - no  
one used it - After the pffs  
had no box they were com-  
pelled to obtain their letters  
from the general delivery -

they could not get their letters  
until 8 o'clock and and  
whenever the Eastern mail  
arrived they frequently could  
not get their letters until eve-  
ning - On one occasion the  
Eastern mail arrived in the  
night and I called at the office  
early in the morning for the  
purpose of getting the pffs up  
their letters before the Eastern  
mail arrived at the office -  
Assistant P.M. refused to deliver

after the 1<sup>st</sup> Oct letters addressed  
to the care of the plffs were  
not in the first instance for-  
delivered to them, but were  
first put into the box of the  
party to whom directed -

I once presented an order  
to deft from Mr Reynolds for  
his letters and the deft said  
I must each time look in  
his box & if there were letters  
enquire for them -

On the 21<sup>st</sup> Nov <sup>in the afternoon</sup> rec<sup>d</sup> a  
letter postmarked Nov Mon  
Nov 14<sup>th</sup> Had enquired for  
letters that morning and  
the day previous -

On the 1<sup>st</sup> of Jan about 8 o'clock  
I enquired for letters for the  
plffs - between 9 & 10 o'clock  
I was at the office again and  
saw Geo: C. Whitney take from  
his box a letter addressed to the  
plff - for Geo: C. Whitney -

X OX -

I was employed by plff as clerk -  
remained with them until about  
1<sup>st</sup> Jan - I think the rule at  
the P. O. is to deliver to but one  
person at once - I think it  
was six dollars I tendered -

The clerk said there were no

boxes - I was told to open the box - I opened it after the refusal - was told to do so by Mr Goodwin to see if there were any letters for puffs -

I did not open the box for the purpose of getting evidence to show that the box was not used -

From the position occupied by me when I saw the clerks distributing letters as ~~above~~ stated I could not see in the office all that was done - think I could see the distributing case all the time -

The box of Mr Reynolds, spoken of was a flap box -

Think there was money in the letter addressed to Mr Gillingham. A small amt. - don't know who wrote the letter -

Before I got the Gillingham letter a letter similarly marked was pointed out to me in a flap box by Mr Goodwin -

this letter had been opened & there was a memorandum on it stating that it had been opened by Cristall -

Did not know that the letter was in Mr Whitwys box until I saw him take it out -

I have opened boxes to see if letters were there and have left them - left them because

I was told to see if they were there and was not told to take ~~it~~ <sup>them</sup> away -

The key that unlocked Dr. Hume's money box was given to me by Mr. Goodwin and returned by me to Dr. Hammond -

Folger - sworn -

Moved 2 letters - rec<sup>d</sup> the one dated 28 Aug 55 before the other - the one dated Aug 23<sup>d</sup> - came by the P. O. Co - after ~~the~~ the rec<sup>d</sup> of the 1<sup>st</sup> I called on the piffs and Mr. Goodwin went to the office and got the letter -

Advised

July 10<sup>th</sup> - 10 AM.

O. Schutte called Giff -

Has knowledge of ~~the~~ formation of P. O. Co - Had interviews with diff in relation to formation of co. I called on Mr. Keller several times relative to formation of an Exprop company - I stated to him that the object of the company was to receive and collect letters from different parties and deposit them in the office and to receive letters directed to the care of the pro -

posed Co. and distribute.  
 He proposed that our Sacramento  
 letters be put in a separate  
 bag and at Sac. and so  
 delivered to us at the San  
 Francisco P.O. - to this he  
 objected saying that he thought  
 the letters ought to be handed  
 at the P.O. - Deft said he  
 would write to the G.P.M.  
 at Sacramento and see if arrange-  
 ments could be made so that  
 we could receive our letters  
 on the evening of our arri-  
 val - Mr Goodwin was  
 cognizant of these conversa-  
 tions and the P.P.Co was  
 found on the strength of these  
 conversations -

Mr Goodwin in my presence  
 tended to a clerk at the  
 P.O. the price for a box and  
 the clerk wouldn't receive  
 it and said Mr Miller  
 said the plffs could have  
 no box - Mr Goodwin  
 placed the money on the  
 window sill and said to the  
 clerk that he wished a box  
 for such letters as he was  
 legally entitled to - the clerk  
 said there was no box there for  
 him - Goodwin wanted to know  
 the reason - Clerk said he had  
 no reason except that Deft said the plffs

Could not have a lot -

X. G.

Goodwin said he wanted a box for such letters as peffs were legally entitled to receive.

It is my opinion that there may have been a difference of opinion relative to the rights of parties holding such boxes at the office but don't know - Have heard conversations relative to the subject but paid little attention. Don't remember ~~the~~ what was said.

Don't know whether my brother has any stock - Don't know whether I have heard him say so that he had or not.

I was passing by the P.O. and Mr Goodwin requested me to go with him -

I know that I left objects to giving up a separate bag for the reason that he wanted to examine the letters - said something about the stamps.

The reason I didn't go into the business was that I thought that I had as much business as my means would allow.

No other reason - I thought the conversation of Mr. Miller highly encouraging - Recommended Goodwin to go into the business -



A. H. W. Clark - sworn -

Am connected with Green Journal

Had interview with Mr. Meller -  
 Can't state time - but it was  
 after P. P. Co. commenced  
 business - Mr. Goodwin came  
 to my office in Aug. Sept or Oct  
 and requested me to make a  
 notice in the paper that the P. P. Co.  
 would deliver a certain style  
 of letter. I told him I would  
 see Mr. Meller. I called on  
 Mr. Meller and had quite a  
 long conversation - He said  
 he would deliver to the Co. a  
 certain style of envelopes - they  
 were either to be directed to the  
 P. P. Co. or care of P. P. Co. - am  
 not certain which - said  
 he would extend same facilities  
 to puffs as to any Express  
 Company - I then published  
 a statement in the paper -  
 X  
 E -

The envelopes I now receive  
 are directed to Agent of P. P. Co.  
 Such letters he said should  
 be delivered to puffs -

C. G. Haggatt - sworn -

Was in employ of Co. delivering  
 letters about town - sometimes  
 going to P. P. Co. for letters -

Applied at General delivery &  
 box - Applied at Box as long as

they had one - Dyer refused  
to deliver letters directed to the  
care of pliffs without a written  
order each time being presented  
from the parties to whom the  
letters were directed - / Showers  
orders are the same as used.

Unless we had the names  
of the parties we had no means  
of knowing that the letters were  
there - We had to inquire for  
each letter by name -

I recollect going to the office  
and applying for letters for  
Gordon Brothers & Post -

An order was demanded - The  
clerk said he would not deliver  
them without an order - Mr  
Argerson said ~~you see me~~  
must see Mr Meller -

Meller said he would not  
have anything to say to such  
a d - a rascal or words to  
that effect - Showers Envelops

They are the ones directed to  
Gordon B & P - (marked  
A. L. L. & P) -

Know letters were rec<sup>d</sup> for  
pliffs - in separate bag - outside  
of mail - received such at an  
early hour in the morning as  
we came fit to call about -

Rec<sup>d</sup> such as came through  
the P. O. at seven or eight o-  
clock such letters as we

got from the General delivery  
 were rec<sup>d</sup> from 8 to 9 o'clock.  
 Care letters were for the first  
 ten days put into their box.  
 Afterward they were not - This  
 injured peop<sup>s</sup> business for  
 merchants couldn't get  
 their letters as early in the  
 morning -

When we got the Gordon, B &  
 B. letters we looked in box for  
 and there were no letters there.

Within a few minutes after  
 the return there were several  
 letters in the box - this was  
 about 9 o'clock am.

X Et -

I know the envelopes are the  
 same spoken of for I delivered  
 them to Gordon, B & B and  
 they gave me the envelopes & I  
 marked them - Don't recollect  
 whether they were delivering the  
 Atlantic mail or not - Don't  
 think they were -

Setting a stamp to the care of  
 the P. P. Co we couldn't get  
 without an order from the  
 party to whom the letter was  
 directed - Have demanded  
 letters and given full address  
 and been refused -

(To be returned)

Was informed by the clerks at the office that it was their intention to put letters accompanied to the care of the P.P. Co into the boxes of the parties to whom accompanied if they had a box if not into the general delivery.

The Co. were doing their share of business. It was greatly injured by the refusal of clerks to deliver care letters &c -

J. H. Porter sworn -  
mailing clerk at P.O. since 49 - My duties are receiving & dispatching mails - opening & closing same - In June & July last usually opened up river mails at 6 in morning -

Don't remember whether I ever delivered letters to Mr Goodwin or not - think I saw letters delivered to Mr Goodwin a few mornings inside the P.O. - No arrangement was made to have the mails opened at night - talk was had of it - I said I would open them if paid extra - I think Mr Miller said that if I was compensated something might be done -

Stockton mail of Oct 16<sup>th</sup> 1853 was received at the Postoffice

about 5 AM, of 17<sup>th</sup>  
The Benicia mail of 2<sup>nd</sup> Nov  
arrived about 6 o'clock of 3<sup>rd</sup>  
Stockton mails of 7<sup>th</sup> 8 & 19<sup>th</sup>  
of November - arrived as follows  
the 8<sup>th</sup> at 4 AM, the 9<sup>th</sup> at  
5 o'clock - and 20 at 2 AM -

Benicia mail of 19<sup>th</sup> Feb at  
9 o'clock, same night -  
Marysville mail 26 Feb  
about 5 AM - same mail  
of 13 - 3 1/2 AM -

Stockton mail of 18 July ar-  
rived the 19<sup>th</sup> at 5 AM.

The Petaluma mail is usually  
brought to the office about  
4 or 5 o'clock in the afternoon.

It is not a mail route -  
Upon the arrival of Eastern  
mails. Paper Dealers have  
the privilege of carrying notice  
to the office - Leonard & Story  
Sullivan were others - Goodwin  
had the privilege of sending  
a man -

Remember in Oct that the  
Atlantic mail was detained  
in the bay all night - the up  
river letters were at that  
time assorted -

X 2 -

As far as I know the P.P.C.  
had same privileges as other  
carriers - The P.P.C. usually  
had a man or two at the office

To receive their mail matter -  
The Sacramento mail arrives  
at the office about 6 o'clock in  
the morning -

The average number of letters rec<sup>d</sup>  
through the P.O. for p<sup>er</sup> p<sup>er</sup> was about  
thirty - the business must have  
been a losing one -

As far as I know p<sup>er</sup> had some  
facilities as other p<sup>er</sup>s - don't  
know much about the deliv<sup>er</sup>  
of letters - Have made up the ma<sup>t</sup>  
of P.O. at the latest moment  
(Exch - resumed)

When I opened for number of  
letters rec<sup>d</sup> by P.O. I refer to  
the first six months - don't  
see ~~much~~ many of these  
letters now -

Suppose there are from them  
to five hundred letters <sup>rec<sup>d</sup> from</sup> sent  
to the interior daily by mail  
and from the large towns of  
the interior to Sacramento  
from 1000 to 1500 - daily -  
upward to 1 P.M.

1 P.M.

- Calverman - now

I was in employ of p<sup>er</sup>  
about 4 months from  
1<sup>st</sup> July - I collected & dis-  
tributed letters - rec<sup>d</sup> some  
from P.O. - Applied at 8

o'clock - When the puffs had a hop we got the letters at 7 o'clock. Letters addressed to the Co. were put in the hop - Those addressed to care of P. O. Co got at general delivery - usually upon an order - Shows letters marked F. F1. F2 - they were rec'd through the mail - Can't say whether they were rec'd through the general delivery or hop - It was the custom to send to the P. O. every morning -

The Co. saw an average rec'd from 20 x 50 - letters per day through the P. O. -

Had a box on Statka boat - 5 or 6 days afterwards taken down -

Some 9 to 13 letters given as he believes to the clerk were thrown on the wharf - they were all pre-paid. I was in the habit of being about the P. O. on arrival of Atlantic mails - Mr. Goodwin was not permitted in the office - Sullivan & others were -

I know of no one else who was refused - Puff in the habit of receiving perhaps 2 or 3000 - packages per Atlantic mail. think they rec'd more packages than any other house

From 8 x 25 - were admitted  
some boys -

X 1 Ex -

My wages were \$50. per month.  
Dont know how much  
Selutter rec? He was book  
keeper - Geo. Ady was em-  
ployed - dont know what he  
rec? - Dont know what  
Hayett rec? - Cant say about  
the expenses of the business  
was - dont know as to the  
printing - Dont know what  
accounted the delay of the  
letter on 5 Nov - dont re-  
collect that the office was closed  
a part of that day -

Mr Gaccione was the  
representative of the Co.

The plffs were permitted to have  
2 men in the office on an in-  
vite of printer - dont know  
of more being refused - still  
Fullerum had 5 or 6 in at  
a time - Mr Ferguson assisted

was polite - gave same facil-  
ities as to others - dont know  
if plffs were getting packages be-  
longing to others - think one  
package was rec? by mistake  
and immediately sent back  
to the office -



L. Haskell - known.

Have rec<sup>d</sup> a good many letters  
per P. P. Co. - Rec<sup>d</sup> a letter  
about middle Oct. from  
Stoughton - in usual P. P. Co  
envelopes. - Didn't get this  
letter until too late to send  
up by the boat - Should have  
got it that morning - Had  
no box at that time - Have  
had letters put in my box  
directed to my care - Letters  
are generally rec<sup>d</sup> from the  
interior per Express - The delay  
of the letter above named &  
others occasioned us to  
cease dealing with the  
Puffs and go back to Express  
Co's.

f. H.

Don't know whether or not  
the letter spoken of has a  
postmark - Don't know  
when it was rec<sup>d</sup> by Puffs except  
as told -

M. S. Whitney - known.

Am merchant - Had a  
box at P. P. Co. until Puffs  
commenced business -  
gave up box & employed them.

Subsequently took a  
box for the reasons of the  
uncertainty of getting letters  
per P. P. Co. - For this cause  
ceased patronizing them.

X G. -  
Don't know whose fault  
the delay -

G. ch. returned -

"Y"  
Shower letter - rec'd one  
similar - think the one  
shown - rec'd it about  
noon one day and should  
have rec'd it the day before.

X G. -  
I don't know by whose  
fault the letter was de-  
layed.

Samuel Miller sworn.

Was at P.O. on 14 July -

Mr Gascoin opened his  
box - no letters - the next  
to 2 windows was refused.

He then talked with the  
Dep. P.M. and was refused  
to deft. ~~But~~ Miller told  
Gascoin he wouldn't  
have anything to do with  
such a d-d lie &  
scurrilous. This was  
about 9 o'clock -

The clerk at the Museum  
said "I won't deliver them  
By G. D. - think one  
of the letters refused was  
for General Cross's house

V. O. -  
 Goodwin presented an order  
 at the General delivery for  
 the ~~order~~ letters refused -  
 I saw him here the order  
 for Gordon B. O. R. letters  
 & saw him had an  
 order in the windows -  
 Suppose it was the same -  
 don't know -  
 Don't remember what  
 Goodwin first said to Kelly -  
 Made affidavit at request  
 of Mr Goodwin - don't know  
 what was done with it -

Ex. Co. resumed.  
 Mr Naggett was at the  
 P. O. at the time ~~above~~  
 mentioned -

Exhibit marked "A"  
 introduced - admitted  
 & have been published  
 at request of Drift

F. B. Cassus - Brown  
 Clerk in P. O. in ~~and~~  
 letter department -  
 Have advised letters accepted  
 to care of P. P. Co. at General  
 delivery -

Write more letters go through  
General Delivery than Boxes  
+ Ex -

The duty of delivery clerks is  
solely to deliver & paper - in  
the box from Genl. del. letters.

Crichton & Co.

Clark in P.O. was deli-  
very clerk in July - at  
D. G. Winckler.

The P.P.Co were in the  
habit of calling daily  
for letters - My habit was  
to deliver care letters to  
P.P. - Such letters as came  
to my address were  
to the P.P.Co were delivered.

Care letters were boxed  
up to the principal.

A letter to John Jones for  
instance with care of the  
P.P.Co would be boxed  
at the "J" window and  
I could only know of  
such as mine at my  
window.

Recollect Mr. Gordon deman-  
ding of my a letter for Gordon  
Brown, North and asked  
some news about it - I re-  
fused to deliver it - because  
he had no news - The only  
reason it was not delivered

was the name of an  
owner. Recollect a letter  
to care of Garrett & Co - it  
remained for some time.

Mr. Goadwin Brown it  
was there and refused to  
take it - Don't think he  
requested it to be put in  
his box - (If it was)

A letter to the care of  
a party would first go to the  
letter of the principal and  
remain until after it had  
been advertised and then  
if the party to whom care it  
was directed if they had  
a box it would be placed in  
his box - if not it would  
be considered a dead  
letter - If directed to the  
care of the P. P. Co it would  
take the same course

X 4 -

This was the custom of the  
office - all alike -  
If parties to whose care  
letters were directed de-  
manded them they would  
be delivered - Don't  
know of any letters to the  
care of the P. P. Co having  
been advertised -

Have frequently delivered  
care letters to the care  
address -

Think the clerks succeeded  
to deliver all their letters.  
The business of the P.P.O.  
at the P.O. was at one  
time transferred to my  
charge - I was instructed  
to deliver to every  
letter if possible - the charge  
was made for the convenience  
of Mr Goodwin - it being  
his money - I refused  
the Gordon B.M. letter  
because he (Goodwin) had  
no order - I think the  
result of the interview at  
that time between the  
P.M. & Goodwin was  
that the letters were de-  
livered to Goodwin -

Think the letter was not  
in the P.P.O. envelopes.

E. G. resumed.

Letters for the P.P.O. were  
for a time put at the  
"W" window where all  
letters for Co's & corporations  
were placed. Letters to  
two addresses moved to the  
window of the first named.

Advised - to July 1861.

July 11<sup>th</sup> 10 am.

J. H. Reynolds - known -  
 was in employ of Island -  
 office in P.O. - Deland  
 Sh. Co. received ~~sh~~ prep bags  
 of letters by <sup>mail</sup> stage out to the  
 mail - something ~~was~~ written  
 a messenger. Should Judge  
 Keller must have known -  
 it because it was public  
 and the bag was about the  
 post office. A messenger was  
 sent perhaps once a week or  
 month - a majority of times  
 without a messenger -  
 known of no objection being  
 made by Keller -  
 At one time Mr Governor wanted  
 to go in the P.O. & Mr Seymour  
 wouldn't allow him to go  
 in - this was upon arrival  
 of mail steamer -

+ Sh.

Mr Governor was rather noisy  
 and Mr Seymour caused  
 him to be arrested. After  
 Mr G's conduct was not  
 violent at any time -

I have don't know that the  
 custom of Island to send mail  
 bags on stage came to knowledge  
 of Keller -

Sometimes the mail matter  
was pre-paid and sometimes  
not. When letters came in  
without stamps we  
sometimes put on stamps &  
sometimes not. Mr. Miller  
didn't know it. Don't know  
of any discrimination being  
therein. Same facilities given  
to all.

C. S. Taylor. sworn.  
Sometime last Feb. rec'd  
a letter from ~~Fort~~ Mayville.  
Encl. "M" is the envelope.  
According to the date it  
should have rec'd it a day or  
a half or two days before it  
was rec'd. Got it from P.O.  
in our box. First ~~time~~ saw  
the letter at the time noted on  
the back. The consequence  
was that I directed correspon-  
dents not to send important  
letters per P.P.Co.

X St.

Don't know the hand writing  
on the back. Know as to  
time of rec'd of letter from any  
particular and my friend who  
had the box with us.

Had not been at P.O.  
during the 2 days delay

Leagether - sworn



Shilder - Shown  
 letter. Rec<sup>d</sup> it from P.O.  
 marked "J" - some three  
 days later than I showed.  
 + 24 -  
 don't know when the letter  
 arrived at P.O. suppose it did  
 the 3<sup>d</sup> - did not receive it until  
 the 6<sup>th</sup> -

John B. Lewis.

Shown letter. rec<sup>d</sup> it came  
 down from Dennis say one  
 day and I got it the 2<sup>d</sup>  
 day afterwards through the  
 P.O. - would have got it  
 the next day by 4/4 prep.

Formerly had a box - gave  
 it up for ~~some~~ time - and  
 took it again because I  
 found that my letters did  
 not come regularly per  
 the P.P. Co.  
 X Ex -

(letter above referred to marked  
 "N")

Schutter recalled.

Shown letter -  
 the one marked Mapu Oct  
 21<sup>st</sup> I rec<sup>d</sup> 23<sup>rd</sup> Oct 20  
 minutes before 10 o'clk -

the one post marked the  
19<sup>th</sup> Oct at Stumbugas I  
got the 20<sup>th</sup> at 8 1/2 o'clock -

~~Wm N Rhodes~~

W. N. Rhodes -

Had conversation with Mr  
Meller - went at request of  
Mrs Goodwin - Meller  
refused Goodwin asked  
him to allow a bag to be  
sent outside the mail <sup>per boat</sup>  
Meller refused - said  
that nobody on the boat  
could carry letters - must  
send messenger -

X O X

Mr Wadsworth went with  
me - don't remember the  
other name -

I understood from Mr  
Meller that it was not  
legal to send letters outside  
the mail per the boats -

Known envelope - have seen it - got it from box at P.O.

Mr Gascuin informed me the letter was there - go to the office once or twice a week - receive most of letters from per prep -

Mr Accountant reported -

C. P. Lowlor - sworn -

Merchant - have been in habit of sending letters to Stockholm, by prep first and by P. P. Co afterwards - until they had trouble - known of Stockholm boats refusing to take letters for P. P. Co. one occasion - I wrote a letter to the club of boat for P. P. Co and the club used very violent language and said that if I wanted to send it by prep he would deliver it -

Mr Norris - sworn -

Am Secy of C. S. N. Co - ~~has~~ have had <sup>no</sup> communication with Miller

Mr Loomis sworn -

Have been in employ of P. P. since November last

5  
Shown letters - I rec<sup>d</sup> them  
from P.O. - The one post-  
marked December 14. (4<sup>th</sup> C)  
I got the 15<sup>th</sup> about 12  
o'clock - the one postmarked  
Dec. 31<sup>st</sup> got out of P.O. about  
5 o'clock 1<sup>st</sup> Jan'y. Don't know  
whether demand had been  
made before or not -

On both days the office had  
been closed on acc<sup>t</sup> of arrival  
of Atlantic mail -

John Lawler - marked "2"  
Shown envelope - have  
seen it - got it from Post  
office - several days after the  
date of letter - from general  
delivery - was in habit of  
going to P.O. every day or two -  
it was over 8 days after  
the letter was written that  
I got it -

X 54 -

Had no bet. Am certain  
about going to office every  
day or two - the writing on  
the envelope was there  
when the letter was rec<sup>d</sup> -

Let Hovornin have the ~~envelope~~  
called at P.P.O. office &  
made complaint and be  
asked me for envelope -

The letter was delayed full

8 days - check -  
 Club in U.S.C. -  
 Know of Gradwin's applying for  
 copyright of envelope -  
 Don't remember any commu-  
 nication with Miller about  
 the matter -

Puffs rest

Chas. A. Gillenham - woman -  
 Had conversation with  
 Gasconin - He asked if  
 I had been to P.O. since  
 supposed there was letter  
 there for me - Asked  
 me if I had objection of its  
 letting it remain - Person  
 went for the letter - think  
 it was the next day the P.O.  
 club ~~had~~ brought me the  
 letter & asked me if it was  
 for me - letter was delivered  
 to C. O. Gillenham - The  
 O appeared to have been  
 written once another letter -  
 I opened the letter at  
 request of P.O. Club -  
 replaced its contents &  
 returned it - the letter con-  
 tained small coin and  
 a letter to Gasconin -

V. E.

I rec<sup>d</sup> & sent numerous letters at first per P. P. Co. -  
Have them an occur after giving over frequently rec<sup>d</sup> letters through my box in P. P. Co's envelopes - E shown envelope marked.

Rec<sup>d</sup> such letters through the P. P. Co and some of them were put in my box at P. Co. - my box was a flap box -

Got some of the letters in such envelopes or similar ones from my P. Co box in person -

W. T. Armstrong

Am <sup>not</sup> club in P. Co -

I go since you last I came to the office and distributed into boxes all box letters between C & 7 C & 4 Am - In distributing letters I take my position in front of flap boxes and divide lock box letters into divisions and in the mean time box up the flap box letters -

The P. P. Co had a lock box at one time - it was 172 in the last division - as a general thing I commenced

distributing with No 1, but  
no strict rule - a person  
looking through the glass  
boxes could see me distribu-  
ting in the glass boxes ~~and~~  
but not in the boxes -

It was the rule to put some  
letters first in the box of the  
principal if he had a box -  
Sacramento mails usually  
arrive at the P.O. between  
4 & 5 o'clock A.M. except  
a steamer is about sailing  
it is then brought up  
the same night -

We receive the Pitavuma  
mail in the ~~off~~ afternoon  
think it is not a regular  
Stockton mail is rec<sup>d</sup>  
same hour and circ<sup>u</sup>  
lar same hour as  
the Sac -

San Jose mail arrives about  
4 P.M. -

In the distribution of  
letters all were served  
alike - P.P.Co same as  
others - in case ~~each~~  
letters were to care of persons  
well known think they  
were delivered usually ~~for~~

Never saw P.P.Co's letters  
advertised -

In distributing letters put

part in box at time - sometimes  
all - P.P.s never see 2 other  
letters more than ten minutes  
after others -

Mr Gascarin tendered money  
for box - I told him he  
could have one for himself -

Said he wanted one for  
the P.P.Co - about 12 Oct.

Shown paper - it is box receipt  
such as used. Usually in-  
formed box holders of con-  
ditions &c -

Told Gascarin he could not  
have a box for the Co.

The post master was not  
willing the Co. should have  
a box - Gave me such  
answer - If Mr Gascarin  
was willing to pay for all  
the names put in his box  
the P.M. was willing he  
should have one - This  
Gascarin knew nothing -

Know of conversation  
between Gascarin & Lyman  
relative to box - don't re-  
member what it was -

Gascarin was never  
refused a box for himself -  
remember a letter opened by  
Hillingham - took the letter  
down to Mr G. - it was  
in a P.P.Co envelope -



The clubs had no directions relative to intercourse with the P.P.Co. - one afternoon all the clubs were present told by Capt. to treat P.P.Co. same as all others - that direction has been observed. ~~known~~ of no departure from it - Whenever letters came directed to care of P.P.Co if the principal had a box an order was required before we would deliver - if he had no box the letter went to G.L. Dy. If a letter came <sup>directly</sup> to the P.P.Co and John Smith if John Smith had a box an order ~~would~~ <sup>was</sup> be required before we would deliver the letter to the P.P.Co -

When directed to "Agent P.P.Co" alone put in P.P.Co's Box -

one - directed as Exhibit "G" - would go in Mr. Shelden's box if he had one - if no to G.L. Dy -

Exhibit "H" would go to to general delivery & probably to the P.P.Co -

Exhibit "A" would go in Mr. Dalovich's box if he had one.

Ex "B" would go in  
Adams slot box if they  
had one if not to get it.

Ex "C" would go to P.P. Co

Ex "D" if Garrett had  
a box would go in it if not  
to G. D.

Ex "E"

In speaking of these things  
I refer to time when P.P.  
Co had no box. When  
P.P. Co first started I  
would have put Ex "E"  
in Nevills box - afterwards  
the regulation was changed  
and it would have gone  
into the P.P. Co box if they  
had had one - So far  
as the P.P. Co was affected  
the regulations were unchan-  
ged <sup>previously</sup> before & after they had  
a box.

X Ex -

Commenced distributing  
up river mail ~~near~~  
six to seven am -  
Mail distributed about  
7. A little before and after.  
Take ten or fifteen minutes  
to distribute ~~by~~ <sup>by</sup> assortment.  
As a general thing com

commenced at No 1 - if so  
 could distribute on that  
 side in 5 minutes -  
 Sometimes began at No.  
 700 - and worked up -  
 Where a letter comes di-  
 rected to a person having  
 no box and to the care  
 of a box holder it goes  
 to the general deliv-  
 Some persons won't  
 allow care letters to be  
 put in their boxes -  
 After arrival of mail it  
 takes about 4 or 5 hours  
 to distribute and open the  
 General deliv-  
 Don't know of any law  
 relating to deliv- of care  
 letters - it is within the  
 discretion of the P. M.  
 Letters were put in the  
 general deliv- as stated  
 with knowledge and  
 sanction of Weller -  
 There were plenty of boxes  
 vacant when Goodwin  
 wanted one - The Pacific  
 G. Co. & Wells Fargo & Co  
 have boxes - I don't know  
 of any inconvenience that  
 could have resulted to the  
 department by putting letters  
 addressed to the care of the  
 P P Co in their box -

Dont know that the  
revenue of the depart-  
ment could be effected.

Paper shown nitrop dated  
July 1 1854 is P.O. rect-  
used at that time - The  
one dated April 55- is  
also post office rect. such  
as used -

If a letter came directed  
to the P.P.Co for H. B. & N. I  
would put it in H. B. & N's  
box or require an order  
from them before delivery  
to the P.P.Co -

Shown letter exhibit "R."  
this letter I think was  
put in box of J. B. Mees -

Ex ch. resumed -

Rects similar to No 1.  
was first used by Mr  
Melin in November last  
I think.

X H. - resumed.

The rule in reference to putting  
certain letters in boxes was estab-  
lished when letters were not  
paid for -

O. D. McIlwain

Am general delivery clerk  
at P. O. - at L. B. G. where  
never had P. P. Co letters ad-  
mitted - never saw any.

If party to whose care  
a letter is sent has a  
box the letter is sent to  
his box before admitting.

If the care party is known  
we deliver the letter to him.

Was directed to treat  
Quadrin as other men -  
all the clerks were present.

X X -

This direction was given  
sometime last fall - Sept  
or Oct.

J. A. Seland -

Am news paper dealer  
Have been ex prop man -  
Don't know that Mr. Wells  
knew of my sending mail  
matter to San Jose outside  
the mail - Didn't always  
put stamp on letters -

When I did not Mr. Wells  
got no part of the money -  
Same facilities given  
to P. P. Co at P. O. as others -

X X -

The reason I didn't put  
stamp on was because  
they were scarce - put

them or when I could -

Mr Smith - anon -

Deliver club. J. J. R. S. M. -  
I am I know of letters coming  
to my alone in P.P. Co. en-  
velopes. I generally delivered  
them to the club who had  
charge of P.P. Co. matter -  
Don't know of P.P. Co.  
letters being advertised -

Mr Anderson to get  
rid of care ~~from~~ letters -

When letters came to his  
persons, who I didn't know,  
and directed to the care  
of a person whom I did  
know, I would deliver  
it to the care address -

Did everything to facilitate  
delivery of care letters -

Mr Goussier returned  
to me one care letter  
said he couldn't find  
the person - he desired  
me to keep it -

It was the custom of  
the P.P. Co when they couldn't  
find the ~~person~~ <sup>to</sup> ~~address~~  
drop a letter in the office  
to his address stating that  
a letter was at the office  
of the Co for him -

Mr Miller told the club

to give the P.P.Co every facility to which they were entitled

X 4,  
 this was perhaps 8 months ago - I was in the habit of delivering to the P.P.Co all letters addressed to their care without an order - I would at all times have delivered on demand to the P.P.Co letters addressed to them for "A.B." as the case may be - Show Exhibit "D" - This letter came to my care I would have delivered it to the P.P.Co - the plffs were in the habit of calling at my care daily - I would have delivered this letter without an order -

Exhibit resumed.

Letters that I required an order for were such as were directed to parties solely and not to care of P.P.Co -

Mr Armstrong recalled  
 Thonon rec'd - same was used by P.M. at the post  
 mine

John Short -

Club in P.O., delivery club,  
at S. E. F. 9. N. -

Letters have come to my  
alone in envelopes of  
P.O. Co - There is a box-  
labeled "Goodwin" in  
which all letters directed  
to the P.O. Co or to this care  
are put - These letters  
are delivered to the Goodwin  
None of his letters have  
been advertised -

Directions were given to  
treat the P.O. Co as any-  
body else - Known of no  
deviation -  
X E -

Been delivery club since  
10<sup>th</sup> July - Have no knowl-  
edge of matters of Co. prior to  
that time - A letter directed  
to care of party, well known  
would be delivered to him -

William Mackintosh.

Been delivery club since  
Apr 35 - The enclosure  
to deliver letters to the party  
entitled to it - When we make  
up our care list we put  
the letter in the care box  
if he has one, if not it  
is delivered to him - if he is known



Known of Mr Govan returning a  
letter when he couldn't find  
the party.

X G.

A letter addressed to John  
Smith care of P.P. Co. would  
first go to John Smith's address.

Would deliver it to the P.P.  
Co with an original sum-  
mar if demanded.

A letter addressed to the  
P.P. Co for 'John Smith's'  
would go the same way.

G. W. Fairbank.

Am in employ of Allen  
& Spear. Have been  
employed by the Ferguson  
to pick out papers for  
the P.P. Co. Don't con-  
sider myself competent  
think I was able to do it.

Saml M. Keefer.

Am club at Ladd's  
Deliver on P.P. Co.

Letters have come to my  
winnow in P.P. Co's en-  
velopes. Have delivered such  
to the winnow, when I  
am in the habit of getting the  
Co's letters.

Have known of P.P. Co  
returning letters when they

cannot find the parties.

Office Bldg -  
St. Police Officer.

Seen Mr. Gosselin there.

He was disorderly - wanted  
to go in the office - was com-  
pelled to take him by the  
throat.

+ 4 -

I had orders from Mr.  
Meller not to admit  
him in the office. He in-  
terfered in my business -

J. D. Fox - is Special Agent of the  
P.O. Department - General Supervisor of the  
P.O. Interests in Cal. - Examined by  
Special instruction of P. D. G. in the  
management of the S. F. Post office -  
~~Has read instructions objected to by self~~  
~~under the~~

I think the correct  
time for arrival of a  
mail is 12 P.M. - an  
not earlier - it arrives  
at P.O. at 5 A.M.

Henry Overton -

I gave directions to  
the P.O. that letters to our  
firm in P.P. boxes envelopes  
be put in our box -

+ 4 -

The way I know that it,

June 12<sup>th</sup> 11 am

Mr Armstrong - recalled.

The same rule as to care letters applies to all corporations who have a box.

Fay - recalled.

The contract time for annual of Soc. mail - Stockton is fine & no. - I have decided attention of exp. Co's to the law relation to carrying mail matter outside

also contractors - called attention with special reference to the P.P.Co. - A word may Herby that the P.P.Co should be treated same as any exp. Co. Don't think the exp. props carry over \$500 letters per day \$4.

I refer to the Soc. boats - that 500 per day are carried per them - There is no law prohibiting Steamboats carrying letters if they deliver them to P.O. at end of route - shown - P.O. term -

It contains abridged D.O. term - Have a copy - think it is recognized by the department as law so far as it goes -

There is a book published by authority

the book published in 52-  
does not contain all the  
P.O. regulations.

The first book shown I  
think contains the laws  
regulations correctly -

Let us see.

In case of discrepancy between  
the book should string and  
the 1<sup>st</sup> shown -

X

The Pituluma mail comes  
regularly every other day by the  
boat -

Mr Ferguson -

Am sp. Postmaster -

Was corresponding clerk  
in P.O. D. for 12 + 13 yrs.

My duties are to take the  
secondary supervision of  
all P.O. business - Am  
familiar with mode of  
business in office - Know  
rule of office relation to  
lock boxes - Lock boxes were  
allowed to all persons  
applying who paid - all  
letters to their address and  
such care letters as they  
wish are put in box -

If a paper letter is sent  
to the office

If a letter comes to the  
office address to John Adams

leave Mr Young it  
will first go to the A. Wilson,  
on into the principal books.

The attempt has been made to deli-  
ver to the P.P. Co all care letters  
but none have been made by  
the clubs - such were the instructions  
of Mr Miller -

A letter addressed to A for B. would  
be put in B's book -

Letters addressed to Agent of  
P.P. Co invariably delivered -

~~Letters addressed to Agent of  
P.P. Co. should be delivered~~

to P.P. Co. -

Letters '14' also -

Think they have been so  
delivered - clubs have made  
exceptions -

There was a tender of money  
made for Ref. it was refused  
because they wanted the letters  
of numerous persons put  
into it without payment -  
this was the matter of  
difference between Miller &  
Goodwin -

Mr Goodwin has several  
times attempted to force himself  
into the P.P. Co.

Addressed to 1 P.M.

1-0 clock -

Was present at interviews  
between Miller & Goswami -

Was present at time in  
which was submitted.  
Exhibits A & D. were sub-  
mitted - ~~At~~ Mr Miller  
asked how many like E & C  
he had struck off - desired that  
no more of like character  
should be. Think Miller  
said that such as E & D.  
would cause no trouble.  
Said such would be put  
in P.P.C. box -

Don't recollect the particulars  
of the difficulty between Miller  
& Goswami - I used to  
come in the office very  
frequently - Was given the  
understanding that he could  
not come in - It was on  
account of the difficulties  
between him & Miller -

On one occasion Mr  
Miller desired me to request  
the clubs to call at his  
room - He made a little  
apology to them - said  
he wanted them to treat  
Mr Goswami as politely  
as possible - spoke of  
the difficulties - orders  
were given relative to the  
various kinds of exhibits

My opinion is that the Mr.  
should send a box to anyone  
applying - I never got care  
letters from the very first -  
in Aug - the P.P. Co had a box.  
Thomson's envelope - such envelopes  
were put in general delivery or  
in box of principal -

It is impossible for me to  
say whether a majority of letters  
addressed to P.P. Co care of  
other persons must into the  
box of the Co or not -

Letters

Ch re -

Had conversation with  
Garrison relative to carrying  
letters per boat, on 4<sup>th</sup>  
Aug. on 5<sup>th</sup> Nov office  
opened 25-mins after 8 & remained  
open until 5 P.M.

On the 3<sup>rd</sup> Nov the Stockholm mail  
did not arrive until 8 am. after  
the P.M. Co had first called for  
letters -

I should consider it an  
abuse to demand  
an answer for the delivery of  
a letter to the person to whom  
care it was addressed -  
Such were declined -  
X Ek -

The revenue from boxes of apt.  
\$2000 goes to general Govt.

It goes to the support of the  
office in first instance -

~~the P.M. gets~~ Beyond the  
\$300 per month the P.M. has  
no personal interest in box  
~~rents~~ rents. Mr Mellan  
has never been compelled  
to pay anything out of his office.

The putting of letters of small  
persons into one box, can  
diminish the revenue of  
the office only to the extent  
of the box rents -

The clerks were directed to deliver  
letters to the care of the P.M. Co  
all letters directed to other  
care -