

POSTMASTER AT ROWESVILLE, S. C.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

RETURNING

WITHOUT APPROVAL HOUSE BILL 7157, ENTITLED "AN ACT FOR
THE RELIEF OF W. P. DUKES, POSTMASTER AT ROWESVILLE,
SOUTH CAROLINA."

FEBRUARY 27, 1909.—Read, referred to the Committee on Claims, and ordered to be
printed.

To the House of Representatives:

For the reasons stated in the attached communication from the Postmaster-General I return without approval House bill No. 7157, entitled "An act for the relief of W. P. Dukes, postmaster at Rowesville, South Carolina."

This man has had burglary committed at his store, in which the post-office is located, four different times. Twice the department allowed his claim for reimbursement; on the first occasion the loss being so small that nothing was done about it. On the fourth occasion, when, owing to his own carelessness and in spite of burglary having been committed three times already in his office, he was again so careless as to leave his stamps in frail drawers instead of putting them in a safety vault which was in the office, the department felt that it would be putting a premium upon a carelessness so gross as to cover possible connivance if they should reimburse the postmaster. I entirely agree with the department. When a man's post-office has been entered by burglars three times and he continues so careless as to neglect to take any proper precautions and not even to put the stamps into the safe or lock the safe, he has no equitable claim against the Government for the loss, and it is a mistake for the Government to reimburse him.

THEODORE ROOSEVELT.

THE WHITE HOUSE, February 26, 1909.

POST-OFFICE DEPARTMENT, UNITED STATES OF AMERICA,
OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., February 25, 1909.

MY DEAR MR. PRESIDENT: I return herewith "An act for the relief of W. P. Dukes, postmaster at Rowesville, S. C.," with the following information from the records of this department:

Four different claims have been filed by this postmaster, for credit or reimbursement of losses by burglary, as follows: July 3, 1899, loss of money-order funds, \$3.38; January 18, 1900, loss of postal funds, \$18.56, money-order funds, \$95.07; November 23, 1901, loss of postage stamps, \$73.76; November 29, 1902, loss of postal funds, \$59.59, loss of postage stamps, \$112.14, loss of money-order funds, \$55.56. The claims growing out of the losses of January 18, 1900, and November 29, 1902, were allowed in full; the other two were disallowed.

From the close approximation of the amounts named, it is presumed that the act relates to the loss resulting from the burglary of November 23, 1901; the claim for credit on account of this loss was disallowed June 19, 1902, for the reasons stated in the opinion of Acting Assistant Attorney-General Christiancy as follows:

The evidence in this case shows that the post-office was forcibly entered by burglars, and there is no doubt that the value of the stamps stolen is as claimed; but they were left in drawers of such frail construction as to afford no substantial protection, although the postmaster had a good safe (which he did not lock), containing a burglar-proof vault, in which he could have kept them. The burglar-proof vault was locked and was not opened by the burglars.

It appeared from the evidence in the case that the "burglar-proof vault" or chest in the safe contained the money pertaining to the office, and the postmaster admitted that the postage stamps could have been kept therein and the loss thereby prevented; it was, therefore, held that the loss resulted from negligence on his part. I see no reason for dissent from this view of the matter and, therefore, recommend that the act be not approved.

Faithfully yours,

GEO. VON L. MEYER.

The PRESIDENT,
The White House.

[H. R. 7157. Sixtieth Congress of the United States of America; at the second session, begun and held at the city of Washington on Monday, the seventh day of December, one thousand nine hundred and eight.

AN ACT For the relief of W. P. Dukes, postmaster at Rowesville, South Carolina.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. P. Dukes, the sum of seventy-four dollars and thirty-six cents, the amount stolen from him while postmaster at Rowesville, Orangeburg County, South Carolina.

J. G. CANNON,
Speaker of the House of Representatives.
CHARLES W. FAIRBANKS,
*Vice-President of the United States and
President of the Senate.*

I certify that this act originated in the House of Representatives.

A. McDOWELL, *Clerk.*