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BLATCHFORD, SEWARD & GRISWOLD.

Records, 1841 - 1910.

Manuscript Collection - MC 4

6 record cartons, 1 oversized box, 3 oversized folders
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PROVENANCE NOTE

The collection was given to the MIT Libraries in May 1954 and March 1955 by the New York City law firm Cravath, Swaine & Moore. For more details see Robert T. Swaine, *The Cravath Firm*, vol. 1 (New York: Ad Press, Ltd., 1946).

SCOPE AND CONTENT NOTE

The Blatchford, Seward & Griswold Papers consist of six linear feet of material pertaining to thirty-four inventions. The collection contains materials dating from 1841 to 1910 and includes handwritten copies of patent applications and letters patent, correspondence, notes, newspaper clippings, drawings, printed court records, court notices, bills of complaint, briefs, witness lists, depositions, subpoenas, affidavits, transcripts of testimony, and patent assignments. Most of the cases were heard in the U.S. Circuit Courts, in a New England, New York, or New Jersey district. A few were heard in State Supreme Courts.

Several of the most significant disputes are worth highlighting. For example, Samuel Blatchford represented Samuel F. B. Morse in a series of infringement suits in the 1840s and 1850s. These suits were brought by Morse against men constructing telegraph lines without proper license. The collection contains correspondence and copies of court records (folders 2-14) on these cases.

During the 1850s the firm was hired to represent Ross Winans, a Baltimore inventor of railroad car chassis. Winans became embroiled in several infringement suits, only one of which, *Winans vs. Danforth*, is represented in the collection (folders 168-174).

The letters patent issued to Charles Goodyear on June 15, 1844, for his rubber manufacture process signaled the beginning of twenty-two years of legal maneuvering for BS&G. Suit followed by countersuit produced nearly two dozen cases, seventeen of which are documented in the collection. In most of the suits, the firm represented Goodyear's main antagonist, Horace H. Day. In 1858, however, the firm was hired by Goodyear as chief counsel in the application for extension of the 1844 patent. A seven-year extension was granted on June 15, 1858. At the same time as the extension proceeding, the firm argued on behalf of the Congress Rubber Company, owned by Day, against several companies licensed to use Goodyear's vulcanization process.

Blatchford, Seward & Griswold continued to represent Day during the late 1850s, but in 1864 Seward argued on behalf of Goodyear's heirs against Day. The amount of material in the collection on the rubber patent cases (folders 24-140) reflects both the intricacy of the Goodyear-Day conflict and the extent of the firm's involvement in the litigation.*

* See Swaine, pp.157 - 160.

A series of infringement suits concerning Elias Howe's sewing machine patent presented another challenge for the firm between 1854 and 1863. The firm helped Howe obtain an extension for that patent from the U.S. Patent Office. The material on the sewing machine (folders 153-167) includes transcripts of testimony from workers in Boston and New York City. The testimony was taken to illustrate changes in work conditions brought by the introduction of the sewing machine. The transcripts provide a glimpse into the lives of working men and women. Many of the witnesses were in the clothing trade, including factory owners and seamstresses. (See Appendix on page 12 for a list of the witnesses and their occupations.)

Several decades later Seward was counsel for the Gramme Electrical Company (folders 244-256). This case is unique in the collection because it concerns the introduction of a foreign patent into the U.S. market.

The William Webster carpet loom patent (folders 185-200), Samuel W. Tyler mowing machine (folders 202-229), and Clinton G. Colgate telegraph cable patent (folders 230-242) were each the subject of infringement suits during the 1870s and are represented by briefs, correspondence, and printed court records.

The collection contains material on fifteen other patent cases between 1880 and 1910, but none is documented as thoroughly as the cases mentioned above.

RELATED MATERIAL

The MIT Libraries have six volumes of the nineteenth century patent case court records, printed by the United States Circuit Court, District of New Jersey. These records include judge's charges to the jury, opinions and decisions; lawyer's briefs; court notices and testimony. Four of the volumes pertain to the litigation between Goodyear and Day, a fifth to the telegraph suit, Morse vs. O'Reilly, and the sixth to miscellaneous patent cases including several of the sewing machine suits. The volumes are in the Legacy Book Collection in the Institute Archives and Special Collections:

Goodyear, Charles, 1800-1860. [Depositions in the case of Charles Goodyear vs. Horace H. Day. Volume 2.]. [United States : 1852?]
TS1891.G664 1852

Goodyear, Charles, 1800-1860. Horace H. Day ads. Charles Goodyear : depositions (counsel and clerk's copies), taken under the rule of the court, made at Trenton, October 1, 1851. [United States : 1852?] 4 vols. in 2.
TS1891.G66 1852

Collection of materials concerning 19th century patents and patent challenges in U.S. courts. 1852-1859.
KF125.C86.C65 1852

ARRANGEMENT

The patent cases in the Blatchford, Seward & Griswold collection have been arranged chronologically. The date of the earliest document was used to determine the order of the patents. Within each patent the material was also arranged chronologically. Undated documents were placed first in the sequence. Blatchford, Seward & Griswold material that could not be identified with a particular patent was placed at the end of the collection. Some of the documents are copies of documentary evidence used by the firm during patent litigation. The date when the copy was made was used to place the item in order instead of the date of the original item.

The amount of material available for a patent varies from one folder to 117 folders. The types of documents pertaining to a particular patent also vary widely, although most are represented by copies of letters patent, lawyers' correspondence, and briefs.

The Goodyear rubber manufacturing patent material was divided into nineteen separate categories, each placed in order by date of earliest document. The first group contains documents that could not be identified with a particular suit, the second contains material on the patent extension case, and the remainder document seventeen separate suits in which Blatchford, Seward & Griswold served as counsel.

Under each patent in the Folder List there is a list of lawsuits, individuals, and companies represented in some way in the documents for that particular patent, either in correspondence or as the subject of a complaint, a witness from whom testimony was taken, or the recipient of a patent assignment. For example, material on a telephone patent (folder 273) concerns the assignment of a patent of Thomas A. Edison, but there are not documents in his hand in the collection.

Box	Folder	Contents	(O) = Oversized
7	1 (O)	Starch Manufacture Patent 1841: Orlando Jones	
1	2 - 14	Telegraph Patent 1844 - 57: Samuel Finley Breese Morse vs. Henry O'Reilly	
1	2 - 14	Telegraph Patent 1844 - 57: Francis Ormond Jonathan Smith vs. Henry R. Selden	
1	2 - 14	Telegraph Patent 1844 - 57. Other parties represented: Amos Kendall; Leonard D. Gale; Atlantic, Lake & Mississippi Telegraph Company; Magnetic Telegraph Company; Oregon & California Telegraph Company; Erie & Michigan Telegraph Company	
1	15 - 23	Gutta Percha Patent 1844 - 1860: Conrad Poppenhausen vs. Richard McMullen and John Dixon	
1	15 - 23	Gutta Percha Patent 1844 - 1860: Conrad Poppenhausen vs. New York Gutta Percha Comb Company	
1	15 - 23	Gutta Percha Patent 1844 - 1860. Other parties represented: Thomas Hancock, L. Otto P. Meyer, Nelson Goodyear	
1	24 - 42	Rubber Patent 1846 - 1866: Miscellaneous (1846 - 1865)	
1	43 - 52	Rubber Patent 1846 - 1866: Charles Goodyear patent extension (1849 - 1858)	
2	53	Rubber Patent 1846 - 1866: Charles Goodyear patent extension (1849 - 1858)	
2	54 - 56	Rubber Patent 1846 - 1866: Horace H. Day vs. New England Car Spring Company (1853 - 1855)	
2	57	Rubber Patent 1846 - 1866: Goodyear and Judson vs. Union India Rubber Company (1857)	
2	58 - 61	Rubber Patent 1846 - 1866: Congress Rubber Company vs. Edwin A. Brooks (1857 - 1959)	
2	62 - 70	Rubber Patent 1846 - 1866: Congress Rubber Company vs. Charles and William Hodges (1857 - 1860)	
2	71 - 75	Rubber Patent 1846 - 1866: Congress Rubber Company vs. James Grover and William Musgrave (1857 - 1859)	

Box	Folder	Contents	(O) = Oversized
2	76 - 85	Rubber Patent 1846 - 1866: Lockington L. Bunn vs. Charles Goodyear (1857 - 1867)	
2	86 - 88	Rubber Patent 1846 - 1866: Goodyear vs. Davies, et al. (1858 - 1860)	
2	89	Rubber Patent 1846 - 1866: Horace H. Day vs. Cary, Howard, and Sanger (1859)	
2	90 - 91	Rubber Patent 1846 - 1866: Goodyear vs. Fredrick T. Peet and John P. Wakeman (1859)	
2	92 - 98	Rubber Patent 1846 - 1866: Naugatuck India Rubber Company vs. Goodyear, Judson, and Day (1859)	
2	99 - 102	Rubber Patent 1846 - 1866: Charles Rice vs. Horace H. Day, et al. (1859 - 1860)	
2	103	Rubber Patent 1846 - 1866: Henry B. Goodyear vs. Eureka Gutta Percha Manufacturing Company (1859)	
2	104 - 105	Rubber Patent 1846 - 1866: Horace H. Day and Alexander Hay vs. William Judson (1859)	
2	106 - 107	Rubber Patent 1846 - 1866: Horace H. Day vs. Union India Rubber Company (1859 - 1860)	
3	108	Rubber Patent 1846 - 1866: Charles Goodyear vs. Horace H. Day (1860)	
3	109 - 139	Rubber Patent 1846 - 1866: George B. Dixwell vs. Charles Goodyear, Jr. and James A. Dorr (1860 - 1866)	
3	140	Rubber Patent 1846 - 1866: Cornelius V. R. Goodyear vs. Henry Evans, James W. Dunlop, and James Freeland (1860)	
3	141 - 152	Carpet Loom Patent 1849 - 1860: Erastus Brigham Bigelow vs. Josiah Barbour and Edward Barbour	
3	141 - 152	Carpet Loom Patent 1849 - 1860. Other parties represented: Henry Graham Thompson, Alexander Calderhead, Peter H. Watson, Charles M. Keller, Avery Babbett	
3	153 - 155	Sewing Machine Patent 1854 - 1863: Elias Howe, Jr., patent extension	

Box	Folder	Contents	(O) = Oversized
3	156 (O)	Sewing Machine Patent 1854 - 1863: Elias Howe, Jr., vs. George B. Sloat	
3	157 - 167	Sewing Machine Patent 1854 - 1863: Elias Howe, Jr., vs. New York Sewing Machine Company	
3	157 - 167	Sewing Machine Patent 1854 - 1863: Reuben G. Fairbanks vs. Edward Learned and Courtlandt P. Dixon	
3	157 - 167	Sewing Machine Patent 1854 - 1863: Orlando B. Potter and Nathaniel Wheeler vs. James G. Wilson and Alexander Charles Stockman	
3	157 - 167	Sewing Machine Patent 1854 - 1863: Grover & Baker Sewing Machine Company vs. National Sewing Machine Company	
3	157 - 167	Sewing Machine Patent 1854 - 1863: Isaac M. Singer and Edward Clark vs. Alexander Charles Stockman and James G. Wilson	
3	157 - 167	Sewing Machine Patent 1854 - 1863: James H. Whitney and Prosper P. Shaw vs. Elias Howe, Jr., Orlando B. Potter, Nathaniel Wheeler, The Wheeler and Wilson Manufacturing Company, and The Grover and Baker Sewing Machine Company	
4	168 - 170	Locomotive Steam Engine Patent 1854 - 1860	
4	171 (O)	Locomotive Steam Engine Patent 1854 - 1860: Ross Winans vs. Charles Danforth	
4	172 - 174	Locomotive Steam Engine Patent 1854 - 1860. Other parties represented: George W. Whistler, Charles M. Keller, Thomas Winans	
4	175	Revolver Patent 1856 - 1857	
4	175	Revolver Patent 1856 - 1857. Other parties represented: James Kerr, Roswell I. Ripley, Wells Laflin, Matthew D. Field, Robert Adams, Fredrick B. E. Beaumont, Adams Revolving Arms Company	
4	176 - 178	Planing Machine Patent 1856 - 1857: John Gibson vs. William L. Gibson	

Box	Folder	Contents	(O) = Oversized
4	176 - 178	Planing Machine Patent 1856 - 1857. Other party represented: William W. Woodworth	
4	179	Coal Mining Patent 1857: Joseph Battin	
4	180	Bolt Manufacture Patent 1856: William J. Lewis	
7	181 (O)	Ice Skate Improvement Patent 1868 - 1870	
4	182 - 183	Ice Skate Improvement Patent 1868 - 1870: David D. Elston et al. vs. Phineas Smith, and Excelsior Manufacturing Company vs. Phineas Smith	
4	182 - 183	Ice Skate Improvement Patent 1868 - 1870. Other parties represented: David D. Elston, John Wood, William A. Sutton, W. B. Sniffen, Herbert Redfern, William H. Walton, Joseph J. Walton	
4	184	Muff Manufacture Patent 1870-1871: Moritz Mahler vs. Lewis J. Phillips	
4	185	Muff Manufacture Patent 1870-1871, Other party represented: Raphael M. Seldis	
4	185 - 188	Carpet Loom Improvement Patent 1872 - 1879	
7	189 (O)	Carpet Loom Improvement Patent 1872 - 1879: William Webster, et al. vs. Charles W. Gilbert, et al.	
4	190 - 200	Carpet Loom Improvement Patent 1872 - 1879: William Webster, et al. vs. New Brunswick Carpet Company	
4	190 - 200	Carpet Loom Improvement Patent 1872 - 1879: Webster Loom Company vs. Elias S. Higgins and Nathaniel D. Higgins	
4	190 - 200	Carpet Loom Improvement Patent 1872 - 1879: Webster Loom Company vs. Mystic Print Works and John Cochrane, Jr.	
4	190 - 200	Carpet Loom Improvement Patent 1872 - 1879. Other parties represented: Cornelius M. Meserole, William G. Smith, James Wood, Thomas A. Campbell, Ezekial K. Davis, George Gifford	
4	201	Oleomargarine Patent 1873 - 1875: R. Ogden Dormus, Hippolyte Mége, A. B. Stoughton	
7	202 (O)	Mowing Machine Patent 1874 - 1883	

Box	Folder	Contents	(O) = Oversized
4	203 - 209	Mowing Machine Patent 1874 - 1883: Samuel W. Tyler, et al. vs. Nathaniel J. Crane	
7	210 (O)	Mowing Machine Patent 1874 - 1883: Samuel W. Tyler, et al. vs. Nathaniel J. Crane	
4	211 - 213	Mowing Machine Patent 1874 - 1883: Samuel W. Tyler, et al. vs. Nathaniel J. Crane	
5	214 - 229	Mowing Machine Patent 1874 - 1883: Samuel W. Tyler, et al. vs. Nathaniel J. Crane	
5	230 - 242	Telegraph Cable Patent 1875 - 1883: The United States vs. Clinton G. Colgate	
5	230 - 242	Telegraph Cable Patent 1875 - 1883: Clinton G. Colgate vs. The Gold and Stock Telegraph Company	
5	230 - 242	Telegraph Cable Patent 1875 - 1883: Clinton G. Colgate vs. The Western Union Telegraph Company	
5	230 - 242	Telegraph Cable Patent 1875 - 1883: Clinton G. Colgate vs. The Atlantic and Pacific Telegraph Company	
5	230 - 242	Telegraph Cable Patent 1875 - 1883: Clinton G. Colgate vs. The Compagnie Française du Télégraphe de Paris à New York, and George G. Ward	
5	230 - 242	Telegraph Cable Patent 1875 - 1883. Other parties represented: George B. Simpson, George M. Mowbray, C. Wyllys Betts, Frederic H. Betts	
5	243	Rust Prevention Patent 1877: Roy Cartwright	
5	244 - 256	Electrical Machine Patent 1879 - 1882: Zénobe-Theophile Gramme, Antonio Pacinotti, George M. Mowbray, Hippolyte Fontaine, George F. Barker, Fuller Electrical Company, Hiram B. Crosby, S. J. Gordon, Gramme Electrical Company, Rowland R. Hazard, Charles Sigismund, Richard Werdermann	
6	257 - 261	Illuminating Gas Patent 1881 - 1884: Asa W. Wilkinson and Edward S. T. Kennedy vs. The Municipal Gas Light Company of New York	

Box	Folder	Contents	(O) = Oversized
6	262 - 266	Salt Well - Pump Improvement Patent 1884-1887: John Peters vs. John Seely vs. George H. Smith	
6	276 - 272	Steam Boiler Patent 1886 - 1890: John P. Kennedy vs. Milton W. Hazelton	
6	276 - 272	Steam Boiler Patent 1886 - 1890. Other parties represented: Edward S. T. Kennedy, The Hazelton Boiler Company	
6	273	Telephone Patent 1887 - 1888: Thomas Alva Edison, Edward Waters	
6	274	Petroleum Engine Patent 1888-1890	
7	275 (O)	Petroleum Engine Patent 1888-1890: J. Priestman	
6	276	Gunpowder Patent 1889 - 1890: Maxim Nordenfelt Guns and Ammunition Company, George M. Mowbray, Edward D. Adams	
6	277	Typesetting Patent 1890 - 1891: Henry Lee, George C. Lee, Henry L. Higginson, L. Higginson, Charles Fairchild, and James Jackson vs. Marshall H. Mallory, George S. Mallory, and James W. Paige	
7	278 (O)	Railroad Car Patent 1891: Robert Manly Cushman, James Thorn Goodfellow, Iron Car Equipment Company	
6	279 - 281	Electric Railway Patent 1896 - 1897: Thomson - Houston Electric Company vs. Walker Company	
6	279 - 281	Electric Railway Patent 1896 - 1897: Thomson-Houston Electric Company vs. Johnson Company, et al.	
6	282 - 283	Artificial Silk Patent 1896 - 1898: Charles Albert Victor Ernest Oberle, Robert Martin Houldsworth, Hilaire de Chardonnet, Fredrick W. Holls, American Artificial Silk Syndicate Limited	
6	284	Turbine Patent 1897 - 1910: Westinghouse Electric and Manufacturing Company vs. Allis-Chalmers Company and Bullock Electric Manufacturing Company	
6	285	Macadamite Patent 1899: Otto A. Moses, Charles M. Hall	
6	286	Sodium Manufacture Patent 1899 - 1900: James M. Mackaye	
6	287 - 289	Electrical Vehicle Patent 1900 - 1902: Hub Motor Company, Fred J. Newman, Joseph Ledwinka, W. J. Jenks	

Box	Folder	Contents	(O) = Oversized
6	290 - 292	Railway Platform Patent 1902 - 1903: Charles L. Clarke, Walter D. Edmonds, Max E. Schmidt	
6	293 - 297	Unidentified Records 1842 - 1893	
6	298 (O)	Unidentified records: James Milholland, Asa Nutting	

APPENDIX: List of Witnesses in the Sewing Machine Patent Case

Name	Occupation	Folder
Backster, Charles C.	Foreman, Accountant	153
Baker, Ezra	Shoe Manufacturer	162
Benson, John J.	Coat Manufacturer	153
Blatchford, Samuel	Lawyer	164
Bowker, John P.		161
Bradshaw, John A.	Machinist	160
Burlingame, Anson	Lawyer	153
Bush, Mary O.	Ladies' and Children's Clothing Manufacturer	153
Chapin, Seth P.	Sewing Machine Operator	153
Clapp, George P.		162
Clark, Burton E.	Bag Manufacturer	153
Dalton, Annie	Leather Seamstress	164
Douglass, Alexander	Skirt Manufacturer	153
Ellis, Jonathan T.	Clerk	162
Farron, Margaret	Sewing Machine Operator	153
Fisher, George	Newspaper Publisher	153
Gardner, Smith	Manufacturer	161
Gleason, Sewall		160
Hasler, Henry	Carriage Trimmer	163
Horne, William M.	Machinist	161
Howe, Amasa B.	Sewing Machine Manufacturer	160

Name	Occupation	Folder
Inglis, Charles	Coachmaker	162
Jacobs, Herman	Satchel Manufacturer	153
Jeffers, William H.	Ladies Shoemaker	153
Johnston, William	Boot Fitter	153
Kolher, Gottlieb	Manufacturer	162
Lerow, Jacob H.		161
McCall, James	Salesman	154
McCurdy, James S.	Inventor	154
Marsh, Seymour N.	Bandage Manufacturer	154
Millar, James W.	Tailor	154
Murray, Joseph	Machinist	162
Phelps, Orson C.	Machinist	154
Potter, Orlando Brunson	Lawyer, Sewing Machine Manufacturer	154
Proctor, William F.	Machinist	162
Raymond, James M.	Tailor	163
Renwick, Edward Sabine	Inventor, Patent Expert	154
Renwick, Henry Brevoort	Engineer, Patent Expert	163
Rollin, Daniel G.	Machinist	160
Sheldon, Julius	Hat Manufacturer	161
Simpson, Edwin B.	Shoe Manufacturer	163
Simpson, Emma	Seamstress	154
Thorpe, Abraham	Tailor	154

Name	Occupation	Folder
Townsley, George R.	Boot Manufacturer	162
Tucker, Hiram	Bed Manufacturer	154
Tyng, Stephen Higginson	Priest	154
Udall, William M.	Shirt Manufacturer	164
Waters, Harvey	Machinist	164
Whiting, William E.	Clerk	154
Winchester, Oliver Fisher	Gun and Shirt Manufacturer	154