

THE POSTAL DECREE OF 1772 ^[1]

M, MARIA THERESIA, BY THE GRACE OF GOD
Roman Dowager Empress, Queen of Hungary,
Bohemia, Dalmatia, Croatia, Slavonia, etc,
Archduchess of Austria, Transsylvania, Marquise of
Moravia, Duchess of Brabant, of Linburg, Luxemburg and Geldern, of
Württemberg, Upper and Lower Silesia, of Milan, Mantova, Parma, Piacensa
and Guastella, Princess of Swabia, Princely Countess of Habsburg, Flanders,
Tyrol, Hainault, Kyburg, Goricia and Gradisca, Marquise of the Holy Roman
Empire, of Burgau, of the Upper and Lower Lausitz, Countess of Namur,
Mistress of the Windisch Marches and of Mecheln, Dowager Duchess of
Lorraine and Barr, Grand Duchess of Toscana, etc, etc,

Offer to each and all of Our subordinate authorities, spiritual and temporal, and no less each and all postmasters, administrators, mail-forwarders, and all those appointed to and connected with the postal service as well as to those cities, market towns, tribunals, and known and unknown persons journeying to and fro on the posts, couriers, and then all the other of Our faithful and obedient subjects in all Our hereditary Austrian domains, spiritual and temporal, of whatever dignity, rank, or estate they be, likewise to each and all of Our soldiers, on horse and on foot, in quarters or on the march, who happen to see, read, or hear this Our Imperial and Royal patent, Our Imperial and Royal sovereign grace and all good wishes and herewith give one and all to understand (that)

Complaints have been made to Us how extensively to the greatest prejudice of Our royal post all kinds of abuses and disorders have crept into the postal service for some years past, diverse excesses have been committed by the travellers and in almost all points there have been violations of the postal patents and regulations issued by Our most glorious ancestors as of 8 March 1672 and 16 April 1695, yes even of Our own of 14 October 1748 which have moved Us, for the maintenance of our postal establishment and the abolition of all abuses, disorders, and excesses that have crept in, after hearing before Our court chancellors and offices, not only to renew (as is hereby done) but to strengthen as circumstances require the aforementioned general mandates and postal regulations published 8 March 1672, 16 April 1695, and 14 December 1748.

By virtue whereof, and positively, We accordingly command most graciously and seriously

¹ An earlier form of this article appeared in the *Bulletin of The Austrian Philatelic Society of New York* Vol. 16 No. 1

1. Except for Our own goods, which might be posted by Ourself or by Our subordinates, and for law courts acting in Our names and affairs, no one, whoever he be, is permitted to mail any trunks, boxes, crates, or other such things, which encumber and delay the ordinary mail, nor shall the postmasters accept such, but the mailers should be directed to the mail coach now established, where this baggage of theirs could be transported. Moreover, nowhere except at the main post offices is a passenger permitted to ride with the ordinary mail; and this permission may notwithstanding be granted to none but well known and accredited persons.

2. No less will We have duly enjoined upon each and all estates on whose territory the postmasters are settled or resident, that they impose upon the postmasters nothing beyond what they owe them on the serviceable houses and lands that they hold in tenure and that they make not the slightest demand either on their persons, which are directly subject only to Our most graciously established postal commission, or on their post horses, which are in Our service, nor have such claims made through others, wherefore also postmasters have to submit to no kind of compulsory service except that which goes with ownership of a serviceable house or premises. But in case postmasters, in spite of this Our most gracious command should be wronged by anyone, they are to complain first to Our most graciously established postal commission, which will then not fail to provide a suitable remedy and transmit the requisite decision to the authorities.

3. We ordain and command that each and all, whoever they be, who make use of the post, travelling on horseback or by coach, on no account are to take with them or carry with them the ordinary or extraordinary mail that may happen to be at a station and ready to be dispatched, as also the passengers are to refrain completely from all threats and activities against either the mail forwarders or their servants and are to give no occasion for other serious conflicts. In case of one or other misdeeds, blows, or wounds they are not to be transported by other posts but in addition, as will be cited at length in paragraph 5, are to be subject to a fine or corporal punishment. And although, as a result of the postal mandates most graciously issued already, in times past, it was severely forbidden that a traveller should let his servant on the coachman's seat have any whips or stick, yet on the contrary this violent excess, subject to maximum penalty, still continues nevertheless, according to trustworthy report, and the servants are wont to keep striking with big whips at both the postboy and the horses and consequently to gallop the latter almost out of breath and to overdrive them. Therefore We want to be assured that this unpermitted abuse has been completely abolished, that henceforth no servant on the coachman's seat, no matter to whom he belongs, shall venture to carry a whip, still less to use it against the postillion or the horses, since moreover in the contrary case the passenger cannot be transported until the whips have been left behind in the post-house but also, if an excess should really be committed, shall be held

responsible for making good the damage caused, even to the extent of actual detention of his person. On the other hand all postmasters are always to transport promptly and well the parties travelling by post, as soon as they arrive at their station, and have them conducted by a good road and in good weather at a full trot to the next post station, and to that end they shall always maintain qualified horses, as in case of a justified complaint the postmaster concerned would be strictly fined 10 florins, which would be deducted from the pay he receives from the public treasury.

4. We will have hereby expressly decreed and prescribed by all local authorities, cities, market towns, and tribunals, that in future the postal administrators, postmasters, and mail-forwarders shall be spared when soldiers pass through from all billeting in their post-houses, guard duties, and other personal burdens (which exemption, however, may not be extended to serviceable houses possibly owned elsewhere), nor shall a money equivalent be demanded of them on that account, but they shall be left free from all these and similar extraordinary taxes, since apart from that the said officials stand ready day and night at Our imperial and royal disposal and to meet military needs and must exert themselves more than others and thereby also are moved to so much the more eager and diligent attention to their duties. But if they be carrying on a civilian occupation at the same time in their post-houses, in this case they shall be liable for all payments, under whatever name, which are required of Our freeman and subject who carries on the same occupation, but remain free of billeting or billet tax.

5. We will have it positively forbidden that henceforth anyone, whoever he be, be permitted and allowed to take by threat of force one or more horses from the stables or to compel the postmasters to do so or else to treat them and their people with insulting words, threats, blows, kicks, wounds, or in some other unbecoming manner. But if anyone should in spite of this warning commit such an outrage and wantonness and be convicted, he is to pay besides making good the possible damage an irremissible fine of 100 florins, and anyone who is unable to pay shall be liable to undergo corporal punishment and so make atonement. We then herewith not only most graciously grant to the mail-forwarders the need and defence against those who use force but also enjoin hereby formally and sternly all authorities and tribunals in the cities, market towns, boroughs, and other places to furnish assistance to the postal administrators, postmasters, and mail-forwarders on request, upon furnishing this Our General Mandate against such passengers as use force, and thus make certain its due execution, and report the damages and the punishment, even if they must seize the aforesaid passengers. On the other hand, if they should refuse such requested help, they shall be liable themselves not only to pay to Our subordinate authorities the penalty incurred but also to make good the damages caused to their postmasters and their menials in consequence; and in addition they shall also be unsparingly punished by Us.

6. And if it should sometimes happen that persons of distinction or even common folk travel by post and need more horses than the postal administrators and postmasters are obliged to keep, in this and similar cases it is hereby strictly enjoined upon all local authorities and tribunals and especially upon the district officials that they come regularly to the help of the postmasters and mail-forwarders without any refusal and urge their citizens and subjects to lend them the needed horses without any evasion, to produce them at the post office, and harness them in return for payment of the post fee, in which case the postmaster concerned shall be entitled to set aside per horse on a single post 6 kreuzer, on one and one half posts 9 kreuzer, and on double post 12 kreuzer for the parties furnishing help, and no one, in the towns and markets, should be excepted from giving this assistance, including the country workmen and actually no one except the owners of those estates to whom We have this confirmed with Our most high resolution of the 3 of March 1759. Furthermore, experience has shown that at the last post stop before the chief cities the passengers have been sending a horseman ahead to find a lodging and that sometimes he does not get back for 4 or 5 hours, so that the horse sent on ahead has had to remain whole half-days worn out and without fodder or may even have been ruined. So We command that in future no riding horse shall be provided at the last post stop for such advance riders unless the passengers themselves leave the post stop simultaneously with the advance rider.

7. And since also by obstruction of old customary post paths the ordinary mails and stages have been much retarded to Our and the public's detriment because of the detour that has to be taken, We most graciously ordain that not only shall those post paths and roads that have been used to date and are still unobstructed remain unobstructed but also that these which have already actually been obstructed and closed shall on demand and proclamation of one or another postmaster be immediately reopened and constantly left open, that all such post paths and roads be kept in constantly good condition, that to that end the necessary repairs be provided for in time by those responsible, as also that in case the roads and ways are so damaged on account of wet and bad weather or flood waters that the mails cannot conveniently get through either by day or by night the post servants be let through on byways and ridges, yes that they themselves in case of need be empowered to break through hedges, whereas the peasants are not to dare to make them the least trouble on that account at their entrance or exit, for violation of which order they shall be most severely punished. Yet it is self-understood that only in extreme emergencies are the post servants to travel through the byways and ridges and perhaps even break through the hedges, because, if they do so without need, they themselves will be most severely punished on account of these excesses, and the postmasters too in this case have to be responsible for their postillions and servants.

8. And because by so frequent loadings of big trunks and heavy valises and by so severe and swift overriding of the mails beyond the usual the horses become

spavined, inefficient and often even foundered. We will have it herewith strictly enjoined that according to established custom there be accepted for carriage by post from a person travelling by post any trunks, chests or valises that weigh not over 40 or at most 60 pounds, for each horse, and that, since one or another out of wantonness or maliciousness or excessive hard riding may make a horse inefficient or even founder him, such person be obliged to give the postmaster satisfaction on account of such damage, in addition that no one be authorized to use the horses had from the preceding post farther than to the next post, but each shall be made to change horses at each post as well as on the way.

9. We strictly order that country coachmen, horse lenders, and messengers shall no longer presume to collect or distribute any letters but shall be made to conform most exactly in every respect to the messenger patent published by Us 14 December 1748 and thus avoid the penalty therein provided.

Accordingly none of those travellers shall carry with them letters or parcels for others and thereby encroach upon the supreme postal establishment. A violator shall be punished by a fine of 1 florin for a letter and 4 florins for a parcel, except for emergencies, which are to be declared to the postmaster at the next post stop and for which he is to give the declarer a certificate.

Furthermore, messengers and country coachmen are in all strictness forbidden to divert travellers from the post at stops or on the way, to carry a post horn secretly or openly, to transport persons with mail pouches tied on to servants that ride ahead, and, as has hitherto happened, to change horses on the way; but such drivers shall transport their customers whom they convey from this or that place with horses of one sort to the destination for which they were hired. Passengers in turn shall not be permitted to desert the mail and take another opportunity unless they have stayed 3 days in one place or circumstances required them in the absence of a regular mail route to betake themselves to an estate lying off the post roads, in which case they are to have the choice of availing themselves of the post or of another authorized vehicle, because We expressly forbid all innkeepers, freemen, and peasants in the country to transport travellers on the post road for money with covered wagons or light carriages, except with Zeissel wagons (under which term are to be understood only such as have no seat and are provided with no cover other than reed roofs) may they drive for money. We decree also that innkeepers are not permitted under any pretext whatever to give a passenger a riding horse, because in that case, if an innkeeper, freeman or peasant should be caught with a passenger on the post road or travelling through a post stop or intentionally driving around it, the first postmaster who meets him is entitled to unhitch his horses, and such horses shall ipso facto be forfeited, in which case the postmaster will have to file a report with the established postal commission. But, in order that this Our legislative intention be the better administered, all local authorities shall be

obliged to render the speediest assistance to the postmasters under the penalty noted above in paragraph 5.

But if a passenger should plan to depart from a place where there was no post or country coachman, then the freeman, peasant, or innkeeper shall be allowed to convey him for money to the nearest post stop, even with light carriages and covered wagons. The same privilege shall be accorded to freemen, peasants, and innkeepers in case a passenger should wish to travel outside the postal road system from a place where no post or country coachman is available to another place that does not lie on a post road and from which the post road cannot be entered. It is in this sense that We intended the resolution issued 18 November 1751.

10. We most graciously ordain that, in case necessity and Our supreme interest should require establishment of new post stops or transfer of old ones to other locations, the postmasters, if they are not themselves provided with dwelling and stable space, be irrefutably assigned quarters suitable for the post and sufficient stabling in return for payment of a reasonable amount and be assisted with good will, likewise that, if they should wish to buy for themselves a house or premises of their own for various uses of their household, the purchase be not made difficult for them.

In conclusion, We are certain that everyone will know how to observe all these listed rules and stipulations and so guard himself from harm. Given in Our capital city of Vienna on the 8 day of the month of February in 1772 in the thirty second year of Our reign.

Maria Theresia

L.S

(See discussion for the 1748 Decree)

Henricus Comes a Blumegen, Count Henry Blumegen, Supreme Reg(enti)ae Boh(em)iae Sup(rem)us & (regent) of the Bohemian Regency and A(ltae) A(ust)riae pr(im)us First Chancellor of Upper Austria Cancell(ar)ius

Ad Mandatum Sacrae Caesariae Properly given by the Holy Imperial Regiae Majestatis Proprium Royal Majesty

Florian von Pergenstein a court notary

LISTING of the Postal Stations that are 12 or 13 miles distant from each capital city in the I R. German hereditary domains from which as well as from other villages situated beyond them Country Coachmen, Carriage Lenders and Innkeepers with stables and other carriage people are permitted to carry out relief and exchange of horses within the limits of this postal patent.

From Vienna towards Bohemia at Znaim
 Do towards the other side at Göfritz
 Do towards Moravia at Pohrlitz
 Do towards Upper Austria at Kemmelbach
 Do towards Styria at Merzuschlag

N.B. The Austrian Territory toward Hungary extends on one side through Fischamend only to Haimburg, on the other side through Achau only up to Wimpassing

From Prague towards Vienna at Jenickau
 Do on the other side towards Vienna and Linz at Tabor
 Do towards Saxony at Peterswald, Komotau, Brix
 Do towards Karlsbad at Liebkowitz
 Do towards Eger & Gleutsch at Rockizan
 Do towards the Laussnitz at Gabel
 Do towards Silesia at Königgrätz
 Do towards Moravia at Chrudim

From Brünn towards Vienna at Wolkerstersdorf
 Do towards Silesia at Hof and Braunseiffen
 Do towards Bohemia at Littau & Iglau

From Troppau towards Poland at Bielitz
 Do towards Moravia at Prossnitz

From Linz towards Vienna at Mölk
 Do towards Salzburg at Frankenmarkt
 Do towards the Roman Empire at Passau
 Do towards Bavaria at Ried
 Do towards Styria at Kasten
 Do towards Prague at Budweiss

From Graetz towards Linz at Eysenärzt
 Do towards Vienna at Merzuschlag
 Do towards Laibach at Ganowitz

From Laibach towards Grätz at Feistritz
 Do towards Trieste at Triest itself
 Do towards Gorizia at Cernicza
 Do towards Fiume at Fiume itself
 Do towards Klagenfurt at Klagenfurt itself

From Klagenfurt towards Laibach at Laibach itself
 Do towards the Puster Valley at Greiffenburg
 Do towards Vienna & Grätz at Judenburg

From Gorizia towards Trieste at Triest itself
 Do towards Laibach at Upper Laybach

From Trieste towards Gorizia at Gorizia itself
 Do towards Laibach at Laybach itself