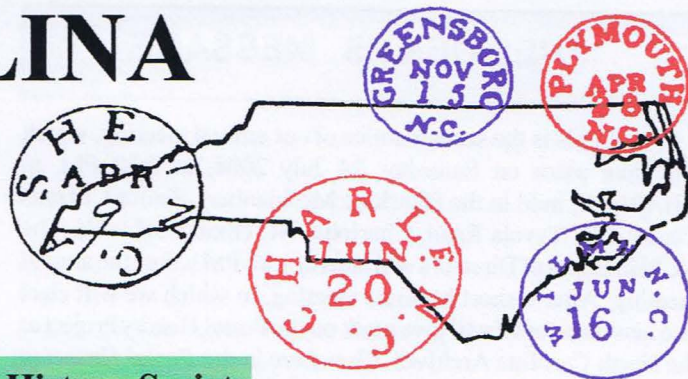


NORTH CAROLINA POSTAL HISTORIAN

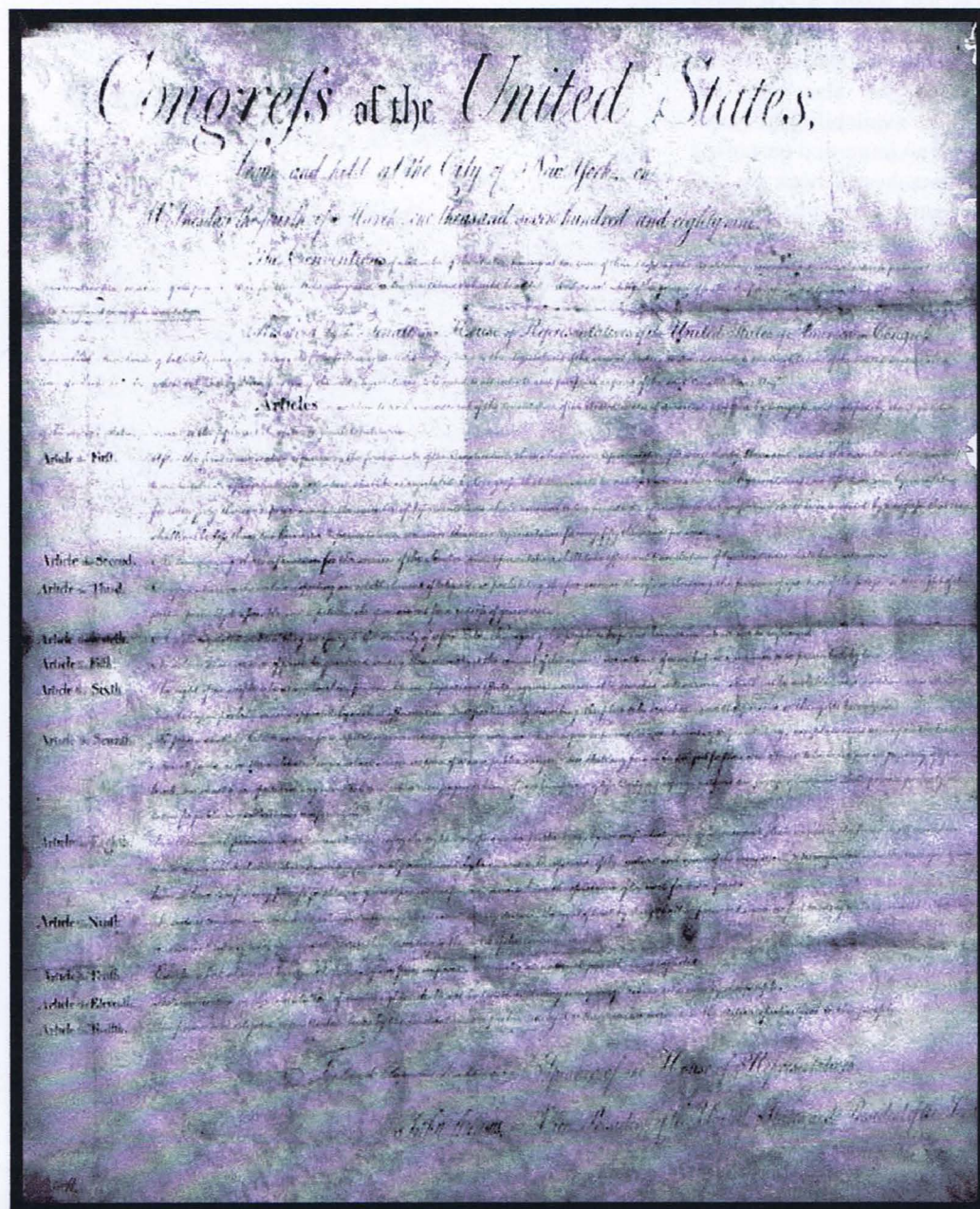
The Journal of the North Carolina Postal History Society



Volume 23, No. 2

Summer 2004

Whole 87



NORTH CAROLINA'S

COPY

OF THE

Bill of RIGHTS
DECLARATION

OF

INDEPENDENCE



Affiliate #155 of the American Philatelic Society

PRESIDENT'S MESSAGE

This is the second notice of our annual meeting, which will take place on Saturday, 24 July 2004, at 2:30 PM, at CHARPEX, held in the Charlotte Mecklenburg Senior Citizens Center, 225 Tyvola Road, Charlotte, NC (Exit 5 off I-77). The NCPHS Board of Directors will meet at 1:00 PM before the annual meeting. After a short business meeting, in which we will elect two new directors, I will give a talk on the Postal History Project at the North Carolina Archives. Elsewhere in the *Postal Historian* you will read of the success we have had in getting our database on line and available to the public,

Our auction continues with this issue. Auction No. 4 promises some very interesting lots and again a few items unlisted in our catalog, *Post Offices and Postmasters of North Carolina*. Member response to our auctions has been good, not only from the purchasing prospective, but also from the submission of lots to be auctioned. The availability of North Carolina material through our auction is an important part of the benefits that the society can offer its members. I hope we will continue to have a strong auction. Please refer to the Fall 2002 *Postal Historian* (Whole No. 80) for the Terms of Sale that we use in each of our auctions. This also includes information for consignors.

As always, I welcome your comments and suggestions for improving the society. Please feel free to call me at home (336 545-0175), send me an email message at rfwinter@bellsouth.net or write to me. My mailing address appears on page 2 of this journal.

Dick Winter

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North Carolina Postal Historian

The North Carolina *Postal Historian* is the official journal of the North Carolina Postal History Society. It is published quarterly in January, April, July and October.

Membership in the Society is \$15 per year. Applications for membership may be obtained from the Treasurer. Submissions for the *Postal Historian* or inquiries may be addressed to the editors.

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Pamlico County

by Tony Crumbley

Pamlico County is a Peninsula extending into Pamlico Sound. It is located in the Tidewater region of the Coastal Plain section of North Carolina. It's northern boundary is the Pamlico River, and its southern boundary is the Neuse River. An arm of the Pamlico Sound called the Bay River penetrates the county's interior.

Pamlico County did not exist until it was split from Craven and Beaufort Counties in 1872. Present day Pamlico County consist of 341 square miles of land, about half the size of the current City of Charlotte, and 235 miles of water. Nearly 20% of the land is made up of freshwater wetlands. The county's average elevation is only 5 feet. The sheer geography of the region is a limiting factor for its development.

The first inhabitants of Pamlico County were coastal Indians. When the first English colonists began to settle this area the entire Neuse-Pamlico region had an estimated Indian population of 1,000. The Secotan occupied the land between Albemarle and Pamlico Sound and both sides of the Pamlico River. Members of this tribe were encountered on Roanoke Island by the first English explorers. The second expedition to Roanoke Island in 1585 by Captain Ralph Lane and Sir Richard Greenville observed the Secotaoc, a Secotan Village, near present day Hobucken.

Early settlers were slow in coming among the earliest was Edward Pearce who settled in 1708, Dudley Gordon who settled on Orchard Creek and Richard Dawson who settled where the present day community of Janeiro is located. Until the post office was opened there in 1889 the community was known as Dawson Creek. The current name is said to have come from the Brazilian town name of Rio de Janeiro chosen by its first Postmaster Gilmon W. Hardison.

James Beard and Richard Durham held tracks of land on Beard's Creek. This area was also known as Baird's Creek. Its first post office was opened by Alexander Brinson in 1878.

These early Eighteenth Century men were primarily engaged in trade, land speculation or small-scale agriculture. The anticipated growth they expected was over shadowed by better situated communities such as New Bern.

As a result of the post revolutionary war economic surge, a number of large plantations appeared in the area. The most prosperous and grandiose was China Grove at Dawson's Creek owned by William Sparrow and built in 1810. Sparrow engaged in the naval stores trade, farmed, and operated a lumber and grist mill. He died in 1827 owning 32 slaves and almost 3,000 acres of land. His wife retained control of the farm and operated it until her death in 1865.

In the 1820's the Neuse River Steamboat Company, which was chartered in New Bern in 1817 began conducting daily runs to and from Elizabeth City, where the dismal Swamp Canal connected to Norfolk and Chesapeake Bay. Steamboat traffic continued to grow and become a major transportation means and catalyst for growth in the area. Early mail was carried by these

steamboats both inside and outside of the U.S. mail system.

The Pamlico region saw limited growth till the 1860's when the total area population reach 5,000. When the Civil War broke out, coastal North Carolina became an important objective for the Union Army and Navy.

Federal commanders realized that Pamlico, Currituck, Albemarle, Bogue and Core Sounds were vital military objectives because control of the sounds would mean control of more than 1/3 of the state and pose a considerable threat to the Wilmington & Weldon RR., the main supply line running south from Richmond.

On March 13, 1862, approximately 8,000 Union troops disembarked from steamers on the Neuse River. They landed at Slocum's Creek below New Bern and marched on the city the following day. Confederate General L. O'B. Branch commanded 4,000 inexperienced Confederate troops placed there to guard New Bern.

Union General Burnside ordered his forces to attack in three columns, supported by gun fire from the fleet of gun boats on the Neuse River. The federals quickly found a break in Branch's line, charged through and quickly took control of the city. This important command post would remain in control of Union forces throughout the war, despite attempts by the Confederate Army to retake the city in March 1863 and February 1864.

This early Union victory greatly changed the future of the entire Pamlico area. Pro-Confederate individuals left the area, the plantations could no longer operate and the area became a site of refuge for freed slaves. In 1860 the Pamlico area had 1,848 slaves. The state had 350,000 during the war. Many escaped and moved to the occupied portions of the state.

Union forces assembled three North Carolina regiments made up of colored soldiers from these areas. Throughout the area freed blacks began to take on more prominent roles. The Freedman Bureau founded in New Bern helped promote education and development of the blacks throughout the area. Reconstruction introduced blacks into the world of politics but perhaps most importantly the introduction of "carpetbaggers" to the area brought about a new economic life to the region.

At least three carpetbaggers played important roles in the newly formed Pamlico County. Dr. Delon Henry Abbott, a Union surgeon from Maine, came to North Carolina during the war and remained here. Abbot purchased 3,000 acres of farm and timberland at post war prices in the areas of present day Bayboro and Stonewall. He established steam powered saw and grist mills at these sites and at the Village of Vandemere. Abbott built his home at Vandemere and is credited for naming the city Vandemere -- a Dutch word meaning "from the sea". Abbott's wife was Postmaster from 1873 until 1886. In 1874 the state legislature incorporated Vandemere, the second county village to receive this distinction. Stonewall had been incorporated since 1857 as Jackson but changed its name to Stonewall in 1871.

Another carpetbagger who left his mark on the Pamlico County was Joshua Dean of Fall River, Massachusetts. Dean had operated a lumber mill in his hometown and established steam powered saw and planing mills near Stonewall in 1867, also in eastern Pamlico County at Broad Creek near the Neuse River by 1872. Joshua was the Postmaster of Pamlico in Craven County from June 15, 1869 until it was discontinued on November 9, 1870. He later became Postmaster of Pamlico in Pamlico County from August 7, 1878 until January 8, 1886.

The third carpetbagger to seek his fortune in Pamlico County was William Grant of New York who settled at the crossroads of two of the county's main arteries. The road running east from New Bern and the route running north from Minnesot. Grant married a local girl and built a store of which the second story was used as their residence. At this crossroads a community grew up known as Grantsboro. William Grant became the first Postmaster in September 20, 1869 and continued to operate the office after it was moved into Pamlico County until 1877.

Stonewall, Vandemere, Pamlico and Grantsboro became the economic communities of the county. A fifth community was Bayboro. It was born not the results of economic growth but as the outgrowth of the establishment and development of county government. Bayboro was the county seat of Pamlico County.

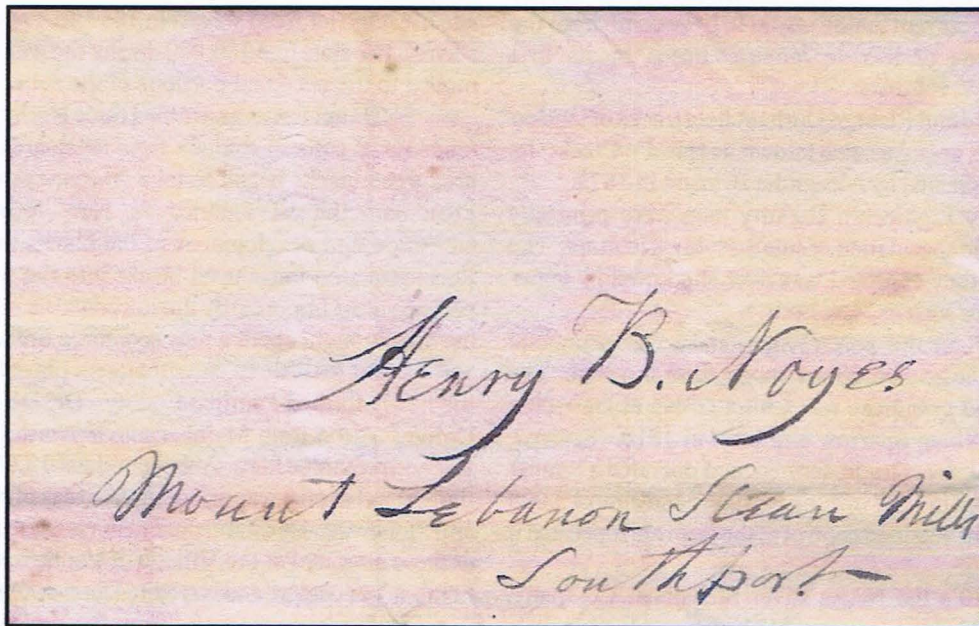
Another community to spring up was Oriental. Louis B. Midyette, a farmer and fisherman from Dare County in the 1870's was returning from New Bern in a sailboat when forced him to take refuge in the mouth of Smith Creek. Becoming fond of the location he moved his family there and soon persuaded his brother-in-law Robert P. Midyette, to join them. Louis became the

first Postmaster of Oriental on December 22, 1886. He continued Postmaster until November 7, 1889. Louis Midyette's wife named the community after a federal transport ship that had sank near Bodie Island during the Civil War. Louis Midyette's wife, Rebecca, found the ship's name plate washed up on the shore. Like the other communities, it became a major lumber processing center.

By the turn of the century, Pamlico was still without rail and dependent on steam ships to carry supplies and cargo to distant ports. By 1904 the Pamlico, Oriental and Western Railway (P.O. & WRY) cross the Neuse River and began construction towards Reelsboro. In 1906 the P.O. & WRY hit hard times and had only completed 16 ½ miles of track to Bayboro. In that year the Norfolk & Southern RR purchased the track and quickly completed the line to Oriental. The tracks passed through Olympia, Reelsboro, Grantsboro, Alliance, Bayboro, Stonewall and Ashwood. In 1914 another railroad, the Western and Vandemere completed a 6.5 mile line linking Washington and Vandemere. The arrival of the railroad virtually brought an end to the era of steamboats. The railroads could transport large quantities of freight and timber quicker than steam ship.

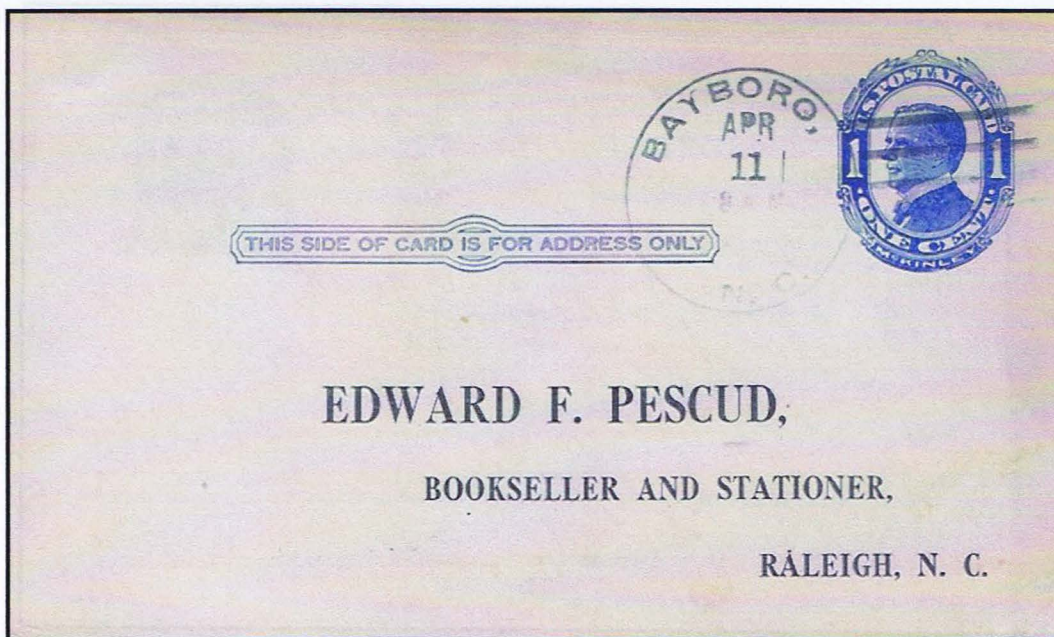
Mail was carried and canceled on board the trains running from Oriental and New Bern. The Norfolk & Southern Railroad is known to have posted mail from 1909 until 1924. One postmark type is known. Ocracoke and Morehead City RPO cancels are also known from this area. These are postmarks from the Pamlico Sound steamboat which ran 55 miles from Ocracoke to Beaufort. Three different postmarks are known used from 1900 to 1934

Hand Carried on Canal Steam Boat

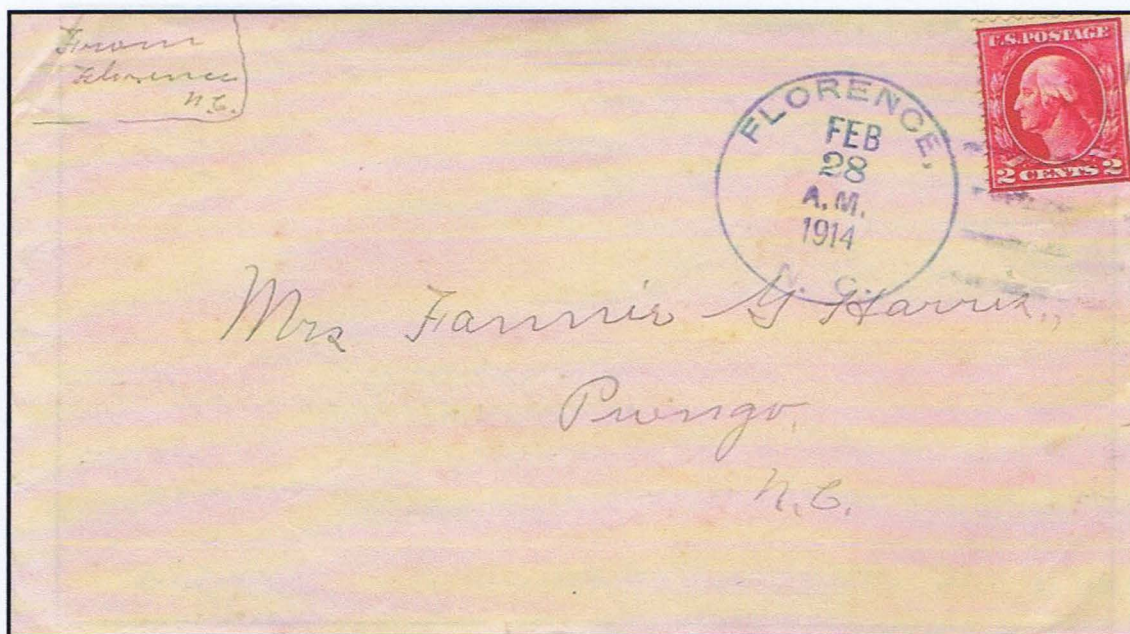


Baird's Creek NC, August 24, 1835

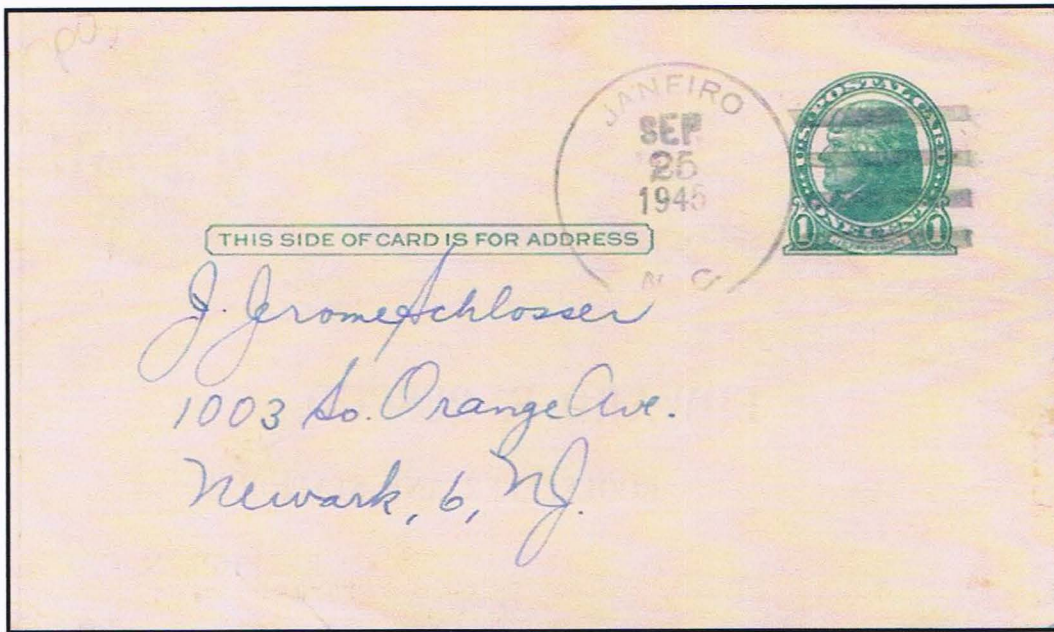
Steamship carried letter from Baird's Creek to Southport informing Mr. Noyes a shipment of lumber will head his way as soon as the water rises enough to get the boat out.



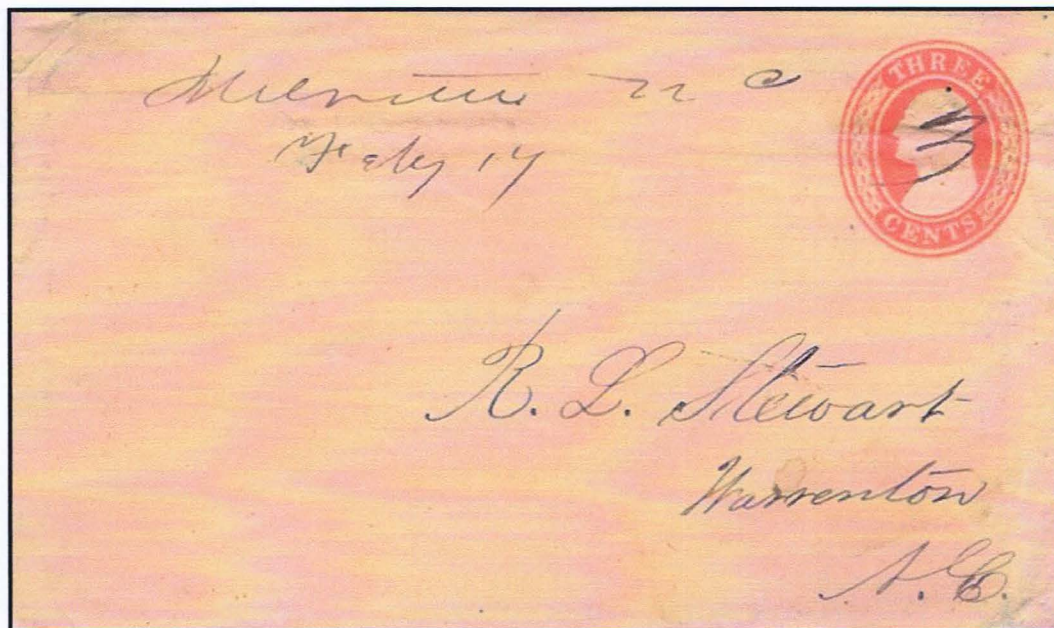
Bayboro, NC, April 11, 1912 - Four bar cancel



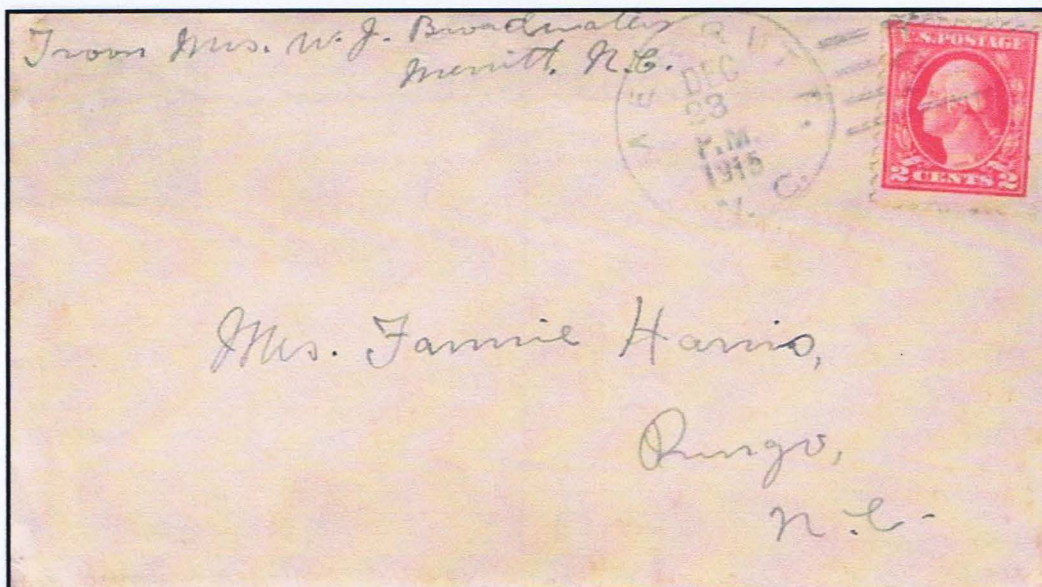
Florence, NC, February 28, 1914 - Four bar cancel



Janeiro, NC, September 25, 1945 - Four bar cancel



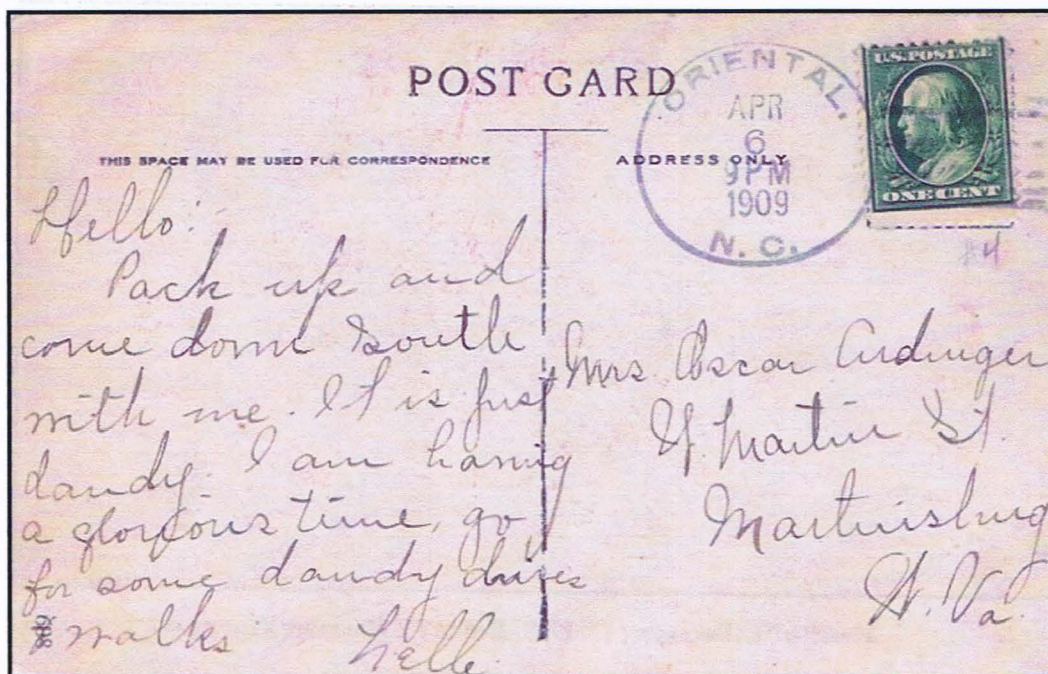
Merritt, NC, February 17, ca. 1857 -
U-10 posted From Merritt while still in Craven County



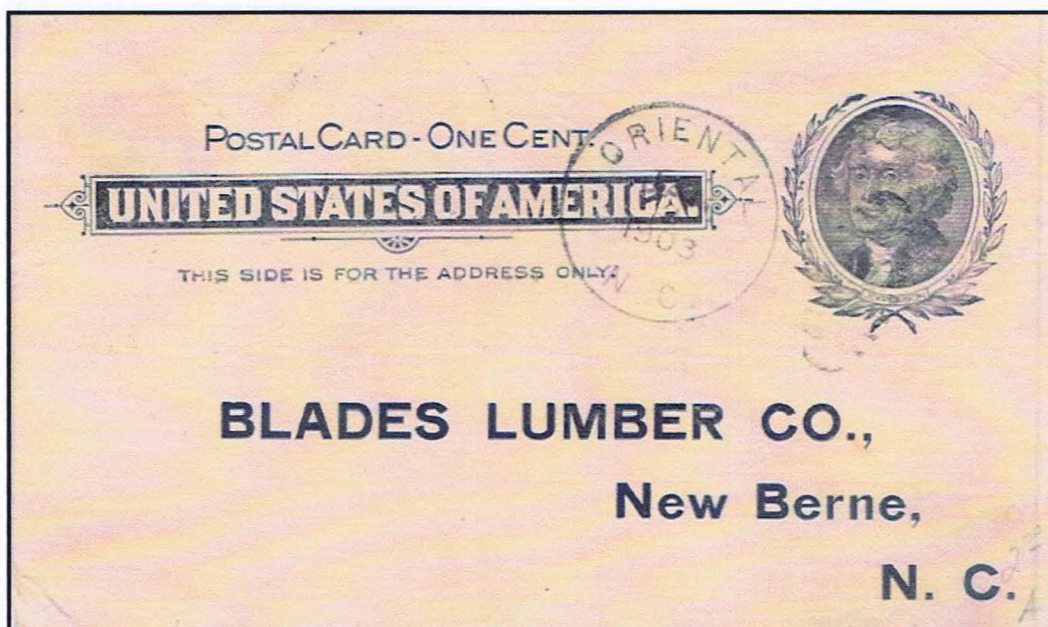
Merritt, NC, December 23, 1915 - Doane TY 2 Number 2 cancel



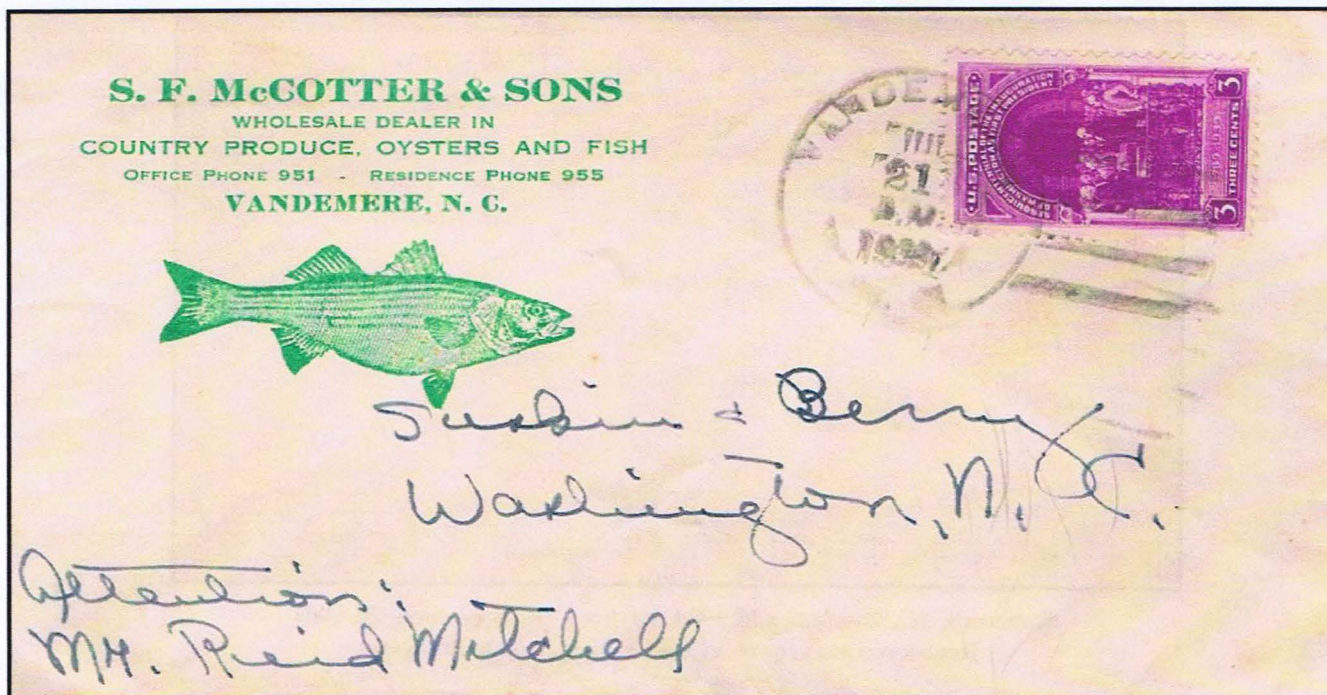
Merritt, NC, August 15, 1917 - Four bar cancel



Oriental, NC, April 6, 1909 - Four bar cancel



Oriental, NC, January 3, 1903 - Steel barrell duplex cancel
Post card regarding loading of lumber to be shipped



Vandemere, NC, July 21, 1934
S.F. McCotter & Sons - Wholesaler of produce, oysters and fish

ADDITIONAL PAMLICO COUNTY MARKINGS

From the Collection of SCOTT TROUTMAN



Goose Creek cds on 2¢ postal stationery of 1891 usage

The community was founded as an experiment to raise cattle on the wild grasses of the low, marshy island. Cattle did not care for the marsh grass. Potatoes were also grown, but received the same fate as Hobuken.

Page 1 REGISTERED PACKAGE RECEIPT. Form No. 1556.

Post Office Department.
OFFICIAL BUSINESS.
Penalty of \$300 for private use.

Postmark of Office which returns this card.

Postmark of Dispatching Office.

RETURN TO:

Postmaster at 2

and date of Return.

County,

State of

The Dispatching Postmaster must neatly and correctly make up this card, addressing it for return to himself. The Receiving Postmaster must compare the articles received with the entries on reverse side of this card, and correct errors, if any. He must then sign (not stamp) his name, postmark the card in the upper right-hand corner, and return it by first mail.

Stonewall, NC, September 26, 1904, Bayboro, NC, September 26, 1904
Registered package receipt for package sent to Bayboro

POSTAL CARD

THE SPACE BELOW IS FOR THE ADDRESS ONLY.

National Bunch
of New Berne
NC

VANDEMERE, N.C.
OCT 13 1908

POSTAGE ONE CENT

Vandemere, NC, October 13, 1908 - Four bar cancel

North Carolina Postal History Project Underway

By Richard F. Winter

A significant new postal history event has just occurred, which I think it will be of interest to our readers.

North Carolina's state archives has just become the first of any state archive, to my knowledge, to make postal history information available to the public on their web site. A postal history database of almost 13,000 covers is now available through the Manuscript and Archives Reference System (MARS), which is the on-line, USMARC compatible finding aids system in use by the archives.

As background information, on July 1, 1997, the North Carolina Postal History Commission was created within the Department of Cultural Resources by the state congress under a bill proposed in the senate. The state's museums, archives, and historic sites are all a part of this department. The purpose of the commission was to advise the Secretary of Cultural Resources on the collection, preservation, cataloging, publication and exhibition of North Carolina Postal History. The commission remained in service until June 30, 2000, a period of three years.

Sixteen members were appointed to the commission, nine of which were active in the North Carolina Postal History Society, and formed the technical backbone of the commission. The commission formed committees to address questions of exhibition, standards, and publicity as they related to postal history. The standards committee was later modified to an archival collections committee after preparing recommendations for the North Carolina Archives on standards.

The exhibit committee, with the help and cooperation of the North Carolina Museum of History, identified and secured postal history material from the North Carolina Archives as well as from individuals to form a North Carolina Postal History exhibit which opened in the North Carolina Museum of History on July 22, 1999. The exhibit ran until October 31, 1999.

The archival collections committee began two efforts that were later combined into one major project. This was a project to catalog postal history material residing in the North Carolina Archives. The project started by examining and cataloging about 17 cartons of accumulated material that had been considered not suitable to be placed in existing collections. This material consisted primarily of discarded envelopes of 19th and 20th century letters to various county and state offices. A new collection was formed at the archives from this newly-cataloged material titled the Postal History Collection. It was organized chronologically by post office within each of the 100 North Carolina counties. The postal history project later progressed into a much larger project than the original boxes of discarded envelopes, that of examining other collections at the archives for postal history material and documenting where this material could be found. The goal of this effort was to identify as much material as possible that showed evidence that it had gone through the North Carolina postal system from colonial to

modern times. Normally, these were items that originated in North Carolina, but sometimes they were items that originated elsewhere, were sent to North Carolina and then were redirected within the North Carolina postal system.

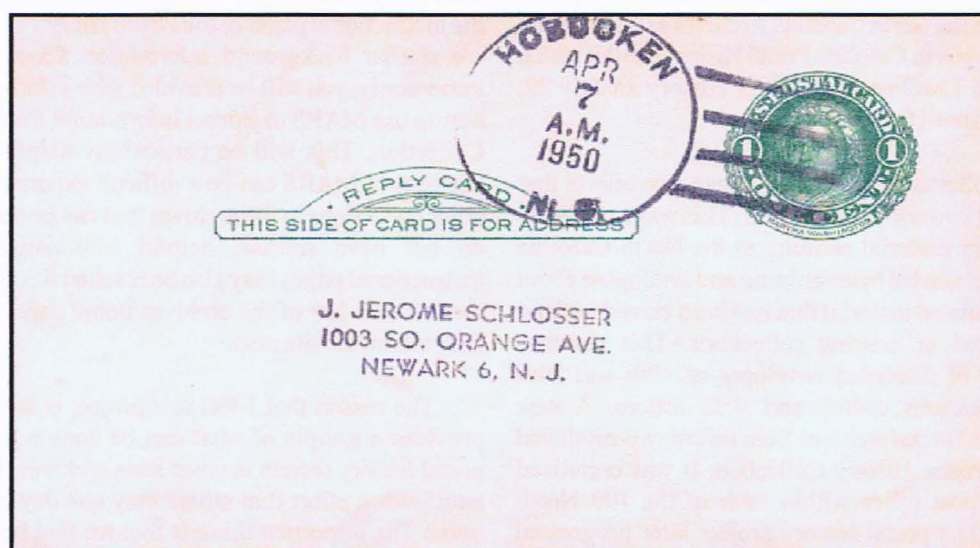
The planned documentation of this material consisted of a detailed description of each item including where to find the item in the archives' collections. The material remained in the original collections, but now had a postal history reference. The cataloging information was recorded in a permanent database. Information retained in the database included: types of postal history material; date items entered postal system; origin post offices and counties; addressees and destinations; postmark types as found in *Post Offices and Postmasters of North Carolina*, the four-volume catalogue published by the North Carolina Postal History Society; postmark colors; keywords that helped to sort various time periods or types of material; notes providing additional markings on the postal items; and source information to locate the items in the numerous collections at the archives. Although the commission officially ended in 2000, the postal history project effort has continued by the work of two original commission members, Dr. Harvey Tilles and myself. Since the collections at the archives are so extensive, the completion of this project is not expected for many years, or perhaps generations. There are millions of documents stored in the archives' collections.

If you go to the web site for the North Carolina Office of Archives and History, <http://www.ah.dcr.state.nc.us/> and select State Archives, you will reach the home site of the North Carolina State Archives. A "What's New" box on that page will take you to the instructional pages of the Postal History Project. Here you will see similar background information about the project. More importantly, you will be provided with information that tells you how to use MARS to extract information from the Postal History Collection. This will be particularly helpful since conducting searches in MARS can be a difficult experience. At present, the other collections in the archives that can be searched with MARS do not have similar, helpful information. Access to the instructional pages may also be reached through the Site Map on the left side bar of the archives home page under Projects and Exhibits on the site map.

The reason that I feel this project is so important is that it provides a sample of what can be done to unlock some of the postal history secrets in other state archives. I see this effort as a pathfinding effort that others may one day emulate or improve upon. The important thing is that we find helpful ways to share information. I am particularly pleased that the forward thinking of the managers of the North Carolina Archives recognized the potential of such a database and decided to expend some resources to make it available to the public through their finding aids system and their web site.



Registered Oriental cover of 24 May 1944 in purple with proper 23¢ franking to Milwaukee



Hobucken four-bar cds of 1950 usage

A flourishing potato crop was grown here for a number of years. The crop was sent to Hoboken, N.J. for distribution, and the village was named after a corrupted version of the New Jersey town. A potato blight about 1900 ruined the industry.

NORTH CAROLINA'S COPY OF THE DECLARATION OF INDEPENDENCE

The following article is reprinted from the April 2004, *Carolina Comments*, the quarterly publication of the Office of Archives and History, North Carolina Department of Cultural Resources, with their kind permission.

Judge Rules Bill of Rights Belongs to North Carolina

On January 23, 2004, the State of North Carolina moved another legal step closer to recovery of its long-missing original copy of the Bill of Rights. Chief Judge Terrence W. Boyle of the U.S. District Court for the Eastern District of North Carolina ruled that the disputed document belonged to the State as a public record. However, he ordered the U.S. marshal in Raleigh to retain possession pending final resolution of any appeals. Eventually, State officials hope to transfer the Bill of Rights to the State Archives, to resume the rightful place of honor from which it was removed 139 years ago.

The priceless document has a mysterious and peripatetic history, much of it spent out of the public eye. It is one of fourteen original copies of the proposed amendments to the U.S. Constitution—collectively known as the Bill of Rights—prepared by three federal clerks in 1789. A copy was scrivened for the governor of each state to peruse as the adoption of the twelve amendments (only ten of which were then approved) to the Constitution was debated; the other copy was for the federal government. After the ratification of the first ten amendments in 1791, North Carolina retained custody of its copy of the document for the next eight decades. The secretary of state kept the Bill of Rights with other valuable state documents in the State Capitol. In April 1865, as Gen. William T. Sherman's victorious army passed through Raleigh in relentless pursuit of Gen. Joseph E. Johnston's retreating Confederates, a soldier from Ohio along with his comrades removed numerous official documents from the State Capitol. The unidentified thief later returned with his unusual spoil of war to his home in Tippecanoe (present Tipp City), in Miami County, Ohio. Approximately one year later, the veteran sold his trophy to Charles A. Shotwell, who then lived at the county seat, Troy.

Some thirty years later, Shotwell was working in the Board of Trade Building in Indianapolis, Indiana, proudly displaying the unique relic on the wall of his office. On May 10, 1897, the *Indianapolis News* ran an article about Shotwell and his souvenir that, in the journalistic fashion of the day, was picked up and reprinted in its entirety by the *Raleigh News and Observer* on June 10. State supreme court justice Walter Clark saw the article and wrote to North Carolina Secretary of State Cyrus Thompson, asking that he take appropriate measures to recover the document, which "on its face ... belongs to the State of N.C. and to your office & the State can reclaim it anywhere & at any time." At Clark's suggestion, Thompson wrote to his counterpart in Indiana, William D. Owen. For three months, there was no response. Finally, on September 25, Thompson wrote to the

Indianapolis News to see if the facts as reported in the article of May 10 were true. He also mentioned to the newspaper that he had made unanswered inquiries to the secretary of state. Within a few days, he received two letters from Owen, the first apologizing for his failure to answer the earlier letter and explaining his inability to get in contact with Shotwell. Owen's second letter, dated September 30, detailed his interview with Shotwell, whom he had found in a bad humor as a result of the adverse publicity he was receiving from the local press. Shotwell claimed to have been personally acquainted with the soldier from whom he had purchased the manuscript, "an honorable gentleman whose integrity could not be called in question," but who had admitted to taking the Bill of Rights "and other articles from the State House at Raleigh as souvenirs." Despite Owen's judgment that "with genteel and courteous treatment, he will not be unreasonable in the matter," Shotwell refused to part with the document and soon disappeared from public view.

Twenty-eight years passed with no further word of Shotwell or the purloined Bill of Rights. Then, in February 1925, Professor J. G. deRoulhac Hamilton of the University of North Carolina received a curious letter from Charles I. Reid of Harrisburg, Pennsylvania. Reid requested some background information concerning the theft of the North Carolina copy of the Bill of Rights. He claimed to represent an old man (presumably Shotwell) who had bought it from a Union soldier soon after the war. Interestingly, Reid and Shotwell's son Grier had served together in the U.S. Army during World War I. Hamilton referred the letter to Robert B. House, secretary of the North Carolina Historical Commission. After being rebuffed in an attempt to sell the document to a private collector in Durham, Reid offered it to the commission, but House refused to buy stolen State property. In a memorable phrase, House declared: "So long as it remains away from the official custody of North Carolina, it will serve as a memorial of individual theft." Reid, his mysterious client, and the Bill of Rights again disappeared. In 1991, Charles A. Shotwell's descendants contacted attorney Charles Reeder to facilitate the sale of the Bill of Rights. Reeder approached Sotheby's Auction House in New York, which sent representatives to Indiana to view the document and to hear the account of its removal from the Capitol in Raleigh. Sotheby's declined to get involved because of questions about North Carolina's claims to title to the document. Reeder then turned his attention to an auction house in Chicago, Illinois. The owner of the house also had concerns about the title and requested that the commission be increased from 20 to 30 percent; the business relationship soon ended. (North Carolina officials did not learn of these attempted sales until after the recovery of the Bill of Rights in 2003).

In 1995, North Carolina's copy of the Bill of Rights resurfaced and the State was again given the opportunity to purchase it. Reeder had eventually come into contact with prominent antiques dealer Wayne E. Pratt, who used his agent, attorney John L. Richardson of Washington, D.C., to broker a sale between his unnamed clients and the State. As before,

North Carolina officials refused to even consider paying the asking price of \$2 million for the return of State property.

Wayne Pratt, Inc., bought an option to purchase the Bill of Rights from the Shotwell heirs in September 1997. But Pratt wanted to authenticate the manuscript prior to purchase. One afternoon in early 2000, three men and a young woman with an oversized cardboard container visited the offices of the First Federal Congress Project at George Washington University in downtown Washington. They had an appointment to have a document appraised for authenticity. The foursome refused to identify themselves; two of them did not speak at all but had the appearance of bodyguards (as in fact they were). Project director Charlene Bickford and two members of her staff were first shown photographs, and then the actual document was removed from the cardboard art box. From notations and endorsements on the back of the document, Bickford immediately recognized it as North Carolina's missing copy of the Bill of Rights. (Altogether, five of the original fourteen copies—those belonging to Georgia, Maryland, New York, North Carolina, and Pennsylvania—were then missing. Two are suspected to have burned, while unidentified copies are housed in the New York Public Library and the Library of Congress.) Bickford advised the visitors, who refused to disclose where they had obtained the document, that they would have enormous difficulty in selling it, as North Carolina would demand its return, and no reputable dealer would touch it. She had the impression that she was merely confirming what they already knew of the provenance of the manuscript. The mysterious visitors quickly packed up and departed. In February 2000, soon after this encounter, Wayne Pratt, Inc., purchased the North Carolina Bill of Rights from two Shotwell descendants for \$200,000.

Manuscripts expert Seth Kaller of New York was approached in 2002 by the agent of a client (Wayne Pratt, Inc.) that wished to sell an original copy of the Bill of Rights. Kaller suggested the National Constitution Center, then under construction in Philadelphia, as a likely customer. He had no doubt been informed that the center was looking for just such an item—preferably Pennsylvania's missing copy—to display at the opening of the center on July 4, 2003. Soon thereafter, center president Joseph Torsella and board member and attorney Stephen J. Harmelin were contacted by a broker offering to sell the center a copy of the Bill of Rights. The broker sent a notebook detailing the history of the document, with photographs of the front and back. Torsella contacted Charlene Bickford to authenticate the manuscript. From the photographs of the back of the document, Bickford immediately realized she was again seeing the North Carolina copy. She also noticed that information she had supplied to the mysterious visitors during her previous appraisal of the manuscript was contained in the notebook. Torsella then notified Pennsylvania governor Ed Rendell, who was also a member of the

museum board, of the offer to sell the stolen document. Governor Rendell contacted his counterpart in North Carolina, Michael F. Easley, to see if he would like to share the cost of purchase. Consistent with the State's stance since 1897, the governor refused to even consider buying what rightfully belonged to North Carolina. He sought the advice of North Carolina Attorney General Roy Cooper and the Office of the U.S. Attorney in Raleigh. Soon, the U.S. Marshal's Service and the Federal Bureau of Investigation were laying plans for a sting operation to recover the stolen manuscript.

On March 18, 2003, John L. Richardson arrived at the law offices of Dilworth Paxson, LLP, on Market Street in Philadelphia. In the firm's conference room on the thirty-second floor, he met attorney Harmelin, purportedly representing the National Constitution Center, to transact the sale of the copy of the Bill of Rights belonging to Pratt. Seth Kaller was also present to certify the authenticity of the manuscript. Richardson was shown a check for \$4 million; he confirmed by phone the transfer of the funds to his bank account. Assured that the money was in hand, he called a courier in the lobby of the building to bring up the document. The courier brought in the same cardboard art box that Charlene Bickford had seen three years before. The manuscript was removed from the box and placed on the conference table. After Kaller pronounced the document to be a genuine original copy of the Bill of Rights, Harmelin left the room, supposedly to bring in Torsella, as agent for the center. Instead, five FBI agents rushed in and took custody of the document, which Richardson had already tendered. The agents also served a civil seizure warrant signed by Judge Boyle (who later concluded that the Bill of Rights had already been voluntarily transferred before service of the warrant).

As the State prepared its brief for the civil suit against all other claimants, prosecutors requested further evidence that would tie the recovered Bill of Rights irrefutably to North Carolina. George Stevenson Jr., private manuscripts archivist at the North Carolina State Archives and an acknowledged expert on eighteenth-century paper and handwriting, was summoned to the U.S. Marshal's Office in Raleigh to examine the document. Drawing upon his extensive knowledge of the records in the archives, Stevenson compared the handwriting of the endorsement on the back of the Bill of Rights with that on the reverse of the October 2, 1789, letter of transmittal from President George Washington to North Carolina governor Samuel Johnston. He also compared the endorsement on the back of North Carolina's original copy of the eleventh amendment to the U.S. Constitution, received in 1795. He determined that all three notations were in the same hand. From previous research, Stevenson knew that Pleasant Henderson of Granville County had served as one of the engrossing clerks in the 1789 assembly, and as assistant clerk to the House of Commons in 1795. He compared numerous samples of Henderson's handwriting with the endorsements on the Bill of Rights, the letter of transmittal, and the 1795 amendment. He concluded that all three were by the hand of Pleasant Henderson and attested to such in an affidavit filed in federal court on August 8, 2003.

On September 11, a deal was struck between Pratt, the United States, and the State of North Carolina that seemingly

secured possession of the Bill of Rights to North Carolina. Pratt agreed to relinquish his claim and give the document to the State. In return, the State declined further prosecution of its civil forfeiture suit, *United States of America v. North Carolina's Original Copy of the Bill of Rights*, and the United States promised to refrain from criminal proceedings against Pratt. Apparently, only one legal issue remained unresolved: Robert V. Matthews, Pratt's erstwhile business partner and purported co-owner of the document, demanded a \$15 million tax write-off for his half of the "gift," which has an estimated value of \$30 million. U.S. Attorney Frank Whitney suggested that that was a private matter to be settled between Matthews and Pratt.

At a hearing on November 21, Judge Boyle issued an order that seemingly signified the court's intention to return all matters of litigation to *status quo ante*, including the release of the Bill of Rights to Richardson as prior possessor. Erstwhile defendant Pratt filed a motion for clarification in federal court. Pratt's lawyer suggested that Richardson was merely the representative of his client, who had since assigned his "title" to the document to North Carolina. Therefore, the Bill of Rights should be returned to the State, not to Richardson. On December 12, the State initiated legal proceedings in

Wake County Superior Court. Attorney General Cooper and Deputy Secretary of the Department of Cultural Resources Jeffrey J. Crow asked for a declaratory judgment proclaiming the disputed document a public record, petitioned for the return of that record to its proper custodians, and moved for a temporary restraining order to prevent the Bill of Rights from being damaged, hidden, or removed out of state.

Matthews's lawyers have appealed Judge Boyle's decision to the U.S. Court of Appeals for the Fourth Circuit, in Richmond, Virginia. They have also requested that the Fourth Circuit order the U.S. District Court for the Eastern District of North Carolina to return the parties to the *status quo ante* by releasing the Bill of Rights to Matthews in Connecticut. There the matter rests until the State can one day reclaim its patrimony.

**For Further Information about Replevin,
the Act of Retrieving State Owned Property,
and how it Effects Collectors in North Carolina, see:**

Herst, H., Jr., *A Sad Day in Court*, *American Philatelist*, March 1978, Whole 926, Vol. 92, No. 3, p.262.

Stroupe, V.S., *Is the Collector's Sky Falling?*, *American Philatelist*, July 1978, Whole 930, Vol. 92, No. 7, p.681.

WILSON & FAYETTEVILLE RAILROAD POST OFFICE

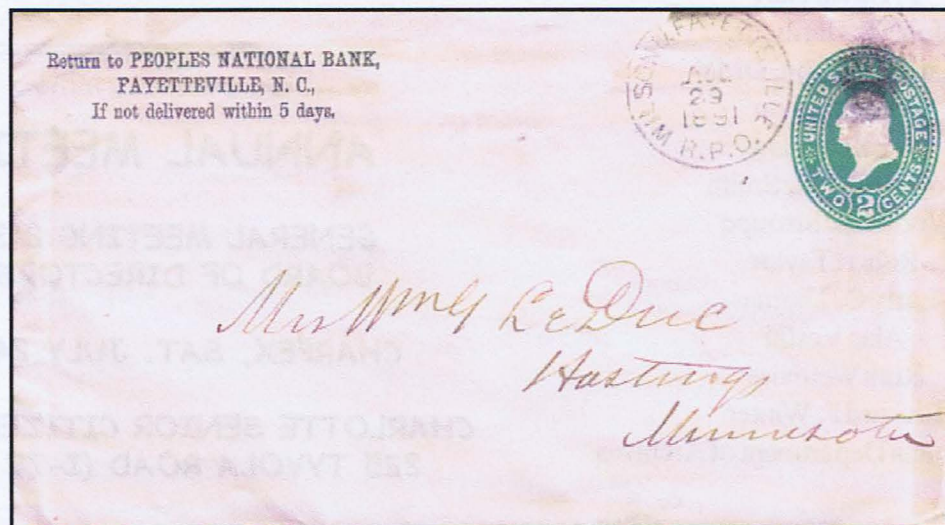
By Scott Troutman

The illustration shown is an 1891 example of a fairly short lived railroad post office. John Kay's 1997 revised "Directory of Railroad Post Offices" indicates this 74 mile run was only in operation six years from December 1, 1886 to November 1, 1892 when the run was extended and became the Wilson & Florence, S.C.

It is not entirely clear who constructed this railroad, which acted, initially, as a connector between the Wilmington & Weldon at Wilson, and several rail lines which had already serviced Fayetteville. The Fayetteville & Goldsboro had begun construction on a connector between those two cities, but while part of the grade

was completed running northwest, the railroad never got going. The fledgling Atlantic Coast Line, a conglomerate which included the Wilmington & Weldon probably opened the run. In time it would become part of the main line of the Atlantic Coast Line, running from Washington, D.C. to Jacksonville, Florida.

During its short life, most of this railway post offices function would have been to provide a quicker connection for mail going north. Most of the mail carried was probably transferred in bulk. There were few towns along the run that needed mail service, so I think this is a fairly tough marking to find.



(Illustration 80% of size)

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