The **Chronicle** of the H.S. Classic Postal Issues

Nobember 1993

Bolume 45, No. 4

Mhole No. 160

COMPREHENSIVE STOCK OF

U.S. CLASSIC ISSUES AVAILABLE

Very strong in ESSAYS, some PROOFS, outstanding

STAMPS and COVERS

WHAT WOULD YOU LIKE TO SEE ON APPROVAL?

SELECTION GLADLY SENT AGAINST SPECIFIC REQUESTS

MAY WE HEAR FROM YOU?

Satisfaction or Immediate Refund — Gladly Sent on Approval with References Installment Payment Terms If Desired — (No Interest or Carrying Charges)

Jack E. Molesworth, Inc.

APS SPA 88 Beacon Street Boston, Mass. 02108 Phone: 617-523-2522

CSA USPCS

THE CHRONICLE, published quarterly in Feb., May, Aug., and Nov. by the U.S. Philatelic Classics Society, Inc. at Briarwood, Lisbon, MD 21765. Second class postage paid at Canton, Ohio 44711 and additional mailing office. Subscription price \$24.00. Printed in the U.S.A.

RICHARD C. FRAJOLA, INC.



UNITED STATES POSTAL HISTORY

PRIVATE TREATY SERVICES

PUBLIC AUCTIONS

Our auction catalogs have received awards as literature, find out by subscribing today. A subscription for the next 5 catalogs, including prices realised after each sale, is \$15.



RICHARD C. FRAJOLA, INC.

PO Box 608, 125 W. Park Ave. Empire, CO 80438 Phone 303-569-3241 Fax 303-569-3244

William A. Fox Auctions, Inc.

Has been holding Public Sales of Fine Philatelic Material for more than 25 Years.

UNITED STATES, CONFEDERATE STATES, WORLDWIDE STAMPS AND COVERS



Whether Consignment or Outright Purchase, we would be pleased to include your collection in one of our forthcoming auctions. Prompt Settlement exactly 45 Days from date of sale. Advances available.

Inquiries Invited.

676 MORRIS AVENUE SPRINGFIELD, N.J. 07081 Telephone 201-467-2366

The Chronicle of the U.S. Classic Postal Issues

	ISSN 0009-6008	
November 1993	Published Quarterly, in February, May, August, and November	Vol. 45, No. 4 Whole No. 160
\$4.50 Members \$6.00 Non-Members	Official publication of the U. S. Philatelic Classics Society, Inc. (Unit 11, A. P. S.)	Annual dues \$22.50
	SOCIETY OFFICERS 6657 New Chandler Ct., Burke, Va. 22015-4136	
VAN KOPPERSMITH	P.O. Box 81119, Mobile, Ala. 36689 /ALKER	Vice-President
	Briarwood, Lisbon, Md. 21765	
	P.O. Box 850526, New Orleans, La. 70185-0526	
	A 10015 Vista Dr., North Royalton, Ohio 44133	
	Publication Proc. Box 1503, Bloomington, Ill. 61702-1503	
	Editor of 7725 Beaver Creek Dr., Mentor, Ohio 44060-7121	
JEFFREY C. BOHN	Exhibition F P.O. Box 2301, Columbia, Md. 21045	Photocopy Chairman
'95, Richard Ma '94, Thomas O. T	A. Eggen '96, Jeffrey Forster '95, Van Koppersmith '95, Dwa arek '95, William K. McDaniel '94, Alfred E. Staubus '94, J Taylor '96, Jerome S. Wagshal '96, Patricia Stilwell Walkei <i>ifficio:</i> Thomas J. Alexander, Thomas F. Allen, C.W. Christ all agher.	Barbara Stever r '96, Richard F.
	EDITORIAL BOARD	
CHARLES J. PETERSON P.O. Box 5559.	N Laurel, Md. 20726	Editor-in-Chief
JAMES W. MILGRAM,	M.D go Avenue, Chicago, IL 60611	Photo Editor
FRANK MANDEL	New York, N.Y. 10014-0157	& Stampless Period
ROBERT B. MEYERSB	rt, Bethesda, Md. 20817	U.S. Carriers
Contract M Domit		1947 Pariod
5920 Empire W	ay, Rockville, Md. 20852	
P.O. Box 4097.	New Orleans, La. 70178	
P.O. Box 2425,	NG	
22 Charles St., 1	New York, N.Y. 10014	1869 Period
	3	Bank Note Period
ALFRED E. STAUBUS .	Yorba Linda, Cal. 92686	Officials et al.
ALAN CAMPBELL,		-
	ndler Ct., Burke, Va. 22015-4136 Assistant	The Foreign Mails
	, Cincinnati, Ohio 45242	The Cover Corner
4.1.1		

Address changes should be sent to Secretary, back issue orders to Publication Sales Chairman, other correspondence to Editor-in-Chief. Reports of new items or articles should be submitted to appropriate Section Editor or Editor-in-Chief. Do not send stamps or covers unless requested. Any items sent will be carefully guarded but no liability attaches to an editor or the Society.



The One Cent Magenta

Owned by one of our clients. We can help you build your Great Collection as well.

VICTOR B. KRIEVINS

Professional Philatelist P.O. Box 373 Bryn Mawr, PA 19010 (215) 356-3758

IN THIS ISSUE

Leadership for 63 years.

ert A.Sieael

AUCTION GALLERIES, INC.

Park Avenue Tower •65 East 55th Street, New York, NY 10022 •212-753-6421 One-year catalogue subscription \$25

THE PRESTAMP & STAMPLESS PERIOD FRANK MANDEL, Editor

A CALIFORNIA "40" THAT SHOULD HAVE BEEN INTEGRAL, BUT WASN'T FRANK MANDEL

I have previously written concerning rating marks adapted for the purpose of indicating or securing payment of the special rates to and from the West Coast in the late 1840s and early 1850s. Several post offices incorporated those rates into their townmarking handstamps, creating what are sometimes referred to as "integral" rate marks.

An interesting variation is illustrated here as Figure 1. The office at Taunton, Massachusetts, was large and active. It was then a flourishing manufacturing town, located in Bristol County about 35 miles south of Boston and 30 miles east-northeast of Providence, Rhode Island. Its population in 1850 was 10,431; its postal receipts in 1849 totaled \$4,164.82.



Figure 1. Blue Taunton ms. datestamp with space for an integral rate before "cts," in this case left blank, 32.5 mm., used with black ms. "40" collect rate, on a May 30, 1850, folded letter to San Francisco, California. (Photo courtesy David L. Jarrett.)

The handstamped postal markings of this office during the late 1840s and the 1850s are well known. They are usually in blue or greenish blue, and are normally very well struck. The postmaster there, William Brewster, must have been very fastidious. I do not recall having seen a circular datestamp from his tenure that wasn't sharp and clear. It is not surprising that he used integral devices, since the volume of mail there was substantial and integral handstamps combined two operations in one, thus saving time.

The rate in these common integral markings was placed at the bottom of the device in front of "cts" and below a horizontal bar separating the rate from the date. "5" and "10" are common before July 1, 1851, and "3" is very common after that date. "2" and "1" are known on drop letters during the respective rate periods, and are relatively scarce.

From the illustrated example it becomes clear that the postmaster could choose which rate to insert before "cts." Apparently he lacked a slug for the 40 cent rate, or perhaps found it inconvenient to insert one, choosing instead to leave that area blank and simply indicate the rate due by "40" in manuscript.

RATING MARK IN ODD CONFIGURATION: THE QUINCUNX OF JONESVILLE, MICHIGAN FRANK MANDEL

The rating marks used during the stampless period abound in oddities: there are possibly more varieties and style types among rating marks than could be enumerated for contemporary townmarkings. This may be due to the fact that many of them appear to be from handstamps that were local productions, custom-made for use in small offices and sometimes even in large ones, while the handstamps for townmarkings were more standardized—either supplied by government contractors, or by individuals who specialized in making post office stamps, such as Edmond Zevely (active circa 1850-60).

Figure 2 illustrates the unusual rating mark of Jonesville, Michigan, used in the early 1850s. The great majority of markings combining the rating numeral with "Paid" have the "Paid" positioned in a line above the numeral. This marking is a *quincunx*, which is an arrangement of any five objects in a square, with one at each corner and one in the middle. Of the several thousand rating marks I have examined and recorded, only a half-dozen or so are in this style. This example is also enclosed by an outer line that curves to follow the configuration of the letters.



Figure 1. Blue Jonesville, Michigan, datestamp, 30 mm., with matching P-A-I-D-3 in a quincuncial configuration with curving outer line, approximately 32x32 mm., on an undated envelope (1852-54) to Palmyra, Michigan. (Photo courtesy David L. Jarrett.)

The office at Jonesville was located in Fayette Township, Hillsdale County, Michigan. It was a fair-sized village on St. Joseph's River, and on the Michigan Southern Railroad line, about 74 miles west of Monroe. The population in the 1850s was around 1,000. The 1853 postal receipts point to a fair amount of activity: \$915.47, under postmaster Richard S. Varnum.

The high postal receipts certainly entitled this office to metal handstamps at government expense, and indeed the townmarking appears to be a prosaic standardized version provided by a government contractor. The rating mark is, as previously noted, anything but prosaic. As is often the case, this office used several unusual rating marks during this same period, including a very scarce "trime" design based on the small 3ϕ coin then in circulation, and a handstamped "6" for the double 3ϕ rate and the 1851-55 6 ϕ rate to the West Coast. The quincunx configuration was no isolated instance; it appears that someone connected to that office had a creative imagination, and used it.

The Logical Choice

For Select Stamps



Lot 6 10 8, Sc.161, NYFM GE-EP13, Waud GU2 BEAUTIFUL BLOCK, two strikes of ONE OF THE RAREST NYFM Cancels...\$1,200.00



Select Stamps & Covers of the 19th Century Fancy Cancels and Postal History Stampless • Foreign Destinations Rates • Markings Territorials • Illustrated Covers

Edward Hines P.O. Box 2177 Danbury, CT 06813

Phone: (203) 743-6707



U.S. CARRIERS ROBERT MEYERSBURG, Editor

MORE ABOUT WASHINGTON, D.C. ROBERT B. MEYERSBURG

Washington, D.C., was one of the principal users of the eagle carrier stamp during the fee period, which ended June 30, 1863. It had long been believed that its use was limited to prepayment of the collection fee to the mails, and your section editor shared this opinion, based on never having seen nor heard of an eagle stamp used to prepay city mail service. Much to his astonishment and delight, a genuine example recently appeared (Figure 1), and so you are all requested to review your holdings and to please report (with photocopies) any similar example.

An Auditor Vushington bily.

Figure 1. An eagle carrier stamp, precanceled with the initials CJW, prepaying the city letter fee.



Figure 2. The eagle stamp prepaying the collection fee in Washington on May 27, 1863.

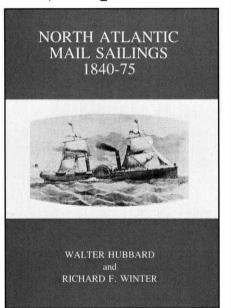
An earlier Washington column (*Chronicle* 120 and 121) discussed use of the eagle in combination with the 3¢ 1861 postage stamp. Three covers were reported, used on November 2, 1861; September 26, 1862; and May 7, 1863. Having had the opportunity to examine carefully the last example (Figure 2), I can report that the correct date of use (determined both from the postmark and the letter enclosed in the envelope) was May 27, 1863, less than five weeks before the fee period ended. These three covers, plus a single off-cover copy with a clear July 23, 1862, postmark, provide conclusive proof that the eagle stamp was not demonetized at the outbreak of the Civil War.

Gold PhiLITex 92 Gold and Reserve Grand, Oropex '91

NORTH ATLANTIC MAIL SAILINGS 1840-75

by Walter Hubbard and Richard F. Winter

Detailed information on contract mail sailings in 31 chapters. Listings and illustrations of New York exchange office markings. Five appendices. Hardbound; 430 pages; over 250 illustrations in text.



\$39.50 postpaid; please add \$2 for foreign address. Order: U.S.P.C.S., P.O. Box 455, Wheeling, IL 60090

THE 1847 PERIOD JEROME S. WAGSHAL, Editor

A REPORT AND COMMENTARY ON THE 1847 ISSUE IN THE AUCTION OF THE ISHIKAWA COLLECTION¹ ©1993 JEROME S. WAGSHAL

Early editions of the *Chronicle* occasionally carried reports of significant auctions, but in more recent times that custom has, with rare exceptions,² not been followed. In the belief that such reports can be important additions to the body of philatelic knowledge and should be chronicled (pardon the pun), the planned progression of articles in this section will be interrupted to report on the Ishikawa auction sale held this past September by Christie's.

In all likelihood, relatively few sales will merit such reports, but the Ishikawa auction qualifies. As an aid to analysis, let us classify any single philatelic piece which commands a price of \$20,000 or more as a "major" piece, and any single item which commands \$100,000 or more as a "mega-piece."³ A sale which has several major pieces thus becomes a "major sale," and a sale with one or more mega-pieces—which almost invariably has major pieces as well—would, in this terminology, be a "mega-sale." By these standards, the Ishikawa sale was a mega-sale of the 1847 issue and, indeed, for most of the issues of its coverage. An 1847 issue mega-sale carries a prima facie claim to be reported.⁴

Here, then, are the 1847 mega and major pieces of the Ishikawa collection in order of realization, with the items I regard as being primarily postal history in character, as distinguished from items whose value stems principally from the stamps and their condition,⁵ set in italics:

²For the only exception I can recall in a decade, see Wall, "The Pope Postmaster Provisionals," *Chronicle* 125:10 (2/85).

³The classification standards adopted here are admittedly arbitrary. However, some degree of categorization can frequently be helpful as an aid to analysis, and I think that is the case here.

Recognizing the well-established principle that dollar values become outdated with the passage of years, \$20,000 has been chosen as a dividing point for a "major" piece because this is just about the average annual (1990) one-earner income for a male. See *Statistical Abstract of the United States*, 1992 ed., Table 711, p. 453: median income (one earner) = \$20,293. \$100,000 is chosen as the larger dividing line simply because it is five times this amount.

By stating the basis for these standards they can be used in the future to adjust the absolute dollar levels for mega and major categories, thereby permitting comparisons between values at separated points in time.

⁴To preclude a possible future charge of inconsistency, I emphasize this qualification: it may be that sales below the mega-level merit *Chronicle* reports as well, and, conversely, that occasional mega-sales may not merit mention.

⁵I recognize that the line between stamp items and postal history items is not absolute, and some of these items, particularly the block and strips on cover, may be considered by some as postal history items rather than stamp items. Each reader is free to draw the line between stamps and postal history where he or she wishes, and I respectfully decline to debate the issue. I know it when I see it.

¹A number of knowledgeable students, including but not limited to Wade Saadi, Scott Trepel and Philip Wall, were generous with their suggestions for and/or review of this piece. However, I am solely responsible for all comments, opinions and errors (if any) contained herein.

Lot No.	Description P	urchase Price*
84	No. 1, horizontal strip of five with	
	Canada 3p. vermillion Beaver to London	\$717,500.00
52	No. 2, unused block of six (3x2), o.g.,	
4	No. 1, unused square block of 16, o.g.,	
76	No. 2, horizontal strip of four on cover	
	(the "Waukegan cover")	222,500.00
[79	No. 2, 8 copies and a mutilated third of a 9th	
	copy from Lima, Peru, to San Blas, Mexico,	
	was passed at \$130,000.00 hammer; unsold at	145,500.00]
51	No. 1b, block of four on cover	112,500.00
22	No. 1, horizontal strip of 10 on cover	90,500.00
78	No. 2, horizontal strip of five on cover	79,500.00
3	No. 1b, unused horizontal strip of 8, orange brown, o.g.,	57,500.00
73	No. 2b, right vertical half bisect cover	40,250.00
82	Nos. 1 and 2 combination cover, Charleston, S.C., to Cuba	a29,900.00
75	No. 2, horizontal strip of three on cover from Panama	
	to Mexico	
80	Nos. 1 and 2 combination cover, Buffalo, NY, blue oval cd.	s28,750.00
83	Nos. 1 and 2 (x 3), combination retaliatory rate cover	
	to Scotland	
2	No. 1a, unused pair, o.g.,	27,600.00
68	No. 2 on cover tied by NY ocean mail cancel	
	with 1857 3¢ (x3) (Type II) and 1¢ (Type V)	

* Christie's terms of sale were recently amended to provide for a **15%** buyer's premium to the hammer price for all sums up to and including \$50,000, and 10% thereafter.

As this list reveals, the Ishikawa collection, unlike other important sales of the 1847 issue in recent years, contained a fairly even mix of both important stamp and postal history lots.

The discussion of selected lots which follows will assume that the reader can refer to a copy of the auction catalogue, and I urge all readers who have not yet done so to obtain one. This full-color, hardbound catalogue will surely be a collector's item, and should be preserved even by those who do not normally keep auction catalogues. The write-ups, particularly of the important pieces, were well researched, with information frequently given as to provenance, the past occasions on which the item was exhibited and/or mentioned in philatelic literature, and other explanatory notes. This represents a philatelic use of the scholarly style used for catalogue descriptions of great art and antiques.⁶ Though the Christie's staff must surely share the credit for this important catalogue, I understand that Christie's consultant Brian Bleckwenn was responsible for much of the research and its presentation.

The Stamps

The array of 1847 stamps in the Ishikawa collection was of course dominated by the two great unused blocks—the square block of 16 of the 5ϕ and the block of 6 (3x2) of the 10 ϕ . These two blocks were first exhibited together by the great dealer Philip H. Ward, Jr.,

⁶Christie's initiated the use of this type of scholarly format during the incumbency of Scott Trepel on its philatelic staff. See, e.g., Christie's 6/18/85 Livingston (Alabama, Confederate provisional) catalogue.

among his so-called "Aristocrats of Philately."⁷ In what was doubtless one of the most important transactions of their fabled career, the Weill Brothers acquired the Ward philatelic estate after his death, and from there the blocks later came to Ishikawa.

As the catalogue write-up states, the 10¢ block of six is the largest unused piece known of the 10¢ value, the other two known blocks being of four each. This block of six had not been offered at public auction since 1910, a cold statistic that comes alive when one realizes that this was the first occasion in about four generations when this piece was available for competitive bid. Nevertheless, the market influence of decades of emphasis on postal history was demonstrated by the fact that this block achieved only about two-thirds of the price of the highest price paid for the top 1847 postal history lot in the sale (the Canadian Beaver cover, discussed below). In earlier times, this block would quite likely have commanded a far higher price than the Beaver cover.⁸

As for the 5¢ block of 16, its realization may have been somewhat depressed for a reason beyond the shift of interest to postal history, namely, that there have been well-accepted rumors circulating for some time in the philatelic community of one or more still larger unused pieces of the 5¢ stamp, including specifically a block of 30 consisting of the top three rows of the left pane. Inferential acknowledgment of the existence of these rumors is reflected in the difference of terminology in the description of the 5¢ block between Christie's catalogue and the 1981 Ishikawa Collection book.⁹ The illustration of the block is described categorically as the "Largest mint multiple," but Christie's catalogue modifies this claim by the word "recorded," referring to it as "the largest recorded unused block of the 1847 five-cent stamp and the largest recorded multiple of the 1847 issue"¹⁰

The next largest 5¢ unused multiple in the sale was Lot 3, a horizontal strip of 8. If the block of 16 is considered to be the largest unused 5¢ piece, this strip is, by records available to me, tied with an irregular block of 8 as the fourth largest unused 5¢ multiple, behind an irregular block of 11 and a 5x2 block of ten. Putting this strip in the best possible light, the catalogue described it, somewhat cleverly, as "the largest recorded unused strip of the Five-cent." Lot 3 appeared in several Robert A. Siegel ("RAS") sales in the 1970s, the last time in the "500" sale on 10/19/76, Lot 21, where it was sold at \$12,500.¹¹ If Ishikawa purchased it at that time, this was one of the lots on which a loss was avoided.

⁹Around 1981, Ishikawa privately published a coffee-table book illustrating his 1847-1869 collection, as it then existed. Although entitled *The United States Stamp 1847-1869*, its subtitle is "The Ryohei Ishikawa Collection," and it will be referred to in this article as the "Ishikawa Collection book."

¹⁰How a philatelic piece receives the status of "recorded" when it does not have a PFC (which this block does not have), is an interesting question which might well serve as the topic of future discussion.

"This strip was offered in Wolffer's 10/31/84 sale, Lot 272, where it was estimated at \$60-70K, but whether it was actually sold is a matter of conjecture, particularly since the description lists no provenance of a prior owner. My guess is that this was an attempt by Ishikawa to sell this piece, similar to other attempted sales of items from the collection, successful and unsuccessful, over the years.

⁷See Ward, "United States Early Unused Blocks 1847-1869," 26th (American Philatelic) Congress Book, 1960, p. 51.

⁸The economic relationship of these two 1847 mega-pieces was almost exactly reversed in 1993, as compared to the 1940s. The Beaver cover realized \$6,000 in the 1944 Ward auction of the Gibson collection. Apparently around the time of sale, though the date is not given, Ward purchased the 10¢ block privately from Gibson for \$10,000. See Bierman, "Henry C. Gibson, Sr.: The Centennial Philatelist," *Chronicle* 128:224, p. 230 (11/85). Thus the Beaver cover in relation to the 10¢ block was 6 to 10 in the 1940s and 10 to 6 in 1993.

To me, the most intriguing 1847 lot in the sale was No. 22, the horizontal strip of ten of the 5¢ stamp on cover, correctly described as "the largest recorded five cent used multiple and the largest recorded 1847 issue multiple on cover."¹² A note at the bottom of the catalogue description states, "While the strip is from the left pane, there is no trace of the Dot in "S" variety on the ninth stamp as would be expected." My inspection of this strip confirmed the absence of the dot as well as the fact that it is from the left pane. It has long been established that all stamps in the ninth row of the left pane of the 5¢ stamp have this "dot" variety, which was doubtless caused by a piece of foreign matter on the transfer roll relief. As a challenge to the readers, I invite written opinions as to why the ninth stamp of this strip does not have the dot.¹³

The vagaries of collecting styles and the harsh constraints of the size of the average exhibition page were exemplified by the fact that the strip of ten 5ϕ stamps on cover fetched \$90,500 while the similar cover with a block of four of the same stamp, Lot 51, realized \$112,500. Try explaining that one to a non-collector.

When one looks past the major multiples to the used singles of each denomination, the focus of the Ishikawa collection turns completely away from the stamps themselves, and centers on fancy cancellations. None of six Scott catalogue-listed double transfers of the 5ϕ stamp appeared among the used singles, either on or off cover. Curiously, there is not even an example among the 5ϕ stamps of the "E" double or "Mower shift," which was a favorite of Duane Garrett¹⁴ who was a philatelic advisor to Ishikawa, and who wrote a special introduction to the 1847 section of Ishikawa's Collection book. Similarly, only one of the four catalogue-listed double transfers on the 10 ϕ stamp appeared among the off-cover used singles in the sale, and this was an extraneous feature since this stamp was obviously included in the collection because it had a striking red "40" cancel.¹⁵ The stick-pin and harelip varieties were both missing from the 10 ϕ used singles. In short, the Ishikawa collection clearly reflected the one-sided emphasis on postal history impressed on the philatelic community over the past several decades.

The only respect in which the Ishikawa collection attempted to present stamp varieties among used singles was in the colors of the 5ϕ denomination, and this effort was badly flawed by a major error of classification. I hope to make this the subject of a future article.

The Postal History Items

Analysis of the Ishikawa 1847 covers requires that they be considered in relation to the Kapiloff collection of 1847 covers sold by RAS in June 1992. For aspiring heavy-duty 1847 collectors or even 1847 papparazi, a review of the Ishikawa covers in tandem with those of the Kapiloff sale constitutes an unparalleled lesson in 1847 postal history collecting. There is at least one example of almost every important 1847 postal history variety in each sale, and every one of the more important covers in the Ishikawa sale had one or more comparable or complementary items in the Kapiloff collection. In all, there were 43 1847 covers in the Ishikawa auction¹⁶ and 155 covers in the RAS Kapiloff sale. Given the

¹⁶Twenty-two of the 5¢, sixteen of the 10¢, and five combination frankings.

¹²These virtues were carefully stated to avoid clashing with the off-cover 10¢ used multiples of 14 and 10, respectively, in the Swiss Postal Museum. See Wall, "U.S. 1847 Stamps and Covers in the Swiss PTT Museum," *Chronicle* 113:22, p. 24 (2/82).

¹³Please address replies to me at the address listed on the masthead.

¹⁴See Duane B. Garrett, "A 5c 1847 Plate Variety—The 'E' Double Transfer or Mower Shift," *Chronicle* 92:246 (11/76).

¹⁵In addition, the Post Office Shift occurred on one of the positions of a strip of three on cover from Panama, Lot 75, but, again, this was an obvious fortuity.

limited number of very important 1847 covers in existence, these two collectors, between them, left no room for a third collector to assemble a comparable holding while they held their collections.

The parallel character of the on-cover part of the Ishikawa 1847 collection and the Kapiloff 1847 collection is remarkable. It is perhaps even more remarkable that two men who were literally from opposite ends of the earth should set such similar collecting objectives. In almost every philatelically important area of 1847 postal history, the two men ran neck-and-neck. To give some examples, and without intending to be exhaustive, the two sales, taken together, present seven Valentine covers (1 Ishikawa; 6 Kapiloff); seven Binghamton, N.Y., herringbones (3 Ishikawa; 4 Kapiloff); 30 transatlantics (8 Ishikawa, including the Beaver and a 5¢-10¢ combination cover; 22 Kapiloff, including three 5¢-10¢ combinations); four St. Johnsbury scarabs (5¢ and 10¢ covers in each collection¹⁷); three 17-bar wavy line grid Hudson River Mail covers (2 Ishikawa—5¢ and 10¢ covers; and a 5¢ Kapiloff cover); six 10¢ bisects (2 Ishikawa—a vertical and a diagonal; 4 Kapiloff—2 matching sets of vertical and diagonal bisects); and ten 5¢ and 10¢ combination frankings (4 Ishikawa; 6 Kapiloff). It is a remarkable coincidence that both collections came to market so close together, so as to give younger philatelic high rollers an opportunity to bring together important pieces from each holding.

Certainly the best example of a buyer seizing the opportunity to cherry-pick from the two holdings is found in the Ishikawa sale of the mixed franking cover with the strip of five 5¢ 1847 stamps plus the Canadian 1851 3p beaver stamp ("the Ishikawa Beaver cover"), for which there was a roughly parallel item in the Kapiloff sale, namely, a single 5¢ 1847 stamp used in combination with the Canadian beaver ("the Kapiloff Beaver cover"). The \$717,500 realized by the Ishikawa Beaver cover was the highest price of any single lot in the entire sale.¹⁸ And the \$308,000 paid for the Kapiloff Beaver cover was the second highest price for any single lot in that sale.¹⁹ Both covers were purchased by Guido Craveri, of Harmers of Switzerland, possibly for his own holding. These surely will make an impressive sight if mounted together on the same page.

The enthusiasm for vertical 10¢ bisects, as distinguished from the more frequently encountered diagonals, was demonstrated by the sale of Ishikawa's vertical bisect at \$40,250, as compared to his diagonal bisect which realized only \$16,675. The price paid for the Ishikawa vertical bisect makes John Boker's purchase of a matched pair of vertical bisects in the Kapiloff sale for \$49,500 appear most felicitous.

An area which has generated considerable collector interest in recent times, but whose attractiveness escapes me, is that of demonetized issues of the 1847 issue. If covers with such usages have stamps of other issues as well, these would be expected to be from the 1851 issue. However, Ishikawa had a cover with a 10ϕ 1847 and an additional 10ϕ in 1857 postage—three 3ϕ No. 26's and a No. 24. The cover was addressed to San Francisco and had a manuscript note on the back suggesting that it had been forwarded to Alaska,

¹⁷I reserve my opinion about the authenticity of the 10¢ cover in the Ishikawa collection.

¹⁸In accordance with auction custom when there is a sale at a record level, there was a round of applause when the Ishikawa Beaver cover was knocked down for a \$650,000 hammer. I have never been altogether clear whether such applause is for the buyer, the seller, or the auctioneer.

¹⁹Several years ago a question was raised as to whether a 10¢ stamp should have been used on the Kapiloff Beaver cover because the 5¢ stamp in that period only paid the basic weight internal U.S. postage up to 300 miles and the distance travelled by the cover from the Canadian border to New York City, the point of delivery, was more than 300 miles. The short answer is that the 5¢ stamp paid a *treaty rate* of up to 3,000 miles and not the U.S. internal 300 mile rate. See Boggs, *The Postage Stamps and Postal History of Canada*, p. 79. And see the treaty itself: *Postal Convention between the United States and Canada of March 25, 1851*, Articles III, IV and V.

but the front showed no readdressing. The catalogue description candidly stated that the cover "may be explicable in several ways." The enigmatic quality of the cover did not deter Andy Levitt from winning it with a \$22,000 hammer bid against Christie's high estimate of \$6,000. In the Kapiloff sale, Craveri paid \$22,000 hammer for a 5¢ 1847 tied on a generously marked cover with a One Cent 1851, No. 7, which carried a high estimate of \$10,000, and which Kapiloff had purchased in 1985 at the Pope sale, Part II, for \$4,750 hammer. *Chacun à son goût*.

The influence of aesthetics on philatelic value could not be better illustrated than by comparison of another pair of roughly similar 1847 covers, one in each collection. The highest price of any lot in the Kapiloff sale was achieved by the cover containing eight copies of the 10¢ stamp, horizontal strips of five and three, which fetched \$363,000, whereas the DeVoss cover in the Ishikawa sale, with nine copies of the same stamp, two horizontal strips of three and three singles, but with one stamp mutilated so as to leave only a torn third of the stamp showing, had no takers at under \$150,000. The Kapiloff cover is a not uncommon transcontinental usage to California, whereas the DeVoss cover is an exotic usage from Lima, Peru, to San Blas, Mexico—but this advantage was not sufficient to overcome the glaring difference in appearance. The illustration of the DeVoss cover in the Ishikawa Collection book shows the torn stamp covered over by a sound single which, although not a good match, nevertheless served the cosmetic function of hiding the unsightly rent single. One wonders whether there would have been a qualifying bid on the DeVoss cover in Christie's auction if that replacement single or a better one had been placed on the cover.

The Players

As noted above, Mr. Craveri joined the two Beaver covers at great expense. He also purchased several other covers with fancy cancels, including a Wisconsin state usage canceled by a "5" in a circle, and a Huntsville, Alabama, 5¢ tied with a fancy blue star, the stamps on both covers also having lightened manuscript cancels.

Other buyers of note included the following:

• The newly transferred Ivy firm was, overall, the major buyer at the sale, accounting for perhaps 20% of the dollar value. In the 1847 sale, the firm bid in Lots 3, 4, 20, 52 and 76. These lots include both the 5ϕ and 10ϕ unused blocks and the unused 5ϕ strip of 8, as well as the "Waukegan" cover bearing a high-condition strip of four of the 10ϕ stamp. These purchases were rumored to be for a relatively new and youthful collector.

• Andy Levitt was also a major buyer, garnering a number of the lesser but still important lots, including Nos. 19, 36 (5¢ squarely hit by TROY & NEW YORK STEAM-BOAT rectangle), 39 (5¢ scarab), 43, 64, 66 (10¢ Hudson River Mail), 67, 68 (10¢ demonetized usage), 72, 73 (vertical bisect), 77 and 80.

• Telephone bidder 1705 made a major foray into the cover area, bidding in Lots 17, 18, 21, 22 (strip of 10 on cover), 37 (blue herringbone), 38 (black ditto), 41, 47 (5¢ to Belgium), 48 (5¢ to France), 50, 65 (10¢ with TROY & NEW YORK STEAMBOAT, but not hit on the stamp), 69, 71, 74, 75 (10¢ strip of three, Panama to Mexico), 78 (10¢ strip of five on cover), 81 and 83.

• Wade Saadi added to his important 1847 collection with the following off-cover lots: 6, 24, 25, 28, 34, 44, 45 (large Boston PAID demonetized period cancel), 46 (red orange), 57, 58 and 62.

• Texas dealer John Salomon, bidding as agent for an unknown collector of important covers, was the buyer of Lot 51, the 5¢ block of four on cover, a major piece which will make an attractive page with the previously-mentioned Kapiloff cover with eight 10¢stamps (which was the highest priced lot in the Kapiloff sale, and which Salomon bid in for a \$330,000 hammer). Conspicuous by their absence from the list of *known* successful 1847 bidders were Stanley Richmond, who attended the sale, and Raymond Weill and John Boker, both of whom were absent. Each of the three could have been expected to have been major participants.

Ishikawa's Financial Loss

In a field which has been publicized for decades as one of the best investment venues, Ishikawa is believed to have experienced what for even moderately wealthy collectors would have been a staggering financial loss. Speculation about the anticipated magnitude of the loss overshadowed the importance of the collection for years. These forebodings were accurate. The total hammer realization of Christie's sale was \$8,217,225.00,²⁰ and Ishikawa's loss was probably well over half that sum.²¹

Ishikawa's loss was so extraordinary in its scope and magnitude and so public, even beyond the philatelic community,²² that some discussion about its causes is appropriate.

If Ishikawa's objective was to assemble a landmark collection regardless of cost, a holding whose power would garner exhibition trophies, he succeeded, and his advisors did their job.²³ The mega-pieces and major pieces in his holding demonstrate that the brute force of great wealth can accomplish much in the pursuit of philatelic rarities, as it can in other fields where dollars are how one keeps score. Having accomplished what he did, Ishikawa may not be fretting about the economic result of his philatelic adventures in classic U.S. material. However, collectors who spend literally millions of dollars to collect major pieces simply for the ecstacy of possession and without thought of the eventual financial consequences are rarely met with. Descriptions of Ferrary and Colonel Green, two men who inherited their wealth and devoted their days to spending it, suggest that such people may exist. However, I have never met a major collector who earned his own money and who managed to separate himself completely from the thought of gain, or at least coming out even. Assuming Ishikawa, as an astute businessman, was not inclined to disregard the economic consequences of his hobby, the result of his adventure in classic U.S. philately must have stung badly.

His loss was due, at least in part, to the fact that Ishikawa was dogged by extremely unfortunate timing, both in the international money market and, more specifically, in the philatelic market. Much of his collection was acquired in the last half of the 1970s when philatelic prices were climbing speculatively and headed for the precipitous slump of 1981. Of course, Ishikawa was not alone in being on the losing end of this tidal change in the market. For example, Stanley Gibbons International made its \$11 million purchase of the Haas collection in 1979, on which it reportedly took a massive loss. Gibbons' purchase eventually led to the RAS "fire sale" of the balance of the Haas cover collection in March

²⁰The gross realization with buyer's premium was \$9,277,208.75. Thanks to John Zuckerman of Christie's for these numbers.

²¹The collection was rumored to have been offered as a unit in recent years for approximately \$14 million and perhaps more, and I do not think Ishikawa was trying for more than recoupment. I have not been able to confirm the \$14 million figure, but I have heard higher numbers. The collection was on the market in the middle or late 1980s. Eric Etkin, a British dealer, reportedly was involved.

²²Ishikawa's loss was so noteworthy that an OpEd writer in *The Washington Post* devoted an entire column to it. His analysis centered on Ishikawa's bad luck with respect to the movement of the yen against the dollar: the exchange rate being about 150 yen to the dollar when Ishikawa was buying, and 105 to the dollar when Ishikawa sold. See Hobart Rowen, "The Lesson of Mr. Ishikawa's Stamp Collection," *The Washington Post*, 10/14/93, p. A-31.

²³It is my understanding that Ishikawa relied heavily on several philatelic advisors, including but not limited to the late Harvey Warm.

1983 after the drop had taken effect. It is possibly more than coincidence that the two biggest losses in modern times on the purchase and sale of U.S. classic philatelic properties were suffered by non-U.S. citizens.

The fact of Ishikawa's openhanded purchasing pattern and his apparent disregard of market value was so well known and widely acknowledged that it was noted in both fore-words to Christie's catalogue.²⁴ Raymond Weill wrote:

Let's just envisage that we select an agent with a keen appreciation of esoterica and commission him to purchase the best stamps, multiples and postal history of the United States Classic Period . . .*Of course, cost is of secondary consideration. The economics must be disregarded.* Ryohei Ishikawa accepted the challenge [Emphasis added] And in a second foreword, Rudy Wunderlich wrote:

Ryohei Ishikawa has assembled, through persistence, determination and *a disregard of cost*, the finest collection of classic issues of the United States [Emphasis added]

Added to this disregard of cost was the relatively great speed with which Ishikawa assembled his holding. The point was noted by Raymond Weill in his introduction to the Collection book:

... Stanley Ashbrook ... often said that because of the rarity of prime material from

this period, one might devote a lifetime before a truly great property could be formed . .

. . Ryohei Ishikawa put together in less than a decade what is undoubtedly the greatest holding of United States Classics that has ever been assembled.

Viewed from the clear perception of hindsight, the conclusion becomes obvious that Ashbrook was right unless a collector is so impatient that he is willing to sacrifice prudence for speed of acquisition.

Perhaps the greatest single cause of Ishikawa's loss was his relative inexperience in classic U.S. philately. Ishikawa targeted the rarest items for his collection, and many, possibly most, of them were acquired by private treaty from the most sophisticated of owners, both dealers and collectors. It is not too difficult for a tyro to get a feel for the value of a \$5 Columbian in a given condition by a little study of the market. It is another matter for a relative novice to arrive at a balanced decision regarding the value of a classic piece, where value can only be determined by subtle comparisons to somewhat different rare pieces.

Although the full cost of Ishikawa's 1847 collection is of course not publicly available, examples can be given. There were notes on the backs of the covers and on the certificates said to be in Ishikawa's hand which appeared to give acquisition information. (None of these notes has been verified.) For example, a note on the back of Lot 70, a 10¢ transatlantic cover from Richmond, Va., to Belgium, indicated that Ishikawa obtained the cover from "DG" for \$45,000. It sold in Christie's sale for \$8,000. And the next lot, No. 71, a 10¢ cover originating in Canada and addressed to NYC, indicated that Ishikawa paid "DG" \$100,000. The cover realized \$14,000 in Christie's sale. Another example: a note relating to the 5¢ red orange single, Lot 46, indicated that it was purchased, again from "DG," for \$8,500 on 3/25/80. It was knocked down in the sale for \$2,900, the price being damped by defects. In a later addition to his collection, Ishikawa apparently acquired the beautiful 5¢ St. Johnsbury scarab cover in an RAS May 1987 sale for about \$27,000. It realized \$14,000 hammer in Christie's sale.

²⁴Probably the most well known of what was generally considered to be Ishikawa's overpayments was his 1979 purchase of the 1-cent 1869 Waterbury Running Chicken cover for \$264,000. To the surprise of many, this cover realized \$230,000 in Christie's sale, which, assuming a seller's commission of 10%, would mean a net from the sale of \$207,000 and an overall loss of only \$57,000—far less than many predicted. Given Ishikawa's purchase price and the subsequent discovery of several other "Running Chicken" covers, the fact that Ishikawa would suffer a significant loss on this cover was never in doubt.

One wonders whether bidders might have been encouraged to be more aggressive if Christie's had taken a leaf from the RAS 1983 Haas sale, by publicly disclosing Ishikawa's purchase prices in the catalogue.²⁵ Gibbons' "original" prices were quoted in parentheses in the RAS catalogue, with a preface stating they were "a point of reference," but with the caution that they were "high," and that "we do not recommend that buyers use such figures in formulating their bids."

The realization of the Beaver cover made up for many of Ishikawa's losses on other items. Ishikawa purchased it at an RAS 5/3/79 sale for \$100,000 hammer. However, his overall total was still probably well in the red for the collection as a whole, if not for the 1847 section.

A General Comment on the 1847 Section of the Collection

There can be no dispute about the fact that the Ishikawa 1847 holding represented an historic assembly of the first U.S. issue. It was a disproportionately important part of the whole collection. Although the 82 lots which were sold (two were passed) accounted for slightly over 10% of the total lots, the percentage of dollar realization was three times as great—about 30% of the total hammer. This represented about \$2.4 million realized by the 1847 section.

That Ishikawa assembled his collection with a view to philatelic immortality is apparent from the publication of the Ishikawa Collection book as well as the several exhibitions of the collection which yielded major international awards. Accordingly, a few comments are in order about the character of the collection and its probable place in the annals of philately.

A. The Changes in the Collection Between 1981 and 1993.

There are two partially overlapping versions of the Ishikawa collection. Ishikawa removed a number of pieces from his collection, presumably by sale, in the approximately dozen years between publication of his Collection book and the Christie's auction. This is indicated by items in the book which are missing in the sale catalogue. (There is no indication that any of these missing pieces were retained.) Without intending to be exhaustive, a few of these early disposals may be cited. A notable item is the Emerson horizontal strip of three of the 10¢ stamp.²⁶ I am told that Ishikawa acquired it by private treaty around 1979-80 for about \$100,000 and sold it for a price believed to be in the \$75,000 range about 1985 to a medical doctor/collector on Long Island. The strip appeared in recent years in an Ivy sale where it realized about a \$25,000 hammer, bid in by a canny collector who has formed an important, primarily off-cover, classics collection. Other nice pieces shown in the book and missing in the catalogue include: a 5¢ and 10¢ combination nicely tied on piece (now with the same collector as the previously mentioned Emerson strip); a pair of the 5¢ red orange on cover; and four 5¢ singles on cover from Philadelphia to Pittsburgh. Also missing from the auction was a 5¢ on cover addressed to Gibraltar.

A spectacular cover with a horizontal strip of four of the 5¢ stamp tied by five bold strikes of a black "STEAMSHIP" cancel is shown in the Ishikawa Collection book, and this cover somehow found its way after 1981 into the Kapiloff collection, where it was sold as Lot 144 for \$40,000 hammer to John Salomon, presumably as an agent.

One of the most interesting but unfortunate deletions from the Ishikawa collection occurring after publication of the Ishikawa Collection book is that of the off-cover used

²⁵The acquisition price of the Running Chicken cover was stated in the catalogue description, but without identifying it as Ishikawa's purchase price. See Note 24, *supra*.

²⁶This strip is illustrated on piece as Lot 376 in the Kelleher (No. 438) 11/16/46 sale of the Emerson collection.

block of four of the 5¢, shown on the (unnumbered) second page of illustrations in the Collection book. Phil Wall, an ace philatelic sleuth, identified this block as having been cut from a larger block of 12 (6x2) stolen from the Miller collection in the New York Public Library. Wall's article revealing his tragic discovery and illustrating the full block of 12 appears in *Chronicle* 116 (November 1982), p. 248. I am told that the block of four was returned to the library at a possible loss to Ishikawa of about \$20,000.

During the post-1981 period, Ishikawa also made some additions to the 1847 section of his collection, as evidenced by items in the sale catalogue which are not found in the book. The previously mentioned 5ϕ St. Johnsbury scarab cover, Lot 39, is an example.

B. The Overall Merit of the 1993 Version of the 1847 Collection.

The 82 lots of the 1847 issue which sold ranged from the five mega-pieces and ten major pieces listed at the beginning of this report to a used 5ϕ single which realized \$500, and several others which fetched \$520. Condition was necessarily lacking in some of the major multiples and rare covers—which are almost never without fault—but it was also wanting in some of the more common items. For such lesser pieces, there were clearly superior alternatives available over the years, from a number of sources. As one commentator recently put it, the collection had power but not finesse.

Without denigrating Ishikawa's accomplishment as far as it went, there is something missing from his 1847 collection, as there is from his collection as a whole. It does not quite hang together, possibly because of the previously mentioned lesser pieces which do not qualify as appropriate to be in the company of the more important items. It is not possible to find a common thread in the collection which says that a particular piece fits, as it is generally possible to do, for example, with respect to the Caspary or Newbury collections. The provenance "ex-Ishikawa" will surely be carried by all the pieces in the collection, but it will not give a clear message.

Conclusion

Considering that he was working in a culture to which he was not a native, and in a language that was not his first tongue, Ishikawa must be credited with the full extent of his accomplishment in assembling an unprecedented aggregation of 1847 mega- and major pieces. It has been said that Ishikawa has lately turned to the collecting of rare fish, which can be valued in five or six figures. As the philatelic community is now well aware, when Ryohei Ishikawa goes fishing he knows what to use to bait his hook. He should, however, guard against an obsession to capture Moby Dick. \Box

PHILATELIC BIBLIOPOLE

Authoritative philatelic literature on: US, CSA, GB, Maritime, Forgeries, GB and the Empire We stock many major publishers, over 100 in all:

Robson Lowe, Collectors Clubs of Chicago and New York, Philatelic Foundation, Britannia Stamp Bureau, House of Alcock, Quarterman, American Philatelic Society, U.S. Philatelic Classics Society, Various University Presses and Private Publishers, Royal PS of London, The Depot, La Posta, State PH Societies, etc.

Purchaser of major philatelic libraries. Current Stock Catalog \$3.00

PB BLANK PAGES, MYLAR AND PAGE BOXES

The state of the art for both archival preservation and appearance, our pages are 100% cotton rag in addition to being neutral pH and buffered, Blank and Quadrille. Custom steel engraved page heads and paneling available. All made in USA.

Page Sampler \$3.00, Page Sampler and Literature Catalog \$5.00

LEONARD H. HARTMANN P.O. Box 36006, Louisville Ky 40233, (502) 451-0317



THE 1851-61 PERIOD HUBERT C. SKINNER, Editor

PROVO CITY, UTAH JAMES W. MILGRAM, M.D.

A previously unknown and undescribed western postal marking recently has come to light. Although one expert committee has questioned the marking, another has declared it "genuine in all respects." This note is intended to describe the cover, to place it into historical perspective, and to provide evidence for its authenticity.

The cover (Figure 1) bears a single copy of the three cent 1857 stamp tied by an irregular pen stroke with a matching ms. date "July 8- 58," and a handstamped black straight line postmark reading "PROVO CITY, UTAH" ($37x5^{1}/_{2}$ mm). It is addressed to Grand Rapids, Michigan, in a different shade of ink. The 3¢ rate is correct for usage in 1858 (under 3,000 miles).

July 8-St Washington. Heath Cogs Grand Rapids Kent CO Mich

Figure 1. Cover to Grand Rapids, Michigan, bearing ms. date "July 8- 58," black straight line "PROVO CITY, UTAH," and a three cent stamp tied to cover by a pen stroke.

The blue envelope (Figure 2) is homemade, fashioned from an unused Territory of Utah Indian Agent form printed on laid paper. Historians at the Church of Jesus Christ of Latter-Day Saints (Mormon Church) have examined this form and have verified that it is contemporary to 1858 when Jacob Forney was the Indian Agent in Utah Territory.

The cover was made by folding the top down, then the bottom up, and then the two flaps side to side applying glue to the back of the flaps. This is reversed from a normal envelope, where the side flaps are folded first. The glue seems to be wheat paste and looks old.

No other examples of this postmark have been reported, but there is an intriguing listing in the *American Stampless Cover Catalog* (Vol. I, p. 361) of an 1855 marking with the exact same form, all in capitals, "PROVO CITY UTAH." David Phillips writes that this listing is held over from older editions of the catalog and that he has no further information to confirm the marking.

The Mormons are a Protestant religious sect who in the 1840s actively proselytized among their neighbors and were organized into communities that were controlled and

n said Territory at th

pay for the same from intercourse with Indian t cation to Utah Territory.

ncy and receipt for the same

residents of in our presence by the said

ents himself to be. That we are personally knowing

s bill and declaration, which were reasons a spince. That they are correct and true as stated. This are feat mapping med in his schedule in the manner and at the time therein set forth. That in our opinion it was fully worth the value by ed to it. And that we have no interest in this claim.

RRITORY OF UTAH,)

COUNTY. The foregoing hill, declaration and affidavits were respectively subscribed and before me. And I certify that I know the affiants to be credible persons; that the claimant is the person hd represents himself and that I have no interest in this claim.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court the day and year before written.

Indian Agent in and for the Agency of Utah, certify for onimeral it be paid. And further that I am disinter

Figure 2. Reverse side of homemade envelope showing it to consist of a federal Indian Agent form for the Territory of Utah.

dominated by the Church. They were forced to leave Nauvoo, Illinois, by their neighbors and voluntarily immigrated to Utah in 1847. Other members of the sect immigrated there from various towns over the next few years. Mormon settlements in the West reached from Nevada to California, north to Idaho, and south to Mexico as well as into Utah Territory.

With the accelerated migration westward because of the Gold Rush, Mormons came into increasing conflict with non-Mormons. In the latter half of 1857, federal troops were sent to Utah Territory by President Buchanan to fight a supposed "Mormon War" which never materialized. The troops under General Albert Sidney Johnston (later a Confederate general) spent the winter of 1857 at Fort Bridger, U.T. A manuscript postmark of "Fort Bridger U.T." is known from this time. The federal forces advanced to Salt Lake City during the following summer, but Brigham Young had ordered evacuation of the city residents to Provo City, a settlement fifty miles south of Salt Lake City, as the federal army approached Salt Lake City. This letter was written just as the temporary evacuation caused an increase in the population of Provo City. The army established a post at "CAMP FLOYD, U.T.," which had its own post office from 1858 to 1861. A manuscript and two distinctive handstamped postmarks are known from Camp Floyd. The mails to and from California through Utah were considerably disrupted at this time.

When this cover entered the mails, the postmaster at Provo City was Evan M. Greene. A two-page biography of Greene appears in the *Deseret News* of May 18, 1935.

City of Josiph Sept 15 Brother Dinned Brannon [an the I this alo. I am glace to see you do willing. To chicle they our council und all I can say. to you in regard to the office is do as your and tother Prett Think hest, only do not think to sustain it from the tithing of the Church; and therefore Isay do as you think

Figure 3. Portion of a document written by Evan M. Greene, postmaster at Provo City, Utah Territory, in 1858.

Greene reached Utah in 1852 and was directed to start a school at Provo immediately. He was elected mayor and also became territorial representative. He had been postmaster at Kanesville, Iowa, before he left for Utah and later was appointed postmaster at Provo. As he was an early clerk for the Church of Jesus Christ of Latter-Day Saints, there are many examples of documents in his handwriting in Church archives. Part of one copied document written by him is shown in Figure 3. The handwriting is similar to the ms. date on the Provo City cover, including a distinctive "J" and a disconnected "5." In my opinion, the handwriting of postmaster Evan Greene on the cover confirms this cover as from Provo, Utah, and thus is strong evidence for the authenticity of the handstamped postmark from this same location.

Provo is a later name for an 1849 post office established at Fort Utah (named after the Ute indians), informal at first but a United States post office by 1850. The name Provo

is after the well-known French-Canadian trapper, Etienne Proveau, who arrived in the area in 1825 and was involved with an Indian fight.

Certain persons have challenged the type face used in the handstamp as not being available at the time period of the letter, 1858. In my book on steamboat postmarks, *Vessel-named Markings on United States Inland and Ocean Waterways 1810-1890*, I have reported and illustrated numerous sans-serif block lettered handstamps. There are other straight line postmarks used during the 1850s which were made either from moveable type pieces or were hand-carved as single markings.

Reportedly, the autograph dealer Mark Hoffman produced a fake "G.S.L. Cal" straight line postmark, but there is no evidence that Hoffman ever handled the Provo City cover. It was offered to me by one of the most experienced postal history dealers in the country, Robert A. Siegel.

The Provo City postmark is poorly and lightly struck. Possibly the marking is rare because the handstamp was poorly made. Certainly, if one wanted to fake a postmark, it does not make sense to strike it so lightly that many collectors would refuse it based on the condition of the strike alone. The postmark must have been in use for a very short time as no other copies are known, but it is a distinctive type of postmark from a Mormon settlement and, thus, is an important newly discovered western postal marking.

ACKNOWLEDGMENTS

W. Randall Dixon, Archivist, Church of Jesus Christ of Latter-Day Saints Chad J. Flake, Curator, Special Collections and Manuscripts, Brigham Young University LaMar Peterson Richard Saunders, Special Collections, University of Utah Linda Thatcher, Special Collections, Utah State Historical Society Library

Irwin R. Vogel

Utah Place Names, by John W. Van Cott, University of Utah Press

EDITOR'S NOTE: The above-described cover was rejected by the Philatelic Foundation as not genuine. It has received an APES certificate stating it to be genuine. This article is published "for the record," and does not indicate acceptance of the authenticity of the cover by the editors. Readers are asked to submit any evidence or further helpful information about this intriguing cover to the section editor.



Your Confidence is our Guiding Value!

At Ivy, Shreve & Mader, we take pride in our integrity, reliability, and personal service. But all the principals can be summed up in one: your confidence that we are the right choice to handle the sale of your Our experts know what philatelic values really are . . . that the essential value of a stamp lies in what it means -- its history, its beauty, its significance as a reflection of a nation, a culture, an idea, sometimes a single personality.

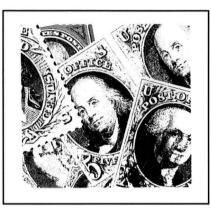
The results show in our detailed and

collection. All of our efforts are directed toward assuring you that your valuable stamps are in the best of hands.

Certainly you want a fair price for your valuable collection . . . reflecting the time, effort and love you've put into it! We understand you also want to know your stamps are valued by your

auctioneer as much as you value them yourself. We appreciate your collection for what it is truly worth to you.

It takes years of dedicated study and caring attention to appreciate stamp values with the eye and mind of an expert. Charles Shreve and Walter Mader, are supported by a philatelic staff broadly experienced in virtually every area of collecting.



award-winning catalogs and sophisticated understanding of what your stamps mean to the collecting community.

You get full value for your stamps in the marketplace. But there's a lot more to realizing their worth than simply "the highest bid."

Full value also means quick and accurate settlement on the sale,

and prompt payment afterwards. Our commissions are competitive with every leading stamp auction firm, and your settlement is guaranteed to be paid 45 days after the sale.

To inquire further how IVY, SHREVE & MADER, INC. can assist in the sale, or the building of your collection, please call **1-800-782-6771.**



DALLAS

Hertitage Plaza, 100 Highland Park Village Dallas, Texas 75205-2788 Texas WATS: 1-800-448-6470 Telefax 214-520-6968 NEW YORK

32 East 57th Street, 11th Floor New York, New York 10022-2513 212-486-1222 Telefax 212-486-0676

DUPLEX HANDSTAMPS, MARCUS P. NORTON AND PATENT CANCELS OF THE 1860s RICHARD B. GRAHAM

(Continued from Chronicle 158:111)

Norton Patents in Court

As far as I know, Norton and his assignees were involved in two or three important court cases or more involving his patents of 1862 and 1863 claiming the duplex handstamp. The first of these cases was an action of his assignee, Shavor & Corse, at Albany, New York, against Edmund Hoole of Mount Vernon, New York. Hoole had been vigorously manufacturing duplex handstamps under government contracts to supply them to large post offices. The suit was initiated in the United States Circuit Court for the Northern District of New York and trial held in October 1864. The suit against Hoole was for infringement of the Norton patent granted April 14, 1863, reissued August 23, 1864 (No. 38,175).

Although Hoole, in his statements and affidavits filed at the time, brought out that General Dix (then New York City Postmaster) and others had developed and used duplex markings, and Norton's patent of 1859 in no way covered the solidly constructed integral handstamps, Shavor & Corse won. On the surface of the matter, this does not make much sense as the Norton patents of the 1860s, notably that upon which Shavor & Corse sued, were obviously applied and granted long after the solidly constructed duplex handstamp had been in wide use for some time.

Why Shavor & Corse prevailed does not come out until the second major court case involving the patent culminated before the U.S. Supreme Court in 1881. Norton had sneaked a purported prior claim, dated in 1854, into the files for his patent which supported his claim of being the original inventor of the duplex handstamp. This was first noted by Thomas J. Alexander in *Chronicle* No. 126 (May 1985), pages 103-104, and it explains what was previously difficult to understand — why Norton's claims were so readily accepted by all concerned in the 1860s.

This will be discussed at greater length later, when the Supreme Court case is reviewed.

An interesting aspect of the successful suit of Shavor & Corse against Hoole is that Hoole was immediately given a license to continue manufacturing duplex handstamps for Fairbanks & Co., then the direct contractor, to be supplied on the Post Office Department contract of 1863.

As noted, all this is taken from documents printed as part of Executive Document No. 27 of the 38th Congress, 1st Session, and other documents. In one of the affidavits of Shavor & Corse, dated January 12, 1865, they noted they had made application to Congress to purchase the designs and patents, with improvements. This was referred to "the appropriate committee" but nothing was done because of Norton's patents being challenged as to validity, details not given. They also noted that the judge in the trial at Albany of *Shavor & Corse v. Hoole* was N.K. Hall. Hall, as is known, was Postmaster General of the United States as a Whig under President Fillmore.

In 1866 and again in 1872, Norton and his assignees attempted to obtain compensation by Congressional enactment for the continuing use of the duplex handstamps by the Post Office Department. Both attempts are documented in committee reports, the first in House of Representatives, 39th Congress, 1st Session, Report No. 98, dated July 24, 1866, and the second in Senate Report No. 186 of the 42nd Congress, 2nd session, dated May 15, 1872. Both reports shed additional light on the continued use of duplex handstamps and verified their advantages to the government.

In the 1866 report, made by Representative Thomas White Ferry of Michigan for the Committee on the Post Office and Post Roads, it was stated that the duplex handstamp invention, patented April 14, 1863 and surrendered and reissued August 23, 1864, had been in use since April 1, 1863,

...without compensation whatever to said *patentees*, nor upon any other stipulation than their consent that the same might thus be used until its utility and advantage to the government should be effectually tested, when a fair and equitable compensation for either its use or the patent should be made to them by the government.

Which was all very well, except that the Postmaster General offered \$20,000 plus \$12,282.70 for their developmental expense plus interest, while Shavor & Corse's idea of a "fair compensation" was \$125,000. This was based upon Post Office Department estimates that the labor time saved by use of the duplex handstamps was equivalent to the salaries of 254 clerks at \$800.00 per year, for the three years the devices had been in wide use, or a total of \$609,600. Shavor & Corse declined this offer, so the Post Office Committee asked Congress to offer \$50,000, on condition that if the offer was not accepted within 30 days from the Congressional approval of the resolution the case was to be sent to the U.S. Court of Claims.

The claim was not resolved at that time; in 1872 this claim came up again, this time in the U.S. Senate. A report of Abijah Gilbert of Florida (a New Yorker who had moved to Florida in 1865, served one term in the U.S. Senate and then moved back to New York) consisted mostly of a long rehash of the claims by Norton. The Senate Committee on Post Offices and Post Roads recommended the matter be referred to the U.S. Court of Claims.

Its utility, facility, and economy are so far established that it is being introduced to the larger post offices of the States as rapidly as they can be supplied. The government has contracted for their manufacture with Messrs. Fairbanks & Co., of New York, at the price of six dollars each, and is now supplying offices at the average rate of five hundred per annum. From the interruption of postal facilities, growing out of the late rebellion, the southern States have not been supplied, but will be, as stated by the Postmaster General, as fast as the department can effect their introduction.

The Post Office Department seems committed to their general and continuous use, so long at least as no other improvement shall commend supersedure. The nearest approach to a practical substitute for this invention is one of English device, manufactured by Turner & Co., London, and to be seen at the Wash-ington post office. This is a more complex and expensive stamp. Its only novel merit is self-inking. The stamp employed is the same combination of stamping and cancelling covered by the "Norton patent," and is claimed by him to be an infringement of his invention, and that he holds a patent for his like combination stamp under the English crown of date February 4, 1863. The similarity of the two stamps, in this respect, is quite obvious. The cost of this English stamp is one hundred dollars, ninety-four dollars more than the Norton make, and, by the complication of its structure, must by use be subject to frequent repairs. A trial of the two methods of execution, fairly tested in the presence of your committee, attested the superiority of the Norton stamp. The same number of letters (100) was stamped and cancelled by the Norton stamp in twenty-eight seconds, which by the same operator required forty-five seconds with the Euglish stamp. The Norton stamp is therefore deemed the most perfect and serviceable device extant. The government in consulting its interest has fully committed itself to its adoption, and over three year's use determines it an indispensable requisite to the safe, rapid, and economical operation of marking, stamping, and cancelling in the postal department.

Figure 19. From House of Representatives Report No. 98, 39th Congress, 1st Session, discussing a comparative test of the Norton duplex handstamp with a self inking duplex device made in England.

The 1866 House report contains some interesting information, reproduced in Figure 19, about the duplex handstamps, including a comparison test made to a similar British handstamper at the Washington Post Office, presumably shortly before the committee reported.

In Figure 19, the subject is, of course, the Norton patented duplex handstamp, vintage of the 1860s. The excerpt shown indicates that 100 letters were postmarked with the English handstamp made by Turner & Co., London, which had a self-inking feature. (Steps are being taken to locate a copy of the Turner patent to determine, if possible, the details of the handstamps produced by the Turner duplex. If any of the hundred letters with the Turner marking have survived, and assuming these were regular mail rather than dummy envelopes, there may be a very rare marking identified by this situation.)

During this period, handstamps of the duplex style continued to be furnished to the Post Office Department equipped with various styles of killers. Many had the sockets for corks, but some equipped with steel 4-ring target killers apparently were also produced. Figure 20 shows a comparison of a handstamp in the possession of Donald B. Johnstone, which he loaned me to photograph and examine. This handstamp, with a single line CDS of Castleton, Vermont, was in use circa 1863-1871, per an article by Dr. Johnstone in *The Vermont Philatelist*, February, 1989, No. 131.

The interesting aspect is that the Castleton, Vermont handstamp, shown at the right in Figure 20, with a tracing of the marking below it, has on its crossbar, stamped into the steel, "Pat. Aug. 9, 59," which is the date the patent on the device shown in the drawing, adapted from the patent drawing, was granted. The lack of similarity between the two devices is striking. From this, however, we may conclude that the Castleton device was made in 1863, as suggested by Dr. Johnstone, and is thus probably one of the early examples of the steel type duplex markings. Most of the early duplexes with 4-ring steel target killers were made with a larger double circle type postmark, but this device shows no sign of any inner circle.

The Chief Inspector's Opinion of Norton

David B. Parker had been in charge of the mails for the Federal Army of the Potomac during the Civil War and was later a Post Office Department Special Agent. During portions of the 1870s and 1880s, he was Chief Inspector of the Post Office Department. Thus, he would have been familiar with the activities of Norton, at least during the 1870s and while the second and more famous of the court cases involving the Norton patents took place.

In his biography, A Chautauqua Boy in '61 and Afterward, pages 213 et seq., published as reminiscences by Small, Maynard & Co., Boston, in 1912, Parker devotes seven pages to Norton's activities. These are published here in full, as they provide some information on the subject as well as give us the viewpoint of the Post Office Department officials toward Norton and his licensees.

Whenever there was a change in Postmaster Generals (and there were six while I held the position of Chief Post-Office Inspector), I tendered my resignation, suggesting that, as the position was a confidential one, the Postmaster General might desire to name someone he knew, but I was continued in the position until I resigned voluntarily. While the work of the Inspectors was partially to investigate complaints and losses of letters and detect violations of the law, they also had many other duties, investigating complaints of every character against the service, negotiating leases for post-offices, investigating and recommending as to changes in mail routes, and, in fact, doing anything that the Postmaster General's authority and the law authorized them to do in connection with the correction of evils and improvement of the postal service.

Many matters pertaining to the service came to my lot to handle that were interesting. I will speak of one case. During the war and while I was an army officer, I had

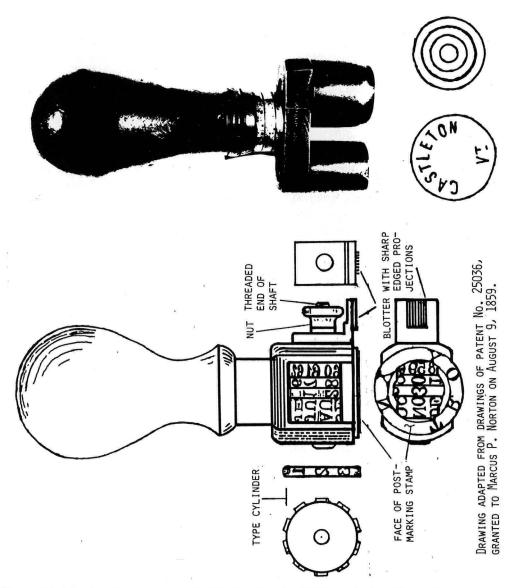


Figure 20. The handstamp patented by Norton in 1859, as derived from the drawings with his 1859 patent, compared with a government furnished duplexed handstamp of the 1860s, manufactured by Hoole, but bearing the date of the 1859 patent. The Castleton, Vt. duplex marking with target killer made by the handstamp is also shown in tracing form, courtesy Donald B. Johnstone.

much to do with the Third Assistant Postmaster General, Mr. A. N. Zevely, as the postage stamps for the army were procured from him. On one occasion when I was in his office, he said to me:

"You will find somebody else in this office maybe the next time you come."

I knew that he was one of the very best men in the Government service and had been in the Post-Office Department before the war and that he was a Southerner, and I naturally inquired:

"What is to happen, Mr. Zevely?"

"There is a rascal," he said, "trying to enforce a claim against the Government which is pure robbery, and I went before the House Committee on Claims yesterday and gave my opinion of the matter, and last night, late, a friend came to my house and said that Marcus P. Norton, the claimant in the case, threatened my removal, and that he had the influence to secure it; that I was a Southerner and it would be easy to bring it about."

"Mr. Lincoln would not permit an injustice to be done you."

"I don't think he would if he knew it, and I think I will go to him, if necessary," said Zevely, but he was very much cast down. He then gave me a history of the case. He said that when postage stamps were adopted in the forties postmasters were furnished with a small steel stamp to cancel the postage stamp with and a large steel dating stamp which gave the name of the post-office and the date to stamp also upon the letter. Every inventive postmaster in the whole country immediately began to fasten the two stamps together, so that one blow would cancel the stamp and affix the postmark. Then the Department began to manufacture and issue a stamp which was a combination of the two, a bar crossing and holding the two stamps.

"Now," continued the indignant Zevely,"after all these years this scamp turns up with a patent on it which he obtained years ago and has had renewed once, never presented it to the Department until now he thinks everybody is dead and gone who would know about it. He presents it with able attorneys back of him and is trying to get a law through Congress to purchase the patents, and I understand that the Committee on Claims, Roscoe Conkling, Chairman, has offered him \$250,000 and he has refused it." At this juncture Mr. Zevely's recently appointed chief clerk, William M. Ireland, came into the room, and Mr. Zevely introduced me to him and then continued his story of the stamps, and Ireland interrupted:

"I was a stamp clerk in the Philadelphia post-office when the postage stamps were first adopted, and I had the two stamps joined together and used them that way, and we had them all fixed that way."

"Yes," said Zevely. "There's proof now that his patent is of no value. I have been here a great many years, and sharks like that hang around Washington, perfectly familiar with the patent and all other laws, and ready to put up a conspiracy to rob the Government."

I thought no more of the matter, but in 1877 or 1878, about fifteen years later, while I was Chief Post-Office Inspector, I called upon the postmaster at New York, Thomas L. James, and as we sat talking, the United States Attorney, General Stewart L. Woodford, came in and said to Postmaster James:

"Well, there is nothing more to be done in that Norton case. I have had all the adjournments possible, and the case will come to trial next week before Judge Wheeler in Vermont, and we have but little evidence to resist it with. I have written the Postmaster General time after time and always get the same answer, that they are unable to furnish me with any evidence. It is an outrage, and I have no doubt but they will get a judgment against you and then proceed to ascertain the damage." He went out, and Postmaster James told me that it was a suit against him as postmaster for the use of a patent device to postmark letters and cancel the stamps, and that the claimant had patents running back a great many years, and had a syndicate of powerful capitalists and an ex-Attorney General of the United States for his attorney. I immediately recalled that interview with Mr. Zevely, and told the postmaster that I was astonished that such a claim should exist and not be referred to my bureau in Washington. We had never heard of it and did not know there was any such suit, but I was very sure, if I had

known of it, I could have obtained some evidence, because I remembered something about it fifteen or sixteen years before. I hurried away to my train and came out home in Western New York, and the next day went to a friend's farm near Jamestown to stay overnight. In the night I was called up by a Deputy United States Marshal from Jamestown, who had accompanied a Deputy Marshal from New York, who had followed me and who wanted I should get up and hurry to Jamestown and sign an affidavit that he could take back to New York to the United States Attorney upon which to base an application for an extension of time in the suit referred to upon the ground of newly discovered evidence. I rode to Jamestown and made the necessary affidavit, and he caught the train and left for New York. The application was made to Judge Wheeler, and a postponement of thirty days was granted. I returned by way of New York and set about getting the evidence. I knew Mr. Ireland still lived in Washington, although not in Government service, and I found him quickly and told him what I wanted. He refused to have anything whatever to do with furnishing evidence, said the Government had treated him badly, and turned him out of the position in the Post-Office Department, and that he owed the Government nothing, and felt very sore. At length Mr. Ireland yielded to the appeals to serve the Government, although he put it on the ground of personal regard for me. We went at once to Philadelphia. We found one old clerk who was the chief stamping clerk when Ireland was employed there as a boy of sixteen, and this old gentleman remembered those stamps and told us of another very old man still in the post-office who would know something about it. This second old man said, "Why, there is a candle box full of those old stamps down in the cellar. I took a couple of them home to my grandson to use as chucks in a tubing lathe." We found that box, and we got some of the stamps with the holes drilled in the sides where they had been attached, and one of them had the steel dating type rusted in it, so that it could not be taken out, and it gave the year and the date. Then we found the son of the locksmith who attached these stamps, and his father's books showed when he did the work for the postmaster and what he was paid, and the whole description of the work done. Eventually three very old men were found who had had to do with the stamping at that time. On inquiry I found that the Patterson Mills retained all letters from their Philadelphia office, and we found letters of that time on which measurements showed that the two stamps were always the same exact distance apart and therefore must have been attached. All this was before envelopes were invented. The evidence seemed to be complete. I arranged to take all these gentlemen on to Vermont and accompanied them as far as New York, whence they proceeded to Vermont on subpoena. When the case was tried, the Court was asked to set aside all of this testimony, and an effort was made to discredit it and every one of the witnesses. The very old men were somewhat confused under cross-examination by skillful attorneys. Mr. Ireland was a remarkably younglooking man. I have never seen a person who bore so little evidence of age as he did, and the Court was plainly asked to discredit his testimony because he could not have been a clerk in the Philadelphia post-office as long ago as he testified. By discrediting this and all other evidence of prior use, judgment was given against the postmaster at New York, and a Master appointed to ascertain and report the amount of damage accruing from violation of the patents on the part of the postmaster at New York during his term of office. The testimony taken in New York showed that the use of this double stamp enabled one man to do the work of two, and a very large number of stamp clerks were employed. Facilitating the dispatch of mails was considered, but not fixed in the amount. The Master's report, however, gave a very large sum as the amount at which a judgment against the postmaster at New York alone should be fixed. It was said that two hundred other suits would be brought immediately, so an enormous sum would be mulcted from the Government, but the District Attorney at New York appealed this case to the Supreme Court of the United States on the ground that the Court in Vermont had erred in discarding the evidence of prior use. The Supreme Court of the United States reversed the judgment and declared the patents void, and no other suits were Ten years later I saw Norton in Boston, and saw from the newspapers commenced.1 there that he was suing the city of Boston and other cities for a patent fire hydrant for which he had had patents for many years covering hydrants that were used by all the cities. I think he eventually failed in these suits. I was told that the different capitalists who induced him and two other men to continue his litigation supported him and his family for a great many years in an expensive way. On investigation at the Post-Office Department, I found that the chief clerk who opened the mail for the Postmaster General had been given a memorandum when he came into office that all letters pertaining to this claim of Norton's should be referred to a certain clerk, and he had always so referred them, and from examining the letter books, I found that all inquiries regarding this case for very many years had answers prepared for the Postmaster General's signature by this clerk. It was easily established that Norton stayed at this clerk's house when he came to Washington, and presumably controlled the correspondence.

¹ James v. Campbell, 104 US 356, argued in January, 1881, by Charles Devens, Attorney General, and S.B. Clarke, Assistant District Attorney, for the Southern District of New York, for the Government, and ex-Attorney General Williams and Benjamin F. Butler, for Norton.

Understandably, as a former Chief Inspector of the Post Office Department who had also been told, while in charge of the mails for the Civil War Army of the Potomac, of Norton's tactics to get his handstamps accepted, Parker was quite biased in his viewpoint. However, his reminiscences do demonstrate the attitude of the Post Office Department concerning Norton and his licensees. Obviously, Post Office Department officials who had been there for several years were convinced that Norton neither invented the duplex style handstamp nor that he was anything more than an unscrupulous promoter. It is possible that Parker, although he does not mention it in his book, also knew that Norton had resorted to chicanery in obtaining his revised patent of 1864 by sneaking a spurious claim into the Patent Office files in 1864 that purported to date from 1854.

Other comments regarding Parker's viewpoints are also of interest. First, when Parker was relating the discussion of his visit with 3rd Assistant Postmaster General E.S. Zevely, part of what was said does not necessarily jibe with what we believe today, as specialists in Philadelphia postal history and markings may well attest. This concerns the use of the duplex handstamp, which was not used at Philadelphia to cancel stamps and postmark simultaneously but to rate letters.

The use considered took place in the 1840s when the U.S. 1847 stamps were in use, but the Philadelphia handstamps, with either a "10" or a "12" attached, are not known used to cancel the stamps as far as I know. In A Catalog of Philadelphia Postmarks, Part 1, compiler Tom Clarke lists only the version with the "2" attached as being in use after the 1847 stamps were available. Thus, what Parker and the Chief Clerk of the Office of the 3rd Asst PMG, William M. Ireland, were discussing was the use of a duplex marking for any purpose, not just for canceling stamps in connection with the postmarking. Actually, had they known, there was another and earlier precedent in the attached "datewheel" type handstamps used in New England in the 1820s and 1830s, which had a rotatable rating wheel attached to the sides of postmark handstamps. However, that was not as rigidly attached, which was also a consideration. The date of the alleged conversation, reported by Parker as being while he was an Army officer handling the mails for the Army of the Potomac, has to have been in or after August 1864 when Chief Clerk Ireland was appointed. Actually, Parker had just left the Army as an officer but had been appointed a special agent to continue handling the mails for the Army of the Potomac. Parker's later encounter with those holding the Norton patents was as Chief Inspector of the Post Office Department, a post in which he was quite involved with the lawsuit of Campbell v. James. He relates the background of the case, in which Campbell, the licensee of the Norton patents at that time, was suing Postmaster Thomas L. James of New York City for unlicensed use of the duplex handstamps. James later became Postmaster General under Garfield in 1881 and served until the end of 1881.

Campbell v. James; James v. Campbell; Clexton v. Campbell

The case of *Campbell v. James* was, as Parker noted, originally decided in a Federal Circuit Court in Vermont against James. Thus, as Parker also commented, Norton's licensees, Campbell and others, would have been in a position to have instituted suit against every postmaster in the country who had been using the duplex devices and would obviously have been awarded very large sums of money. However, James, with U.S. Post Office Department backing, appealed and the case went to the U.S. Supreme Court. It also involved other parties, presumably represented by Clexton, who, feeling they were not to get enough of the swag, sued Campbell. In January 1881, the U.S. Supreme Court reversed the decision of the Circuit Court, not only finding in favor of James but also voiding Norton's patent.

The record of the case, 104 U.S. 356, in the legal tomes recording such activities of the Federal courts, comprises some 30 pages of printed text full of information and testimony about Norton and his patents. The key information is, of course, the points and rulings of the Supreme Court decision and its summary of the events leading up to the case being heard before the Supreme Court. The introductory paragraph of the 30 pages of text is shown in Figure 21 and the syllabus for the Court's opinion is shown in Figure 22. Both need a bit of discussion.

MR. JUSTICE BRADLEY delivered the opinion of the court.

This case is founded on a bill in equity filed by Christopher C. Campbell, the complainant below, against Thomas L. James, United States postmaster in and for the city of New York, to enjoin him from using a certain implement for stamping letters, which the complainant claims to have been patented to one Marcus P. Norton, by letters-patent dated April 14, 1863, and surrendered and reissued on the 23d of August, 1864; and again surrendered and reissued on the 3d of August, 1869, and again, finally, on the 4th of October, 1870. The complainant claims to be assignee of Norton, the patentee. Other persons claiming an interest in the patent were made parties to the suit. The Circuit Court rendered a decree in favor of the complainant, and adjusted the rights of the several parties to the amount of the decree. The defendant, James, appealed. The other parties, not being satisfied with the decree as it affected their mutual interests, also appealed. The case is now before us in all its aspects. Supposing the court below to have had jurisdiction of the case, the first question to be considered will be the liability of the principal defendant, James, to respond for the use of the machine or implement in question.

Figure 21. The introduction to the Supreme Court opinion in *James v. Campbell*, 104 U.S. 356, providing a brief of the background to the case.

The decision was delivered by Justice Joseph P. Bradley, possibly at the time the most respected member of the Court from the standpoint of his legal knowledge and judgment. The portion of his introduction shown in Figure 21 gives the background of the case and notes the Court considered the question of whether a government official could be sued for actions taken in behalf of his government function, of great importance.

JAMES v. CAMPBELL.

CAMPBELL v. JAMES.

CLEXTON v. CAMPBELL.

- Norton's reissued letters-patent, dated Oct. 4, 1870, for an improved post-office stainp for printing the post-mark and cancelling the postage-stamp at one blow, are void, by reason of not being for the same invention specified in the original.
- 2. If letters-patent fully and clearly describe and claim a specific invention, complete in itself, so as not to be inoperative or invalid by reason of a defective or an insufficient specification, a reissue cannot be had for the purpose of expanding and generalizing the claim in order to embrace an invention not specified in the original. Burr v. Duryce (1 Wall. 531) reaffirmed.
- 8. In such case, the court ought not to be required to explore the history of the art to ascertain what the patentee might have claimed: he is bound by his statement describing the invention.
- 4. A patentee cannot claim in a patent the same thing claimed by him in a prior patent; nor what he omitted to claim in a prior patent in which the invention was described, he not having reserved the right to claim it in a separate patent, and not having seasonably applied therefor.
- 5. Letters-patent for a machine cannot be reissued for the purpose of claiming the process of operating that class of machines; because, if the claim for the process is anything more than for the use of the particular machine patented, it is for a different invention. Powder Company v. Powder Works (98 U. S. 126) reaffirmed.
- The government of the United States has no right to use a patented invention without compensation to the owner of the patent.
- 7. Query, Can a suit be maintained against an officer of the government for using such an invention solely in its behalf; and must not the claim for compensation be prosecuted in the Court of Claims.

APPEALS from the Circuit Court of the United States for the Southern District of New York.

The facts are fully stated in the opinion of the court.

These cases were argued at the last term. Mr. Attorney-General Devens and Mr. Samuel B. Clarke appeared for James. Mr. George II. Williams, Mr. M. P. Norton, and Mr. Benjamin F. Butler appeared for Campbell. Mr. Edward D. Bettons appeared for Clexton.

Figure 22. The Supreme Court's syllabus for its opinion in *Campbell v. James*, 104 U.S. 356.

The summary of the Court, shown in Figure 22, involves several points of interest regarding the Norton Patent of 1863, No. 38,175, which had been surrendered and reissued three times, the last date being October 4, 1870. Item 1 in the decision voided the

patent in its entirety as not being the same invention originally claimed. This was enlarged upon in Item 2, stating that an original invention, with claims insufficient or defective, could not be enlarged upon with broadened claims by subsequent reissues.

The decision reaffirmed that the United States has no right to use a patented invention without compensation to the owner of the patent, but it also questioned that a suit could be brought against an officer of the government as a private individual when the alleged patent infringement is solely in behalf of the government. Rather, such situations should have been settled in the Court of Claims.

> Now, if Norton had, as he pretends, invented, as early as 1854, the stamps for which he took out his subsequent patents in 1862 and 1863, it is hardly conceivable that he should have taken out the patents for 1857 and 1859 in the form in which they stand. The fact that he did take them out reduces it almost to a demonstration that he had not invented any such stamps at this time.

> It is true he produces a caveat filed by him in 1853, which has, or had, an amendment bearing date " Tinmouth, Vt., Aug. 7, 1854," which amendment contained a full description of the double stamp as finally exhibited in his patent of 1863, and the reissue thereof. But this amendment was shown to have been surreptitiously introduced by him amongst the papers of the office certainly as late as 1864, ten years after its pretended date. In his examination as a witness in this cause he admitted that he made the paper referred to in the summer of 1864, when his assignees, Shavor and Corse, were applying for a reissue of the original patent now in question, and that it was used in that application; but he pretends that it was a copy of a paper which he made and sent to the Patent Office in 1854. No such original paper, however, has ever been found in the Patent Office, and on a regular charge for the offence of making the surreptitious paper and introducing it amongst the files, he was found guilty in September, 1871, and debarred, by order of the Commissioner of Patents, from further access to the papers of the office.

Figure 23. From *Campbell v. James*, 104 U.S. 356, at pages 365-366, describing Norton's chicanery in introducing a spurious prior claim into the Patent Office application for his reissued patent of 1864.

Of interest, also, are the names of the attorneys in the case, which included some very prominent ones. Charles Devens was Attorney General of the United States and thus a cabinet member at the time, and George H. Williams had been Attorney General under President Grant. Benjamin F. Butler was the prominent Massachusetts politician and Civil War general best described as notorious rather than admired, and, interposed between them, was M.P. Norton, who, I suppose, was the inventor himself. Norton was known to be a patent attorney, but it is a bit surprising to see his name as practicing before the Supreme Court. This is especially interesting in view of the Court's comments (pages 365-366 of 104 U.S. 356) regarding his patented device of 1859, shown in Figure 20, and his later versions of the duplex handstamp patents. These are reproduced in Figure 23, commencing after quoting Norton's description of the device patented in 1859, taken from his patent issued at that time.

The Court noted that had Norton actually invented the device (as it appeared in 1864) as early as 1854, his patent of 1859 would have taken a different form. To this comment we may add that there was no real need for the duplex device as early as 1854. The fact that Norton had, as the Court phrased it, "surreptitiously introduced" the paper allegedly showing his claim of the duplex handstamp in 1854 into the papers at the Patent Office ten years later was also taken by the Court as an admission that he did not consider himself the true inventor of the duplex handstamp as it was being used in the mid-1860s and later.

Some writers on this subject have commented that Norton was deprived of his patent rights because of "technicalities." Actually, of course, it is quite basic to a patent being granted that the applicant be the actual inventor of the device for which a patent is desired. Patented concepts also have to be specific in terms of the construction of a device, and, in fact, patents are based on "technicalities." Thus, a difference in configuration that to a layman seems trivial can cause a patent to be granted or rejected. The difference here was that the "blotter" of Norton's patented design of 1859 was attached and not part of the instrument. Furthermore, the cutting feature of the 1859 patent was never really made effective, nor was his other claim, the datewheel cylinders, granted at that time, as the basic idea had already been patented by Robertson. Norton was later able to get the feature patented, probably because Robertson's device had no wheel for year dates and Norton's did.

Norton, as a patent attorney, obviously knew his 1859 patent was not quite in tune with what was needed as required by the order of 1860 that henceforth separate cancels other than the postmarks be used to cancel the stamps. However, after 1860, when many postmasters seized upon the idea, he could no longer apply for a separate patent, as Hoole, General Dix and others probably could have had equal justification for being granted a patent for a rigidly connected duplex handstamp. In fact, Hoole, in his lawsuit of the early 1860s, attempted to make such a claim — that others than Norton had invented the device.

No one in these cases made any mention of the duplex devices, such as the Liverpool "spoon" cancels, having been in service in England so that they appeared on letters to the United States in the mid-1850s and earlier, as was noted in *Chronicle* No. 151 (August 1991), pp. 180-81.

As noted previously, Hoole and others soon accepted the idea in 1864, when Shavor & Corse sued Hoole for patent infringement, that Norton really had conceived the idea of the duplex handstamp. This acceptance obviously has to have been based upon the fictitious paper supporting the claim that Norton had actually tried to patent the design of 1864 in 1854.

The outstanding examples of this viewpoint are a letter written by New York Postmaster Abram Wakeman in January 1863 (see *Chronicle* No. 157, page 39) and an affidavit by General John A. Dix (see *Chronicle* No. 152, page 236) dated February 4, 1864. Wakeman accepted Norton's having invented the duplex handstamp, and obviously was discussing the duplex devices then in use at the New York Post Office, rather than the "datewheel" design of 1859. Dix's affidavit obviously accepts Norton's having invented the duplex, assuming that Norton had already patented it by the time that Dix himself developed the idea in the fall of 1860. There was no reason for them to doubt Norton's claims at that time.

Probably Arthur H. Bond and Thomas J. Alexander have summed it up best regarding Norton, in their articles in the *Postal History Journal* of June 1963 (Whole No. 10) and in *Chronicle* 126 (May 1985). Bond commented that Norton permitted his dreams of riches to overcome good business judgment. Alexander agreed and added that Norton's greed caused him to claim far more than he invented.

<u>The</u> Columbian and Trans-Mississippi Collections!

The Jack Rosenthal Columbian and Trans-Mississippi Collections are now available for acquisition by the serious collector who demands philatelic excellence. The Columbian Collection is the finest ever formed of this 1893 issue and is available for the collector who would own an important piece of American and philatelic history. The Trans-Mississippi Collection exceeds even The Columbian Collection in its depth, and contains almost every great piece in Trans-Mississippi philately.



To fully describe the depth and breadth of these two superb collections, a full-color brochure highlighting the many magnificent pieces in each has been prepared and is currently available for \$1 postpaid from Andrew Levitt, Philatelic Consultant, exclusive agent in the offering of these collections.

Horizontal imperforate upper plate block of the 8 cent Trans-Mississippi value

Working model of 8 cent Trans-Mississippi value.



Full-Color Brochure Available for \$1 Postpaid. Contact: Andrew Levitt, Philatelic Consultant

🕭 Box 342, Danbury, CT 06813 • (203) 743-5291 \land

"In The Tradition of the Great Philatelists" When Buying or Selling, You and Your Great Collection Can Obtain the Same Superior Attention Accorded the Leading Philatelists and Collections of Our Time. Give Yourself the Advantage of More than 29 Years and \$230,000,000 in Philatelic Experience. Call Andrew Levitt.

THE 1869 PERIOD SCOTT R. TREPEL, Editor

CORRY EAGLES SCOTT R. TREPEL

Clyde Jennings contributed a brief article on the Corry, Pennsylvania, Eagle cancellation, which appeared in the May *Chronicle* (No. 158, pp. 11-12), and Calvet Hahn was kind enough to remind this Section Editor that the mystery of the Corry Eagles had been examined thirteen years ago. As part of a series on Corry cancellations published in the *1869 Times*, this author attempted to identify the four, possibly five, Eagle and Shield cancels. The August 1980 issue of the *1869 Times* presented fourteen different Corry cancels, including tracings of five Eagle and Shield strikes. These five tracings are reprinted here (Figures 1-5).



Figures 1-5. Types of Corry Eagle and Shield cancellations.

The similar, yet different, versions of the Eagle and Shield design used at Corry span a five-year period from circa 1866 to circa 1871. The designs differ in shape and size, most noticeably in the shield where Figures 1 and 5 have horizontal cross-bars above the vertical bars, while the others do not. The three shown in Figures 2, 3 and 4 are very similar. They can be distinguished from one another by the number of vertical bars in the shield: Figure 2 is probably a heavy over-inked strike with the shield filled in; Figure 3 has four bars, while Figure 4 has three bars. The Jennings example is definitely a three-bar shield.

The strikes on the cover in Jennings' article (see Figure 6) are from a late stage of the three-bar Eagle and Shield. The left wing has broken off. The eagle's beak has become deformed, and the olive branch held in the eagle's talons has broken off at left. The second strike at right is even more distorted, because of the manner in which it was struck. This author has had countless arguments with others who insist that a cancellation is "not the same" in exactly this type of situation. An explanation of how duplex markings are struck is worth repeating here.

Duplexes are handstamping devices that join together the circular datestamp and cancellation in a single unit. For single stamp frankings, duplexes conveniently leave an impression of the town c.d.s. at left and cancel the stamp at right. The Corry markings are struck from duplex devices. However, when there is more than one stamp on the cover, the duplex is struck more than once. To avoid leaving more than one impression of the town c.d.s. at roughly 15 degrees from the surface.

The effect of this multiple striking method is two-fold. First, the rim of the c.d.s. is often seen faintly struck at the correct distance from the cancel (this author detects a faint rim on the Jennings cover). Second, the cancel is often distorted as the soft material is impressed unevenly and with greater pressure. On the Jennings cover, this can be seen around the righthand perimeter from 12 o'clock to 6 o'clock, where the carved-out portions have come to the surface and filled in the design.

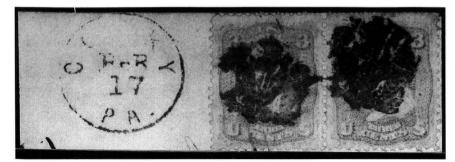


Figure 6. A close-up of the two handstamped Corry Eagle markings on the Jennings cover.

This multiple duplex canceling "phenomenon" has led some experts to condemn covers (an 1869 cover to Madeira with a bad Philatelic Foundation certificate comes to mind) or to create "new designs" from certain strikes.

Jennings' difficulty in linking this particular Eagle and Shield strike to one of the Skinner-Eno entries is not an unusual problem. The cancellation date information contained in this comprehensive reference book is based on the stamp issue dates of the examples that were traced by the late Amos Eno and, in some cases, by co-author Dr. Hubert C. Skinner. Therefore, the appearance of dates such as 1861 or 1869 should not be construed as the years in which the cancels were actually used, but simply as the year of issue for the stamp seen by the authors.

To set the record straight, this author records Figure 1 as the first of the Corry Eagle and Shields and the best-executed example of the design. It is thought to have been used in 1865-66. Figures 2, 3 and 4 appear to have been used between 1866 and 1870, followed by Figure 5, the four-bar shield, which was used in the Bank Note period, probably 1871.

THE BANKNOTE PERIOD RICHARD M. SEARING, Editor

EXOTIC THREE CENT BANK NOTE DESTINATIONS FROM THE BARBARA STEVER COLLECTION—PART III RICHARD M. SEARING

(Continued from Chronicle 158:120)

This third and last article featuring the Barbara Stever 3¢ covers will concentrate on foreign mail sent to islands related to the countries of Spain and Portugal.

The cover shown in Figure 1, bearing the corner card of a coffee, tea and spice merchant, was mailed from New York City to Havana, Cuba, on November 27; the year is unreadable. The 10¢ rate was extant from July 1864 until July 1875 for carriage by American packet. The oval "NA1" marking indicates a single rate letter originating in North America; there are no backstamps.



Figure 1. Cover from New York, N.Y., to Havana, Cuba, mailed November 27, no year.

Figure 2 illustrates a cover sent to the Balearic Islands, off the eastern coast of Spain, by British mail via France. The business letter was mailed from New York City on November 30, 1875. The pre-UPU rate of 12ϕ was in effect until January 1, 1876. Spain entered the UPU on July 1, 1875, but since all U.S. mail went through France the 5ϕ rate did not commence until 1876. The letter arrived in London on December 13 and was back-stamped on arrival in Iviza on December 22, 1875.

Figure 3 shows a cover addressed to the Canary Islands, posted at Bath, Maine on December 27, 1875. The letter was paid at the 12¢ rate like the previous cover, and was routed via British steamer to London. The Bath cancels are in blue while the Dec. 29 New York exchange marking is in red, providing a striking color combination. The letter is backstamped as received in Santa Cruz de Tenerife on January 26, 1876.

The cover in Figure 4 was mailed from an unknown origin to Funchal, Madeira on an unknown date. The 11¢ rate was in effect from May 1873 until July 1, 1875, for direct transit by the North German Union. Lack of origin markings and date, and the address of the U.S. Vice Consul, all indicate diplomatic mail handling outside of ordinary postal channels.

Chronicle 160 / November 1993 / Vol. 45, No. 4

Figure 2. Cover from New York, N.Y., November 30, 1875, to lvica, Balearic Islands.

el s onys

Figure 3. Mail from Bath, Maine to Canary Islands, December 27, 1875.

John Hulchism Ce 10 S Thice Consul Funchal Madeina

Figure 4. Diplomatic mail (?) to U.S. Vice Consul in Funchal, Madeira.

Mil Jackson Care Geo, S. J. Olivin Erg. Fayal Cone Muns Fabbri & Channey Per "Lidada" New York

Figure 5. Double weight privately-carried mail from New York to Azores; rated as single letter in Azores, with 100 reis due.

Figure 6. Double weight privately-carried letter from Boston to Fayal, Azores; rated in Azores as double weight letter with 200 reis due.

Figure 5 shows a locally posted letter which was privately carried outside the mails to the Azores, a colony of Portugal. The double weight letter was sent to a business office in the Azores on March 1 (no date shown), where it was placed in the local mail as a single weight letter with 100 reis due on delivery. There are no backstamps.

The cover in Figure 6 is similar to that discussed in the previous paragraph. The double weight letter was mailed to a private person at 67 Commercial Wharf, Boston, Massachusetts, for private transfer to Fayal, Azores. It was received at Horta and backstamped April 28, 1875. The letter was then locally mailed and was marked 200 reis postage due for a double weight letter. The discrepancy between Figures 5 and 6 in the local rates charged may be due to the differences in weights measured in grams and ounces, or it could be chance that one was rated single and the other double weight.

This concludes the series on the Barbara Stever collection of covers showing usages to exotic foreign ports of call. Your comments and corrections/additions are most welcome.

Next time, I shall begin a two-part series of the same type on foreign usages of the 2¢ Banknote stamps from the Barbara Ray collection.

REFERENCES

- Charles Starnes, United States Letter Rates to Foreign Destinations (Leonard Hartmann, Louisville, Ky., 1982).
- George E. Hargest, *History of Letter Post Communications Between the United States and Europe* (Smithsonian Institution Press, Washington, D.C., 1971).
- Walter Hubbard and Richard F. Winter, North Atlantic Mail Sailings (U.S. Philatelic Classics Society, 1988).

SPECIAL PRINTINGS 1875-84

Editorial introduction: In the August 1993 issue of *Chronicle*, William Mooz presented the first in a proposed series of articles on the 1875-1884 special printings ("Why Is This Stamp (the Two Cent Washington Scott 211B) Not Rare?' '*Chronicle* No. 159, pp. 195-207.) It was carried under the "Officials et al." section heading, in keeping with the "back-of-the-book" listing schema then in use in the *Scott Specialized Catalogue of United States Stamps*. In the interim, Scott philosophy has changed, and the special printings have been moved back to the basic catalogue section, where they have been separated and spliced into the chronology presented by the original stamp issues. If we were to rigorously follow that system in the *Chronicle*, readers could expect to find future articles in this series scattered throughout the journal and we could easily lose the overall thread of the author's presentation.

I've therefore exercised editorial privilege to establish a working section in the *Chronicle* on "Special Printings"; articles in the series will continue to be coordinated with the appropriate section editors, but will be published under their separate header immediately in front of the "Officials et al." section.

- Charles J. Peterson

THE SPECIAL PRINTINGS OF THE 1865 FIVE CENT NEWSPAPER AND PERIODICAL STAMP WILLIAM E. MOOZ

This article is one of a series I am writing on the subject of the Post Office Department's 1875-1884 program to produce and sell special printings (or specimens, as they were designated). One of the prime purposes of these articles will be to integrate three major sources of information in a way that will help to explain more about the 1875-1884 program. Specifically, I hope to use the data to demonstrate the actual (correct) number of the stamps sold, and to identify the various printings which produced these stamps. I believe that there will be surprises for many philatelists who have heretofore relied on published information which was not always entirely complete or correct. These surprises should also help to explain "mysteries" which have gnawed at the minds of students. This article and those to follow use several sources of information which are brought together in a systematic fashion to produce a coherent history of the 1875-1884 special printings (or reproductions, reprints, reissues, and special printings, as they are commonly designated today).

In this article I examine the reprint of the 1865 Newspaper and Periodical stamp. The major sources of data are the "Stamp Bill Books," which are accounting records of the Post Office Department (POD); the "Press Copies of the Invoices," which are POD records of the sale of the special printings; and the data published by John Luff in his 1902 book, for which original references no longer exist. Each of these sources is a wealth of information in its own right. Taken together, they form a powerful and synergistic source of information.

The special printing or reprint of the 1865 5ϕ Newspaper and Periodical stamp was part of a program that was designed to allow stamp collectors (or stamp gatherers, as they were called) to obtain "specimens" of U. S. postage stamps which had been issued from 1847 onward. The program was conducted by the Office of the Third Assistant Postmaster General, and the specimen stamps sold by this office were available nowhere else. Purchasers had to either appear in person, or apply by mail for copies of the specimen stamps available.

The special printing of the 5¢ 1865 Newspaper and Periodical Stamp was first supplied to the Office of the Third Assistant Postmaster General in early 1875 by sending

them 750 copies of the regular issue of this stamp.¹ The regular issue was apparently sent because of some delays in printing the "specimens," and this delivery probably took place in March, since the first sales are stated to have been made on April 1, 1875.² These stamps must have been "remainders," since the 1865 issue had been superseded by the 1875 issue, and had not been in use since 1869. This first delivery of stamps was supplemented on July 21, 1875,³ by the delivery of 10,000 copies of the special printing⁴ (Figure 1), bringing the total available for sale to 10,750 copies. An additional 5,000 copies were supplied in February 1881,⁵ and another 5,000 were supplied in February 1884⁶ (Figure 2). The total number thus available for sale was 20,750 copies.

The data reported above is summarized as follows:

Originally supplied from stock of regular stamps	750
Purchased from National Bank Note Company, 6/30/75	10,000
Purchased from American Bank Note Company, 2/28/8	15,000
Purchased from American Bank Note Company, 2/29/84	5,000
TOTAL	20,750

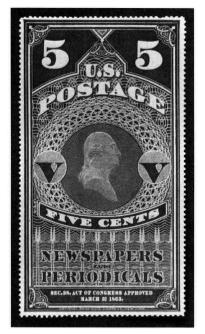


Figure 1. PR5, the 5¢ special printing on hard paper.

¹ John Luff, *The Postage Stamps of the United States*, Scott Stamp & Coin Co., Ltd., 1902, page 360 (page 263 in the 1937 reprint.)

² Ibid., page 360 (page 263 in the 1937 reprint.)

³ Ibid., page 360 (page 263 in the 1937 reprint.)

⁴ Records of the Post Office Department, Record Group 28, Stamp Bill Book No. 1, Stamp Division, POD, page 237 (June 30, 1875).

⁵ Records of the Post Office Department, Record Group 28, Stamp Bill Book No. 3, entry for February 28, 1881.

⁶ Records of the Post Office Department, Record Group 28, Stamp Bill Book No. 4, entry for February 29, 1884.

Copies of the Stamp Bill Book records (except for the delivery of the initial 750 copies) appear in Figures 3 through 5.

There are no surviving records of the sales to collectors and dealers until May 1879,



Figure 2. PR8, a pair of the 5¢ special printing on soft paper.

when we are fortunate to have press copies of the invoices of the sales of these special printings by the Office of the Third Assistant Postmaster General.⁷ These records cover the period from May 1879 to July 1882. The program of sales continued beyond that date until July 16, 1884, when it was terminated.⁸ We are also fortunate to know the total number of copies sold, since we know the total number delivered, and we also know that 4,355 copies were destroyed at the end of the program.⁹ The number sold was 20,750 minus the 4,355 destroyed stamps, or 16,395 copies.

Using the information about the dates at which the two sets of 5,000 additional copies were ordered, plus the data on the sales recorded in the press copies, it is possible to make reasonable estimates of the pattern of the sales.

Figure 6 illustrates the sales of individual copies of the 5ϕ stamp, as well as sets of the issue, as compiled from the press copies of the invoices. These data are combined to yield the total number of the 5ϕ stamps which were sold during this period. This total is 4,370 stamps, or a bit more than 25% of the total sold in the entire program. The tabulation of the cumulative sales also appears in Table 1.

If we make the assumption that the stock of stamps on hand was running low at the times that additional stamps were supplied, it is reasonable to believe that about 10,000

⁷ Records of the Post Office Department, Record Group 28, Records of the Post Office Department, Record Group 28, Press Copies of Invoices, 1879, GSA, National Archives and Records Service, Washington, D.C.

⁸ Luff, op. cit., page 346 (page 255 in the 1937 reprint).

⁹ Ibid., page 360 (page 263 in the 1937 reprint).

Sheciment 237 June 30. 1875 Reproduced plates for frinting specimens of postage. stamps of the issues of 1861 and 1869, and stamps furnished of those issues to he cold by Arpartment as apecimens to dramp-gatherers .- Infieles for. nished by stational Bank state Co. of et. y. - Bill while for payment as for articles purchased in open market and ordered paid July 22.1975. For reproducing the following plates, vig: I cent, 2. cent. 5. cent. 10 cent. 12 cent. (100 Stamps merch flat) use of 1861-1. cent (150 . m plate) . . 1869. 15. cent (border) (150 . . .) . . 1869 Theater in all at \$100 per plate . . Furnishing 100,000 Stamps (11200 (a. 1. 2. 3. 5, 10, 12, 15, 20. 30, 790 cent) usere of 1661. 100.000 . (10,000 (a. 1.2. 3. 6.10. 12.15, 24, 30. 190 and) . 1869. 200,000 . in all, at so cents per thousand . . -160. .. Istal . 860.00 June 30. 1875. Specimen postage. stamps of the issue of 1965. furnished to the Nept for Sale as specimens - by stational Banks Note Co., of etewyork .- Certified for payment and allowed as for articles purchaset in open market under Esigney, etug. 0: 75. 10,000 five. cent stamps, etewspaper issue of P65 10,000 ten. . 10.000 twenty-fine. 30.000 Stamps in all, at \$1.50 per thousand ---- \$4+5.00

Figure 3. Page 237, dated June 30, 1875, from Stamp Bill Book No. 1, showing Post Office Department purchase from the National Bank Note Company of the initial 10,000 stamps (first special printing, PR5).

Spreaming postogo Stamps furnished dering the month Sording as above The Asservices Bon Clats Sampany of New york, Continetors. Austro June. 1551. Engle. 1 Cials . . . Fran Klin 1851. er's O. 1565. Mary Defautionals Mar Concularce \$ 50.00 33 . . . The above articles not provided for by Contracts .. -purchased in open markaly-The evigences of the de requiring thered unmerdiale dates August 31,155 Acti Company of Man for Contractors, Aunter. Cagle Corner, 1 cents 10000 Stall Depts 51000 \$ 35,11 15:000 The above articles not provided for by continue will finahased in open markets ta exigracies of the service requiring their inconsidente delis ery

Figure 4. Entry dated February 28, 1881, from Stamp Bill Book No. 3, showing purchase from the American Bank Note Company of 5,000 stamps (second special printing).

29 . Eebruary 1884. Specimen N @ fr (1865) stamps furnisher during month of Eeby 1884. By The American Bank Mole Co. of Mew york_ number Denomination figure 5 cent - 1865 Sillapproved 5_000 mich 1884_ \$ 5 00 5.000 These articles not provided for by contract were purchased in open market. The exigencies of the service requiring their immediate delivery. 315t May 1884. Specimen Nauf (1874) Stamps furnished during month of May 1884. By Che American Bant Stote & of New York. Denomination " fore. number 2. Cent. 5.000 5.000 \$ 10 00 These articles, not provided for by contract were purchased in open, market: The exigencies of the service requiring their immediate delivering 10.000

Figure 5. Entry dated February 29, 1884, from Stamp Bill Book No. 4, showing purchase from the American Bank Note Company of another 5,000 stamps (third special printing).

stamps had been sold by February 1881, and that about 15,000 had been sold by February 1884. A glance at Table 1 shows that between May 1879 and February 1881, a total of 2,382 stamps had been sold, either as singles or in sets. This leads to the assumption that about 8,000 stamps must have been sold during the period from April 1875, when the program began, to May 1879, when we have sales records.

Using this assumption, we add 8,000 stamps to the records shown in Table 1 to synthesize the actual number of stamps sold. We also add three additional points to the data. The first is that zero stamps had been sold at the start of the program. The second is that about 15,000 had been sold at the time of the delivery of 5,000 stamps in February 1884, and the third is that the total number sold by the end of the program was 16,395. These data are plotted in Figure 7, and a curve has been fitted to the points.

What is shown is very instructive. The sales of these 5ϕ Newspaper and Periodical Stamps started off a bit briskly, then assumed a steady rate from about the beginning of 1877 through about mid-1882. Thereafter, the rate of sales seems to have increased, and was still increasing at the time the program concluded. The vast majority of the sales recorded in the press copies of the invoices was to dealers, who purchased in relatively large quantities to satisfy their customers. Perhaps one reason for the acceleration in sales after 1882 was that use of these stamps had ended in 1869, and they were being more avidly sought because they were increasingly more difficult to locate. Another reason could be that stamp dealers somehow found out that the program was to end, and they "stocked up" on what was a popular item for them to sell. At the time of this program, it was against POD regulations for anyone to possess Newspaper and Periodical stamps, and this undoubtedly contributed to the demand for them from this special program.

The stamps fall into different categories for identification. The first 750 stamps are presumably identical to the original regularly issued stamps, and were printed by the National Bank Note Company. There is probably no way to distinguish these from the original stamps, except if they could positively be identified as having come from the Office of the Third Assistant Postmaster General. When encountered, these stamps are probably identified as Scott PR4, the regular issue. The first 10,000 stamps printed for the 1875-1884 program were printed by the National Bank Note Company, and are distinguishable by their color from the regular issue. These are cataloged as Scott PR5, and at least a substantial portion—if not the entire shipment—of the 10,000 stamps was probably sold. The 5,000 stamps printed and supplied in February 1881 were printed by the American Bank Note Company, and are identifiable by the typical soft porous paper that was used. These are cataloged as Scott PR8, and erroneously identified, at least up until now, in the Scott Specialized Catalogue as being issued in 1880, rather than in 1881. A substantial portion, if not the entire shipment, of the 5,000 stamps from the 1881 printing was probably sold.

The last 5,000 stamps printed for the program and purchased in February of 1884 also were provided by the American Bank Note Company. If one makes the limiting assumption that complete sales of each of the prior printings occurred before any sales of the subsequent printings, a minimum of 645 stamps from the 1884 special printing were sold. The 4,355 stamps destroyed in July 1884 when the program ended were probably largely from the third special printing of 1884. However, additional copies of the 1884 special printings were stacked on top of the previous printings.

If we make use of the synthesized sales graph shown in Figure 7, and make the assumption that the third printing stamps were laid on top of the remaining stocks of the previous printings, then the total number of third printing copies sold might reasonable increase by 750 to 1000 copies, or a total of 1395 to 1645 copies. Of course, the number of second printing stamps sold would decrease by the same amount. This could imply that the ratio of second printing to third printing copies could be in the range of 2.4 to 3.0,

Month	1865 N&P sets	5¢ 1865 N&P	5¢ N&P sets 8
	Sum	Sum	stps total sum
Apr-79		-3 -2	
May-79	7	12	1
Jun-79	11	252	26
Jul-79	46	252	29
Aug-79	• 59	312	37
Sep-79	65	612	67
Oct-79	66	728	79
Nov-79	75	792	86
Dec-79	85	798	88
Jan-80	110	918	102
Feb-80	127	943	107
Mar-80	151	1114	126
Apr-80	165	1212	137
May-80	179	1354	153
Jun-80	188	1354	154
Jul-80	209	1407	161
Aug-80	213	1412	162
Sep-80	231	1412	164
Oct-80	233	1505	173
Nov-80	255	1548	180
Dec-80			204
Jan-81	279	1972	225
Feb-81	297		
Mar-81	336	2142	247
Apr-81	351	2153	
May-81	369		
Jun-81	453		
Jul-81	456		
Aug-81	465		
Sep-81	490		
Oct-81	500		375
Nov-81	569		382
Dec-81	589		387
Jan-82			
Feb-82	610		
Mar-82	639		and the second se
Apr-82			
May-82			
Jun-82			
Jul-82			437

Table 1. Table of monthly sales (April 1879–July 1882) of the 5¢ 1865 Newspaper and Periodical special printings.

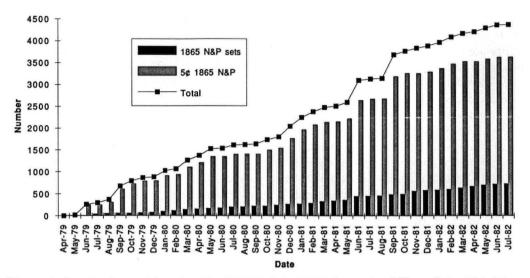


Figure 6. Graph of monthly sales (April 1879–July 1882) from the Office of the Third Assistant Postmaster General to the public of the 5¢ 1865 Newspaper and Periodical special printings.

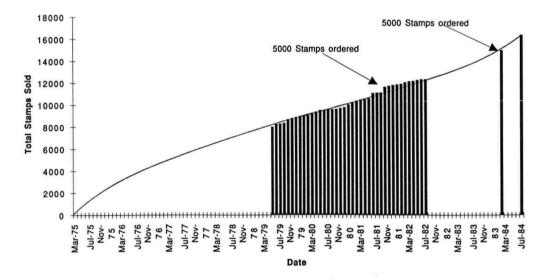


Figure 7. Graph of projected sales for entire time period (April 1875–July 1884) of the 5¢ 1865 Newspaper and Periodical special printings.

instead of the 7.75 which would be implied by the complete sale of all second printing stamps prior to the sale of any third printing stamps. The Scott Catalogue does not separately identify the two soft paper special printings, and whether or not the two American Bank Note Company printings can be distinguished is an interesting question. This might depend upon whether the paper used by the American Bank Note Company changed in any identifiable way from 1881 to 1884, or whether the ink was a different color. Because of its soft paper, it is highly likely that surviving copies of the third special printing currently are considered to be Scott PR8 when examined by philatelists, and as such are denied their true position as a separate individual, and possibly rather rare, stamp.

Ron Morgan, a specialist in the 1865 Newspaper and Periodical stamps, reports an examination of his stock of Scott PR8.¹⁰ Of his 31 single copies of Scott PR8, 21 copies are bright blue in color and 10 copies are of a dark blue shade. In addition, Morgan reports having a complete pane of 10 in the bright blue shade. It therefore would appear that soft paper stamps in the dark blue shade correspond to the scarcer third special printing of 1884. Note that in this limited sample, the ratio of bright blue to dark blue stamps is 31 to 10 or 3.1, if one includes the complete pane. Leaving out the complete pane as not representative of the other sample copies still gives a ratio of 2.1 to 1. Consequently, Morgan's thesis that the third printing is the dark blue variety has some positive support, as does the thought that not all of the second printing was sold before sales of the third printing commenced. Other readers having accumulations of PR8 stamps are encouraged to examine their stocks and to report their census results.

Up through at least the 1993 edition, the Scott U. S. Specialized Catalogue errs in its reporting of the numbers of these stamps sold, which by convention, appears in parentheses after the stamp description. Scott reports that 6,395 of PR5 were sold, and reports no number for PR8. The following maximum and minimum numbers for the individual printings are based upon the assumption that stamps from the previous printings were completely sold prior to the sale of stamps from the subsequent printings:

Regular issue, sold as "specimens" (maximum number sold)	750
PR5, National Bank Note Company (maximum number sold)	10,000
PR8, American Bank Note Company (maximum number sold)	5,000
PR?, American Bank Note Company (minimum number sold)	645
TOTAL	16,395

Apparently the error made in the catalogue results from the figures reported by Luff, who somehow did not recognize that there were two printings of 5,000 each that were supplied by the American Bank Note Company. Luff acknowledges the existence of the American Bank Note Company stamps, but says "We do not find in the records any mention of reprintings of these stamps by the American Bank Note company", and also says that "These are undoubtedly reprints"¹¹ The records which Luff did not find are illustrated in Figures 4 and 5. Scott Catalogue also errs in attributing the source of PR5 to the Continental Bank Note Company. Luff notes that the National Bank Note Company supplied the stamps, and Figure 3 would appear to dispel any remaining doubts.

There remains yet one further category or variety of these reprints. These are discussed by Luff,¹² and also appear as a footnote in the specialized catalogue.¹³ The stamp in question was printed by the Continental Bank Note Company from new plates, and is

¹⁰ Personal communication from Roger Morgan to A.E. Staubus, June 26, 1993.

¹¹ Ibid., page 360 (page 263 in the 1937 reprint).

¹² Ibid.

¹³ Scott 1993 Specialized Catalogue of United States Stamps, Scott Publishing Company, page 386.

found in both perforated (Figure 8) and imperforate (Figure 9) condition. One must assume that these plates were prepared at the time that the Continental Bank Note Company was under contract to produce stamps, although one must agree that there seems to be no obvious reason to explain why new plates were prepared.

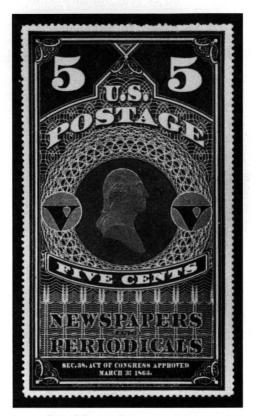


Figure 8. Perforated stamp printed from the new plate made by the Continental Bank Note Company.

There is only one plausible argument which comes to mind. The Continental Bank Note Company prepared most of the first of these special printings, and they used some original plates, but had to make some plates which no longer existed. The Continental Bank Note Company did not produce the 5ϕ and 10ϕ 1847 special printings, because neither the plates nor the transfer rolls existed any longer. Consequently, the Bureau of Engraving and Printing made new engravings, from which new plates were made, and the stamps printed. The Continental Bank Note Company also did not produce the reprints of the 1865 Newspaper and Periodical stamps, these being produced by the National Bank Note Company (see Figure 3).

It is possible that for reasons unknown, the Continental Bank Note Company assumed that they were to make these stamps, but did not have or could not get the plates from the National Bank Note Company. They then may have undertaken to make new plates from which the stamps could be printed. We have seen above that Luff reported a delay in the printing of these stamps, which would lend some credence to this supposition. Then, after the new plates had been made by the Continental Bank Note Company, and at least some stamps had been printed, perhaps the National Bank Note Company delivered what was ordered. There is no report of the number of Newspaper and Periodical special printings stamps produced by the Continental Bank Note Company, and no evidence to show that any of them were sold, but they are difficult to locate, and the total number may not exceed 40 stamps or so (four panes of ten each). The Continental Bank Note Company special printing might properly be called an unissued reprint (although there is admittedly no evidence that would either confirm or deny whether or not any were issued or sold), and probably were printed in 1875.



Figure 9. Imperforate block of four printed from the new plate made by the Continental Bank Note Company.

The author wishes to thank Ron Morgan for his assistance in pointing to the possible differences in the quantity of second and third printing copies sold, and the fact that they may be identified by color differences. \Box

OFFICIALS ET AL. ALFRED E. STAUBUS, Editor

FROM THE EDITOR

A number of readers have sent comments regarding the two-part article written by Alan C. Campbell titled "Cancellations on United States Official Stamps, 1873-1884," which appeared in the *Chronicle*, Whole Numbers 156 and 157.

Robert H. French correctly points out that while many collectors and authors use the term the "Executive Department," there was no such department in the same sense as the Department of State, etc. The "Executive," the correct terminology, pertains to the President and his staff. The modern terminology would be the "Executive Office of the President." Both the engraving on the stamps and the original May 15, 1873, circular to postmasters announcing the end of the franking privilege and the use of official stamps on July 1, 1873, confirm the terminology as simply the "Executive" when describing, specifically, the carmine color stamps.

The confusion in terminology may have arisen due to the common use of the term "departmental stamps" when denoting "official stamps" as an entire group. Even the May 15, 1873, circular refers to the "postage stamps or stamped envelopes of special design for each of the several Executive Departments of the Government, for the pre-payment of postages on official matter passing through the mails." It also should be noted that the Scott Catalogue listings for the essays of the 3¢ Executive stamp (Scott O12-E1 and O12-E2) are inscribed "Executive Dept." (apparently there was also some confusion, at least initially, in the minds of the Continental Bank Note Company engravers). It therefore would appear proper to use the term "stamps of the Executive Departments" when referring to the entire group of Departmental or Official stamps. However, when referring specifically to Scott O10 to O14, the term is "Executive stamps."

Bill Weiss, the author of *The Foreign Mail Cancellations of New York City 1870-1878*, notes an error in the identification of the cancellation on the 2¢ Post Office Department stamp shown in Figure 6 (*Chronicle* 157, page 53). Mr. Weiss states the cancellation is not a New York foreign mail (NYFM) cancellation but a New York City local "look-alike" which measures considerably smaller than the corresponding NYFM cancellation. Mr. Weiss also notes that additional examples in his July 1993 auction will raise the likely "known" number of NYFM cancellations on Official stamps to within the 20-25 range.

Clyde Jennings writes that the star cancellation with the reversed image of "2" on the 30¢ War Department stamp illustrated in Figure 11 (*Chronicle* 157, page 56) was probably a normal round bottle stopper "customized" by the postmaster.

Bob Markovits provided a list of additional philatelic reference articles pertaining to fancy cancellations on Official stamps:

- "Kicking Mule Cancellations" by Morrison Waud, *The Chronicle*, No. 25 (Nov. 1973), pp. 225-231.
- "Fancy Cancellations on Departmental Stamps," by Morrison Waud, *The Chronicle*, No. 28 (Aug. 1976), pp. 212-214.
- "Cancellations On United States Department Stamps," by Charles J. Phillips, in a series of articles which appeared in *Mekeel's Weekly Stamp News:* Nov. 25, 1929, p. 715; Dec. 9, 1929, pp. 745-746; Jan. 6, 1930, pp. 5, 16 (this issue also has a Phillips ad for his collection of Official stamps at a price of \$26,000)
- "U.S. War Department Official Stamps and the Army Forts," by Rollin C. Huggins, Jr., *Heliograph*, Vol. 4, No. 3 (Whole No. 15)(Summer 1990), pp. 2-9.

Chronicle 160 / November 1993 / Vol. 45, No. 4

273

THE OFFICIAL THAT DID NOT GET AWAY... SECRET AGENT O49 FAILED...GOTTCHA... ROBERT L. MARKOVITS

Bernard Bailes' postal patron was better off than mine. The cover discussed by Bernard Bailes in the last issue of the *Chronicle* (Whole No. 158, pages 126-127) passed through the postal system undetected as having an unofficial reuse of a departmental stamp while my unofficial reuse cover (Figure 1) got caught. The hounddog postal clerk who found my recent acquisition spotted the attempted reuse and misuse of the 3 cent Post Office Department stamp (Scott O49) and marked the cover "HELD FOR POSTAGE" using the Boston Post Office marking (Type No. 2215) as found on pages 292 and 293 of *Boston Postmarks to 1890* by Maurice C. Blake and Wilbur W. Davis. Blake and Davis reported this unframed semi-circle handstamp as being in use between May 21, 1883 and Nov. 16, 1887.

Warren B. Her

Figure 1. This cover represents an attempted reuse of a 3¢ Post Office Department stamp on apparently private correspondence, which is a misuse of official stamps. A Boston postal clerk marked this cover "HELD FOR POSTAGE" because covers with previously used stamps were considered wholly unpaid and were sent to the Dead Letter Office.

My cover was not marked "Postage Due" and forwarded to the addressee because only first-class mail having at least "one full rate of postage" prepaid was "forwarded to its destination, charged with the unpaid rate, to be collected upon delivery" (Sec. 270, 1879 Postal Laws and Regulations). Domestic letters on which the postage was wholly unpaid or paid less than one full rate were sent by the postmaster to the Dead Letter Office in Washington, D.C. (Sec. 414, 439, 1873 Postal Laws and Regulations and Sec. 431, 1879 Postal Laws and Regulations). This cover apparently was classified as "unmailable matter" under the 1879 definition of "Held for postage": that matter which was insufficiently prepaid to entitle it to be forwarded in the mails (Sec. 432, 1879 Postal Laws and Regulations).

This cover, which has a Boston, Mass., May 11 (no year date) backstamp, apparently was sent by the Boston postmaster to the Washington D.C. Dead Letter Office where it was opened, examined and returned to the sender (or perhaps to the addressee if sender was not identifiable) in a Division of Dead Letters return envelope. Although the cover lacks any Dead Letter Office handstamp, the four-digit accounting number (1231) in blue pencil is similar to those seen on more easily identifiable dead letters. The meaning of the black number "23" has not been determined.

We now have two published examples, both in the Northeast corridor of the United States, in which private individuals attempted to mail letters with previously canceled Official stamps, one successfully and the other unsuccessfully.

Readers interested in learning more about the "HELD FOR POSTAGE" marking may wish to review the following articles written by Delf Norona:

"Held-for-Postage Domestic Letters and Letters with Improper Stamps (1855-1934)," pages 213-219, in *Cyclopedia of United States Postmarks and Postal History*, edited by Delf Norona, Quarterman Publications, Inc., Lawrence, Massachusetts (1975).

"Held for Postage," Weekly Philatelic Gossip, July 7, 1934.

"Postage Paid 'Pro Bono Publico'," American Philatelist, July 1934, pp. 517-19.

A TRIPLE MISUSE OF THE 3¢ POST OFFICE DEPARTMENT STAMP ALFRED E. STAUBUS

Official stamps and stamped envelopes of the Bank Note Company time period were valid for use from July 1, 1873, through part of July 1884. Post-period use by government officials is unusual but can occasionally be found. However, Figure 1 shows an example of a most unusual, very late, post-period use of a 3¢ Post Office Department stamp. The stamp is clearly tied to a plain buff non-official envelope by a Boston, Mass., R.P.O. flag cancellation dated February 16, 1915. Therefore, in addition to this being a very late post-period usage, the stamp was apparently illegally used for private correspondence.

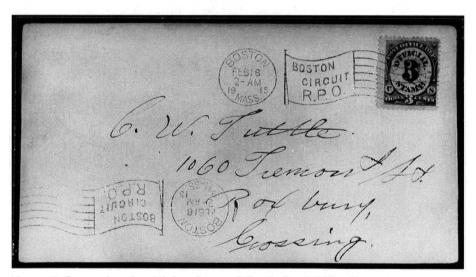


Figure 1. Cover showing triple misuse of the 3¢ Post Office Department stamp.

A closer examination of the stamp reveals the remains of a blue four-ring target cancel, characteristic of the 1873-1884 time period. The blue four-ring target cancel therefore demonstrates that the stamp was not only used beyond the appropriate time period and by an unauthorized person, but that it was also reused illegally. A triple no-no!

The cover shows no markings to indicate that any postal clerk detected this triple misuse, despite the apparent 1ϕ overpayment of the then 2ϕ first class rate. The unknown sender certainly pushed his/her luck, but managed to beat the postal system—this time. \Box

THE FOREIGN MAILS RICHARD F. WINTER, Editor

FREIGHT MONEY PAID IN GARDINER, MAINE RICHARD F. WINTER

In a previous *Chronicle* article¹, I gave an explanation of the freight money system as well as a listing of the cities known to have collected such fees as a service to their local merchants. A recent discovery indicates that the post office at Gardiner, Maine², may now be added to that list.

Figure 1 illustrates a folded letter from Gardiner, Maine, written on 26 May 1840, addressed to London, England. It was intended that this letter be carried to England by the steamship *British Queen*, as endorsed in the lower left corner. The Gardiner post office applied a 30 mm circular datestamp of 29 May 1840 in red ink (faintly shown in the upper left portion of the cover), and indicated that a freight money fee had been paid with the important manuscript notation:

Paid to New York	$18^{3}/_{4}$
Paid Steam Boat Postage	25
	43 ³ /4

Note that a handstamp PAID has also been struck in red ink alongside the total prepayment (see Figure 2). The prepayment included $18^{3/4}$ ¢ for the U.S. inland fee to New York (a distance of about 320 miles) and 25¢ for the steamship freight money fee.

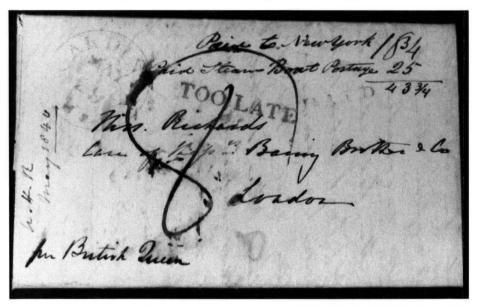


Figure 1. Gardiner, Me., 26 May 1840, to London prepaid $43^{3/4}$ ¢ ($18^{3/4}$ ¢ U.S. inland fee for 320 miles to New York and 25¢ freight money fee). Letter missed *British Queen* and was marked TOO LATE in red in New York. Eight pence ship letter rate due in England.

Richard F. Winter, "The Origins of Freight Money," Chronicle 135:208-214.

²Gardiner, Maine, lies on the west side of the Kennebec River at the head of ship navigation, four miles below Hallowell and six miles below Augusta (48 miles N.E. of Portland). It was incorporated in 1802 and named after Dr. S. Gardiner. Extensive water power, furnished by the Cobbessecontee River, which enters the Kennebec at this place, is largely employed in sawing timber. Population in 1850 was 8,231. "Gardiner is one of the largest and most thrifty places in the state." (Source: 1853 Hayward *Gazetteer of the United States of America*.)

The steamship *British Queen* of the British & American Steam Navigation Company left New York on 1 June 1840 on its fifth return voyage to Portsmouth and London. Unfortunately, the letter did not arrive in New York in time to be placed on board the *British Queen*. As a result, the New York post office applied the TOO LATE marking in red ink, and placed the letter in the mails to be sent by the next available ship to England. This was the sailing ship *George Washington* of the Liverpool Line of Packets, which left New York on 7 June 1840. The *George Washington* arrived in Liverpool on 1 July 1840 and the mails reached London on the following day (red circular datestamp on reverse). As an incoming ship letter, the cover received a two-lined backstamp, LIVERPOOL/SHIP LETTER, in black ink, and was rated for a collection of 8 pence.

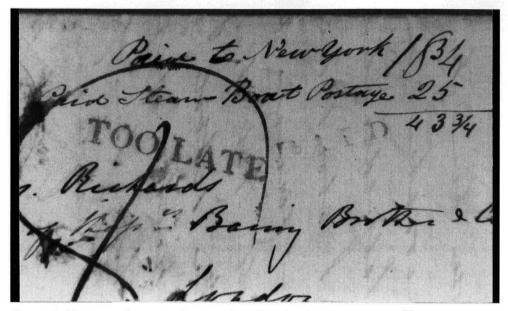
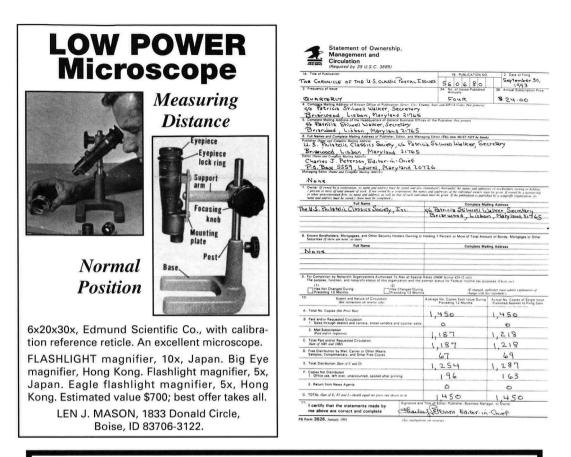
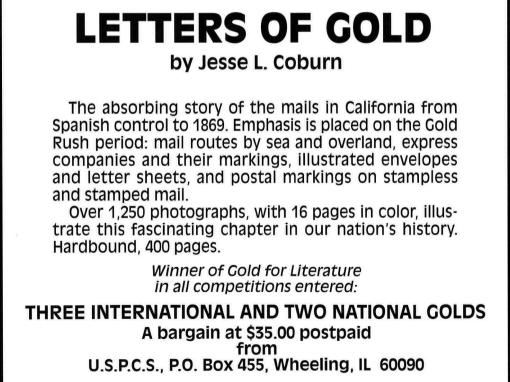


Figure 2. Close-up of manuscript notation showing breakdown of 43³/4¢ prepayment.

Since this letter missed the sailing of the steamship *British Queen*, only $12^{1/2}$ ¢ was actually required for the freight money fee on the sailing ship *George Washington*. The postmaster of New York, Robert Morris, was quite formal in his application of proper post office procedures. Transcripts of some of his letters from 1847 and 1848³ show that he did not hesitate to inform other postmasters when he thought that they were responsible for any errors in rating letters or in making up the mails. Some of the transcripts relate to freight money charges, and indicate that when these fees were unnecessarily collected (or in this case, where too much was collected), he returned the money with an explanation. While there is no record that Morris handled the fees for this particular letter, it is most likely that he returned $12^{1/2}$ ¢ to the Gardiner postmaster.

³ Winthrop S. Boggs, *Postmaster Robert Morris of N.Y.* (New York: The Collector's Club, 1960).





THE COVER CORNER SCOTT GALLAGHER, Editor

ANSWERS TO PROBLEM COVERS IN ISSUE 159

Figure 1 shows a cover addressed to the El Paso National Bank bearing a UNION EXPRESS marking and a star in lavender. What a response was received from readers who instantly recognized this fake! Responders included Bill Bauer, Joe Crosby, Charles Deaton, Bill Emery, Richard Graham, Herman Herst, Jr., Henry Spelman III, Greg Sutherland.

"Pat" Herst and Charles Deaton knew of this fakery in the '70s. A Chicago-area dealer apparently acquired a large accumulation of envelopes addressed to the El Paso National Bank. Almost all were of minor value, so he embellished many of them with additional markings, using a rubber stamper and lavender ink. The markings used included: STEAMSHIP, PACIFIC EXPRESS CO., FORWARDED BY GREAT WESTERN EXPRESS, NACO ARIZONA TRANSIT and UNION EXPRESS. "Pat" Herst relates that he was directly involved in getting the faker expelled from the APS.



Figure 1. 1889 "UNION EXPRESS" cover, Fort Davis to El Paso, Texas.

One source of information on this faked material is the article by the late N. Leonard Persson in the U.S. Cancellation Club News, Sept. 1981 and other issues. The present location of Len Persson's notes and reference collections is not known. It is rumored that there is a safety deposit box some place with this material, together with valuable genuine covers from Persson's collections of Colorado and express mails.

These faked covers are still out there in collections and in the philatelic market, as a large quantity was produced. The fakes are all on covers with genuine cds markings of the late 1880s to early 1890s. They were used to "salt" cover lots to produce a high value sale for groups of low value items.

Figure 2 shows a cover with a UNION EXPRESS marking in black, and a "(58)" in the same ink at the upper left hand corner. It is addressed to Blairsville, Pa., and there are no markings on the back. It is the agreed opinion of several responders that this is a genuine item in all respects. One suggested that the "(58)" was an Ohio office, not yet identified. Carl Albrecht of the Ohio Historical Society furnished a list of express company offices in Ohio in 1878, Union among others, but they are not numbered. Richard B. Graham spent considerable time analyzing this cover, and writes:

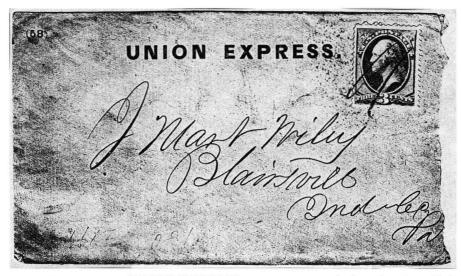


Figure 2. 3¢ Banknote on "UNION EXPRESS" cover, pen canceled, undated, to Blairsville, Pennsylvania.

With regard to the Union Express item, I own a Union Express money letter cover. Everything on my cover is in black, except the vertical ms. note at the center, "40 cents Exp. Charges pd by Clerk(?)." "X 20" in heavy blue pencil. The seals on the back of this pale buff envelope are also in black, and read "The Union Express/OHIO/Johnstown/Licking/Co." The cover was sent from Johnstown to Delaware, Ohio, probably about 1881. (See Figures 3 and 4)

According to Alvin F. Harlow's *Old Waybills*, p. 321, in 1883 "a peace conference resulted in the dissolution of [the Erie & New England Express Co.] . . . as well as the Union Express, which had been operating some important territory in Ohio." Which limits my cover's year of usage to 1880-83.

There was evidently more than one Union Express, as Harlow, on page 318, notes, "On August 20, 1879, the Union Express, property of the Louisville, Chattanooga & St. Louis, despite the fact that both had contracts with the Southern Express Company"

All this is from Harlow's chapter entitled "The Wars Around the Plum Tree," which is about the attempts of the railroads in the 1870s and 1880s to take over the express companies' businesses that were carried over their lines. The express companies went to court and got rulings forbidding the takeovers on the basis that the various railroads' charters from the various states invariably limited them to railway operations.

Checking further, I went to Konwiser's articles in the Lindquist *Stamp Specialist* series—on Independent Mail Routes of the U.S. (Vol. I, part 2, numbered in the index in the last (Forest Green) book as No. 2 of the series), with a supplement in the Yellow (No. 7, re the general index), and also his article on Express Co. labels in the Mahogany (No. 16) book. Both list a Union Express Co. printed label used from Minerva, Ohio, on red paper, date not given. Since Harlow's book was originally published in 1934—although I have the Amos Press reprint edition of 1976—and Konwiser's original listing in the *Stamp Specialist*, No. 2, was in 1940, I assume they did get data from different sources—i.e., one listing is not based entirely upon the other. Konwiser also states that other Union Express labels exist, but gives no details.

THE UNION EXPRESS. Form No. 61. 51.60 Counted and Sealed by Ling linen ats of The Union Express are instructed not to forward this without its being sealed as directed. Forwarded bu 25 188

Figure 3. Union Express money letter cover, Johnstown to Delaware, Ohio, circa 1881.

Reading Harlow's *Old Waybills*, which is a general history of the express companies, I get the impression there were dog-eat-dog battles among the various companies, who openly established what seemed to be harmonious divisions of territory, but actually with a great deal of contention behind the scenes. One of the favorite ploys was to establish small, seemingly independent express companies in territories agreed mutually to be the "property" of other companies, and I have little doubt but that the Union Express Company (both of them, really) was of that ilk.

I am of the opinion that the cover you show, addressed to Blairsville, Pa., originated with Union Express in Ohio. Blairsville is some 50-60 miles directly east of Pittsburgh.

Dick is of the opinion that this cover went through the mails, probably advising a sender or recipient of the status of a shipment.

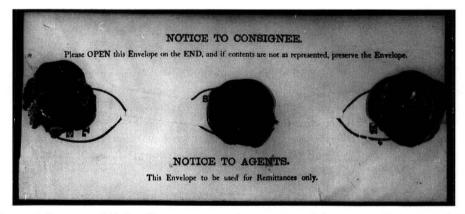


Figure 4. Reverse of Union Express money letter cover, Johnston to Delaware, Ohio.

Figures 5 and 6 show a small, neat Confederate cover with a pair and strip of three of CSA 2¢ Scott #8 canceled with two strikes in vibrant red of Alexandria, La., dated Sep. 8. On the front is "X Shenfield" and on the back "Fox 10/59" and "\$750." I received quite a few responses to this, but only Jack Molesworth and Charles E. Kilbourne recognized the cover for what it is. Other respondents thought it was an attractive and rare item, and an example of a trans-Mississippi usage in September 1863 without the sender paying fifty cents.

Capi Y SHENFIELD

Figure 5. Confederate cover, Alexandria, Louisiana, with (2+3)x2¢ Scott #8.



Figure 6. Enlargement of (2+3)x2¢ C.S.A. #8 from Alexandria, Louisiana, cover.

Your Editor has the advantage of having the cover in hand, and of being at the Philatelic Foundation in 1992 with John R. Hill, Jr., where we examined a box of ostensible postal markers which had been found in the basement of the Floral Park, N.Y., office/home of John A. Fox shortly after his death. An Alexandria, La., marking device dated Sep. 8 was in that box, and it was clearly the origin of the markings on the cover. The device was identical in zinc alloy, resembling pot metal, to dozens of other markers in the box. A wide variety of town marks, fancy cancels and ancillary markings was represented. The surmise is that all had been made from photographs of genuine markings. The resulting devices do not have sharp regular lines. The edges of letters, numbers and lines are slightly lumpy, rather like a muddy path. Perhaps readers can note this in the closeup. There is an additional indicator, applicable to those fakes whose philatelic provenance includes a John A. Fox sale or auction: if there are multiple strikes on cover, those strikes show identical patterns of ink spatters, thickened letters, etc., as one would expect from photographic reproductions of an actual strike.

Back to the cover in question: the envelope, address and stamps are all genuine. When it was delivered to Capt. Hanks out of the mails, there were no stamps on it. Many large correspondences have letters without stamps, which can be used to fabricate items that could be sold to collectors after stamps are added. Sometimes stamps with cancels are added, and tied by hand-applied markings or by edges of circular items inked on a pad. This Alexandria, La., cover is a dangerous fake. Fortunately it and others of its kind have been donated to our Society as reference pieces, but others are still out there in collections or being sold in auction in the U.S. and abroad. If you are unsure of the authenticity of your material, submit it to the expertizing group of your choice.

PROBLEM COVER FOR THIS ISSUE

I have in front of me, as I write this, the corrected proofs of Robert G. Stone's A Caribbean Neptune, which is being published by the Philatelic Foundation of New York

Mars matthews the one il adelphia.

Figure 7. Front of Dec. 6, 1865, U.S. Mail Steamship Fah Kee cover from Santiago de Cuba.

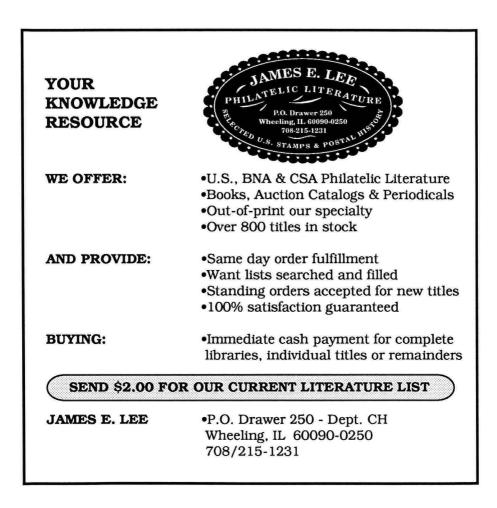
RUBL FOR SANTIAGO DE CUBA,---DIRECT THE FIRST-OLASS FAST SAILING STRAMER KEE," AIL JOHN STIRLING, Commander 2 Carrying the U.S. Mail, will leave TTTR-12, at 8 o'clock P. M., pro-MAIL STEAMS all letters much passage having superior risks room account for first the shore port direct. For freight or passage having superior risks room account nodations, apply to gravity for a country of a power stream and if foot of Oliver street FAH KEI DEC 6 18 NY JOURNAL St. Ja 0084 tf OF COMMERCE 18 NOV 1865 CUT FROM

Figure 8. Back of *Fah Kee* cover, and clipping from *New York Journal of Commerce* announcing the service.

Chronicle 160 / November 1993 / Vol. 45, No. 4

City. Shortly after you readers receive this issue of *Chronicle*, that long-awaited tome should be available from Leonard H. Hartmann (P.O. Box 36006, Louisville, KY 40233). Page 285 of Stone's book discusses the U.S. Mail Steamship *Fah Kee*, and Figures 7 and 8 provide a cover carried on that vessel. Alongside the steamship marking on the back, dated Dec. 6, 1865, is an ad from a New York newspaper announcing the service. On the front of the folded letter is the marking "NEW YORK SHIP LETTER" and a "6" which is not much of a problem. Will someone please explain the usage and rate?

Please send your answers, comments and new submittals to the editor within two weeks, to P.O. Box 42253, Cincinnati, OH 45242, or FAX 513-563-6287. $\hfill \Box$



RECENT PUBLICATIONS, BRIEFLY NOTED

In my relatively short tenure as Editor-in-Chief, I've already had to make some difficult decisions on allocation of space in the *Chronicle*. One of those involves book reviews—a feature I personally favor, but one to which as editor I have to give a lesser priority than I do to original reports and analyses submitted through our section editors.

I'll definitely find room for detailed evaluation of major new philatelic studies, especially if presented as a peer review within the applicable section. I also intend to encourage our authors and section editors to present critical and comparative evaluations of the current literature in their specific areas (as Dick Winter did, for example, in his article on "Proliferation of British Rate Books," *Chronicle* 158:134). But for the most part, coverage of new books of necessity will be limited to brief reports designed to inform readers of the publications, briefly summarize their scope and utility, provide a subjective assessment of their merits and give the necessary details on cost and source.

The following recent publications all warrant attention by collectors and students of classic U.S. issues:

The Handstamps of Wells, Fargo & Co. 1852 to 1895. By John F. Leutzinger. 2nd ed., published 1993 for Western Cover Society by Leonard Hartmann. Hardbound, 6x9 inches, 382 pages, illustrated. \$45 postpaid from Leonard Hartmann, P.O. Box 36006, Louisville, KY 40233. This is an illustrated catalogue of Wells, Fargo handstamps—predominantly cancels, but also including those used as franks, receiving marks, supplementary markings—arranged in groups by physical characteristics, with listing of those offices known to have used the individual markings. Reference data include a listing of towns with Wells, Fargo offices by state/territory, a full alphabetical listing, and a relatively detailed chronology of important philatelic dates. There's also a useful town-name index to the catalogue section. With minor exceptions, no dates of use are given for individual offices or handstamps; there's no pricing or rarity data; there's no treatment of printed franks; there's no general background on Wells, Fargo services, routes, etc. Very thorough and reliable, an important reference work for collectors of Western express covers. [NOTE: The first edition is long out of print; this new one was produced in 750 copies, of which more than half were sold by mid-year. If you need/want it, get it now.]

American Stampless Cover Catalog. Vol. III. David G. Phillips, Editor-in-Chief. Published 1993 by David G. Phillips Publishing Co., Inc. In hardbound and softbound editions, 7¹/₄x10¹/₄ pages, well illustrated. From the publisher, P.O. Box 611388, North Miami, FL 33161, \$50 hardbound/\$40 softbound (postpaid). It's the rare student of pre-20th century U.S. stamps and postal history who won't profit from the *ASCC*—this volume, as well as its two predecessors. A large part of the new edition is given over to Robert Dalton Harris' catalogue treatment of early U.S. telegraph covers (including those bearing U.S. postage stamps, notwithstanding the "stampless" title). That's a first, and it makes an interesting companion to George Kramer's recent book on the telegraph stamps. Benjamin Wishnietsky has done a massive revision and update of his 1980 catalogue of Confederate stampless covers; that's a major reference in itself. There's a new section which compiles all the stampless markings of the Colonial period—also considerably updated, most definitely not a mere re-assemblage of the Vol. I and II listings. U.S. postal markings of the Mexican War are newly catalogued, there's a new section on stampless mail auxiliary markings, and there's a 50-page listing of addenda/corrigenda. And finally, the *ASCC* has an index, which covers all 3 volumes; two indexes, in fact, with one giving names and offices of persons who had the franking privilege, and the other a 16-page keyword index to types of postal markings. Catalogue data includes text and size of each marking (many with illustration), color of ink, date(s), pricing; in addition, the publisher is generous with annotations and background information, to include maps. This is definitely a referenceshelf item for U.S. classic period specialists; considering the use it's likely to get, the hardbound edition is the recommended format.

History of California Post Offices. By H.E. Salley. 2nd ed., edited by Edward L. Patera. Published 1991 by The Depot, Box 2093, Lake Grove, OR 97035. Hardbound, 8¹/₂x11 inches, 356 pages, many maps. Available from the publisher, \$55. This is a significant update from the earlier (1977) book, useful for anyone working with California mails. It contains an alphabetical entry for all the named offices, with county, class of office, significant dates (establishment, dis- and re-establishment, move, name change, class change), origin of name, descriptive location, identity of first postmaster. This is followed by a county-by-county listing, in most cases with well executed outline maps showing office locations, rail lines and major highways. Additional listings cover Rural Free Delivery routes (by office, with route number, dates established and discontinued, length of route, acreage covered and population serviced; no route maps); Navy numbered post offices; highway post offices; railway post offices; transfer stations; air mail fields; offices authorized but never opened. No information on markings, and not a "history" per se, but a very helpful guide to the offices in operation from 1849-1990.

The Wisconsin Postal History Society has a long tradition of issuing monographs. These are distributed as part of the annual membership benefits, but are available as well at reasonable prices to non-members. For individual costs, contact the WPHS, % Frank Moertl, N95 W32259 County Line Road, Hartland, WI 53029. Recent volumes of note are:

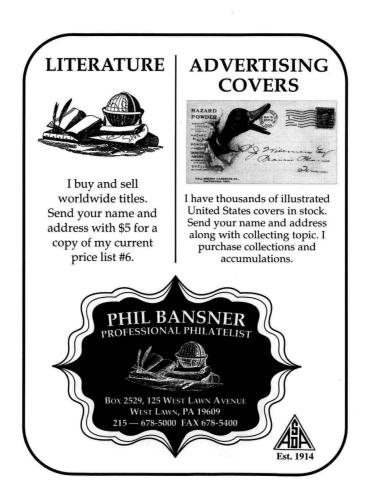
Territorial and Early Statehood Covers Owned by the State Historical Society of Wisconsin. Compiled by James B. Hale. Published 1993 by the Wisconsin Postal History Society as Bulletin No. 23. Looseleaf, card covers, 3-ring punched, 8¹/₂x11 inches, 56 pages, illustrated. This is a survey of early Wisconsin covers in 38 document collections of the State Historical Society, resulting in a tabulation of 3,095 items—including covers from 30 territorial offices not previously known to have covers, and new early dates for 54 offices. The listing is in alphabetical order by office, and includes description of the town, rate and auxiliary markings; identification of franks and postage stamps; number of similar covers; earliest and latest dates for the markings; and identification of the archival collection(s) in which located. 53 selected covers are illustrated, including the 5¢ 1847 and 10¢ 1847 covers (1 each) and the St. Louis Bear (Scott #LX2) on a Jan. 20, 1846, cover to Madison, Wisc. Territory. (Aside from these notable finds of adhesives on cover, only a few 3¢ #11 and 3¢ #26 covers were encountered.) Methodology is precise, and is commendably well described in the introduction.

Wisconsin: Its Territorial and Statehood Post Offices. Compiled by Frank Moertl; edited by James B. Hale, James Maher and Greg Schmidt. Published 1993—by the Wisconsin Postal History Society as Bulletin No. 23. Looseleaf, card covers, 3-ring punched, 8¹/₂x11 inches, illustrated, maps. Planned for release in 5 installments; 2 installments of 60 pages each as of October 1993. This is a county by county (in alphabetical order) listing of Wisconsin post offices through December 1992. Similar to the Smalley book on California offices, it gives office name, dates of establishment, discontinuance, name change, etc., descriptive location, name of first postmaster. In some (relatively few) instances it provides origin of office name; in contrast to Smalley's work, it does not specify class of office; it remains to be seen whether there will be a consolidated list of offices or an index.

Selected postal markings are shown at the end of each county section, but this is more illustrative than representative. Treatment of Wisconsin territorial offices outside of current state boundaries is well done; maps are comprehensive and nicely laid out.

Redirected Mail: The Redirecting System of the US Post Office for First Class Mail, 1799-Present. By Anthony S. Wawrukiewicz. Published 1993 by La Posta Publications, Box 135, Lake Oswego, OR 97034, as La Posta Monograph No. 9. Stiff cover, $8^{1/2}x11$ inches, 86 pages, well illustrated. From the publisher, \$16. The author deals here with first class mail which has been sent on to the addressee's new location, has been misdirected and later rerouted to the proper address, or has been forwarded by an agent to an individual's changing address (including military mail). It's a major postal history subject, but told primarily through the author's prize-winning exhibit. As such, the book is a good introduction to the subject, but is by no means comprehensive let alone definitive. Well worth the price.

- Charles J. Peterson 🛛



ADVERTISER INDEX

Phil Banser	
Cherrystone Stamp Center Inc	Inside Back Cover
William A. Fox Auctions, Inc.	
Richard C. Frajola, Inc.	
Leonard H. Hartmann	
Edward Hines	
Ivy, Shreve & Mader Philatelic Auctions, Inc	
Victor B. Krievins	
James E. Lee	
Andrew Levitt, Philatelic Consultant	
Len J. Mason	
Jack E. Molesworth, Inc.	Inside Front Cover
Robert A. Siegel Auction Galleries, Inc	
Taylor Made Company	
Raymond H. Weill Co.	
USPCS Publications	
Letters of Gold	

CLASSIFIED

North Atlantic Mail Sailings 1840-75.....227

WANTED: Yellow cancels on 19th century U.S. or stampless covers. Will buy or trade high-quality U.S. Steven Hines, P.O. Box 422, Monee, III. 60449.

BUYING NEVADA, post office cancellations on picture postcards, covers, small towns prior 1920. \$25.00 minimum paid. Also need Arizona, New Mexico, Alaska, obsolete post office cancellations. Send photos or approvals. Peterson, Box 17463, Holiday, UT 84117.

WANTED: Fort Wayne, Indiana advertising covers, trade cards, post cards, letterheads, medals, trade tokens, etc. All types of paper, celluloid or metal advertising items. Myron Huffman, 12409 WAYNE Trace, Hoagland, IN 46745.

WANTED: 19th and early 20th century definitive and commemorative covers. Write: Covers, P.O. Box 1412, Ardmore, OK 73402.

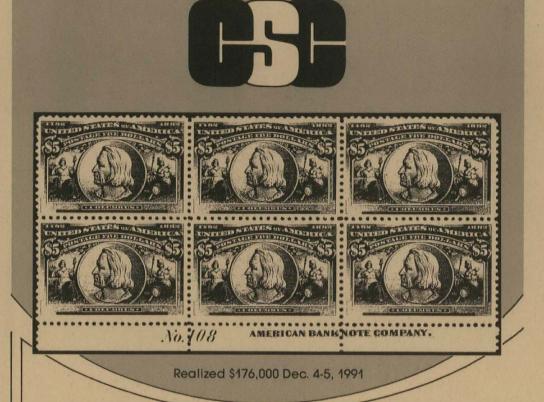
WANTED: Straightline, Fancy & Unusual cancels on Confederate General Issue stamps; on or off cover. Please send Xerox with price. C.L. Bush, 205 Hughes St., Fort Walton Beach, FL 32548.

OFFICIALS, Covers, COLORED cancels, Essays, Wanted. Bob Markovits, Box 891, Middletown, NY 10940.

VERMONT usages of Scott #7-9, 12-17 wanted. Will buy covers or pay 50¢ each plus postage for clean photocopies for a census project I am conducting for the Vermont Philatelic Society. Also need information on #10-11 MULTIPLES (only) on Vermont covers. Please help in this endeavor. Dr. Paul Abajian, 10C Oak Terrace, Colchester, VT 05446.

YOUR AD HERE FOR 50¢ A LINE.

Send payment to: Robert L. Toth, 10015 Vista Dr., North Royalton, OH 44133. Next Deadline January 5.



Buying and selling via our international Public Auction Sales

Held every two months in the heart of New York City with over 15,000 lots offered annually, emphasizing world-class rarities and postal history from virtually every facet of philately.

For our international clientele, we are constantly seeking important collections and single rarities, postal markings, maritime and aviation, military history and political campaigns, documents and manuscripts, autographs of famous people, investment holdings of U.S. and world-wide stamps and covers.

If you are contemplating selling your collection (or part of it) now or in the near future, please contact us at your convenience. Absolute discretion always assured.

> CHERRYSTONE STAMP CENTER INC. PHILATELIC AUCTIONEERS 119 WEST 57th STREET NEW YORK, N.Y. 10019

(212) 977-7734

NEW YORK CITY AUCTIONEERS LICENSE 732052

FAX (212) 977-8653

