

Calendar No. 1525

69TH CONGRESS }
2d Session }

SENATE

{ REPORT
{ No. 1520

IRA E. KING

FEBRUARY 17 (calendar day, FEBRUARY 19), 1927.—Ordered to be printed

Mr. NYE, from the Committee on Claims, submitted the following

REPORT

[To accompany H. R. 16442]

The Committee on Claims, to whom was referred the bill (H. R. 16442) for the relief of Ira E. King, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

On February 10, 1927, your committee favorably reported a corresponding Senate bill, S. 5348, which is now on the Senate Calendar, Calendar No. 1463. The facts will be found in Senate Report No. 1448, Sixty-ninth Congress, second session.

[Senate Report No. 1448, Sixty-ninth Congress, second session]

The Committee on Claims, to whom was referred the bill (S. 5348) for the relief of Ira E. King, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The facts are fully set forth in House Report No. 1839, Sixty-ninth Congress, second session, which is appended hereto and made a part of this report.

[House Report No. 1839, Sixty-ninth Congress, second session]

The Committee on Claims, to whom was referred the bill (H. R. 16442) for the relief of Ira E. King, having considered the same, report thereon with a recommendation that it do pass.

Attached herewith is the report from the Postmaster General giving the full facts in the case.

POST OFFICE DEPARTMENT,
Washington, D. C., December 14, 1926.

Hon. NICHOLAS LONGWORTH,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: Complying with the provisions of the act of January 21, 1914 (38 Stat. 278), I am reporting herewith the facts in the claim of Mr. Ira E. King, postmaster at Stillwater, Minn., for credit on account of loss sustained in the burglary of the post office on December 5, 1925, as set forth in the postmaster's claim, report of the inspector who investigated the burglary and a summary of the evidence prepared in the office of the solicitor for this department, copies of which are inclosed.

I recommend that authority be granted to credit the postmaster in his account with \$17,231.39, the value of public funds and property lost in the burglary.

There is also inclosed copy of a letter from the Director of the Bureau of the Budget, dated December 9, 1926, advising that this action is not in conflict with the financial program of the President.

Sincerely yours,

HARRY S. NEW, *Postmaster General.*

POST OFFICE DEPARTMENT,
OFFICE OF THE SOLICITOR,
Washington.

POSTMASTER'S CLAIM FOR LOSSES BY BURGLARY, FIRE, ETC.

Post office, Stillwater, Minn.; class 1.
Claimant, Ira E. King; volume 11, page 45.
Cause of loss, burglary; claim filed, December 21, 1925.
Date of loss, December 5, 1925.
Case No. 79977-D; report received, December 21, 1925.
Stamp division, December 21, 1925.

CLAIMED

Postal funds, \$11.
Postage stamps, \$15,064.82.
War tax revenue stamps, etc., \$2,155.57.

POST OFFICE DEPARTMENT,
OFFICE OF THE SOLICITOR,
Washington, September 7, 1926.

SUMMARY OF EVIDENCE

In re claim of Ira E. King, postmaster at Stillwater, Minn., for credit on account of loss in the burglary of the post office December 5, 1925, filed in the office of the Solicitor for the Post Office Department December 21, 1925, under the provisions of the act of January 21, 1914 (38 Stat. 278), as amended by the act of July 2, 1918 (40 Stat. 754), as follows:

Postal funds.....	\$11.00
Postage stamps.....	15,064.82
War-tax revenue stamps, etc.....	2,155.57
Total.....	17,231.39

BRIEF

Entrance to building.—The evidence in this case, including the report of the inspector who made the investigation, shows that on the night of December 4, or early morning of December 5, the Federal building occupied by the post office was entered by jimmying a window in the postmaster's office.

Entrance to vaults and safes.—The office is provided with three steel vaults, the outside doors of which were opened by knocking off the combination dials with a cold chisel and hammer and the inside doors by breaking the locks with steel punches. There was also a Sargent & Greenleaf two-section safe in the vault in the money-order division of the office, and the lower section was opened by knocking off the combination dial in the same way as those on the vaults. An unsuccessful attempt was made to open the upper section of the safe. There was also a two-section Diebold safe in the money-order division of the office, the lower section of which was opened in the same way as the vaults and the other safe.

Extent of loss.—The loss of public funds and property, as shown by the postmaster's computations and as verified by the inspector, consists of the following items:

Cash, postal funds taken from the Diebold safe.....	\$11.00
Postage stamps:	
From window cabinet locked in workroom vault.....	\$95.44
From S. & G. safe in money-order division.....	14,969.38
	15,064.82
War tax revenue stamps, etc., from S. & G. safe.....	2,155.57
Total.....	17,231.39

Protection given to money and stamps.—The evidence also shows that all doors and windows of the building had been securely locked; that each of the three vaults, as well as each compartment of the safe, was securely locked, indicating that the regulations governing protection to be given to public funds and property had been strictly followed.

Recommendation.—It appearing from the evidence that the loss by burglary of money and stamps in the amounts hereinbefore enumerated resulted from no fault or negligence, I hereby recommend that the facts in this case be submitted to Congress with a recommendation for authority in the form of a special act to credit Ira E. King, postmaster, in his accounts with the following items:

Postal funds.....	\$11. 00
Postage stamps.....	15, 064. 82
War tax revenue stamps, etc.....	2, 155. 57
Total.....	17, 231. 39

HORACE J. DONNELLY, *Solicitor.*

POST OFFICE DEPARTMENT,
OFFICE OF THE SOLICITOR,
Washington, March 13, 1926.

GENERAL ACCOUNTING OFFICE,
Post Office Department Division:

In adjusting the claim of Ira E. King, postmaster at Stillwater, Minn., for credit on account of losses alleged to have resulted from burglary on or about December 5, 1925, you are requested to furnish in the form below the information indicated therein relative to the stamp account of said postmaster.

H. J. DONNELLY, *Solicitor.*

GENERAL ACCOUNTING OFFICE,
Post Office Department Division:

Respectfully returned to the Solicitor for the Post Office Department with information that the postmaster's accounts as audited show:

Stamps, etc., on hand Sept. 30, 1925.....	\$29, 562. 72
Stamps, etc., received to Dec. 5, 1925 (transit).....	133. 87
Stamp sales reported by postmaster:	
Fourth quarter, 1924.....	12, 810. 93
Third quarter, 1925.....	11, 308. 24

J. R. McCARL,
Comptroller General of the United States.

CLAIM FOR CREDIT OR REIMBURSEMENT

(Act of January 21, 1914, as amended by act of July 2, 1918)

STATE OF MINNESOTA,
County of Washington, ss:

Personally appeared before me Ira E. King, who, being duly sworn, deposes and says that he was postmaster at Stillwater, in the county of Washington, and State of Minnesota, on the 5th day of December, 1925, that on said date and at about 3 o'clock a. m., as nearly as he can determine, he sustained losses in the amounts and of the character hereinafter set forth, and for which he claims credit; that the said losses did not result from any fault or negligence on the part of affiant, but from burglary; that after the said losses occurred there remained in affiant's possession postage stamps and stamped paper of all kinds and descriptions of the value of \$22,089.72, and no more, and that the amounts so lost are shown by the following calculations:

POSTAGE STAMPS, ETC.

Stamps, etc., on hand Sept. 30, 1925.....	\$29, 562. 72
Stamps, etc., received from Oct. 1, 1925, to date of loss.....	14, 283. 67
Total to be accounted for.....	43, 846. 39
Stamps, etc., sold from beginning of quarter to date of loss.....	\$6, 303. 00
Credit Oct. 26.....	45. 65
Transferred to other offices.....	343. 20
On hand after loss.....	22, 089. 72
Total accounted for.....	28, 781. 57
Stamps, etc., lost or destroyed.....	15, 064. 82

POSTAL FUNDS

Cash received from end of previous quarter to date of loss:		
From sale of stamps and other stamped paper	6,303.00	
Excess	.58	
From box rents	72.45	
From sale of waste paper and twine, second class	65.66	
Transferred from money-order account	700.00	
Collected in money, third class, without postage	418.92	
Total	7,560.61	
Deposited, from beginning of quarter to date of loss	\$268.36	
Used by postmaster as salary	533.32	
Paid clerks and employees (special delivery and mail messenger)	5,851.81	
Other authorized expenditures	13.50	
On hand after the loss occurred	882.62	
Total	7,549.61	
Cash (postal funds) lost	11.00	

MONEY-ORDER FUNDS

Balance on hand at date of last account	1,097.23
255 domestic	1,673.87
Received for orders issued since	19.56
9 foreign	74.50
Fees on same	1.10
Total	2,866.26
72 orders paid or repaid	\$740.68
Deposited to date of loss	900.00
In transit	700.00
On hand after the loss occurred	525.58
Total	2,866.26

Details for each date indicated

Date	Cash on hand	Amount of reserve	Surplus for remittance	Remitted	
				Amount	When
Saturday, Nov. 28	\$721.97	\$800.00			
Monday, Nov. 30	797.23	800.00			
Tuesday, Dec. 1	1,308.56	800.00	\$508.56	\$800.00	Dec. 1, 1925
Wednesday, Dec. 2	984.61	800.00	184.61	300.00	Dec. 2, 1925
Thursday, Dec. 3	797.82	800.00		200.00	Dec. 3, 1925
Friday, Dec. 4	717.58	800.00		200.00	Dec. 4, 1925
Saturday, Dec. 5	439.09	800.00			

Affiant therefore claims credit or reimbursement for the following amounts, lost as aforesaid, viz: For postage stamps, stamped envelopes, newspaper wrappers, and postal cards, \$15,064.82; for postal funds, \$11; war revenue stamps, etc., \$2,155.57; or for such other amounts as may be found justly due him.

Entrance was gained by forcing a window in my office, then with sledge hammer, chisels, and punches they opened three vaults, three safes, and tried to open the fourth safe but it got jammed and they were unable to force it open.

All of the stamps and money obtained was in the vaults and safes.

On account of the other post offices robbed, I had notified the chief of police on Saturday, November 28, to take extra care in watching the post office, and he

informed me at that time that he had seen the account in the papers and would at once notify his force.

IRA E. KING, *Postmaster.*

Subscribed and sworn to before me this 15th day of December, 1925.

[SEAL.]

KENNETH S. KING,

Notary Public, Washington County, Minn.

My commission expires November 8, 1932.

POST OFFICE DEPARTMENT,
OFFICE OF INSPECTOR,
St. Paul, Minn., December 7, 1925.

Subject: Stillwater, Minn.; robbery of post office.

Report examined, approved, and forwarded to chief inspector December 9, 1925.

W. J. MARLES,

Post Office Inspector in Charge Division.

INSPECTOR IN CHARGE,
St. Paul, Minn.:

The following special report is submitted as result of my personal investigation at Stillwater, Minn., on December 5 and 7, 1925, with respect to the robbery of the post office at that place some time during the night of December 4 or early morning hours of December 5, 1925.

The post office at Stillwater is of the first class and located in a Federal building. Three National Safe & Lock Co., Cleveland, Ohio, vaults are in this building. The one located in the postmaster's office is 4 feet, 5 inches by 4 feet, by 7 feet, 10 inches in size. Nothing of value is kept in this vault. The second one is located in the post-office workroom and a considerable quantity of stamped envelope stock is kept therein, together with the window stamp cabinet which carries a credit of \$260. The size of it is 4 feet 8½ inches by 4 feet 10 inches by 7 feet 10 inches. A third vault which is 4 feet 6½ inches by 4 feet 4 inches by 7 feet 10½ inches is located in the financial and money-order section of the office. Inside of this third vault is a Sargent & Greenleaf, Rochester, N. Y., safe in two separate sections, an upper and a lower; size of each being 2 feet by 2 feet 3 inches by 3 feet 9 inches. There is a separate door, equipped with a combination dial, to each of these sections; in them all of the stamp stock is kept, together with blank money-order forms. In this section of the office there is also a Diebold Safe & Lock Co., Canton, Ohio, safe, which is made in two separate compartments, the door of each being locked with a combination, the size of the upper one being 20¼ inches by 28 inches by 24 inches and the lower one 28 inches by 22 inches by 20½ inches in size.

Entrance to the building was gained by forcing open a window in the postmaster's office with a "jimmy." The doors between the postmaster's office and the workroom, and between the financial section and the workroom, were not locked.

The combination dial on each of the vaults had been knocked off with a cold chisel and hammer after which steel punches had been used to break the inner door lock mechanisms. Nothing was taken from the first vault; none of the stamped envelope stock from the second vault had been molested, but \$95.44 of postage-stamp stock was taken from the window cabinet which had been locked in this vault overnight. The combination dial of the lower portion of the Sargent & Greenleaf safe, in which stamp stock in the amount of \$17,124.95 had been kept and was stolen, was knocked off in the same way as the vaults. An unsuccessful attempt to demolish the combination of the upper compartment of this safe was evidenced by the mutilated dial; however, entrance was not gained and the stock therein was found intact. The combination dials of the lower section of the Diebold safe was knocked the same as the others. It was in this section where the robbers found \$11 in cash which was stolen. The locks on the inner doors to each vault were broken by the use of steel punches.

Chief of police, W. E. McNaughton, informed me that there were three police officers on duty at the time of the robbery. He further stated that these officers try the outside doors of the post-office building every half hour. On the date in

question it was said that the last trip had been made at 4 a. m. but nothing unusual was noticed. I personally interviewed the officer who tried the doors of the post office at 4 a. m. but he had no statement to make other than to corroborate what the chief had related. The perpetrators of this crime must have worked in the office for over an hour and no doubt made considerable noise. The postmaster found a shade over one of the windows in the financial section had been drawn, which was out of the ordinary, but none of the officers had noticed it, although the postmaster less than a week ago had appealed to the chief of police for special protection on account of the numerous post-office robberies of late and at that time it was agreed that police officers would make careful investigation if they noted any of the window shades drawn. Four lights are left on during the night, one in the money order and financial section, one in the lobby, one in the workroom and one over the loading platform. The police officers had seen no suspicious characters, or anything else on the night of the robbery, that aroused their suspicions in the least. The last employee left the office at 8 p. m. on Friday December 4. The first men to discover the irregularity were Post Office Clerk Jacob Bernstein and Mail Messenger William Callanan at 5.30 a. m. on the morning of December 5, when they reported for duty. There were no tangible clues discovered and no arrests have been made. A severe snowstorm was raging during the night which made successful escape an easy matter with an automobile.

There was no loss of money-order funds, forms or other valuables connected with the money-order and financial section. No stamped-envelope stock, registered or ordinary mail was taken, and the mail keys were not disturbed. The loss was confined to the postal and revenue accounts as is indicated in the following tabulations:

POSTAL ACCOUNT

STOCK LOSS

Stock on hand Oct. 1, 1925.....	\$22, 187. 44
Stock received since that time.....	14, 283. 67
Total to be accounted for.....	<u>36, 471. 11</u>
Sales Oct. 1 to Dec. 4, 1925.....	6, 303. 01
Sales Dec. 5, 1925.....	0. 00
Stock on hand Dec. 5, 1925.....	15, 103. 28
Total accounted for.....	<u>21, 406. 29</u>
Apparent loss.....	<u>15, 064. 82</u>

POSTAL CASH

On hand Oct. 1, 1925.....	0, 000. 00
Sales Oct. 1 to Dec. 4, 1925.....	6, 303. 01
Sales Dec. 5, 1925.....	0, 000. 00
Second-class postage actually collected.....	72. 13
Postage collected on permit matter.....	418. 92
Box rents collected.....	72. 45
Transfers from money-order account.....	700. 00
Excess.....	. 58
Total to be accounted for.....	<u>7, 567. 09</u>
Postmaster's salary drawn.....	\$533. 32
Paid, special-delivery service.....	82. 84
Paid assistant and clerks.....	2, 606. 82
Paid for city-delivery service.....	2, 942. 15
Paid mail messenger.....	220. 00
Telephone.....	13. 50
Deposits.....	268. 36
Cash on hand Dec. 5, 1925.....	889. 10
Total accounted for.....	<u>7, 556. 09</u>
Apparent loss.....	<u>11. 00</u>

SUMMARY OF POSTAL LOSS

Postal stock.....	15,064.82
Postal cash.....	11.00
Total.....	15,075.82

DOCUMENTARY STAMP ACCOUNT

Stock on hand Oct. 1, 1925.....	1,215.19
Stock received since that time.....	1,170.00
Total.....	2,385.19
Sales Oct. 1 to Dec. 5, 1925.....	\$229.62
Stock on hand Dec. 5, 1925.....	None.
Total accounted for.....	229.62
Apparent loss.....	2,155.57

DOCUMENTARY CASH

Sales Oct. 1 to Dec. 5, 1925.....	229.62
Deposits Oct. 1 to Dec. 5, 1925.....	\$227.87
Cash on hand Dec. 5, 1925.....	1.75
Total accounted for.....	229.62

There is included in the total postal stock loss of \$15,064.82, the miscellaneous stamps, books of stamps, etc., taken from the cabinet of the stamp clerk having the \$260 fixed credit. Form 3295, record of stamp stock, seemed to be correct and I am satisfied that the following postal stock was stolen from the general office stock:

Denomination	Number	Cash value	Denomination	Number	Cash value
1-cent stamps.....	100,000	\$1,000.00	1-cent coils.....	120	\$603.60
2-cent stamps.....	166,822	3,336.44	1½-cent coils.....	195	1,498.35
8-cent stamps.....	1,000	80.00	2-cent coils.....	164	1,644.92
15-cent stamps.....	50	7.50	½-cent stamps.....	50,000	250.00
16-cent stamps.....	1,000	160.00	1½-cent stamps.....	50,000	750.00
20-cent stamps.....	1,150	230.00	1-cent postage-due stamps.....	427	4.27
24-cent stamps.....	1,000	240.00	2-cent postage-due stamps.....	1,744	34.88
25-cent stamps.....	10,000	2,500.00	3-cent postage-due stamps.....	902	27.06
30-cent stamps.....	2,975	892.50	5-cent postage-due stamps.....	526	26.30
50-cent stamps.....	1,560	780.00	10-cent postage-due stamps.....	700	70.00
\$1 stamps.....	959	959.00			

DOCUMENTARY STAMP LOSS

Denomination	Number	Cash value	Denomination	Number	Cash value
1-cent stamps.....	74	\$0.74	\$1 stamps.....	118	\$118.00
2-cent stamps.....	899	17.98	\$2 stamps.....	246	492.00
5-cent stamps.....	140	7.00	\$3 stamps.....	111	333.00
10-cent stamps.....	296	29.60	\$5 stamps.....	123	615.00
25-cent stamps.....	459	114.75	\$10 stamps.....	26	260.00
50-cent stamps.....	335	167.50			

The burglars did not leave any of their tools except a cold chisel and a small punch. A copy of this report has been retained for placing in the case files, which, when received, will be held for further possible developments.

Investigation has disclosed that all of the vaults, safes, and stamp cabinets containing the stolen stamp stock were securely locked on the night of the robbery and that all due precautions were used to protect the stamps and property. A record of daily sales is systematically kept in this office. The post-

master has filed an affidavit claiming reimbursement for the loss and it is recommended that Postmaster Ira E. King, at Stillwater, Minn., be credited on account of loss by burglary on the night of December 4 or early morning of December 5, 1925, as follows:

Postal account.....	\$15,075.82
Documentary stamp account.....	2,155.57
Total.....	17,231.39

A. ANDERSON, *Inspector.*

STATE OF MINNESOTA,
County of Washington, ss:

Personally appeared before me, a post-office inspector, Ira E. King, who being of lawful age and first duly sworn deposes and says:

I am the regularly appointed postmaster at Stillwater, Washington County, Minn., and was active in that capacity on December 4 and 5, 1925. All postal stock and money-order blanks charged to this post office is kept in three National Safe & Lock Co., vaults. The stamp stock and blank money order forms are given further protection by being placed in an inner safe in the vault. On the night of December 4, 1925, I swear that all safe and vault doors were securely locked after business hours of the office.

On the early morning of December 5, 1925, I found that the window to my office, in the post office, aforesaid, had been jimmied and the combination dials broken off three vaults, and two safes in which had been placed all postal supplies excepting stamped-envelope stock.

I have reviewed the computations made to-day at this office by Post Office Inspector Anderson, who made personal investigation of the irregularity cited above, and find that they correspond with my figures and computations regarding what postal stock and funds were lost on account of a robbery which took place sometime during the early morning hours of December 5, 1925. I certify that I have sustained a loss of \$14,902.31 in stamp stock, \$162.51 in postal-due stamp stock, and \$2,155.57 in the documentary stamp stock, and \$11 in cash, which represents postal funds. No money-order forms or other cash was disturbed, and the postal savings was not molested. In view of the fact that the lost stock was placed in locked vaults and safes in a Federal building, I contend that I used reasonable care in safeguarding such Government property and hereby claim credit in the total amount of \$17,220.39 plus \$11 cash for what was stolen. I have no knowledge as to who might have committed this robbery.

IRA E. KING.

Subscribed and sworn to before me, a post-office inspector, this 5th day of December, 1925, at Stillwater, Minn.

A. ANDERSON, *Post Office Inspector.*

BUREAU OF THE BUDGET,
Washington, December 9, 1926.

MY DEAR MR. POSTMASTER GENERAL: I am in receipt of your letter of the 3d instant relative to the claim of Ira E. King, postmaster at Stillwater, Minn., for credit under the provisions of the act of January 21, 1914, as amended by the act of July 2, 1918, on account of the loss of money and stamps valued at \$17,231.39, by burglary of the post office on December 5, 1925.

In reply I have to inform you that your proposed action in reporting the facts in this case to Congress, with the recommendation that authority be granted to credit the postmaster in his accounts with the amount of the loss, will not be in conflict with the financial program of the President.

Sincerely yours,

H. M. LORD, *Director.*