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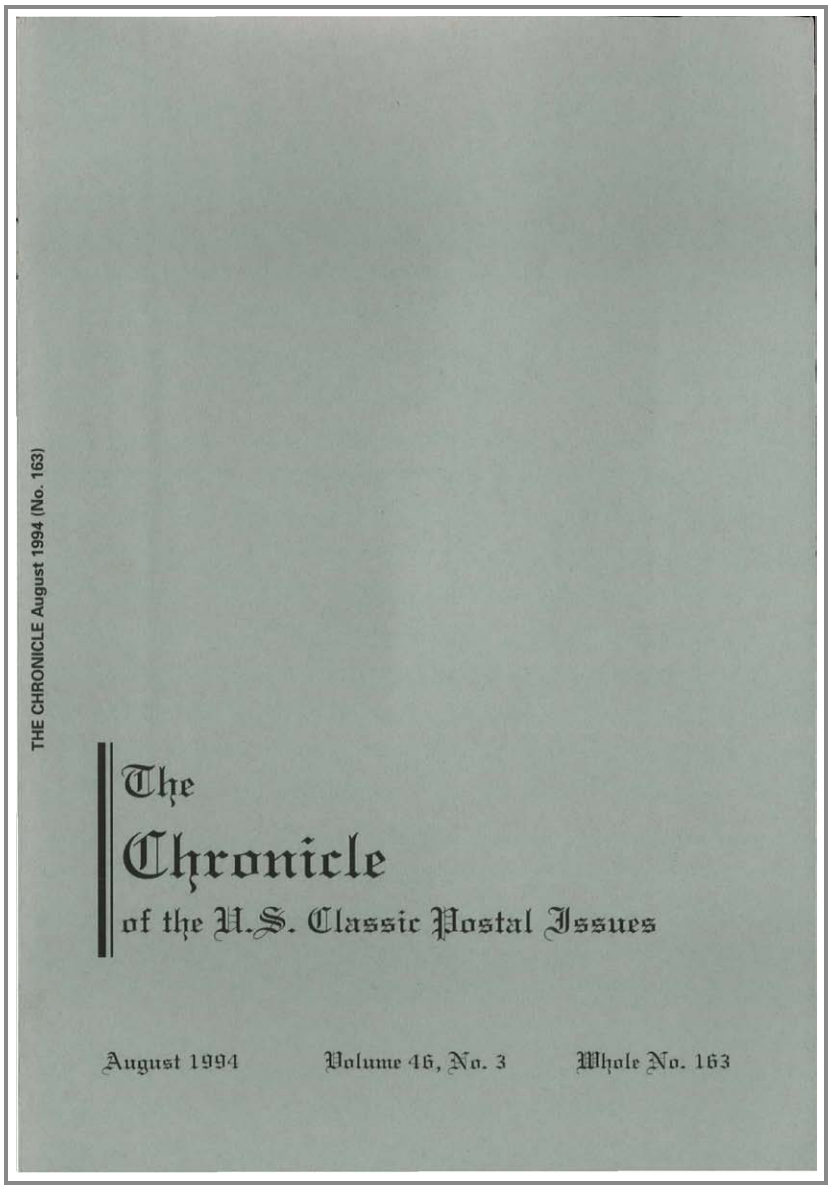

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PATENTS AND PHILATELY DURING THE 1860S

HUBERT C. SKINNER

From the time of the first adhesives (Great Britain, 1840), postal officials in both the United States and abroad have been greatly concerned with the dual problems (more anticipated than real) of possible forgery and the fraudulent reuse of postage stamps. Thus, it is only natural that numerous inventive, innovative and ingenious mechanical devices have been advanced for the prevention of these two problems. The grills on the stamps of 1867, 1869 and 1870 are the best known of the efforts to prevent the reuse of adhesive stamps.

Here in the United States, the innovators of many of these ideas sought protection from the United States Patent Office by patenting their schemes or their devices. The embossed grills, die-cut envelopes (some with "patent lines"), pull wires, fastening devices and—yes, indeed—handstamping and canceling devices were among the variety of ideas and mechanisms patented by hopeful inventors.

Our distinguished colleague, Richard B. Graham, has written a number of articles on Marcus P. Norton and Norton's patented duplex handstamps in recent issues of the *Chronicle* (Whole Nos. 151, 152, 154, 156-58, 160)(Aug. 1991-Nov. 1993). The Norton handstamps of 1859 *et seq.* are the subject of considerable interest among postal historians, since on July 23, 1860, Postmaster General Joseph Holt issued a regulation prohibiting the use of townmarks or rate marks to cancel stamps. Fortuitously, Norton's duplex device satisfied this regulation without the need of two instruments to mark letters and cancel stamps.

In 1963, Arthur H. Bond published an article on the origin and early development of duplex handstamps (*Postal History Journal*, Vol. 7, No. 1, pp. 59-63) in which he discussed the Norton handstamps among others. Bond notes that Ezra Miller of Janesville, Wisconsin, was granted a patent [No. 23307] on March 22, 1859, for a "so-called 'hammer' stamp, with handle parallel to the printing faces; the townmark to be inserted in one end of the hammer-head and an obliterator in the other end. This was an early attempt at dealing with the serious problem of the loss of time involved in using separate handstamps for the two functions of dating and canceling." [Bond, p. 60]

In early 1859, Marcus P. Norton of Troy, New York, invented and fashioned a working model of his duplex handstamp, comprising a double-line circular dated town marking with rotatable "type cylinders" to set the year, month and day, and an attached "blotter" to mark and deface postage stamps. Norton's device and his experimental duplex postmarks are well known among postal historians who eagerly seek examples of the Norton postmarks with the "sideways year date" (or, "lazy year date").

Norton filed an application for a patent with the United States Patent Office on May 3, 1859. His working models were designed for use at Troy, and one of his instruments was tested (unofficially) on three thousand letters prior to April 11, 1859, when he wrote to the Assistant Postmaster General requesting an official trial of his marking device [Bond, p. 60]. Experimental use at Troy of Norton's handstamp was authorized on May 4, 1859, for a period of three months. Graham illustrated one of these experimental covers in *Chronicle* 151, p. 177, and another in *Chronicle* 156, p. 261. They were postmarked "MA 24/59" and "JU 2/59," respectively, and bear an attached 8-blade cutter-killer which obliterates the stamp (see Figure 1). The third known example from the Troy trial period was illustrated in 1992 by Frank Mandel, in his definitive work on "The Development of Handstamped Markings in the United States to 1900" (in the Philatelic Foundation's *U.S. Postmarks and Cancellations*, p. 30); it is dated "JU 10/59."

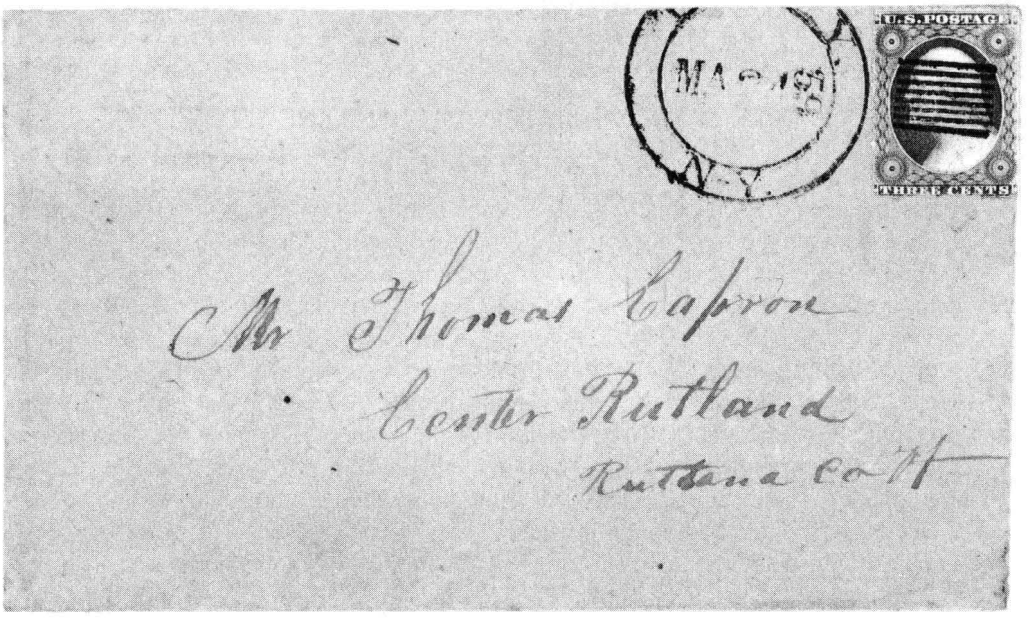

Figure 1. The earliest of the three recorded examples of covers cancelled by Norton's handstamp during the three month trial period at Troy, New York, authorized by the POD beginning on 4 May 1859. This cover is dated "MA 24/59." (Skinner Collection)

The initial patent (No. 25036) on Norton's handstamps was granted on August 9, 1859. However, as reported by Graham (*Chronicle* 156, pp. 262-63), his claim for the use of rotatable type cylinders was not granted, as T.J.W. Robertson had previously patented this feature (No. 18249, Sept. 22, 1857); thus, the other feature, an attached "blotter" with cutter blades—in effect, the "duplex handstamp"—is the only one protected by Norton's first patent.

The actual working model device submitted by Norton with his patent application is extant and is illustrated in Figure 2. It differs from Norton's earlier device used for the Troy experiments in having only seven blades in the cutter-killer (as shown in Figure 3).

Later, Norton was granted additional patents, including:

No. 34184—14 January 1862, to Marcus P. Norton. A single handstamp with contained cylinders, the first one bearing in series the initials of months of the year, two with numerals for the days of the month, and one set with two-digit numerals for ten successive years (positioned sideways) encircled by a type ring set with a town name and an abbreviated state name.

No. 37175—16 December 1862, to Marcus P. Norton. A duplex handstamp/obliterator with a "cutting and inking device" designed to both cancel with ink and cut the stamp such that, if removed from the letter, "it shall be reduced to parts or pieces."

No. 38175—14 April 1863, to Marcus P. Norton. A duplex handstamp/obliterator with a (replaceable) cork, rubber or wooden "blotter . . . inserted in a tube or recess therein for the purpose of effacing or blotting such stamps with indelible ink," combined with a (duplex or attached) device for postmarking letters.

No. 49432—15 August 1865, to Marcus P. Norton. A circular single handstamp/obliterator for revenue stamps, with name of firm, date and center cutters or punches; alternatively, to be set with a cork or wooden obliterator for postage stamps surrounding cutters or punches set to penetrate the stamp(s).

Figure 2. The original working model of the duplex handstamp submitted to the United States Patent Office by Marcus P. Norton to accompany his application for Patent No. 25,036, granted 9th August 1859. (Courtesy of The Smithsonian Institution)

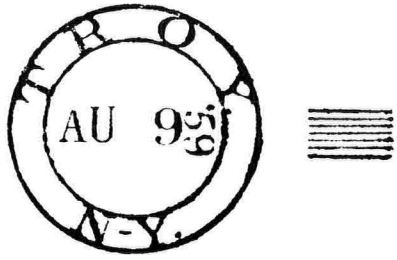

Figure 3. An actual impression [scale 1:1] made from the original handstamp shown in Figure 2. Note that only seven cutter bars are present in the "blotter" of Norton's original working model. (Courtesy of The Smithsonian Institution)

No. 92688—13 July 1869, to Marcus P. Norton. A handstamp with additional improvements over those covered by previous patent applications.

No. 106716—23 August 1870, to Marcus P. Norton. A single, spring-operated obliterator which could be mounted on a stationary frame, an improvement consisting of knives or cutters placed between the lines of type for month, day and year.

Numerous other individuals were granted patents for various styles of postmarking devices in the 1850s, 1860s and 1870s. A partial list of the better known ones is presented here in Appendix A.

Norton's purpose in attaching a "killer" device (or "blotter," as he called it) to his duplexed town marking was for "cutting, blotting, canceling or effacing 'the frank,' or 'postage stamp,' so as to prevent a second use of the same, while at the same time the name of the 'post office,' the year, the month and the day of the month, is printed on the envelop [*sic*]." (Quoted from the original published patent specifications.) Norton's "blotter" was designed not only to apply ink to cancel the stamp but at the same time to penetrate the paper of the stamp so that attempts to wash the stamp for reuse would not be effective. One of the innovative features of Norton's design was that quick-setting rotary "type cylinders" were used to set the month, day and year in his handstamps. (T.J. Robertson held an earlier patent for a device with rotatable date cylinders but no postmarks made by his machine have been reported.) A unique and identifying feature of Norton's date cylinders is the two-character year dates arranged on a single cylinder so that they appeared sideways in the date line. Duplex handstamps were produced according to Norton's design and used, on a trial basis, both at Troy (in 1859) and at New York City (in 1860-62). Both the Troy and New York City handstamps were made for Norton by Edmund Hoole of Mount Vernon, Westchester County, New York (later, of Brooklyn) [Bond, p. 61; Graham, *Chronicle* 126, p. 110, and *Chronicle* 156, p. 264].

Bond reports that General John A. Dix, postmaster at New York, reacted to PMG Holt's order of July 23, 1860, by directing his "stamp maker" to attach a "blotter" to the side of the regular handstamp in such a manner that the obliteration and the townmark could be applied in a single stroke. On August 8, 1860, in a letter to First Assistant

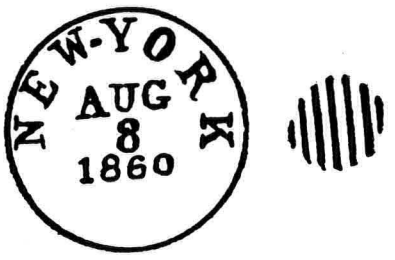

Fig. 2a. Blotter attached to handstamp enabled townmark and obliteration to be applied with one stroke.

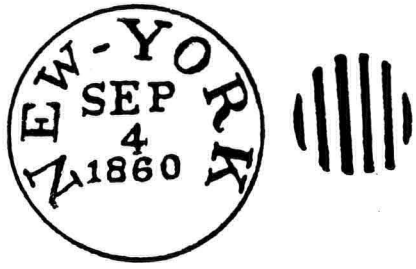

Fig. 2b. Duplex Handstamp manufactured by Marcus P. Norton. This supplanted device shown in Fig. 2a, which evidently was an infringement on Norton's patent.

Figures 4a, b. Drawings to scale of duplex handstamps used at NYC in late 1860, reproduced from Arthur H. Bond's article (June 1963). Figure 4a [Bond's 2a] is from an experimental duplex handstamp with attached obliterator/grid made by his own die-maker at the order of General Dix, the PM of NYC. Figure 4b [Bond's 2b] possibly is from one of the ten handstamps ordered for trial use by General Dix from Marcus P. Norton in August 1860.

Postmaster General Horatio King, General Dix requested permission to adopt this type of stamp [Bond, p. 60]. On August 10, he was informed by Acting First Assistant Postmaster General St. John B.L. Skinner that this method "has not only been thought of before, but has actually been patented," and that this "arrangement . . . may . . . subject your office to a heavy charge for its use, or perhaps to a lawsuit" [H.R. Exec. Doc. No. 27, 38th Congress, 2nd Session, 1865, pp. 4,5]. On August 21, he wrote again reporting that he had met with Marcus P. Norton and "requests permission to buy ten of Norton's stamps of this type," which Bond believes must "have been furnished promptly, since an entirely different strike is seen on September 4, 1860." [Bond, p. 60] Bond illustrated strikes of two duplex handstamps (see Figures 4a and b) from New York City, the first (Bond's Fig. 2a) evidently from the device made by General Dix's "stamp maker" [Bond, p. 60] and the second (Bond's Fig. 2b) possibly from one of those supplied by Marcus P. Norton [Bond, p. 61]. Dated covers from New York City confirm the sequential use of these two devices in 1860 and 1860-62.

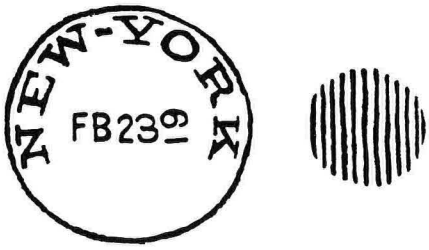

Figure 5. Drawing to scale of the experimental Norton duplex handstamp with "sideways year date" used in the domestic division of the post office in NYC in January, February and March 1861 (with a brief anomalous use in late January 1862). About twenty to twenty-five covers bearing this postmark are recorded.

In early 1861, experimental Norton handstamps with the "sideways year date" (Figures 5-8) were in regular, but not exclusive, use in the New York City post office for a period of about ten weeks (recorded usage January 17 through March 28, 1861). The "blotter" in this duplex handstamp consists of a twelve-bar circular grid composed of fine lines, markedly different from the grids in the duplex postmarks used at New York City in late 1860. Covers bearing these experimental Norton postmarks are quite scarce, but a sufficient number has been seen to document this period of experimental usage quite clearly. That the Norton device was in general use in the domestic division of the New York post office is demonstrated by its use on the Canada mails which were handled, canceled and dispatched by the domestic division. Three such covers are recorded: two to Nova Scotia (see Figure 9), the third to Newfoundland (Figure 10). All other examples recorded are from the ordinary inter-city domestic mails (Figures 6-8). Two Norton covers bearing adhesives from the 1861 issue are known dated "JA 30/62." These covers represent reuse of the Norton postmark for a brief period (both are dated the same day) in late January 1862, some nine months after the last previous recorded use [*Chronicle* 126, p. 111, Fig. 2]. The stamps on these two letters were issued in late 1861, therefore the January usage on these two covers is 1862.

The "blotter" or grid-killer of blades intended to cut the stamp would qualify the Norton handstamp devices as "*patent cancellations,*" as they have come to be called in the philatelic community, if the grid did in fact indent or cut the stamp paper. For more than

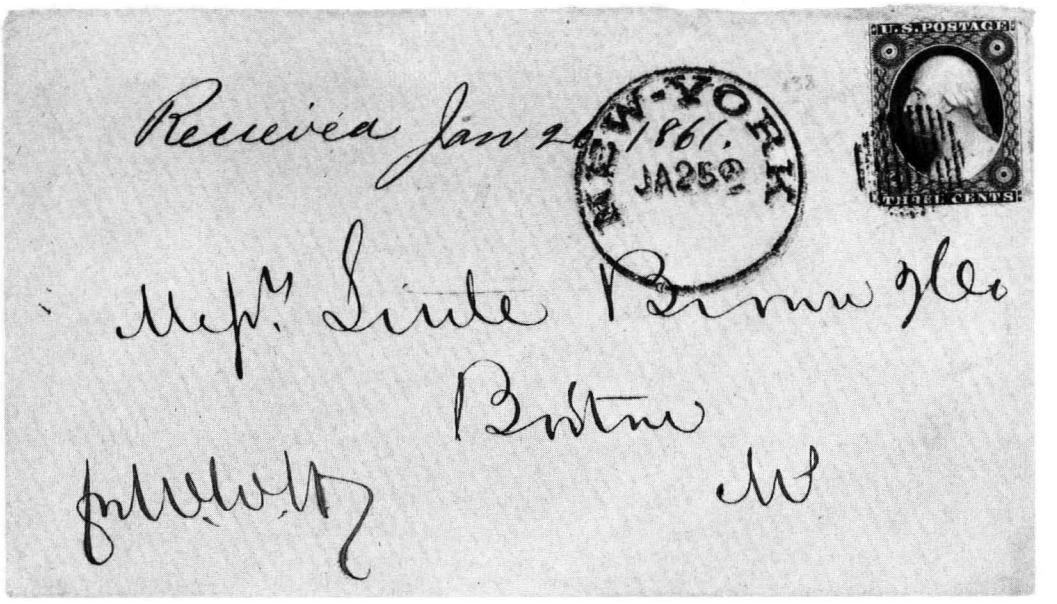

Figure 6. An early use of the experimental Norton duplex handstamp with the 12-bar circular "blotter" clearly struck on 25 January 1861 on an envelope with a 3¢ 1857 paying the normal inter-city rate to Boston, Mass. (Skinner Collection)

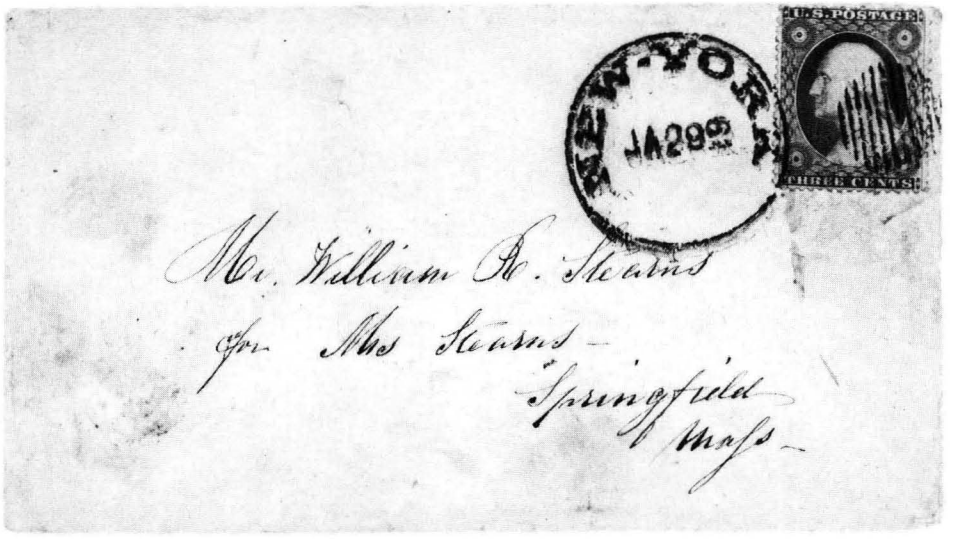

Figure 7. Another example of the experimental Norton duplex handstamp struck 29 January 1861 on an inter-city letter to Springfield, Mass. Note that none of the duplex markings illustrated here show any evidence of a "dent" in the outer circle of the postmark. (Skinner Collection)

sixty years, this term "*patent cancellations*" has been applied to canceling devices which cut, pierced, scraped or otherwise defaced the paper of the stamps to which the devices were applied. This name or label for scarifying cancellations remains generally unsatisfactory and equivocal, as by no means all cancelers made to deface stamps were patented devices and many of those that were are difficult to identify with the individual patents which were obtained by their manufacturers. Also, as in the Norton "blotters," some killers which were intended to cut or deface the stamps failed to do so effectively. Though some early impressions of the Norton "blotters" appear to indent the stamp paper slightly, no unequivocal examples have yet been seen by this writer. Thus, though the Norton handstamps were patented at the United States Patent Office, the cancels themselves cannot be termed "patent cancels" with confidence or firm conviction (by this writer).

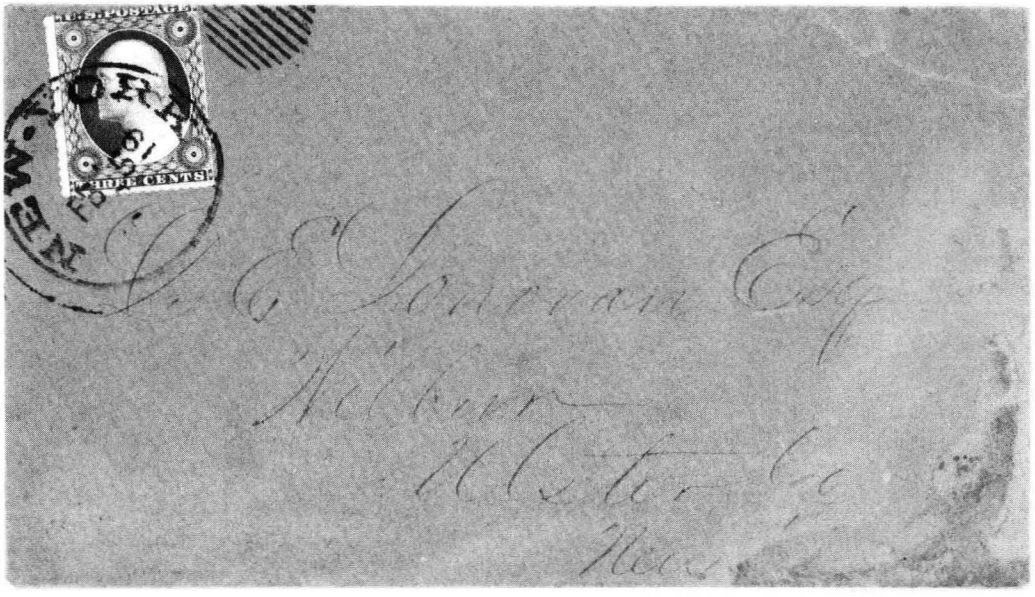

Figure 8. A third example of the Norton duplex handstamp. The letter was addressed to Wilbur, Ulster Co., New York, and was postmarked in February 1861. This cover is illustrated and described in Ashbrook's One Cent book, vol. 2, p. 121. (Skinner Collection)

However, it should be noted that in 1985 the distinguished philatelist Thomas J. Alexander restricted the definition of "patent cancels" to "only patented instruments that damaged the stamps they cancelled [*sic*] in order to prevent their reuse." Further, he stated "[m]any patented handstamps that obliterated postage stamps did not physically damage them in the process." In the next sentence, he then accepted the "Troy instrument" as "a true patent cancellation under our definition" based on "the specifications of the U.S. patent that was granted to Norton" [*Chronicle* 126, p. 103], which states clearly that "sharp edge projections on the face of the blotter . . . cut through the postage stamp . . . thus preventing a second use of such postage stamp . . . ."

In the late 1970s, when Amos Eno and this writer were compiling their cancellation volume, whether certain "patent cancels" actually cut the stamp paper was one of the difficult problems we encountered. Also, whether or not each of the defacing cancels listed and illustrated as a "patent cancellation" had been patented became another major problem when we were choosing and defining "Class" headings for the classification scheme

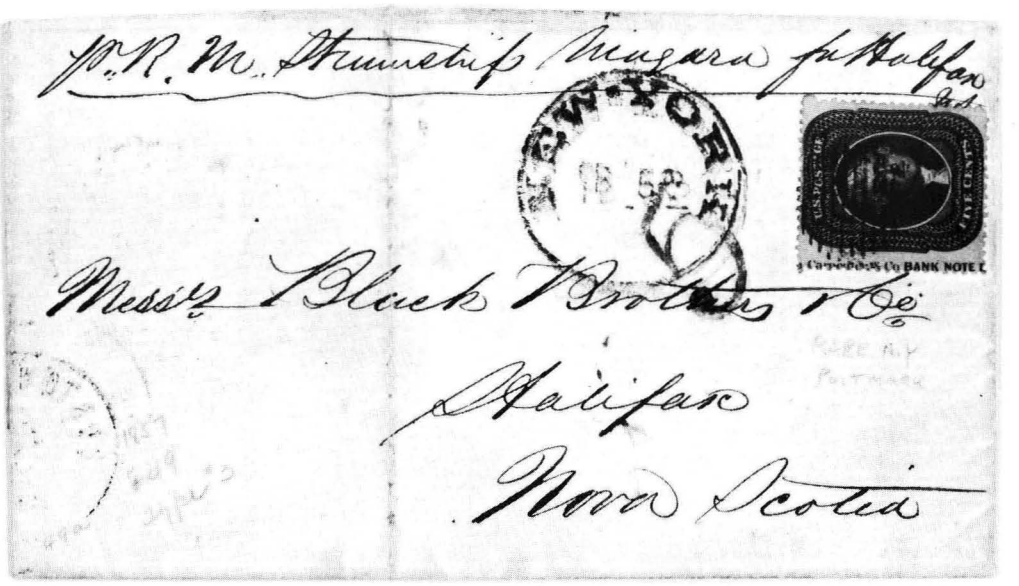

Figure 9. A folded letter from New York to Halifax, Nova Scotia, postmarked at NYC with the Norton handstamp on 5 February 1861 (the same date as Figure 8). It was dispatched to Boston by the domestic division where it was placed on the Cunard Line steamship *Niagara* for Halifax. The five cents U.S. postage was prepaid by a marginal imprint copy of the 5¢ brown Type II stamp of 1860. (Skinner Collection)

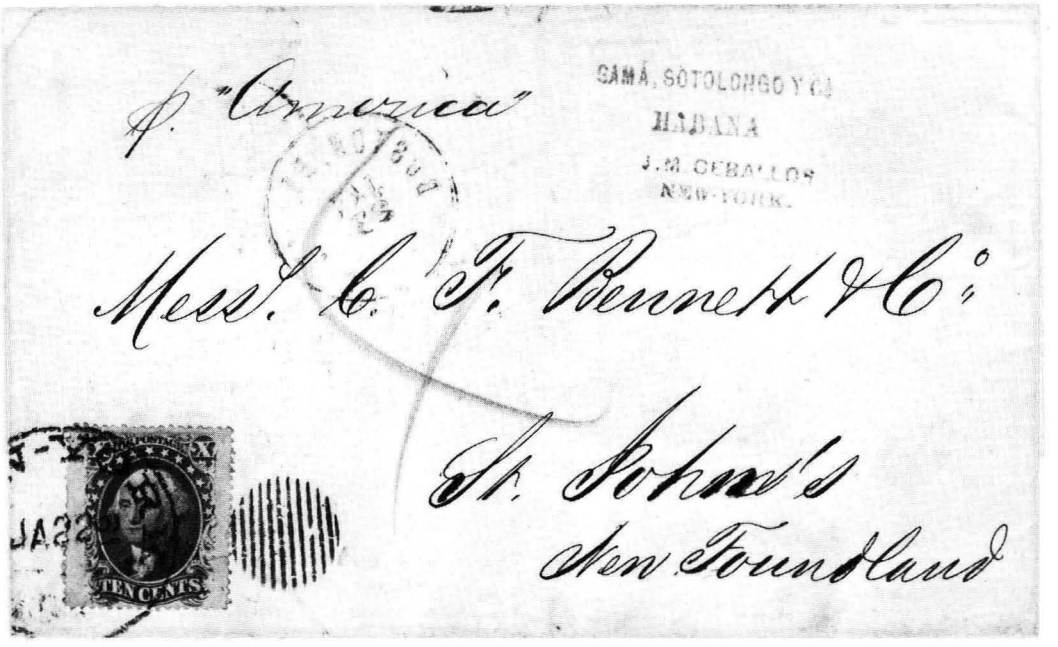

Figure 10. A remarkable twice "cross-border" cover originating in Havana, Cuba; thus a foreign cover placed in the domestic division mails at NYC for dispatch to Newfoundland (a foreign destination) through Boston via the Cunard Line steamship *America* for coastwise transport to Newfoundland. The ten cents postage is prepaid by the 10¢ Type V of 1857 [issued 1859]. (Skinner Collection)

adopted in *United States Cancellations, 1845-1869*. We did not want to rename the well-established category "Patent Cancellations," nor did we want to mislead or confuse our readers. For lack of a better term, "Patent and Patent-like Cancellations" was selected as the label for Class VIII. In the introductory text, we explained that only "[s]ome of these were patented at the United States Patent Office" and that "[t]he arrangement used here is based upon that used by Fred R. Schmalzriedt, the pioneer student of patent cancellations." [Skinner-Eno, p. 16] Of course, *all* of the cancellations we listed in Class VIII cut or deface the paper of the stamps to which they were applied. Thus, the heading selected for Class VIII did **not** avoid "the question of deciding, for each item listed, whether examples exist on which the killer cut or otherwise mutilated the stamps [Graham, *Chronicle* 158, p. 107]."

The first and foremost student of "patent cancellations" was Fred R. Schmalzriedt of Detroit, Michigan, who began forming his collection before 1930. He diligently sought out and obtained many hundreds of stamps and covers which fit into this category, and thus was able to amass a comprehensive holding of material which remains today the best collection of its type ever assembled. In 1931-33, he wrote a series of articles [published in the *Collectors Club Philatelist*, Vol. 10, pp. 33-50 (Jan. 1931), 121-35 (April 1931); Vol. 11, pp. 15-19 (Jan. 1932) and 91-92 (April 1933)] in which he listed and illustrated what he termed "patent cancellations." These notes were later revised and published as Article 13 of Delf Norona's *Cyclopedia of United States Postmarks and Postal History* (1933; reprinted 1975 by Quarterman). In the revision, the cancellations were organized, types were designated and numbers were assigned.

Some time later, E.N. "Nort" Sampson acquired the Schmalzriedt collection intact and continued to add material and identify new types and attributions to towns of use. In 1976, this collection was purchased by its present owner, who merged the Schmalzriedt/Sampson collection with his own and continued the study of "patent and patent-like cancellations." Today, this five-volume collection still contains all of Schmalzriedt's original material together with the considerable additions which have accrued over a period of more than sixty years. Nearly all of the known types are confirmed by covers. All issues from the 1847s through the Bank Notes are included. Obviously, all of the very early material (late 1840s, early 1850s) designated as examples of "patent cancellations" by Schmalzriedt was not in fact struck from devices patented at the U.S. Patent Office; in every case, however, the blades or needles deeply indent or cut the paper. Quite naturally, much of the most interesting material comprising "patent cancellations" is from the 1860s (see listings in Skinner-Eno, pp. 249-59).

In *Chronicle* 157 (Figures 7 and 8, pp. 40-41), Graham illustrates a cover front canceled at New York on 15 OCT 1862 with a "patent" killer described as having 12 cutter blades. Further, he quotes Schmalzriedt (in Norona, Article 13, p. 9) as reporting "examples with 9, 10 or 12 blades"; this is incorrect. In 1933, Schmalzriedt reported three examples with 13, 9 or 10 blades [see Skinner-Eno: PN-A 1 (13), PN-A 2 (9); PN-A 3 (10)]. Subsequently, examples with 8 and 7 blades were identified [S-E: PN-A 4 (8) and PN-A 5 (7)]. Covers confirming all five types are in either the Schmalzriedt/Sampson or the Skinner collection; all were used in October or November 1862 at New York City; all penetrate and cut the paper of the stamps. The cover front illustrated by Graham is PN-A 1 and would show 13 cutter blades if fully and squarely struck (see Figure 11). No 12-blade type is known from New York City. The cover shown at the top of Graham's Figure 9 and on Figure 10 (p. 41) is another example of PN-A 1 (13 blades) which is incomplete because of not having been squarely struck. The other cover in Graham's Figure 9 appears to be PN-A 2.

Extensive tests of duplex handstamps with cutting and piercing obliterators attached to the double circle town marking were conducted at the New York City post office in the

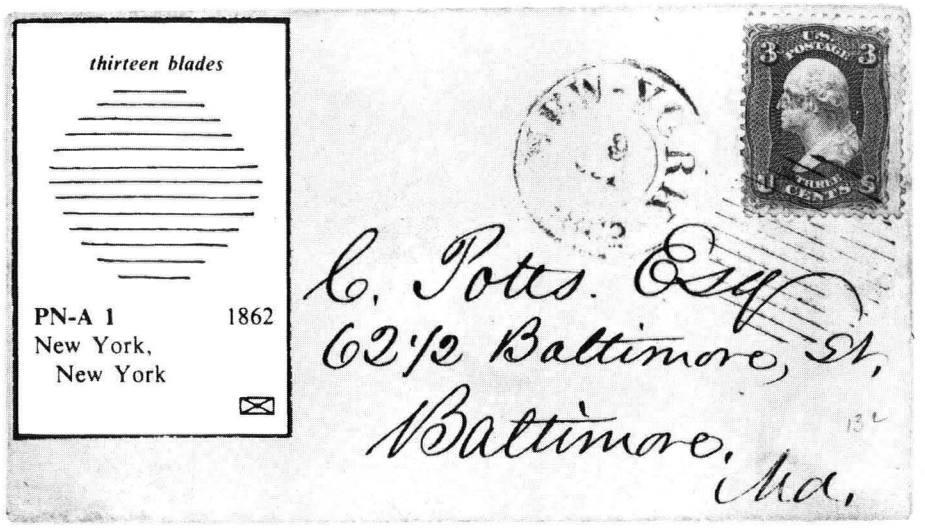

Figure 11. A cover from New York City to Baltimore, Md., cancelled in October 1862 by the NYC "Patent Cancellation" with thirteen cutter blades [S-E: PN-A 1], which clearly cut the paper of the 3¢ postage stamp from the 1861 issue. (Skinner Collection)

last three months of 1862. In addition to the five types with cutter blades listed above, PN-B 4 with at least 43 blunt needles arranged in a gridiron (see Figure 12) was used on October 25, and PN-D 4 with more than 90 paired needles arranged in a circular pattern was used October 21-23, 1862. Numerous other penetrating killers are recorded from New York City in 1862; most of these were existing cork cancels with single piercing needles inserted within the design (see Skinner-Eno, p. 256, PN-G 13 and PN-G 6-8). This experimental period is described—complete with references to the Norton duplex design—in a

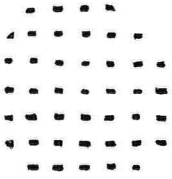

Figure 12. Another type of "Patent Cancellation" tested at NYC in October 1862 [S-E: PN-B4]. The needles in this marking deeply cut into the stamp paper.

letter from Abram Wakeman, postmaster at New York, to Third Assistant Postmaster General A.N. Zevely at Washington, dated January 3, 1863. This letter describes the damage caused by the cutter blades to the contents of the envelopes, and advises that a stamp with an obliterator made of boxwood "promises well and can be made at a very trifling expense." However, he expresses concern over "its liability to yield to the wear" which may "prevent its general adoption." This letter was published in 1865 [H.R. Exec. Doc. No. 27, 38th Congress, 2nd Session, p. 4, 5] and was photo-reproduced by Graham in 1993 in *Chronicle* 157, p. 39. Further experiments with duplex postmarks set with cutting or defacing killers were conducted at New York City in 1863, 1866-68 and in the early 1870s (documented in the Skinner collection).

In *Chronicle* 158, pp. 105-06, Graham discusses the use of duplex "patent cancellation" devices at Philadelphia which are similar to those used in New York City (see Figure 13). In Graham's Figure 13 (p. 105), he illustrates two covers with round bar grid killers [not "round cutter bars"]. The upper cover is equivocal. It is not a duplex device and the bars clearly do not cut the stamp even though this killer does resemble the one which did cut the stamps early in its usage. The lower cover does bear this latter duplex device, but it was applied rather late in the year, long after the cutter bars had become dull and no longer cut into the stamp paper. There are 12 cutter blades in this killer when fully struck (not 11 as Graham indicated). On page 106, Graham quotes Edward T. Harvey and misquotes Tom Clarke (*A Catalog of Philadelphia Postmarks*, Part I, p. 22) to support an erroneous theory that the Philadelphia round killer did not cut the stamps. Clarke's Type 104a is listed as a "12-line 'true experimental'" [not 11-line] used in early 1863; his "true experimental" designation would appear to be an acceptance that the bars cut the paper. Graham then quotes Schmalzriedt's discussion of Type A-6 (from Norona, Article 13, p. 9) as: "Unquestionably attached. Earlier copies cut into stamps [*sic*], but later specimens appear as ordinary cancels due probably to dulling or wearing." The quotation is essentially accurate, although it omits the dates Schmalzriedt provided ("Mar. 12-May, 1863"). However, this seemingly clear and authoritative statement appears to be unconvincing to Graham. Also, he discounted the unequivocal listing [PN-A 6] for this device in Skinner-Eno, as he had misinterpreted the section heading (as discussed above). Although he quoted extensively from J. David Baker (*Bakers' U.S. Classics*, 1985, pp. 257-59), he omitted Baker's clearcut statement that: "Philadelphia, Pennsylvania, used a knife cancelling device consisting of twelve blades, arranged in circular form, and attached to the town canceller [*sic*]. The earliest recorded use is March 21, 1863, and only uses during March, April and the early part of May of 1863 seem to have been cut by the blades. They were never as sharp as those used in New York City."

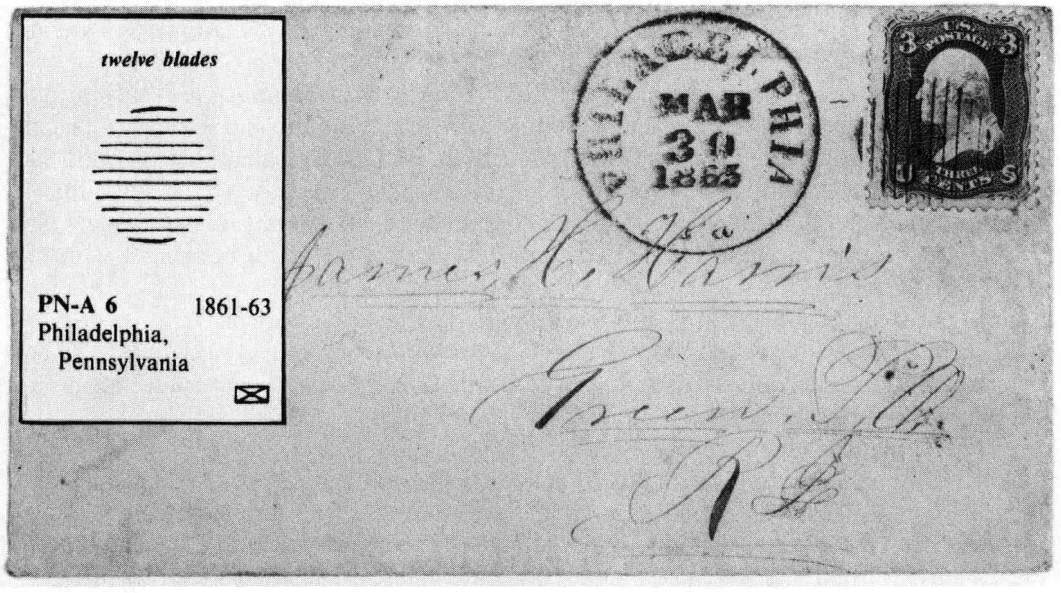

Figure 13. An early usage of the Philadelphia "Patent Cancellation" with twelve cutter blades [S-E: PN-A 6]. The blades cut the paper of the postage stamps during the months of March, April and early May 1861; later usages do not cut as the blades had become dull. Thus, PH-A 6 clearly is a true cutter cancellation. (Skinner Collection)

This writer believes the evidence that the Philadelphia 12-bar duplex device actually cut the stamp early in its use period to be overwhelming. There are several examples on cover in the Schmalzriedt/Sampson collection and in the Skinner collection which show PN-A 6 cutting the paper of the stamps. Each has 12 cutting blades and these covers are dated during March and April 1863.

On page 106 of his *Chronicle* 158 article, Graham reproduces illustrations of six stamps from *Bakers' U.S. Classics* (pp. 257-59) which he identifies by the letters A through F, and states: "It would appear that these identifications need confirmation, not only as to town of use in some cases, but as to whether they are really patent killers in the sense that they cut into the stamps." This writer can assure our readers that each of these six killers did in fact cut into the stamps when struck. Confirming examples for all six can be examined in the Schmalzriedt/Sampson collection and the Skinner collection. Five of the six are listed in Skinner-Eno, and a marking similar to the sixth is listed there also. The identifications follow:

A—New York City [S-E: PN-A 5]. Baker was in error; this killer is not from Philadelphia.

B—Philadelphia [S-E: PN-A 6]. This is the 12-bar duplex discussed above. Correctly identified by Baker.

C—Town not confirmed [S-E: PH-H 19]. Baker states Charleston, S.C.; unlikely, since Charleston was in the South and this stamp could not have been used there until after the war (as correctly stated by Graham in *Chronicle* 158, p. 107).

D—Albany, New York [compare with S-E: PN-F 22]. This is similar to the Buffalo killer, but is from Albany (confirmed on cover). Also confirmed by cover shown in Graham's Figure 17 (*Chronicle* 158, p. 110).

E—Albany, New York [S-E: PN-F 19]. Confirmed by several covers; correctly identified by Baker.

F—Fall River, Massachusetts [S-E: PN-B 2]. Correctly identified by Baker. Confirmed on cover.

Apparently Graham failed to find his "C" and "F" items in Skinner-Eno (see *Chronicle* 158, p. 107); however, both are listed therein as patent devices. The towns of use are confirmed by covers with exception of Graham's Type "C."

Graham seems to have considerable difficulty with Schmalzriedt's findings. Schmalzriedt stated [Norona, pp. 2 and 20] that the Albany, Buffalo and Rochester cancelers probably were covered by the Norton Patent No. 37,175. Graham noted [p. 107] that Patent No. 37,175 could be confused with Patent No. 38,175 because of the similarity of the numbers. Agreed. Schmalzriedt had quoted from Norton's specifications for Patent No. 37,175 describing "circular knives or cutters," which Schmalzriedt compared with the small cutting circles at the center of the killers used at the three named cities. Although Schmalzriedt slightly edited and shortened the quoted text, comparison with the original published patent specifications shows the quotation to be substantively accurate. The accompanying published illustrations for Norton's handstamp design for which Patent No. 37,175 was issued clearly show "circular knives or cutters" as described in the accompanying specifications (see Figure 14, below). Two circular cutter blades are labeled "e" and "o" in Norton's Fig. 2; in his Fig. 3, a frontal view, the two cutter blades are darkened and form the outer and inner rings of a quartered target design, with three non-cutting inked rings between the cutters. The inner circular cutter is nearly identical to the cutter ring in the Albany, Buffalo and Rochester handstamps to which Schmalzriedt referred, differing only in being entire rather than quartered as in the patent specifications. The drawings for Patent No. 38,175 (see Graham, *Chronicle* 157, p. 43) *do not* resemble the patent cancelling devices from these three cities. The comparison made 60 years ago by Schmalzriedt appears to be correct.

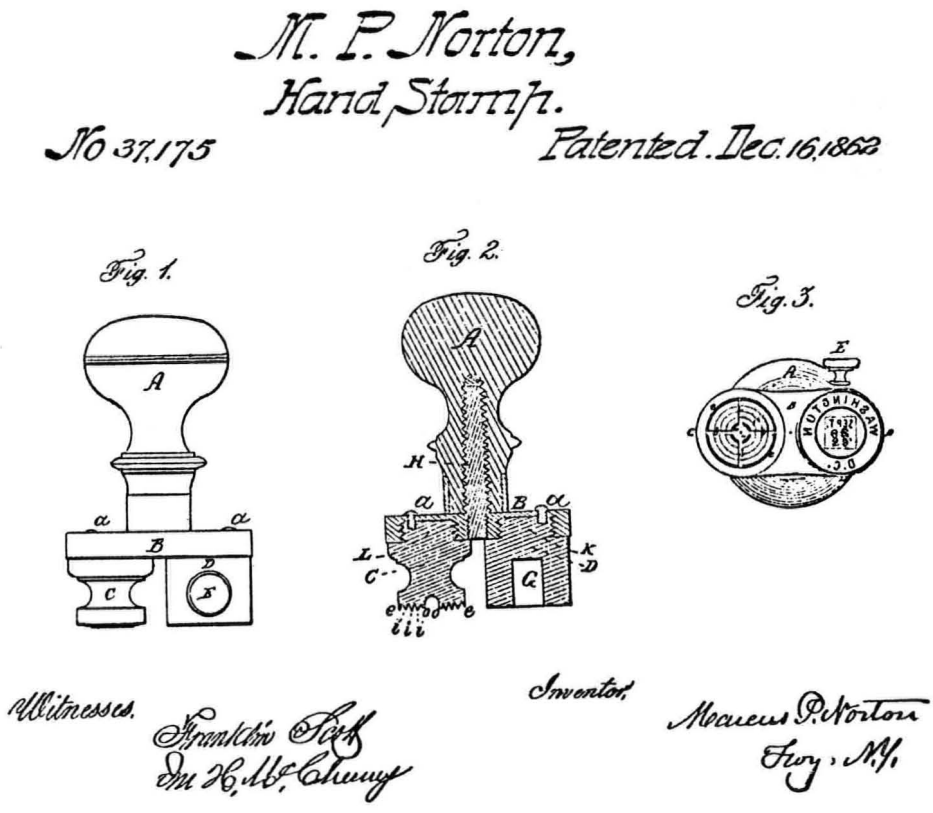

Figure 14. The drawings from Norton's patent specifications for Patent No. 37,175. Note the circular cutter blade at center which is quartered but otherwise closely resembles the cutting circles in the "Patent Cancellations" from Albany, Buffalo and Rochester, N.Y.

Graham (*Chronicle* 159, p. 107) states:

> The two markings shown as "D" and "E" were subject to some confusion in the Schmalzriedt article, which may have carried over to the Baker columns. Schmalzriedt suggested that the cancels with the cut round circles in the center came from devices made under Norton's Patent No. 37,175. This statement, made on page 2 of the introduction to his article of 1933, seems quite misleading when considered in terms of the illustrations of the devices as included in both Patents Nos. 37,175 (dated December 16, 1862) and 38,175 (dated April 14, 1863), the latter being an amended reissuance of the first. . . . The drawing shown in Figure 12, *Chronicle* 157:43 (February 1993), has no cutter of a shape that would have produced the type of 1/4 diameter cut circle as have the Buffalo, Albany, Rochester and other markings of the same type.

This writer finds not Schmalzriedt but rather Graham confused. The patent cancellations from Albany, Buffalo and Rochester were placed in use before Patent No. 38,175 was issued; thus, only Patent No. 37,175 could possibly be the one involved. The drawing in Graham's Fig. 12 is from Patent No. 38,175, which is the wrong one to match to the specifications from Patent No. 37,175. Further, the long discussion on Patent No. 49,432, issued in August 1865, has no relevance to the cancellations used in 1862 and early 1863.

This writer agrees with the spirit of the last two paragraphs in Graham's article in *Chronicle* 158. However, it would seem that most of what is asked for in these two paragraphs has already been done. The basic research has been accomplished, a large collection of covers has been assembled, and the category of "Patent Cancels" or "Patent and Patent-Like Cancellations" [whichever term you prefer] has in fact been restricted to killers which cut, pierce, scrape or otherwise deface the paper of the stamps to which these devices are applied. One task remains—to compile all that has been learned into a comprehensive book on this fascinating subject.

In *Chronicle* 160 (pp. 243-53), Graham ably and at length reviewed the history of the efforts by Norton and his assignees to collect compensation from the Post Office Department for "use" of his invention. Some of the human interest, the personal opinions and the emotional effects of the long-term disputes are included, but the article appears to imply that the disputes and litigations ceased in 1881 with the decision against Norton *et al.* in *James vs. Campbell* when the United States Supreme Court overturned the "victory" for Norton's assignees in the prior Circuit Court case, *Campbell vs. James*. In fact, efforts by Norton, his assignees and their heirs to gain compensation continued for more than another century—primarily through petitions to Congress for payment by means of a special Act of Congress—and such notable individuals as President Franklin D. Roosevelt and Robert F. Kennedy became players in the Norton saga. The major steps in the Norton story from 1859-1982 are summarized in a chronological list (Appendix B).

ACKNOWLEDGMENTS

The works of previous writers on this and related subjects must be recognized, including articles by Alexander, the brothers Baker, Graham, Mandel and others. However, no one has contributed more to the knowledge and understanding of patents and patent cancellations than Fred R. Schmalzriedt, who broke new ground in an area previously uncharted yet produced a definitive classification which was thoroughly documented by a comprehensive collection. That collection remains intact as a monument to his awe-inspiring efforts. More recently, this writer has been assisted generously by W. Wilson Hulme, Van Koppersmith, Frank Mandel, William K. McDaniel, Gordon McHenry, Lowell S. Newman and Robert J. Payne. Their considerable contributions to my knowledge of patent devices are gratefully acknowledged.

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APPENDIX A

PARTIAL LIST OF PATENTS GRANTED TO OTHER INDIVIDUALS—1857-1877

No. 18249 - 22 September 1857, to T. J. W. Robertson.
A single handstamp: designed to produce a double circle postmark with rotatable wheels for setting the month and day at the center; no year date was indicated.

No. 23307 - 22 March 1859, to Ezra Miller, of Janesville, Wisconsin.
A double postmarking device: designed with a handle, resembling a hammer, with a townmark on one face and an obliterator on the other.

No. 38222 - 21 April 1863, to Samuel Ward Francis, of New York, New York.
A single obliterator: with a spring-operated rotating scarifier.

No. 40430 - 27 October 1863, to William Raynor, of Brooklyn, New York.
A single obliterator: mounted in a stationary frame, with male and female dies producing an embossed circular postmark with two lateral punches penetrating the paper of the stamp.

No. 45708 - 3 January 1865, to John W. Foster, of Washington, District of Columbia.
A single obliterator: a circular postmark with an integral annular cutter at center.

No. 50058 - 19 September 1865, to Charles S. Wells, of Chicopee, Massachusetts.
A single obliterator: with an improved spring-operated, rotating, circular cutter.

No. 89213 - 20 April 1869, to J. C. Gaston, of Cincinnati, Ohio.
A single obliterator: with a perforating blade and an adjustable ring to regulate the depth of the cut or perforations.

No. 133435 - 26 November 1872, to John Goldsborough, of Philadelphia, Pennsylvania.
A single obliterator: with vertical "rasp-like" serrated wheels placed such that they rotate and tear the stamp when the handle is depressed.

No. 165308 - 6 July 1875, to David M. Cooper, of Georgetown, District of Columbia.
A single obliterator: with an improvement in the tubular encasement of the rotating scarifier designed to prevent it from cutting into the letter and to protect the hand of the operator.

No. 175914 - 11 April 1876, to William H. Bowyer, of Philadelphia, Pennsylvania, assignor to John J. Ridgway, Jr.

A cancelling machine: with a treadle-activated revolving grinding-roller in connection to a spring-board with a rubber feed-roller placed below the grinder.

No. 176075 - 11 April 1876, to Joseph J. Scholfield, of Salt Lake City, Utah Territory.
A duplex handstamp: with a series of sharp pins arranged in concentric circles designed to scratch and cut the postage stamp upon contact.

No. 189000 - 27 March 1877, to John L. Wickers, of Chicago, Illinois.
A single handstamp: with a row of three circular cutters arranged between two linear canceling pads which are inked to obliterate the stamp.

No. 189009 - 3 April 1877, to George F. Almy, of Delphos, Ohio, assignor of one-half of his rights to H. M. Clark, of Toledo, Ohio.
An obliterator/handstamp device to which a postmark can be attached: with the scarifer wheels or discs set into what is termed a "scarifer-regulator" which can be adjusted for depth of penetration when rolled or oscillated against the stamp(s).

No. 194884 - 4 September 1877, to George F. Almy, of Delphos, Ohio, assignor to himself and H. M. Clark of Toledo, Ohio.
An obliterator/handstamp device to which a postmark can be attached: with an L-shaped swinging arm bearing cutter teeth operating from a shifting fulcrum and activated by a sliding plunger to cancel the stamp(s).

No. 195552 - 25 September 1877, to Walter D. Wesson, of Providence, Rhode Island.
An inked obliterator/handstamp which mutilates the stamp by tearing out a portion so "that it cannot be restored."

No. 196638 - 30 October 1877, to Anthony Daul, of Newark, New Jersey.
A duplex handstamp: with a central post in the obliterator designed to cause "radial ribs" [blades?] to rotate upon contact and tear or mutilate the stamp.

APPENDIX B

MARCUS P. NORTON AND HIS DUPLEX HANDSTAMPS

1857—22 Sept	T. J. W. Robertson obtains Patent No. 18249 for a handstamp/postmarking device with rotatable type cylinders to set month and day.
1859—Jan-Feb	M. P. Norton invents and produces new type of handstamp for Troy, N.Y. [his hometown], a duplex device with "blotter" [obliterator] attached to side of townmark and with rotatable date cylinders for setting month, day, and year in town circle.
1859—22 Mar	Ezra Miller, Janesville, Wisconsin, is granted Patent No. 23307 for a so-called hammer stamp with townmark on one end and obliterator on other end of hammer.
1859 —Mar-Apr	Norton's handstamp used on 3,000 letters at Troy, N.Y., post office (as stated in his letter to First Ass't PMG, 11 April 1859).
1859—3 May	Marcus P. Norton files his patent application with U.S. Patent Office.
1859—4 May	Horatio King, First Ass't PMG, authorizes experimental use of Norton's handstamped marking for three months (4 May until 4 August 1859).
1859—1-10 June	Model handstamp sent to U.S. Patent Office; model received by USPO on 14 June 1859.
1859 —August	Patent No. 25036 issued to Marcus P. Norton by U.S. Patent Office; claim for rotatable type cylinders not granted.
1859—c. August	Frederick G. Ransford, shoe manufacturer and realtor, Troy, N.Y., buys rights to Patent No. 25036 from Marcus P. Norton, an attorney in Ransford's real estate office.
1859—PL&R	Section 397, 1859 PL&R, reads "The use of the office dating or postmarking stamp as a cancelling instrument is prohibited, *unless it be used with black printers' ink and in such a manner as thoroughly to effect the object.*" [Bond, p. 60]
1860 —23 July	PMG Joseph Holt issues supplementary regulation which repeals above clause of Sec. 397 and prohibits use of town or rate marks to cancel (obliterate) stamps, stating that "a distinct *canceller* must be used".

1860—8 Aug	Gen. John A. Dix, NYC PM, orders his die maker to fashion a duplex handstamp device by attaching a die with grid pattern to side of town circle on their regular handstamp then in use; informs First Ass't PMG of this in letter of this date.
1860—10 Aug	Acting First Ass't PMG St. John B. L. Skinner advises Gen. Dix that concept of a duplex canceler had been patented by Norton and that NYPO duplex handstamp device apparently infringed on Norton's patent.
1860—21 Aug	Norton meets with Gen. Dix, agrees to allow NYPO to continue using their duplex cancelers until Ass't PMG can approve purchase of ten of Norton's handstamps. [At this time, Norton has his Troy CDS with him.]
1861—mid-Jan	Norton-manufactured handstamps introduced in domestic division of NYPO. Not all clerks have them; short trial period for these experimental handstamps ends in late March (recorded usage: 17 January to 28 March 1861).
1862—14 Jan	Improved Patent No. 34184 granted to Norton.
1862—mid-Oct	Production of experimental duplex handstamps equipped with sharp cutting blades or obliterators with needle-type punches, designed to physically damage paper of postage stamps without injury to envelope. Used on trial basis for three months at NYPO. (Believed that these tests were made with assistance and cooperation of Norton, who had patents pending with similar features.)
1862—16 Dec	Improved Patent No. 37175 awarded to Norton.
1863—3 Jan	Abram Wakeman, NYC PM, reports that experimental usage of Norton's cutters in combination handstamps was unsuccessful and recommends use of corks alone as "thorough and less likely to damage envelope and contents."
1863—March	P.O.Dept. officially adopts duplex handstamp as standard; begins awarding contracts to die makers and manufacturers to produce duplex handstamps for use by postmasters.
1863—April	Four-year contract was awarded to Fairbanks & Co., NYC, to manufacture 5,200 handstamps at $6.00 each; work subcontracted to Edmund Hoole (until late 1865).
1863—14 April	Further improved Patent No. 38175 awarded to Norton. Re-issued 23 August 1864; again re-issued 3 August 1869.
1863—	PMG Dennison urges that payment be made to patent owners and urges the owner to allow continued use of the duplex handstamps.
1864—9 Dec	Messrs. Shavor and Corse, assignees of Marcus P. Norton, formally request compensation from U.S. government for use of Norton's handstamp invention.
1865—20/27 Jan	H.R. Exec. Doc. No. 27 published: reviews and documents Shavor and Corse claims.
1865—late	Benjamin Chambers, Jr., Washington, D.C., takes over subcontract to manufacture handstamps.
1866—24 July	Report from Committee on Post Office and Post Roads, 39th Congress, citing a claim for $125,000 from the patentees.
1867—	Edmund Hoole, 167 William St., NYC, testifies that he [as subcontractor] made the first Norton type handstamps for Troy in 1859 and for NYC in 1860 [Bond, p.61; Graham, *Chronicle* 126, p. 110, and *Chronicle* 156, p. 264]. (It is known that Hoole was involved in manufacture of NYC handstamps between approximately 1838 and 1865.)
1867—	PMG Randall calls for immediate and complete payment to owners of the patents.
1868—Dec	*Shaver vs. U.S. Government.* Gov't claims that it had no contract and states that Ransford and Shaver heirs therefore should redirect their claim against manufacturers. Recovery of $250,000 sought.
1870—14 July	4lst Congress of United States approves the use of the handstamps.
1870—	Norton files elaborate application for compensation from POD for use of his invention.
1870—	Additional disputes arise regarding title to patent rights. Norton has 7 assignees at this time.
1871—25 Feb	Value of U.S. Government savings in manpower is assessed: amount of $500,000 for immediate payment considered very nominal.

1871—	Decision rendered by Circuit Count, Northern District of New York, Judges Wall and Nelson presiding: in favor of the Letter Patent dated August 23, 1863, recognizing Marcus P. Norton as first inventor of that patent.
1872—15 May	Committee on Post Office and Post Roads, 42d Congress, recommends referral of matter to U.S. Court of Claims.
1879-—4 Aug	*Christopher C. Campbell* [assignee] *vs. Thomas L. James* [NYC PM], Case 2361, Circuit Court, Southern District of New York [or, Vermont (?), see Graham]; decides against James. At issue, the infringement of patents of 1869 and the assignees; a long and tiring legal disputation; several such disputes continued.
1880—	*Secombe vs. Campbell.*
1881—January	*James vs. Campbell*, U.S. Supreme Court reverses previous decision of Circuit Court.
1882—26 May	*Campbell vs. Ward.*
1887—1 August	Frederick Ransford dies in his 73rd year.
1890—	Marcus P. Norton dies.
1894—	PMG Bissell asks that assignees be paid. Mrs. Frederick G. Ransford declines $50,000. (Somewhat later, reported that Charity Ann Bansford was offered $250,000; this may have been from a private source offering to buy her "rights" to letters patent.)
1905—	Charity Ann Ransford is offered $2,200,000 [dies before she has chance to respond].
1906—23 Feb	Charity Ann Ransford dies at 11:10 a.m. in her 93rd year, at 511 Grand Street, Troy, N.Y.
1911—Nov	Charles Lewis retained to represent rightful heirs of Charity Ann Ransford; all parties agree to their apportioned shares, as represented in document retaining the attorney.
1915—	Senator Robert Wagner and George C. Lewis, attorney, met with Senate Postal Committee.
1921—	Ransford heirs press non-payment of claim; informed Act of Congress required.
1929—Oct	Charity Ann Ransford heirs agree to appoint Manufacturer's National Bank of Troy [now Marine Midland Bank] as administrator of estate.
1929—	G. Branald Mosley (1878-1946), Boston attorney, selected to handle the case for the family. After a hard and bitter battle, on 10 January 1935, House passes bill and forwards to Senate. After five terms in Post Offices and Post Roads Committee . . . [*see 1940*]
1940—	the Bill (S755) comes out of Committee and is in "stack" to be voted on when Mr. Lawrence Cook, Troy, N.Y., receives letter from President Franklin D. Roosevelt asking that the claim be set aside in response to War Effort.
1945—	War ends; the one surviving sister and one brother for several reasons unable to pursue their claim.
1962—	Senator Robert F. Kennedy reviews case and states "an atrocity had been committed against this family by the United States Government's failure to pay this rightful claim."
1965—	A widow, a granddaughter and a grandson of original heirs meet with an attorney to review the history of case in a revived attempt to pursue the matter.
1976—August	Bansford-Roberts-Cook Family Reunion held in Valley Falls, N.Y.; Attorney C. Fred Schwarz, Troy, N.Y., retained as family attorney to pursue matter for the [now 66] legal heirs.
1981—5 Oct	Samuel J. Dinkel, Jr., Mansfield, Ohio [whose wife is the daughter of Lawrence Cook], writes to Ohio Senator Howard M. Metzenbaum requesting assistance.
1981—15 Dec	Senator Metzenbaum makes inquiry to U.S. Postal Service asking why legislation is needed to resolve claims.
1982—27 Jan	USPS replies that they believe Congressional action necessary. □