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## ADMINISTRATIVE PROBLEMS OF THE CONFEDERATE POST OFFICE DEPARTMENT

### I

L. R. GARRISON

#### I. ORGANIZATION AND RELATED PROBLEMS

When John H. Reagan, delegate from Texas to the Provisional Congress of the Confederate States, on March 6, 1861, accepted his appointment as postmaster-general in Jefferson Davis's cabinet, he was first confronted with the task of providing, in its entirety, a central office force for the general administration of the great postal system which had not yet been taken over from the United States government. The energetic Texan lost no time. On the way home from his meeting with the President, Reagan met H. P. Brewster, a lawyer of South Carolina, whom he immediately engaged to go to Washington on business concerning the organization of the post office department. That same day Brewster was sent to Washington with letters to various important persons, among whom were St. George Offutt, chief clerk in the office of the sixth auditor; Benjamin Clements, chief clerk to the postmaster-general; Joseph Lewis, head of the bond division in the post office department; Captain Schwartzman, head of the dead letter office; Mr. McNair, of the finance bureau; and Mr. Hobby, the third assistant postmaster-general. These men Reagan asked to accept positions in the Post Office Department of the Confederate States, and to bring South with them "copies of

the last annual report of the Postmaster-General and every form of the Department, together with postal maps of the Southern States."<sup>1</sup>

After his appointment on March 6, 1861, Reagan had to procure offices and furniture for the use of the department.<sup>2</sup> The first office was a room in the Exchange Hotel in Montgomery, and for some time the office staff was composed of two assistants.<sup>3</sup> Practically all the men from Washington came as requested, bringing with them the information necessary for the organization of the postal service in the Confederacy, including a postal map of Texas, the only Southern state for which a map of this kind could be procured.

The new men were assigned positions, and other necessary appointments were made. A school for the information of the officers and clerks of the department was then organized, holding sessions from eight to ten o'clock in the evenings. As soon as the books were at hand, the appointment books were made up,

containing the names of the postmasters . . . [in the Confederacy], with the amount of receipts of their several offices, and showing whether they were draft or collection offices, and also showing the names and addresses of the route and special agents of the Department and the amount of compensation.<sup>4</sup>

Complete organizations for the contract and finance bureaus were also prepared in proper detail.

In addition to the office of chief clerk, there were, as subdivisions of the post office department, five distinct offices or bureaus, headed by as able men as the postmaster-general could procure "from the most experienced men of Southern birth who had resigned office at Washington because of the accession of Lincoln."<sup>5</sup> The duties of these men corresponded to those of the assistant-postmasters-general at Washington; but their offices were desig-

<sup>1</sup>Reagan, *Memoirs*, 124-125; Reagan to John R. McPherson, March 7, 1861, Reagan to H. P. Brewster, March 9, 1861, copies in *Letter Book of the Postmaster General of the Confederate States*, No. I, p. 50.

<sup>2</sup>*Report of the Postmaster General of the Confederate States*, April 29, 1861, p. 1.

<sup>3</sup>Semi-Weekly *Richmond Enquirer*, Dec. 24, 1861.

<sup>4</sup>Reagan, *Memoirs*, 125.

<sup>5</sup>Semi-Weekly *Richmond Enquirer*, Dec. 24, 1861.

nated as the contract, appointment, inspection, and auditor's offices, and the finance bureau, in which were included the dead letter division and the division for the postage stamps and stamped envelopes.<sup>6</sup> Of the progress of organization by the time Congress met again in May, Reagan says:

. . . I was able to state that the Post Office Department was as completely organized as that at Washington, with two proposed improvements, and that I was ready to inaugurate the postal service of the Confederacy.<sup>7</sup>

During the first months of the Confederacy's existence the postal system of the United States had remained intact in the seceded states and had continued its operations without hindrance on the part of the state or the Confederate authorities. For the new government to have interfered before it was ready to set up a fairly complete system of its own would have resulted only in grave inconvenience to both people and government without any compensating benefit. On May 13, 1861, Reagan issued his proclamation setting June 1 as the date on which the Confederate post office department would assume control of the postal service. He directed all postmasters, route agents, and special agents within the Confederacy "to continue in the discharge of their respective duties," under his direction "in strict conformity with such existing laws and regulations" as were not "inconsistent with the laws and constitution of the Confederate States of America" and such further instructions as might thereafter be issued by his direction. All the employees were directed to forward their names and position to the appointment bureau for new commissions. The postmasters were ordered to render to the department at Washington their final accounts and vouchers for postal receipts and expenditures up to May 31, together with all postage stamps and stamped envelopes belonging to the United States post office department. They were also required to retain subject to the order of the postmaster-general of the United States for payment of mail service in the Confederacy, all revenues accruing up to the first of June. The contractors were required to

<sup>6</sup>*Report*, April 29, 1861; *Semi-Weekly Richmond Enquirer*, Dec. 24, 1861.

<sup>7</sup>Reagan, *Memoirs*, 125-127; *Report*, April 29, 1861, pp. 1-4.

forward, without delay, the numbers of their route or routes, and the nature of the service thereon, the schedules of arrivals and departures, the names of the offices supplied for present services, together with their address, directed to the chief of the contract bureau.

And, finally, it was ordered that until a postal treaty should have been made between the United States and the Confederacy, postmasters should not be authorized to collect postage on mail matter to or from the United States; and that until postage stamps and stamped envelopes were procured for the Confederate postage, it should to be paid in money.<sup>8</sup>

All property pertaining to the postal service was ordered returned by June 1, except mail bags, and locks and keys. Reagan explained that

this measure was necessary, if any adjustments of accounts was to follow the termination of hostilities and the coming peace, and was also necessary in order that there should be no time when they [the postmasters] were not responsible to one Government or the other, and also because if they had not been held responsible in this way, the temptation to embezzle would have been offered and might have led to serious consequences.<sup>9</sup>

The attitude taken here shows not only Reagan's fine regard for precision and law, but also the tendency of the Confederacy toward strict and literal compliance with the rules of law and justice,—the special desire at this time of the new nation to retire from her old alliance with clean skirts. Whatever the views held by the North, it is significant that the postmaster-general of the United States chose to discontinue the postal service in the seceded states on June 1, the date which Reagan's proclamation had fixed for the assumption of control by his own department. Concerning this Reagan remarked:

Whether this was by accident or design, I am not informed, but I think it was most probably the result of a purpose to meet the equitable design mentioned in my proclamation, and in order to avoid a clash in the service and to maintain the responsibility and enforce the obligations of those connected with the service.<sup>10</sup>

<sup>8</sup>Reagan, *Memoirs*, 131-132; *Richmond Examiner*, May 24, 1861.

<sup>9</sup>Reagan, *Memoirs*, 132; *Report*, Nov. 27, 1861, p. 41.

<sup>10</sup>Reagan, *Memoirs*, 132-133.

In addition to the work of organization, and inseparably connected with it, there were practical problems of administration which needed to be attacked at the earliest moment possible. Advertisement had to be made for all kinds of postal supplies; facts had to be procured upon which to base estimates of revenues and expenditures, first on a peace basis, and next on a war basis; the work was greatly augmented by the addition of the last four states to enter the Confederacy; and the delay occasioned by the removal of the capital to Richmond added no inconsiderable burden to the already overtaxed shoulders of the young department. All these things had to be undertaken with a view to assuming control of the postal service on the first of June<sup>11</sup>

The department did formally assume control of the postal service on the date announced; and so little did the people appreciate the difficulty of inaugurating such a sweeping change that complaints of irregularities of service appeared as early as June 18, some of them coming from so disrupted a portion of the country as that near Bull Run.<sup>12</sup> But while the general public was finding the faulty service a source of much irritation, the department was struggling with difficulties not generally comprehended until some time later. As a Texas newspaper expressed it:

When Mr. Reagan took the office of Postmaster-General, he had to make it up out of nothing. What information he could get from the General Post Office at Washington had to be got by stealth. This, of course, was necessarily meager, and unsatisfactory. . . . The Post Office Department is very justly said to be an institution that no one feels but in its failures. Is it to be wondered at that our Postmaster-General did not perfect a vast and intricate business in a day? Is it to be wondered at that it is not yet perfect? Has he not in fact accomplished wonders in bringing as much order as he has out of chaos?<sup>13</sup>

Reagan's own statements of his difficulties are no less interesting. The United States Congress failed to appropriate any funds for the last half of the fiscal year ending June 1, 1861, for the Southern contractors, and, accordingly, the contractors went un-

<sup>11</sup>See Semi-Weekly *Richmond Enquirer*, April 6, 1861; *Report*, April 29, 1861, pp. 9-12, Nov. 27, 1861, p. 4.

<sup>12</sup>Semi-Weekly *Richmond Enquirer*, June 18, 1861.

<sup>13</sup>The *Houston Tri-Weekly Telegraph*, Jan. 6, 1862.

paid for six months. The postmasters were not so affected, as they deducted their own expenses and salaries before returning account to the United States Government. But the contractors, having exhausted their credit at the end of this time,

were compelled either to abandon their routes or perform imperfect service. . . . During the period which intervened between the secession of the several states and the assumption by the Confederate States Government of its postal affairs, the entire service became demoralized and partially broken up, as contractors found no certain provision made for the payment of their services during that period; and there was to a great extent, an absence of responsibility in the performance of the duties of both contractors and postmasters, as they do not recognize the authority of the United States Government, and the Confederate Government had no control of the service prior to the first of June.<sup>14</sup>

After Mr. Reagan proposed to continue all contractors in the Confederate service, many of them appeared desirous of remaining contractors, but without contracts, in order that they might leave the service as they pleased. At the same time they continued to demand pay, and sometimes higher pay, for which some expected to render an inferior service. Many routes ceased to be profitable, and numbers of stage contractors, being without contracts, abandoned their routes entirely. As these stage routes were frequently trunk lines, great confusion resulted. "In some cases advertisements for proposals . . . met with no response, or, if responded to, it was by bids so extravagant and unreasonable as to preclude their acceptance."

Numerous contractors, though exempted by law, joined the army, and left the service "in the hands of careless or incompetent agents"; and even where the service continued, great delay was encountered "in obtaining contracts to ensure its faithful performance. . . ." Frequently, no notification of a change was made, and postmasters and contractors were unexpectedly found in the army. In some cases, private means had been furnished; but not being under the control of the department, the service was "irregular and imperfect." Even where postmasters remained, it was hard to get from them the responses necessary to enable the department to reappoint them or to appoint others in

<sup>14</sup>*Report*, Nov. 27, 1861, p. 11.

their stead; and inaccuracy in the execution of their bonds delayed the issuing of commissions to many of those who received appointments.<sup>15</sup> When so much of the service was out of direct control, and so many had failed to make contracts, it was impossible to give out the usual collection orders, for these were issued only to persons legally authorized as government agents. For some time, then, the department had trouble in collecting its revenues, and could not be quite sure how much they would amount to.<sup>16</sup>

Other routine business of the department was hampered by the scarcity of stationery and supplies. The very blanks to be used were procured with the greatest difficulty. When the postmasters applied for "letter balances," the central office could not supply them because they were not manufactured south of Boston. Paper was very scarce in the South, and well-equipped printing plants were hard to find. The first contract printer for the department, John H. Seals, of Atlanta, who obtained a contract in April, 1862, so embarrassed the department by repeated failures to fill orders, that his contract was annulled in November. Another contract was then let to Ritchie and Dunavant, of Richmond, who retained it to the end.<sup>17</sup> In 1863, Postmaster-General Reagan sent the equivalent of ten thousand pounds to England to be used there for the purchase of stationery, marking stamps, and dies.<sup>18</sup> In the Confederacy, twine and the paper for blanks and wrapping became almost unobtainable at the price which the department could spare from its insufficient revenues. Paper of certain grades rose from ten cents a pound in 1861 to one dollar a pound in 1863, and some of the mills asked even more. Consequently, the scarcity of blanks was such that the department could not supply the demand.<sup>19</sup>

<sup>15</sup>*Report*, Nov. 27, 1861, pp. 11-12, 19.

<sup>16</sup>*Report*, Feb. 28, 1862, p. 12.

<sup>17</sup>*Report*, Nov. 27, 1861, p. 19; Feb. 28, 1862, pp. 7-8; Jan. 12, 1863, p. 12.

<sup>18</sup>See below, under *Relations with the Treasury Department*.

<sup>19</sup>*Report*, Dec. 7, 1863, pp. 12-13.



## 2. POSTAGE AND POSTAGE STAMPS

The postal laws of the Confederacy were, in the main, identical with those of the United States. The Confederate Constitution required that the post office department should pay all of its expenses out of its revenues after March 1, 1863. The postage rates were somewhat higher than in the United States, and the franking privilege was practically abolished.<sup>20</sup>

It was a comparatively simple thing to enact laws prescribing the rates of postage, authorizing the postmaster-general to procure postage stamps, and restricting the franking privilege; but it was another thing to put these legislative enactments into effect. Owing to peculiarities in business conditions, vexing questions of a practical nature, presumably crushed to earth, continued, like Truth, to rise again.

Foreseeing some difficulty in procuring postage-stamps and stamped envelopes, Congress provided that until they could be had, the postmaster-general might order the postage to be pre-paid in money, under such rules and regulations as he might adopt.<sup>21</sup> But so rapidly was coin withdrawn from circulation in the Confederacy, that the payment of postage became very difficult. In August, 1861, Congress made treasury notes receivable, in sums of five dollars and upwards, in payment of postage stamps and stamped envelopes. This did not help matters much, for the first stamps were not delivered until October, and then, as we shall see, in insufficient quantities.<sup>22</sup> Much dissatisfaction grew out of the exaction of gold and silver in payment of postage. Aside from the indignant demands for stamps, other results were: (1) a strong demand that treasury notes should be made directly receivable for postage, as well as for stamps and stamped envelopes; (2) charges of unfairness because postmasters and post office employees were receiving as salaries part of the coin paid in at the offices; and (3) the issuance by postmasters of private or local postage stamps.

<sup>20</sup>*Report*, Nov. 27, 1861, p. 41; *The Constitution of the Confederate States of America*, Art. 7, Section 8; Schwab, J. C., *The Confederate States of America*, 247; *Acts Provisional Congress, C. S. A., 1st Sess.*, pp. 35, 36; *2d Sess.*, p. 110.

<sup>21</sup>*Report*, Nov. 27, 1861, p. 39.

<sup>22</sup>*Report*, Nov. 27, 1861, p. 25.

In New Orleans it was argued that the treasury notes were receivable for other Government dues, and that certainly they should be received for postage. The postmaster there, Mr. Riddle, said that postage had never been considered as coming under the head of public dues, and that Congress alone had control of the matter. He referred to the law of August 30, but he said that no Confederate stamps had yet been furnished his office. As to misuse of specie, Riddle said he deposited that revenue with the assistant treasurer at the mint every Saturday afternoon. Over the payment of employees in specie there seems to have been some conflict of criticism. From Riddle's letter to the *New Orleans Bee*, November 27, 1861, one must assume that the *Bee* had charged the department with paying its salaries in treasury notes, while revenues were received in coin:

You are under the belief that the Post Office employees are paid in Treasury notes. The Fact is, they are invariably paid in specie; and have been so paid since the bank suspension. The contractors, route agents, and other outside agents of the Post Office Department, are paid by drafts on the Assistant Treasurer, and not by the Postmaster.

Then the *New Orleans Delta*, November 29, ignoring the implication in the last sentence quoted from Mr. Riddle's letter, demands the reason "why, of all work for the Government, only Postmasters and their employees, mail contractors, etc., are paid in gold and silver?" It adds: "The system is unreasonable, and inequitable, and there should be a speedy end of it." The *Delta* exonerates Riddle from misapplication of the specie paid in, but thinks

the public might reasonably ask why it is the Post Office Department compels them to discount the Government notes, and pay twenty-five per cent more for Dr. Riddle's private stamps than the Confederate stamps?<sup>23</sup>

We have no satisfactory reply to this last query; and Judge Reagan, late in his life, made these statements:

No authority was conferred officially on the postmasters to issue

<sup>23</sup>Quoted in the *Houston Tri-Weekly Telegraph*, Dec. 9, 1861.

stamps. Such stamps as were issued by them was done [*sic*] on their own responsibility.<sup>24</sup>

Yet we find, in the middle of 1862, frequent warnings to Texas postmasters that their own stamps would not send a letter "a mile beyond the Mississippi."<sup>25</sup>

Now, on the very day that Postmaster Riddle of New Orleans issued his letter defending the actions of the post office department, Postmaster-General Reagan asked Congress to make treasury notes directly receivable for postage. This Congress did, December 23, ordering the receipt of the notes for postage just as for postage stamps, and "for advance payment of such postage."<sup>26</sup> The last proviso was necessary because the postmaster-general had said the exchange must be limited, and that the postmasters and their customers must arrange between themselves for the change, and the department obviously could not be expected to give coin in exchange

on account of its scarcity, and because it would be wholly inadmissible to allow them to receive and use the small notes, issued by corporations and individuals, for change, partly on account of the general worthlessness of such notes; and the facility for counterfeiting them, and partly because whatever value they have is usually limited to some small locality which renders them wholly unfit for use as Confederate currency.<sup>27</sup>

However numerous the private stamps were, it seems probable that the department considered them as a minor evil, for neither in his official reports, nor in the available portions of his letter book does Reagan make any direct reference to them.<sup>28</sup>

The difficulties of the post office department in securing postage stamps was not at first known,—or, if known, was not taken into account by the general public. The tone of the impatient, but fairly polite, inquiry in the New Orleans *Bee* and *The Delta* was mild, indeed, in comparison with that of other newspapers,

<sup>24</sup>Judge John H. Reagan to Mr. Bradley, Vice-President of the Texas Philatelic Association, in *The Dallas Morning News*, Feb. 24, 1899.

<sup>25</sup>Houston *Tri-Weekly Telegraph*, July 21, 1862. Other papers were asked to repeat the warnings in their columns.

<sup>26</sup>*Statutes at Large, C. S. A., Acts Prov. Congress, 3rd Session, 228.*

<sup>27</sup>*Report*, Nov. 27, 1861, p. 25.

<sup>28</sup>However, see below, p. 123.

which, of course, expressed the opinion of no small part of the people. The *Savannah Republican* of November 18, 1861, quotes from an editorial in the *New Orleans Commercial Bulletin*:

What is the reason the Post Office Department does not furnish the public with postage stamps? . . . The complaints have been growing louder and more general for several months, and they have at last given place to downright indignation. The plea originally put forth to . . . extenuate the neglect of duty that the Department had not time to prepare the stamps, no longer holds good—[it is] . . . a shame and a deception. . . .

The *Republican* adds in part:

. . . We re-echo the questions. In no department of the public service—not even in the Quartermaster and Commissary—have there been such gross inefficiency and neglect as in the Post Office. The public patience has been abused beyond endurance, and the popular clamor should be made to ring around the ears of Mr. Reagan until he retires from a post for which he has demonstrated his utter unfitness. . . .

Reagan was but human, and such stinging rebukes and “manifestations of impatience” evoked from him a long statement of the various efforts made by the department to procure stamps, “as well for the information of Congress as for the vindication of the department against charges of neglect of duty in that respect.”<sup>29</sup> The statement is so simple, direct and forceful, and withal so interesting, that one may well be pardoned for quoting the greater part of it.<sup>30</sup> The department was arranging to have stamps prepared before June 1, 1861, when the outbreak of the war stopped negotiations. The American Bank Note Engraving Company of New York in March sent dies for selection, without solicitation.<sup>31</sup> But political changes interfered. On March 16, a “gentleman having the means and capacity” proposed to establish a house in Montgomery for the manufacture of stamps, and on being furnished designs for the various denominations of

<sup>29</sup>*Report*, Nov. 27, 1861, p. 21.

<sup>30</sup>The whole statement is to be found in Reagan's Report of Nov. 27, 1861, pp. 21-24.

<sup>31</sup>*Semi-Weekly Richmond Enquirer*, March 19, 1861.

stamps, he left to attend to the matter, but "nothing was heard from him afterwards."<sup>32</sup>

On the 27th of March the Department advertised for proposals for furnishing stamps and stamped envelopes, in newspapers in the following cities, to wit: Montgomery, New Orleans, Charleston, Baltimore, Philadelphia, New York, Savannah, Columbus, Richmond, Memphis, and Louisville. No proposals in response to this advertisement were received from any establishment in the then Confederate States. The only proposals made in answer to this advertisement were one from Richmond and one from Baltimore, proposing to furnish lithographed stamps. The proposition from Baltimore was regarded as most favorable, both on account of the style of the work proposed to be done and the terms on which the supplies were proposed to be furnished. But the collision between the citizens of that city and the Federal troops, on the 20th of April, and consequent suspensions of communication with that city, prevented further negotiations on the subject.

Early in May a man contracted to manufacture the necessary stamps in the Confederate States, if he could get the machinery in from the United States; but in June he notified the department that he was unable to do this.

In July, a confidential agent was employed by the Department to procure the making of the required steel dies and plates for postage stamps, beyond our territory, and to furnish them to the Department as soon as they could be prepared, and also, if found practicable, to have the stamps made and furnished ready for use.

After receiving some encouragement, and after the work of making the steel dies had commenced, circumstances rendered the discontinuance of the work by the manufacturer necessary. And our agent then made an effort, at another point, to procure lithographed stamps of a superior style, and after some delay it became necessary to abandon that effort to supply the Department.

This brought us to September.

Efforts were made everywhere, and at last lithographed stamps were ordered as a temporary expedient. After delay, stamps were furnished, but so few in quantity, and so high in price for the quality offered, that a special agent was sent to Charleston and to Savannah to engage supplies. He came back on the fourth of November, saying that estimates would be submitted as soon as

<sup>32</sup>*Report*, Nov. 27, 1861, p. 22.

the parties consulted could ascertain the cost of machinery and paper.

A proposal was received in due time from the Charleston firm, who said that ninety days would be required for the preparation of the machinery and plates. Concerning this firm the postmaster-general further reported:

This engraver proposes to furnish the stamps gummed, but not perforated, at a cost of one dollar per thousand, the paper to be furnished by the Department, whereas the United States Government paid but eighteen cents per thousand stamps gummed, perforated, and put up in tin and paper boxes and envelopes.

The engraver in Savannah says it will take sixty days to prepare the plates for each denomination, and the delivery of 400,000 stamps, and with his present force, he can only furnish 80,000 stamps daily, while the estimated number needed daily is 260,000. Meanwhile an agent has been sent to Europe [to procure the manufacture of steel dies and plates for printing stamps] . . . and for procuring for use, as soon as practicable, fifteen million stamps, and to forward the dies, plates, and stamps to this city. The small supplies now being received from the contractors in this city only serve to increase the public discontent, as they are insufficient to meet the demands of even the principal cities. . . . When prepared and supplied as they should be, to all post offices, they will represent the entire revenues of the Department.

There is a popular delusion, resting on the minds of many, that almost any character of engraving will answer for postage stamps, and in support of this opinion, reference is frequently made to the fact that postmasters of different cities and towns have procured stamps for their offices. These are made upon wood, or stone, or lead, or are electro-typed. Stamps prepared by either of these modes can be counterfeited with great facility by a mere tyro in the art of engraving; and the Department could not risk its revenues on such a slender security without disregarding the public interest.

Interesting in this connection is a Philadelphia newspaper's advertisement of Confederate stamps for sale to the trade at fifty cents per hundred, or four dollars per thousand.<sup>33</sup>

<sup>33</sup>Semi-Weekly *Richmond Enquirer*, Nov. 11, 1862, editorial comment on an advertisement quoted from the *Philadelphia Enquirer*.

The first delivery of postage stamps was made October 15,<sup>34</sup> and they were issued to the public three days later, being eagerly bought up. They were described as being "green, with a lithographed likeness of President Davis within a double oval border, surmounted with the inscription 'Confederate States of America.'" Outside the oval at the head of the stamp, was the word "postage," and at the lower edge, the denomination, "five cents."<sup>35</sup> The first stamps were

distributed to such post offices as were in the vicinity of military encampments, to the large cities, and to such of the principal and smaller towns as the number furnished by the printer . . . enabled the Department to supply.<sup>36</sup>

Between October 15 and November 27, only 1,430,700 stamps were received; but by the end of February, 1862, the total had reached 12,341,500, with a value of \$662,180. The postmaster-general stated then that the total number received, together with those being furnished by the printer in Richmond, would enable the department, in a very short time, to furnish every office with a full supply. He believed, also, that the department would soon be able to supply the much needed two-cent stamps.<sup>37</sup> The two-cent stamps figure in subsequent reports, and no further difficulty in securing a sufficient number of stamps seems to have been experienced. For the year ending June 30, 1863, the department paid \$12,572.78 for postage stamps, but the estimated cost for the following year was \$27,000. And of the 39,779,500 stamps issued during the year 1863-1864; 33,450,400 were ten-cent stamps.

Mr. Reagan seems not to have considered the fact that the smallest treasury note issued was for one dollar, that there was practically no other currency available to the department, and that it must have been frequently quite inconvenient to purchase one dollar's worth of postage stamps at a time; for it is to be remembered that the postmasters could give out no fractional

<sup>34</sup>*Report*, Nov. 27, 1861, p. 21. It has not been possible to obtain certain information as to where these or other stamps were obtained, except that some were made in Richmond.

<sup>35</sup>Moore, *The Rebellion Record*, Vol. III, 27, a quotation from the *Richmond Examiner* of Oct. 19, 1861.

<sup>36</sup>*Report*, Feb. 28, 1862, p. 10.

<sup>37</sup>*Report*, Feb. 28, 1862, p. 10.



change in specie. Quite naturally, then, stamps themselves came into more or less general use as small change. Of the stamps sold from July 1, 1862, to June 30, 1863, those "afloat and principally employed as currency" amounted to \$543,543.22.<sup>38</sup> To meet the demand for small change, the post office department in 1864 issued half a million twenty-cent postage stamps, which were freely received at first, but were soon wanted by no one; and the department did not offer to redeem them.<sup>39</sup>

### 3. THE CONFLICT OF THE POST OFFICE AND THE MILITARY

Under normal conditions the relations of the several departments of the Confederate Government probably would have been conducted with a spirit of mutual forbearance and with a nice regard for the interests of each department; but in the stress of the desperate struggle for existence, the military branch of the Government had come to dwarf all others, and military officials interfered repeatedly in affairs of a purely civil nature. Though military necessity may well have been pleaded for many of these transgressions, Mr. Reagan was never able to reconcile himself to them, and his relations with the secretary of war at times were strained to the breaking point. The principal transgressions of the military were conscription of men in the postal service and the impressment of transportation facilities for the mails.

But before the general government had taken over the control of enlistments, Reagan protested to Secretary Benjamin concerning the conscription of postmasters and clerks all over Virginia by the state authorities. He said the men taken had good cause for action against the officers for false imprisonment, as the arrests had been made with a knowledge of the legal exemption of the parties concerned.<sup>40</sup> The postmaster at Richmond reported that an armed force on March 16, 1862, had surrounded the post office for a time, preventing all mail matter from leaving, except that for Fredericksburg, which had been sent out by a porter after the men had left. Reagan promptly reported the whole matter

<sup>38</sup>*Report*, Dec. 7, 1863, p. 28.

<sup>39</sup>Schwab, *The Confederate States of America*, 163, citation from the *Richmond Dispatch*, April 13, 1864.

<sup>40</sup>Reagan to Benjamin, March 15, 1862, *Letter Book*, I, 407, 408.



to President Davis, denying the right of the State of Virginia to impress his men, and begging that the evil be arrested. He laid great stress on the equity of his claim to the services of the men impressed, in addition to his assertion that the men were legally exempt.<sup>41</sup> Conflict with the state authorities was merged in that with the general government through the passage of the first exemption act, approved April 21, 1862.

From the beginning of the war the regularity of the mails had been interfered with because the war department and army officers frequently directed military schedules to be run by the roads in conflict with the schedules of the post office department.<sup>42</sup> In April, 1862, Mr. Reagan requested the secretary of war to prevent further interference by the army with the mail service up and down, and across the Mississippi river. A week after making the request he was moved to say that "interruptions go beyond what is necessary." He wrote:

The mail service is in a most deplorable condition, and I am powerless to remedy its conditions without your assistance. I . . . must ask that orders be issued requiring that the mail cars be allowed to pass with other trains, and that when persons profess to stop the mail cars by military authority, they be required to show the authority for their action. . . . The mails are frequently detained here in the city, when trains are going out, and prevented from arriving here when the trains come in.<sup>43</sup>

An order was then issued, requiring persons interfering with the running of trains to show a written permit from the officer in charge of such matters, or else to have the necessary order issued in some other way.

In May, Reagan again wrote to Secretary Randolph, enclosing a letter from the postmaster at Memphis telling of the confiscation by a Major Hunt of two hundred and fifty mail bags to be made into knapsacks. The postmaster-general was much annoyed, for he was unable to procure mail bags either in the Confederacy or abroad; and he could not

but regard the conduct of Major Hunt . . . in seizing so

<sup>41</sup>Reagan to President Davis, March 16, 1862, *Letter Book*, I, 408-411.

<sup>42</sup>*Report*, Nov. 27, 1861, p. 16.

<sup>43</sup>Reagan to Randolph, April 2, 1862, and April 9, 1862, *Letter Book*, I, 414 and 419.

much of the most valuable property of this Department, without notice or consultation, as impertinent, offensive, and inexcusable.<sup>44</sup>

Probably the protest had some effect, for the writer has seen no other bitter complaint from Mr. Reagan over the seizure of post office supplies.

### *Laws and Orders of Exemption*

The troubles with the war department became more acute after the passage of the conscription acts of 1862. Each act of exemption from army service left a decreased number of dependable employees in the service of the post office department, and caused an increase in the labors of those men not included in the enrollment lists. The first act of exemption from enrollment in the armies of the Confederacy, approved April 21, 1862, included "all clerks of the officers of the State and Confederate Governments allowed by law; all engaged in carrying the mails; all ferrymen on post routes; all pilots and persons engaged in the marine and in actual service on river and railroad routes of transportation."<sup>45</sup> However, an executive order of April 26, announced, in part, that as far as the interests of the service would permit, the persons employed in the executive departments of the Confederate Government would be selected from those not subject to military duty.<sup>46</sup> The exemption act was promulgated by general orders<sup>47</sup> in May and November (1862); but the post office department "encountered much inconvenience, and some pecuniary loss," besides being subjected to a "heavy correspondence, on account of the frequent changes of postmasters and contractors for carrying the mails . . . as many of both classes had, from time to time, gone into the army."<sup>48</sup>

In October, Congress passed another exemption law, which now rendered all postmasters and contractors between the ages of eighteen and forty-five, liable to military service, with the excep-

<sup>44</sup>Reagan to Randolph, May 24, 1862, *Letter Book*, I, 441-442.

<sup>45</sup>*Official Records of the Union and Confederate Armies*, Series IV, vol. I, 1081.

<sup>46</sup>*Off. Rec.*, Series IV, vol. I, p. 1092.

<sup>47</sup>*Off. Rec.*, Series IV, vol. I, p. 1123; and vol. II, p. 161.

<sup>48</sup>*Report*, Jan. 12, 1863, pp. 15, 16.

tion only of those postmasters appointed by the President and confirmed by the Senate.<sup>49</sup> New appointments and new contracts, or the recognition of the transfers of contracts again became necessary, the operations being attended with increasing difficulty and expense.<sup>50</sup> Bids for contracts in Virginia, North Carolina, South Carolina, Georgia, and Florida, for the next four years was to be made in the spring, and thus by the reduction of the number of those eligible to bid, the cost of service was automatically advanced beforehand.<sup>51</sup> In fact, within twenty days of the expiration of the time specified for receiving proposals, only 114 bids had been received at the department for the 887 routes open to competition.<sup>52</sup> The postmaster-general was greatly disturbed. Though the law seemed quite clear, it was necessary for him first to claim and then to have recognized by a general order the right of route agents on railroads and steamboats to exemption as executive officers of the Confederate States. The war department took the precaution to enroll all the route agents within the conscript ages, and to furnish them with certificates exempting them during their appointments, it being understood that, in case of the failure or expiration of an appointment, the one exempt should report to the officer by whom he was enrolled, or, if he could not "be found," to the adjutant and inspector general at Richmond.<sup>53</sup> But without the aid of Congress no other exemptions could be made for the post office department.

This the postmaster-general recognized. He informed the President that unless the conscription laws were somewhat relaxed, it would be necessary to discontinue the postal service entirely in large districts of the Confederacy. President Davis was extremely reluctant to increase the list of exemptions, but so great was the importance of maintaining communication and so small, relatively, was the number of men needed to continue the postal service, that he submitted Reagan's statement to Congress. However, the President recommended that any exemptions made

<sup>49</sup>*Statutes at Large, C. S. A., Acts of the First Congress, Session II, 77.*

<sup>50</sup>*Report, Dec. 7, 1863, p. 13.*

<sup>51</sup>*Report, Jan., 1863, pp. 15, 16.*

<sup>52</sup>*Report, Dec. 7, 1863, p. 7.*

<sup>53</sup>*Off. Rec., Series IV, vol. II, p. 363; Letter Book, I, p. 30, of Gov. Vance of N. C., "Confederate Archives," U. S. War Department.*

should be confined to contractors, excluding sub-contractors; that the number of drivers should not exceed one for every twenty-five miles of coach service; and that the total number of exemptions should not exceed 1500.<sup>54</sup>

Congress in April saw fit to follow the recommendations of the President and the postmaster-general. Contractors and their riders and drivers were exempted, but with numerous provisos and restrictions. These restrictions, in view of later incidents, are worth mentioning here in some detail. No more than one contractor to a route, or more than one member of a firm of contractors, was exempt, even if one member was exempt through an age or physical disqualification. No contractor was exempt for a route of less than ten miles on which the mail was carried on horseback. But no person was eligible for exemption by reason of having a contract transferred to him after the passage of the act. A contractor using coaches or hacks was required to take oath that the weight of the mails required their use, that he did not, and would not have in his service more drivers than were indispensably necessary for carrying out the contract, and that he would give notice to the enrolling officer whenever a driver ceased to be in his employ.<sup>55</sup>

The law was stated with what seems to be unusual clearness, but the varied interpretations of it by the war department, the courts, and the postmaster-general increased the tension between the war and post office departments and maintained it to the end of the Confederacy's existence. The postmaster-general, it must be admitted, seems to have felt himself justified in keeping only the letter of the exemption law, which he claimed was not only oppressive in itself, but was frequently disregarded by the conscription officers in the most flagrant manner. Reagan's interpretation of the law was sustained by the courts, which found for the claimants of exemption. The correspondence of the two department heads for the time of the passage of the last exemption act, shows increasing mutual suspicion.

In June, 1863, Reagan informed General Elzey that he had organized the employees of the department and of the Richmond

<sup>54</sup>Richardson, *Messages and Papers of the Confederacy*, I, pp. 312-313.

<sup>55</sup>*Statutes at Large, C. S. A., Acts First Congress*, Session III, p. 107.

post office into a company consisting of eighty-one officers and privates, and had asked for arms; but he had received no reply to his request. Fearing technicalities, he was unwilling to allow the men to be regularly mustered into the service, although he offered their services to help in any actual defence of the city.<sup>56</sup> The tone of the letter is one of extreme caution, as if the postmaster-general wished to put himself on record as being aware of, and willing to perform, his full duty.

Soon afterward, he became very indignant over the action of the conscript officers. Certain contractors of the department, whom Reagan believed to be legally exempt, had been arrested and forced into the army. They appealed to the postmaster-general. He said he had no authority over the matter; but he advised the contractors who had been arrested when exempt to sue for the writ of *habeas corpus*, and then to bring suit against the officers for false imprisonment. He gave these reasons:

By subjecting them to costs and damages they may be induced to have some respect for the law and the rights of others, which it seems neither the law itself nor the decision of the courts have been sufficient to inspire.<sup>57</sup>

The charges against the conscription officers were reiterated in the postmaster-general's report of December, 1863, and were followed by a resolution of the House of Representatives inquiring whether mail contractors, exempt under the act of April 14, had been retained in the army and held subject to the performance of military duty since the passage of the act, and, if so, upon what ground this had been done.<sup>58</sup>

In response to the inquiry, James A. Seddon, the secretary of war, reported that before the passage of the act of April 14, 1863, the war department had considered exempt those who at the date of call for conscripts were not in the army or claimed for enrollment, "and who belonged to the class of exempts as designated by the act of exemption." This view the department had considered to comply both with the spirit and the letter of the law.

<sup>56</sup>Reagan to Gen. Elzey, June 9, 1863, *Letter Book*, I, p. 712.

<sup>57</sup>Reagan to ———, July, 1863, *Letter Book*, I, 738-739. That part of this letter showing the address and date was not included in the photographic copy in the Texas State Library.

<sup>58</sup>*Journal of Congress of C. S.*, vol. 6, p. 521.

It also considered the act of April 14 as supplementary to the other exemption acts, not designed to draw any persons from the army, and to apply only to those persons not enlisted or enrolled previous to its adoption. The bureau of conscription was lenient, and determined "that the cause of exemption should exist at the time that military service is claimed." Accordingly, a person otherwise subject to conscription, who before or at enrollment claimed exemption as being a contractor, was not refused exemption, even if the contract had been obtained after the passage of the act. But a contract obtained subsequent to enrollment did not entitle a person to a discharge from the army, which the secretary said a release from service would amount to. Nevertheless, several judges of the district courts had decided that the exemption acts of October and April authorized discharges from the army for those who before enrollment were in the newly exempted class. And under the act of April 14, one of the judges had discharged from the army "three members of the same company who had taken mail contracts for one mill, one cent, and ten cents, respectively." The post office department, adding insult to injury, in its advertisements had represented "exemption from the military service (including a discharge from the army if enlisted) as a part of the benefit to be obtained by a contract for carrying the mails." There had resulted a sort of competition among men and officers to obtain these contracts at nominal prices, thus abandoning the Confederate flag "in the hour of its extreme peril to carry the mail in obscure districts and upon unimportant routes." Now, while the war department respected the opinion of the court in the individual cases, the secretary refused to take it as a rule for action. He said that the war department had not interfered with any of the soldiers who had been fairly discharged by judicial authority under the construction that the act was applicable to the army, and that "in deference to the judicial opinion contained in such judgment," it had not discharged from the army any other soldiers who had obtained mail contracts. Secretary Seddon made a careful distinction between "exemptions" and "discharges" from the army; and he assured the President that the department's "opinion on the act of October last

was fully known and had been generally acquiesced in, and particularly so by Congress itself."<sup>59</sup>

Now, while Congress was busying itself in the matter of illegal conscription, it is not to be supposed that Postmaster-General Reagan was passive. But, though he protested several times, beginning in October, he obtained no satisfactory response from the war department until February 3, 1864. The correspondence is long, revealing in some detail the particulars brought out in Secretary Seddon's report to the President; and it continued, as has been said, throughout the bitterest part of the Confederacy's death struggle.

On January 28, 1865, Reagan addressed a letter to Seddon, reciting the contents of three previous letters to the secretary of war, from whom he had received no answers. His first letter had protested against the circular instructions given out by the chief of the conscription bureau, and had contained a copy of Judge Halyburton's opinion in the case of *ex parte* Lane. Lane, as an enlisted soldier, had obtained a mail contract, and had received therefor a discharge from the army from Judge Halyburton.<sup>60</sup> The second letter, November 17, presented a case "of gross violation of the law and contempt of the decisions of a court of the State of Virginia in two cases in which persons were arrested and put into military service after having been released from such service on writs of *habeas corpus*." The third letter (January 7) enclosed a copy of a letter "from the postmaster at Ivor, Virginia, complaining of the rude and unlawful conduct of a Captain Green in unceremoniously turning him out of the post office and using it as a dancing salon, and as a store house for forage. . . ." Mr. Reagan said that he had in the two last letters asked for replies from the earlier ones, but that he had received none. Now, though he knew that frequent correspondence was required between the two departments, he felt that Secretary Seddon's course precluded any further communication between them, without a surrender of self-respect and the rights of the

<sup>59</sup>*Off. Rec.*, Series IV, vol. II, pp. 1054-1057.

<sup>60</sup>Pamphlet in Confederate Archives of U. S. War Department, Washington, D. C. (No date.)



department by himself, and that, therefore, he had no recourse but to submit the matter to the President.<sup>61</sup>

In spite of the unpropitious ending of the postmaster-general's letter, Secretary Seddon replied fully on February 3. The complaint of the dispossessed postmaster at Ivor had been referred for inquiry and had not yet been returned. Reagan's first letter (of October 19) had been referred to the conscript bureau, and the response was enclosed, but does not appear in the *Official Records*. The second letter, it developed, had called up matters which were already under investigation when the letter was received. They were "the cases of Kinzer and Surface, arrested and returned to their regiments by order of General Buckner after their discharge from the military service of the Confederate States on writs of *habeas corpus* by Judge Fulton. . . ." Secretary Seddon then gave fully his views on the collision between the two departments as brought up in Reagan's last two letters.

He gave the same arguments and reasons which had appeared in his previous statement to the President,<sup>62</sup> but cited cases and contracts by name and number. The men, Surface and Kinzer, at the time their bids were accepted (at one-fourth, and one cent per annum) were privates in the army. The chief of the contract bureau of the post office department said they were exempted. And here Secretary Seddon said he "understood the judge of the district court had so decided and discharged soldiers, who had become contractors on writs of *habeas corpus*"; and he further said that his department considered it had just cause of complaint against the post office department "for the course pursued in this and similar cases." However, the men had not been arrested in defiance of the law, but through a mistake in jurisdiction.<sup>63</sup> Yet

<sup>61</sup>*Off. Rec.*, Series IV, vol. III, pp. 52-53.

<sup>62</sup>See above, p. 130.

<sup>63</sup>The writs of *habeas corpus* were issued by a Virginia circuit court while the men were in Tennessee, where they were honored by the military; and the men, on appearing before the court, were discharged from the army. "General Buckner, learning the facts, believing the court had no jurisdiction, and that the order was, therefore, of no effect, ordered their arrest and return to their regiment. It is perfectly clear that the judge had no jurisdiction when the writs were issued; that it was an unjustifiable exercise of a judicial prerogative in another State, and that the commanding officers of the regiment erred in surrendering the men to the officer of the court. But when they appeared before the judge within his circuit the jurisdiction attached. . . ."



the war department, as in the cases decided by Judge Halyburton, would accept the decision, no matter how erroneous, and promised to discharge the men. As before, the department clung to its own interpretations of the law, and declared they would not be changed unless by direction of Congress. In closing, Secretary Seddon apologized for not answering sooner, but not for the actions of the department, which he said, had been "in accordance with the law, the policy of the Government, and the necessities of the country."<sup>64</sup>

The postmaster-general was prevented by illness and the pressure of his duties from replying before the middle of February, when he sent Secretary Seddon a communication even longer than that he had received. He withdrew his complaint concerning the postmaster at Ivor, Virginia, as investigation had shown the postmaster's complaints to have been without foundation. The only point of difference in opinion now seemed to be as to whether persons who became contractors while in the military service were entitled to exemption during the periods of their contracts. Yet Mr. Reagan pointed out that in a number of cases men who had become contractors in July preceding the passage of the act of April 14, 1863, were arrested and held for military service by the conscript officers. To have allowed these acts of the military to go unchallenged would have defeated the purposes of the law in the opinion of the postmaster-general. He likewise professed amazement at the war department's refusal to follow as a rule the decisions of the State and Confederate courts, the second of which he said certainly had competent jurisdiction, and could render decisions conclusive for the Government and its departments, and for all other parties to a suit, until the cases were appealed and reversed. But if it were admitted that the construction of the exemption law by the department could override judicial decisions, would the construction of the war department or that of the post office department prevail? Each was interested, and who should determine which was the more interested? There must be an arbiter. If this arbitrament was to depend on the possession of soldiers and bayonets, then of course it was a question not of law and right, but of force and power. But if

<sup>64</sup>*Off. Rec.*, Series IV, vol. III, pp. 70-74.

the courts of the country were to be the arbiters, the question was one for judicial solution, according to law and the principles of justice. The postmaster-general had not seen Secretary Seddon's response to the resolution of the House on the subject, and he would in nowise feel bound by a document never brought to his notice, which, while entitled to respect, was of no more binding authority than the opinion of a co-equal branch of the Executive Government. Nor could it rightly be assumed that Congress consented to the correctness of the interpretation of a law by one of the departments because it omitted to legislate in response to that interpretation. To sustain this assertion reference was made to Judge Halyburton's opinion in the case of John Lane, as well as for support in asserting that there was no distinction between "exempt" and "discharge" in the laws containing the two words. Finally, after he had admitted that he discussed the subject at so great a length "more because of the principles involved than on account of the small number of men . . . hereafter to be employed by this Department who would otherwise be liable to service in the Army," Mr. Reagan turned to the matter of nominal compensations. Out of the 1,253 mail contractors in the Confederacy, "only 147 had obtained contracts at nominal rates of compensation." And the postmaster-general, sympathizing with the war department's efforts to fill up the army, promised "in all cases in which it is practicable," to avoid the employment of persons in his department who were "either in the Army or liable to enrollment." But the closing paragraph of the letter promised little for an amicable settlement of the dispute.

In reference to your request that I "designate all the contractors where the parties have been discharged from the military service on writs of habeas corpus, in order that they may be reclaimed by the military authorities," I have to say that if I thought it right to aid in disregarding the judicial decisions by which these persons were discharged, I have no information which would enable me to comply with your request, except in a very few cases which have incidentally come to my knowledge. We receive bids and award contracts in the great mass of cases without any means of knowing whether they are in the military service or liable to enrollment, except as we infer from the low rates of their bids, and without any means of knowing who have been discharged on

writs of habeas corpus. But you will see from the foregoing that I do not think it would be proper to adopt the course you suggest.<sup>65</sup>

The secretary of war at last realized the futility of further direct argument. Replying briefly within two days to the post-master-general's letter, he said in part:

It is evident that further discussion between us will not result in a change of opinions now held, and, while I am unable to concur with you, I have no hope of inducing you to agree with me, so that no good could come from any review of your letter.<sup>66</sup>

Perhaps it was because he already had knowledge of the new conscription act passed the same day. The Act of February 17, 1864, placed the age limits at seventeen and fifty years and repealed all previous exemption laws, making new specifications of exemption. The exemptions enumerated included those then employed in the postal service; and Article IV of Section 10 expressly continued in force the Act of April 14, 1863, for the exemption of mail contractors and drivers; provided, however, that the exemptions granted under this act should continue only while the persons exempted were actually engaged in their respective pursuits or occupations.<sup>67</sup> We shall see that this last clause gave ground for a re-opening of the quarrel between the military and the postal authorities.

#### *Specific Instances of Abuse of Exemption by Contractors*

It was General Lee who next complained. In a letter to the secretary of war he declared that the drain upon the strength of the army by exemption of civil officers, postmasters, and mail carriers, added to the details made for other purposes, "was more than it could bear." A large number of men were either taken from the army or kept out of it as mail contractors, many of whom made contracts for the sole purpose of evading the army.

Then General Lee cited two notorious instances of such contracts. The first was that of a man named Leftwich, who, though a contractor for an "unimportant route" in Alabama, resided in

<sup>65</sup>*Off. Rec.*, Series IV, vol. III, pp. 121-125.

<sup>66</sup>*Off. Rec.*, Series IV, vol. III, 126.

<sup>67</sup>Act of Febr. 17, 1864, *Off. Rec.*, Series IV, vol. III, pp. 178-181.

Richmond, where he carried on his business, never having seen his route. Yet he was discharged from service by the court.<sup>68</sup> General Lee, while he said he thought there was no necessity for awarding Leftwich the contract, diplomatically added that he had "no doubt that the Post Office Department was imposed upon." The other case was that of a young man named Michie, who obtained a contract on an obscure route and was discharged from the service. The son of wealthy parents, he remained at home and employed some one else to carry the mail. General Lee "supposed"—much more courteously than ever Mr. Reagan or Mr. Seddon could have done—that it was "in the power of the Post Office Department to prevent these abuses and even to annul such fraudulent contracts where they exist," and that "perhaps if the attention of the Postmaster-General were called to the subject some slight increase in our depleted ranks might be secured."<sup>69</sup>

The letter from General Lee was indorsed by Secretary Seddon to Postmaster-General Reagan. The sonorous phrases of the indorsement are so stilted and pompous that they are extremely ironical in effect. But the postmaster-general's reply shows that he was too weary to engage in a new and spirited controversy. His answer reiterates his previous statements as to the needs of his department, and replies to each charge against it by the military; but this refutation is written as though he had no hope of convincing anyone so stupid as the military. The letter begins and ends abruptly with curt statements; there is no direct argument, for Mr. Reagan seemed to feel that if an exhibition of the distress of the department could not convince, no argument could.

He admitted that 105 more new contracts had been made at nominal rates, where existing contractors had been put into the military service, or had for other reasons abandoned the postal service. He doubted whether these exemptions should be disallowed by law, for to do so with the present state of the currency

<sup>68</sup>His case was similar to that of *ex parte* Lane, but the objection to his discharge was based on the clause of the act of February 17, 1864, which continued exemptions only so long as the person was actually engaged in his pursuit or occupation. However, the court, holding that Leftwich was bound to perform his contract to carry the mails, and that he was exempted under acts of Congress, ordered his discharge. Pamphlet in the Confederate States Archives of the U. S. War Department, Washington, D. C. (No date.)

<sup>69</sup>Lee to Seddon, Sept. 10, 1864. *Off. Recs.*, Series IV, vol. III, p. 660.

would make it impracticable to keep up the postal service. In such a case he said lack of communication would cause more men to desert in a short time than were required to keep up the service. Yet, he was willing to submit the matter to the President and the cabinet, and if the decision was adverse to him, he said he would do all he could to keep up the service without using exemptions. As to postmasters, he said there were not more than one hundred appointed by the President and confirmed by the Senate, and that the President had refused to appoint persons liable to military service. Even clerks heretofore thought indispensable might in a short time be allowed to go, and it was certain that but a very few of the route agents were liable to service. "I desire no exemptions for this Department which it is impracticable to get along without," declared the postmaster-general, "and you shall have my cheerful co-operation in everything which will augment our armies." In regard to the two special cases mentioned, he pointed out that General Lee had been misinformed. The route contracted for by Leftwich was not "unimportant," but actually forty-five miles in length.

The former contractor was arrested and put into the military service contrary to law. The route was one of such importance that the postmasters on it and the special agent of the Department requested a renewal of the service, and it was re-advertised on the 16th of March, 1864, and Leftwich being the lowest bidder, the contract was awarded to him on the 27th day of May, 1864, for a merely nominal consideration.

Mr. Reagan understood that it was costing Leftwich at the rate of \$6,000 a year to have the service performed. Here the question might be raised as to whether Leftwich was actually engaged in his occupation as contractor. We have seen that the court thought so, but Reagan's defense of his case was that the other contractor had been illegally conscripted and that Leftwich was paying \$6,000 annually to a branch of the Government for his exemption. But he offered no defense at all for the case of Michie, who, he said, was a carrier for a "special Office," as such not a contractor, and, therefore, not entitled to exemption as carrier for the post office at Mechanicsville.<sup>70</sup>

<sup>70</sup>*Off. Rec.*, Series IV, vol. III, 657-661.

It should be clear by this time that the quarrel of the two departments over conscription grew out of the war department's failure to appreciate the value or the rights of the post office department. It is evident that Congress and the people considered a postal service as almost indispensable, and certainly Congress by its laws showed its intention to provide for its continuance. It is also easy to see why the employment of contractors for nominal considerations seemed to the military an outrageous violation of the spirit of the exemption laws. But everything considered, the postmaster-general was justified in taking the course pursued. His department had to be self-sustaining, and its revenues in the depreciated currency were scarcely sufficient before the conscription acts were passed. To keep up the service then on full salaries could have been impracticable, owing to the decreased number of bidders for contracts and the increased cost of transportation; and, if the military showed a disposition to make its own interpretation of the law and to disallow the obvious intention of Congress to preserve the postal service, the postal authorities felt themselves justified in taking advantage of a technicality in opening the postal service to those desiring exemption, especially when the conscription officers were constantly causing interruptions of the service and other trouble by arresting men legally exempt. Finally, in consideration of the great discontent prevailing in the armies toward the close of the war, one must admit the force of Reagan's practical argument for the continuation of the postal service; namely, that if postal communication had been discontinued, more men would have deserted in a short time than would have been required to conduct the entire post office department.

Unfortunately, the two departments had still another matter of difference arising from the use of departmental clerks in defending the city of Richmond. The clerks and officers in the local defense organization it had been supposed would be called out only in great emergencies; but, in reality, after the spring of 1864 they composed a part of the army, being withdrawn from their duties for months at a time. The post office department could not legally appoint other clerks had it so desired, and much of its business had to remain unattended to. Reagan was moved

to protest to Lieutenant-General Ewell, at headquarters in Richmond. No one able to do military duty had been appointed to a clerkship in the post office department since early in 1862, and fully three-fourths of his clerks, he declared, were now "either men over fifty years of age, ladies, wounded and disabled soldiers or invalids from some other cause"; and fully one-half of those who belonged to the local defense troops were either disabled soldiers or invalids. The postmaster-general wanted some of these men permanently detailed by the secretary of war, and he asked that the clerks then detailed for the city post office be allowed to remain there.

General Ewell returned Reagan's protest, referring him to the secretary of war, observing that he himself had "frequent applications from ladies, . . . apparently well fitted for clerical duty." Such impertinence was too much for "the old Roman," and Reagan appealed to the President, for the secretary of war had referred him in the first place to General Ewell.

The postmaster-general pleaded with President Davis for some action which would put an end to the "anomalous condition of things" then

paralyzing the Department for the want of a few men, . . . and subjecting the heads of departments to the control of military officers of any grade who may have to act on their applications for the detail of their own clerks, and . . . to the receipt of such suggestions as that . . . of General Ewell's indorsement about the employment of ladies.

With so very few men in the department liable to conscription, these being absolutely necessary to it, a large part of the postmaster-general's time for the past year had been spent "in asking for details and passes and in repeating these requests every few days or weeks only to have them revoked," the work then to be gone over again. "The policy is most injurious to the public service," concluded Mr. Reagan, "and is embarrassing and degrading to the heads of departments who have to submit to it."

The protest was made December 29, 1864, but it was not until March 2, 1865, that the President indorsed it to the secretary of war "for his perusal as stating matters which have heretofore

been embarrassing."<sup>71</sup> The Confederacy was now upon the brink of dissolution, wherein was to end the controversy between the war and post office departments. The principle for which the postmaster-general had fought seems to have been correct, but so great was the confusion and so desperate the needs of the dying government that any criticism of either department seems captious and uncharitable.

*(Continued)*

<sup>71</sup>*Off. Rec.*, Series IV, vol. III, pp. 970-974.