

THE POSTAL DECREE OF 1748 [1]

Ser Roman Imperial, also of Hungary and Bohemia etc. Royal Majesty Mistress, the Mistress Maria Theresia, Arch-Duchess of Austria, Duchess of Lorraine and Barr, Grand-Duchess of Tuscany, etc. etc. Our most gracious Mistress' and Sovereign Princess' New Postal Order for all her Austrian domains. In the year One Thousand Seven Hundred and Forty Eight Vienna, printed by Johann Jacob Jahn, University Printers

We, Maria Theresia, by the Grace of God Roman Empress in Germany, Queen of Hungary, Bohemia, Dalmatia, Croatia, Slavonia, etc. Arch-Duchess of Austria, Duchess of Burgundy, Styria, Carinthia, Carniola and Württemberg, Countess of Habsburg, Flanders, Tyrol, Goricia and Gradisca. Duchess of Lorrain and Barr, Grand-Duchess of Tuscany, etc. etc.

Publicly announce with this letter, and make known to everybody that, after consulting our Court Chancelleries and offices, We have as follows partly confirmed partly renewed, and according to circumstances improved the Postal Order issued by the late High and Well-born Supreme Imperial Court and Hereditary Post Master General Carl Joseph Count of Paar, Baron of Hardtberg and Krottenstein, and most graciously approved by our most serene Grandfather Leopold the First, Roman Emperor of blessed memory, on the 16th of April, 1695.

Namely,

Firstly: every Post Administrator, Post Master and Mail Forwarder duty bound on his oath of allegiance to Our, Our Arch-Houses and the Common Weal's services, should hold and attend with his own person the mail entrusted to him nor should he absent himself for more than three days without very important cause, but be his business of such greater importance that he cannot settle and end the same within three days he will have to report obediently to the Imperial Royal Post-Directorate established in our Hereditary Domains and to ask their permission; meanwhile at home to make such arrangements that no shortcoming may pass in his postal service for which he could be held responsible.

Secondly: The Post Administrators and Post Masters should employ well-known, good, honest, Catholic people and postillions whom one can and may trust in every way because if through dishonesty, laziness, inattentiveness or other crime of a postal servant or another subject, damage, loss or other inconvenience be caused, it will be deemed the Postal Administrator's or Post Master's fault and he be held accountable; although he may in turn seek to reimburse himself from the wages and remunerations and possessions of such a postillion or servant found at fault.

¹ An earlier form of this article appeared in the *Bulletin of The Austrian Philatelic Society of New York* Vol. 15 No. 4

Thirdly: they should not only carefully read all official receipts, orders or circulars addressed to them, but should also comply with them obediently in every way: contrariwise they will face real punishment.

Fourth: No Post Master should persuade the postillions or servants of another Post Master into his service by means of gifts, promises or similar inducements, even less should it be permitted to the postillions to quit their service before termination of their contracted time and without proper leave and seek other service as postillions again; also, wherever a Post Master has taken into his service such a servant who cannot show a proper leave from his previous master, both should suffer severe punishment and especially the postillion shall nevermore be employed in the postal service.

Fifth: Each Post Master and Mail Forwarder should have six good carriage or saddle horses in addition to those horses which they are obliged to keep for the ordinary mail and for the couriers and for which they are receiving remuneration to keep them in proper readiness for riding or carriage: (He should also keep at least two carriage horses with all the necessary and proper harnesses, saddles and accessories always in a state of readiness; such horses thus assigned to the postal service should not be exhausted and made tired by heavy field work and other work so that in case of sudden postal rides they are either not available or unable to perform.)

Sixth: Each Post Master and Mail Forwarder should expedite the ordinary mail twice weekly in both directions, in night and day, always on horse, never (upon avoidance of punishment of 10 fl.) on foot or other occasional opportunity, maintaining a schedule of time and hours. Notwithstanding that special posts and the couriers by reason of their urgency and importance require an accelerated forwarding, they nevertheless should maintain a schedule of time and hours at an accelerated trot, and in order that this

Seventh: more certain and definitely be carried out there should be kept a time record sheet in which one should not gain or lose at the expense of the other in the posting and scheduling of the hours, much less should the ordinary mail be kept longer in one place than absolutely necessary while the couriers should not be delayed at all; this sheet should be open to inspection by the main post offices within and outside Our hereditary domains, to be checked and supervised so that the tardy or otherwise guilty one in the absence of compelling or important reason in his excuse is immediately to be noted and by this hourly record can be punished without fail, his delay thus being well proven.

Eighth: If it happens that a postillion meets the oncoming mail, whether regular or courier, he will be obliged to take same back (to his own post) without objection. It is understood that concerning handing-over and exchange (of mail) each rider will come to an arrangement with his counterpart (from the next post) also if there are more horses from the other mail or if one happens to meet a further ride, the passengers should take care of these additional horses in the

first instance, otherwise the exchange should take place without contradiction on their part.

Ninth: Whenever a mail coach traveller or a courier shall arrive on a postal station he should immediately and without delay be provided with the necessary horses for carriage or riding in accordance with the travelling conditions prevailing in that section (payment of the post money has to be made upon mounting and not after the accomplishment of the journey). In case it should happen that because of precedence of Our services and special journey or other important reasons a lack of horses prevent a scheduled mail ride nor can other horses be found in the neighbourhood, the Post Master will have to make arrangements to keep them waiting with all due respect of their position and make the necessary effort to expedite each passenger as soon as possible in the order of their arrival. In case anyone without regard to the actual situation, whether he be of high or low estate, is unexpectedly applying violence on the Post Masters or is threatening or even actually assaulting them, the Post Masters are hereby given the right and the power under Section 5 Article VI of Our Postal General Orders published of this date to defend themselves by meeting force with force. Furthermore the authorities of each locality are obliged and bound to assist and to aid the Post Masters upon their request, contrariwise they be liable to severe prosecution and further

Tenth: The experience of several years has shown that many arguments, disputes and brawls have arisen on Post Stations because mail coach passengers have arrived from previous stations in carriages of a generally prohibited type on which they loaded large cases. Trunks and other heavy things were stowed in the front and in the back as much as possible. Besides the persons riding in the coach, they had also one or two servants sitting in the back or in the front on the coachman's seat who furthermore had used large whips of their own on the horses and the mail servants and had them driven to exhaustion. Then they had insisted that they be given as many horses for long and difficult postal roads as they also originally started out with from here (Vienna) or other main postal stations where the roads were smooth and the distances between stations were covered easily. Thus by strength of this (order) it will not only be totally prohibited (to incur) the weight of non-permitted type of coaches already mentioned in previous General Postal Orders, but also the excessive loading of baggage and servants and their use of their whips. The travellers' attention is further directed to the patent of 1st of June 1726 covering these situations confirmed by Our late most serene father, Charles the Sixth, Roman Emperor of glorious memory, according to which in proportion to overloaded coaches or larger number of persons if necessary more horses must be hired without objection, on the other hand the Post Masters should have no right to force travellers to take and pay for more horses than are deemed necessary for the forwarding of their persons and baggage.

Eleventh: In case a Post Master is deprived of men and horses due to frequent rides so that he has only a single horse on hand so shall nobody be allowed to take this (last) horse from the stable nor should he be obliged to give it up but this horse should be retained for Our own services that there shall never the need arise that a sudden courier is delayed.

Twelfth: Many post travellers persist in the mistaken and insane idea that a Post Master be obliged to forward everyone in the same manner in which they had departed from the main postal station or another post of origin; (that is) whether on horseback or riding in the coach he be continued in the same fashion. However, because of the differences of the roads which are in some places smooth and even and therefore suitable to driving while other places might be mountainous or marshy and more suitable to horseback riding a distinction must be made with regard to travel. Such things each traveller, gentleman rider or courier will reasonably consider on his own and not pressure the Post Master unjustly and unfairly and be satisfied with such means of transportation as each locality and the circumstance permit and to comport themselves in accordance with the regulations of this Postal Order- Section VI.O.Mi. and since further on

Thirteenth: It had happened occasionally that some people had ahead of time sent a travel sheet by mail or even a courier to all the Post Masters of their entire route advising that they needed more horses for a certain day of their departure although the mail rides were frequent and they had thus reserved the necessary horses and then had departed a day or two later.

The Post Masters in turn had always reserved their horses and even obtained other horses when finding themselves short of own horses and had to feed them and to pay waiting time. However, when finally such passengers had arrived they had only paid them the regular fare. It is now considered as absolutely fair that in such instances the Post Master should be paid with 30 Kr. waiting money per horse and thus be protected.

Fourteenth: In order that it be not possible that the mail might carry into and out of the country suspicious persons or fugitives from a perpetrated misdeed who wish to avail themselves of the mail service for their flight and safety, no horses should be given to anyone here (in Vienna) in the Main Court Post Office unless he can produce a letter of permission issued either by Our Imperial Vice Chancellor or by Our Court Chancellor of State; correspondingly should the Post Masters of the first and second stations deny horses to such passengers who are arriving there not by mail but by other means (and are) wishing to continue their travel by mail, unless they have with them and can produce the above-mentioned letter of permission from the Imperial Chancellery of State or they are in possession of an official passport issued here (in Vienna) by the Main Court Post Office which permits them to be forwarded by mail regardless whether they have arrived by other means. The Post Masters have to retain this official passport for their own security. At the same time no Post Master or Mail

Forwarder from here until the sixth station should ever dare to furnish horses to strange and unknown persons who have neither come from the Mail Post Office nor through another Post Station and cannot show the above-mentioned official passport; otherwise they will not only be dismissed from their service but depending on the circumstances may even suffer punishment on their person.

Fifteenth: Just the same, a Post Master or Mail Forwarder should not take anyone beyond the ordinary mail routes or take just anyone from post to post, even on the regular route of the ordinary mail or courier roads unless it happens that a well-known personage well-established in the country wishes to be taken to his estates, manors or other places situated off the postal roads. In such a case the Post Master is permitted to do this against a fair payment in proportion to the distance but only if this can be accomplished without delay of the regular mail and not at the expense and detriment to the counterpart rider (of the opposite post) and the length and stress of the way can be mastered without undue hardship to the Post Master.

Sixteenth: With this General Order it is now prohibited for estate-bound riders, messengers and county coachmen (outside the postal system) who are also forwarding travellers, to have servants riding ahead carrying a pouch and blowing a posthorn to collect and distribute letters. Nevertheless such messengers may carry a different (sounding) horn. Furthermore all Post Administrators, Post Masters and Mail Forwarders will have to watch this very carefully that this is not violated and the transgressors are brought to punishment with the assistance of the local authorities.

Seventeenth: Inasmuch as these who live in the country and on the estates and the authorities in the towns, markets and villages as well as Our officials, all of them are noticeably desirous of prompt delivery of their mail, it is hereby sternly ordered that Post Masters and Mail Forwarders, each and all, should carefully and diligently watch the way letters carried by ordinary mail and courier especially if it is something which is recommended for special delivery and to deliver safely each and every letter wherever they may belong to. They should not overcharge anyone in the postage due and always conform to the established tariffs.

Finally and ultimately, all the Postal Administrators, Post Masters and Mail Forwarders are hereby seriously instructed that they should keep from now on this renewed and published Post Order of Ours in steady and firm observance for themselves and for their servants. They should not infringe against this Postal Order, most graciously ratified by Us, or permit others to do so. Whenever a violation is committed by a person travelling by mail, regardless whether high-born or low-born, the Post Master should not forward such passengers who have caused excesses and improprieties on his station and in case, during the voyage, there were fighting or brawls such should be reported by the postillion to the Post Master of the next station who will now by strength

of Our renewed General Postal Orders not only not continue them on their voyage but would also immediately inform Our Postal Administration with all the circumstances and witnesses which will then take all the necessary steps. In any case, the Post Masters and Mail Forwarders will be assured all possible assistance, aid and protection.

Accordingly We ratify, confirm and ordain this Postal Order by strength of this letter in the exercise of the Roman Imperial Royal and Sovereign Princely Power and in such a way that it will stay in force and always be kept firm and inviolate and continuously be lived up to by the Postal Administrators, Post Masters and Mail Forwarders who themselves are thereby vigorously protected and maintained during all times and in all circumstances. We command herewith each and all of Our Spiritual and Secular Authorities beneath Us, Our present and future viceroys, county marshalls, governors, prelates, counts, lords, squires, servants, viscounts, bailiffs, overseers, administrators, burgraves, burgomasters, judges, councillors, freemen, municipalities and all Our other loyal subjects and vassals of Our Hereditary Kingdoms, principalities and domains, but especially those who travel back and forth on the mails, whether of high estate or low estate, that they absolutely do not act contrary to the above Postal Order, ratified most graciously by Us, nor should they undertake anything against the Postal Administrators, Post Masters and Mail Forwarders and also not to trouble their people and servants and not burden them in one or another matter not to permit anyone else to inflict anything on them in whatever kind and manner as much as everyone is desirous to avoid Our severe displeasure and punishment.

This We mean indeed: Given in Our Imperial Royal Residence-City of Vienna, the 14th day of the month December in seventeen hundred and forty eight in the ninth year of Our reign.

Maria Theresia

() L.S.

Johannes Friederich, Count of Seilern

Ad Mandatum Sacrae Caesariae
Regiaeque Majestatis proprium

Mathias Benedict Finsterwalder

“LS” means either “Lachs-siegel”, ie “sealed with wax”, or “Landes Siegel”, ie the seal for the particular hereditary domain for which this particular copy was issued through its own chancellery although the decree was promulgated for the entire realm.

He was Chancellor of Court for Lower Austria

“Properly given by the Holy Imperial and Royal Majesty”

A Court Notary

Der
 Römischi-**S**ayserlichen
 Auch
 zu Hungarn und Boheim ic.
 Königlichen Majestät
 Grauen, Grauen
 MARIAE THERESIAE,
 Erb-Herzogin zu Österreich,
 Herzogin zu Lothringen und Barr,
 Groß-Herzogin zu Toscana ic. ic.
 Unserer Allergnädigsten Grauen
 und Lands-Fürstin
 Neue
 Post-**S**tdnung
 In gesamtb. Dero Österreichischen Ländern.
 ANNO M. DCC. XLVIII.

wjetz, gedruckt bey Johann Jacob Jaha, Universitäts-Buchdruckern.