

without an intolerable inquisition. Consequently, it has been customary to allow all letters accompanying consignments of goods to be delivered with the goods, without asking whether they relate to the goods or not. But the scope of the exemption is clearly defined, and has never been allowed to include ordinary business letters, not accompanied by goods.

The Virginians, however, were not content to leave their case to the precarious chances of a legal or constitutional argument. They set about neutralizing the post office act by an effective counter measure. A bill was submitted to the legislature which, while it acknowledged the authority of the post office act, imposed on postmasters giving effect to it certain conditions which it was impossible to fulfil, and attached extravagant penalties for the infraction of those conditions. The postmasters were to be fined £5 for every letter which they demanded from aboard a ship—letters of a character which the British statute exempted from the postmaster general's exclusive privilege.

Now every ship's letter bag would contain probably many letters relating to goods aboard the ship, as well as many which were in no way so related. But how was the postmaster to tell the letters accompanying goods from those which did not? Even if the ship's captain assisted to the best of his ability, which was more than doubtful, there would be many letters about which the postmaster could not be certain, and with a £5 penalty for every mistake, his position was not an enviable one.

Another clause in the bill of the legislature of Virginia contained a schedule of hours for every courier. The terms of the schedule were so exacting that compliance with it was impossible. The penalty attached to every failure to observe the hours set forth, was twenty shillings for each letter delayed.<sup>1</sup> As the governor pointed out, the difficulties of travel during the winter season, owing to the number of great rivers to be passed, would subject the postmasters to the risk of a fine for every letter they accepted for transmission at that period of the year.

The bill of 1718, when sent up for the governor's assent, was promptly vetoed; but on the other hand, the intention of the deputy postmaster general to establish a post office in Virginia was not pressed. It was not until 1732, when the governor had relinquished his office, and had himself been appointed deputy postmaster general, that Virginia was included in the postal system of North America.

<sup>1</sup> *Journal of the House of Burgesses*, May 1718, *passim*.