

# The Civil War Post

Patricia A. Kaufmann

## Hempstead Texas Hollow-Star Cancel

### Fancy or Atypical Cancel?

There is a small section in the *CSA Catalog*<sup>1</sup> titled "Atypical and Straightline Cancels." The section editor was the late Conrad L. Bush, who also wrote a short book on unusual and fancy Confederate cancels.<sup>2</sup> He successfully exhibited his popular and comprehensive collection of these scarce items.

"Connie," as he was known by his friends, was not happy when the catalog editors revised the name of the section from "fancy" to "atypical." The editors felt the term, as used in classic U.S. philately, did not seem to fit Confederate cancels, which tend to be rather bland compared to extravagant designs, such as the Waterbury, Conn., Running Chicken or the Port Townsend, Wash., Kicking Mule. It should be pointed out, however, that the many geometric cork cancels are regarded as fancy cancels. Likely, collectors will always identify unusual Confederate cancellations as fancy, as opposed to atypical. Ordinary Confederate grids and targets are not included in this category, as they were commonly used, especially on military field mail. Those are found in the Confederate Army Camp Markings section of the *CSA Catalog*.

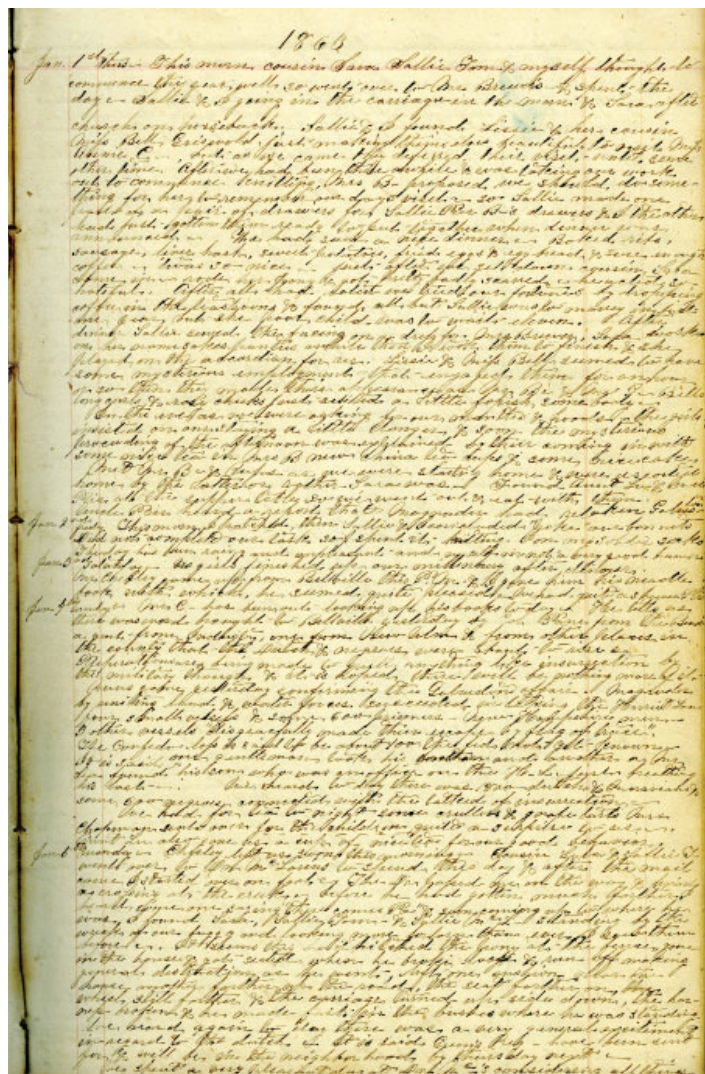
One unusual cancel that is not found in either the *CSA Catalog* or the Bush book is the Hempstead, Texas, hollow star. A stellar example recently came into my possession, easily the best strike of the four herewith-recorded examples, as well as the clearest circular datestamp.

### The Hempstead Texas Hollow-Star

The example shown in Figure 1 is a 3¢ Nesbitt entire, tied by a neat hollow-star killer and beautifully struck matching "HEMPSTEAD TEX APR 4 (1861)" circular datestamp. The contents docketing up the left side "Received April 5th 1861," confirms this as the second of only two-recorded Confederate uses of U.S. postage.

**Figure 1. One of two-recorded Hempstead, Texas, hollow-star cancellations used during the period of Confederate use of U.S. postage, dated April 4 (1861).**

**Figure 2. An 1863-dated page from the diary of Lucy Pier Stevens, addressee of the cover shown in Figure 1.**





## Trapped in Texas by the War

The cover shown in Figure 1 is addressed to Miss Lue E. Steavens [sic] Travis, Texas. The Civil War diary of addressee Lucy Pier Stevens was published in 2016.<sup>3</sup> Figure 2 shows an 1863-dated page from her diary.

Lucy, more familiarly known as Lue, was a resident of Milan, Ohio (pronounced MY-lan). She had traveled to Texas during the Christmas season of 1859 to visit the family of her maternal aunt, Lucy Merry Pier. At the time, young Lucy was 21 years old. Still in Texas in early 1861, Lue was faced with no safe way to travel home to Ohio due to the war and the blockade of the Texas coast. She did not hear from her parents or siblings in Ohio for more than three years, due to the difficulties with cross-border mail transmission.

Lue's uncle, James Bradford Pier, lived in the vicinity of Travis, Texas (Austin County), today an unincorporated rural community about six miles northwest of Bellville, the county seat. Settlers named the town after William B. Travis, commander at the Alamo. The community had a post office from 1846-81.<sup>4</sup>

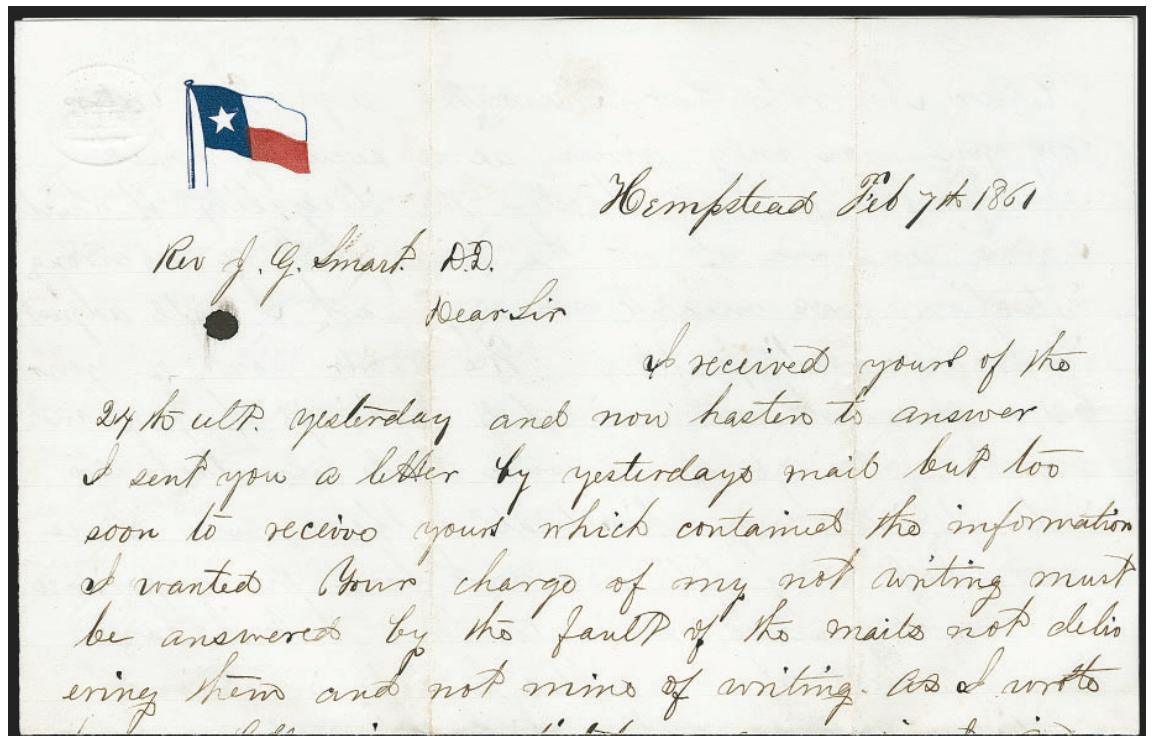
Uncle Pier owned 11 slaves and increased his holding to 14 before emancipation. Some would say that put him in the small planter class. He was also a postmaster and shop keeper.

Anxious to return to Ohio after five years of unplanned residence in Texas, and with meager notice of 15 minutes, Lue sailed out of Galveston Bay on a Confederate blockade runner via Cuba and New York (the *Fox*, commanded by Capt. Atkins [or Adkins]). It is said that the *Fox* was one of the last blockade runners to leave Texas – if not the last – although I did not try to verify that. Lue eventually made her way home to Milan by train from New York. Vicky Adams Tongate, the editor of Steven's diary, shares the fascinating tale of Lucy Stevens on YouTube.<sup>5</sup> It is well worth watching.



Figure 3 (above). Feb. 5 (1861) dated Hempstead cancellation used with hollow-star killer on cover to Coila, N.Y.

Figure 4 (below). Texas Lone Star flag patriotic (FTX-1) with matching lettersheet headed Feb. 7, 1861. The Hempstead hollow-star killer ties a 3¢ dull red (Scott 26).



## Hempstead, Texas

I digress, unavoidably caught up in the fascinating story of the addressee. My original mission was to see what I could find out about the Hempstead star cancel.

Hempstead, in Waller County, was established in 1856 as the terminus of the Houston and Texas Central Railroad. It was named by Dr. Richard Rogers Peebles for his brother-in-law, Dr. G.S.B Hempstead of Portsmouth, Ohio. The post office was established in 1857. During the war, the town served as a Confederate supply and manufacturing center, as well as the site of a Confederate military hospital. Three Confederate military camps were also located in the vicinity.<sup>6</sup>

I logically turned to Vince King, a Texas resident and specialist of all things Texas. We pieced together the following information. Vince has 10-15 Hempstead uses, including antebellum covers. He has scans of several Confederate Hempstead covers with stampless paid markings and Confederate stamps, but none used with the subject star killer.

The other three Hempstead covers bearing the hollow-star killer are all from the same correspondence, addressed to "Rev. John G. Smart, D.D., Coila, Washington Co(nty) N.Y." The cover Vince owns is shown in Figure 3. It is dated Feb. 5 and includes a letter headed "Hempstead Feb 4th 1861," three days after the Texas Secession Convention and reads, *"I suppose you have seen by the papers eve this that Texas has seceded from the Union and is once more an 'Independent Republic.'"* The cover and letter have been a lynchpin in Vince's several award-winning exhibits over the past decade. It was once owned by the late Gordon Bleuler, another Texas philatelic giant.

Figure 4 shows a matching patriotic set, well known in collector circles, as much for its circuitous travels within the hobby as for its rarity. This hollow-star killer ties a 3¢ dull red (Scott 26) on a rare Texas Lone Star flag patriotic (CSA Catalog type FTX-1) with an original matching lettersheet headed Feb. 7, 1861.

Per Siegel's description, the matching cover and lettersheet were offered as part of the Blake Myers collection at least as far back as the 1970s. In 1990, Myers separated the letter and sold only the cover in the Christie's sale that also offered the Weill Brothers' stock of Confederates. From that sale, it was acquired by Charles and Lucy Kilbourne. The lettersheet was sold by Myers in Siegel Sale 753 in 1993. From there, the letter passed through other owners before it was acquired by Ralph Brandon in 2007. When Siegel sold the Brandon collection in 2014, the Kilbournes' son, Lincoln, was the winning bidder, thereby reuniting the Lone Star cover and matching lettersheet. Linc was an avid and competent collector in his own right. He died not long ago in March 2023.



Figure 5. The second of two Hempstead hollow-star killers that is a Confederate use of U.S. postage, dated March 17 (1861), on a 3¢ Nesbitt entire.

The second-recorded Confederate Hempstead hollow-star killer is shown in Figure 5. It is also used on a 3¢ Nesbitt entire addressed to Rev. Smart and contains the original letter dated March 16 that also announces Texas is no longer part of the United States. It was offered in Siegel Sale 1151 held March 3, 2017. It sold for \$2,124 including the 18% buyer premium.

### Texas Independence by the Law

To the consternation of many Texas collectors, the CSA catalog records Texas as independent (as pertains to the Civil War era, not the earlier Republic of Texas) only from March 2 to March 5, 1861. This is due to the legal basis of secession as described in state secession documents. That process began with South Carolina's secession in December 1860.

There was no precedent in United States history or jurisprudence to guide a state if it wanted to secede from the Union, nor is there today, as it is not addressed in the U.S. Constitution. Consequently, in 1860, each state and territory that eventually composed the Confederate States of America (CSA) created its own procedures to bring about secession from the United States and effectuate its application for admission into the CSA. Nevertheless, the several processes fashioned among the states were remarkably similar in concept. The legislature would enact an ordinance decreeing or authorizing secession. Then that ordinance might or might not refer the matter to the voting citizens for approval and the matter might or might not be presented to the governor for his approval.

Because the process of secession was singularly unique, and often fueled by political and emotional catalysts, not all states adhered to their own legally mandated requirements to achieve secession. Some states strictly followed their own procedures, while others skipped one or more prescribed steps. Some states followed the required steps, but not in the stated order. In the end, each state concluded that it had sufficiently complied with its own legal requirements to attain secession.



To ascertain the actual dates of secession and admission for each state, the catalog editors re-examined the secession admission processes for each state with the review of a philatelic lawyer.

The Texas Secession Convention convened on Jan. 28, 1861. The *Ordinance of Secession* passed at the convention on Feb. 1, 1861, by a vote of 166 to 8. Under Section Two of the ordinance, the issue had to be put to a popular referendum to be held Feb. 23. If the popular referendum approved the ordinance, it became effective on March 2, 1861, the date stipulated in the ordinance. The referendum approved the ordinance by a vote of 46,153 to 14,747 and thus became effective.

On March 2, 1861, the Provisional Congress of the CSA enacted a statute to admit Texas into the Confederacy. By its terms, this act was effective March 2, 1861. On March 5, 1861, the Texas Convention accepted the invitation to join the Confederate States of America.

### An Eternal Debate

From the visceral reaction of Texans, both then and now, it is clear they did not then, nor do they now, care about exactly when secession would legally take effect. The people had spoken and that was that.

But the CSA *Catalog* editors were obligated to take an even-handed approach with all Southern state listings. Thus,

it is my conclusion that the two February-dated Hempstead hollow-star uses were legally still United States, while the March and April-dated uses are Confederate use of U.S. postage by anyone's definition.

Some Texas philatelists may not see it that way. And that's okay. No matter with which side you agree, most will concur the handful of Hempstead hollow-star uses are scarce and desirable no matter their dates of use.

**Acknowledgements:** Vince King for his help in identifying Civil War uses of the Hempstead star and sharing his broad knowledge of all things Texas. Also, to Siegel Auction Galleries for the use of some of the images from its important online database.

### Endnotes

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4. Laurie E. Jasinski, Travis, Texas (Austin County), Texas State Historical Association, *Handbook of Texas*, [www.tshaonline.org/handbook/entries/travis-tx-austin-county](http://www.tshaonline.org/handbook/entries/travis-tx-austin-county) (Accessed July 8, 2023).
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