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IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CIVIL DIVISION

VIRGINIA DUNCAN, RICHARD LEWIS, PATRICK LOVETTE, DAVID MARGUGLIO, CHRISTOPHER WADDELL, and CALIFORNIA RIFLE & PISTOL ASSOCIATION, INC., a California corporation,

Plaintiffs,

v.

ROB BONTA, in his official capacity as Attorney General of the State of California; and DOES 1-10,

Defendants

Case No. 3:17-cv-01017-BEN-JLB

COMPENDIUM OF WORKS CITED IN DECLARATION OF MICHAEL VORENBERG

VOLUME 3 OF 11

Courtroom: 5A
Judge: Hon. Roger T. Benitez
Action Filed: May 17, 2017

INDEX

Eric Foner, *Reconstruction: America's Unfinished Revolution*, 1863-1877 (New York: Harper and Row, 1988), xxvii.	4 n.2	0042-0044
Jim Garry, *Weapons of the Lewis and Clark Expedition* (Norman, Okla.: Arthur H. Clark, 2012), 94	8 n.5	729-730
Jerome A. Greene, *Nez Perce Summer, 1877: The U.S. Army and the Nee-Me-Poo* (Helena: Montana Society Press, 2001), 34-42, 310-12.	33 n.40	0045-0059
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Robert Held, *The Belton Systems, 1758 and 1784-86: America's First Repeating Firearms* (Lincoln, R.I.: Andrew Mowbray, 1986), 33-39	8 n.6	767-775
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Otis A. Singletary, *Negro Militia and Reconstruction* (Austin: University of Texas Press, 1957), 3-33, 69-70.	21 n.24, 22 n.26, 38 n.53, 42 n.59	0360-0397
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Robert M. Utley, *Lone Star Justice: The First Century of the Texas Rangers* (New York: Oxford University Press, 2002), 169-70	47 n.65	0425-0428
Michael Vorenberg, "The 1866 Civil Rights Act and the Beginning of Military Reconstruction," in Christian Samito, ed., *The Greatest and the Grandest Act: The Civil Rights Act of 1866 from Reconstruction to Today* (Carbondale, Ill.: Southern Illinois University Press, 2018), 60-88	24 n.29, 27 n.31	0429-0446
Walter Prescott Webb, *The Texas Rangers: A Century of Frontier Defense* (1935; 2nd ed., Austin: University of Texas Press, 1965), 292-93	47 n.65	0447-0452
Harold F. Williamson, *Winchester: The Gun That Won the West* (Washington, D.C.: Combat Forces Press, 1952), 38, 42-44, 178	12 n.13	0453-0464

Richard Zuczek, *State of Rebellion: Reconstruction in South Carolina* (Columbia: University of South Carolina Press, 1996, 75, 79-80, 140-41, 170-171	38 n.53, 40 n.56, 41 n.57, 41 n.58, 49 n.70	0465-0476
LAW REVIEWS AND JOURNALS		
Clayton E. Cramer, Nicholas J. Johnson, and George A. Mocsary, "'This Right is Not Allowed by Governments That Are Afraid of the People': The Public Meaning of the Second Amendment when the Fourteenth Amendment was Ratified," *George Mason Law Review*, 17 (2010), 823-863, esp. 852-863	21 n.25	785-824
Eleanor L. Hannah, "Manhood, Citizenship, and the Formation of the National Guards, Illinois, 1870-1917" (Ph.D. diss, University of Chicago, 1997), 15-16.	36 n.50	0478-0481
David Kopel, "The Second Amendment in the 19th Century," B.Y.U. L. Rev. 1359, 1418-21 (1998)	54 n.81	0482-0488
Michael G. Lindsey, "Localism and the Creation of a State Police in Arkansas," Arkansas Historical Quarterly, 64 (Winter 2005), 356-58.	20 n.22	0489-0495
Allan Robert Purcell, "*The History of the Texas Militia, 1835-1903*" (Ph.D. diss., University of Texas, Austin, 1981), 221-27	21 n.24	0496-0505
Gautham Rao, "The Federal "Posse Comitatus" Doctrine: Slavery, Compulsion, and Statecraft in Mid-Nineteenth-Century America," Law and History Review, 26 (Spring, 2008), pp. 1-56.	56–57 n.85	0506-0562
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42nd Cong., 2nd sess., "Affairs in Insurrectionary States," vol. 8 (Alabama) U.S. Congressional Serial Set (1871), pp. 414-15.	51 n.74	0617-0619
46th Cong., 2nd sess., S. Rep. 693, pt. 2 "Investigation of Causes of Migration of Negroes from Southern to Northern States," U.S. Congressional Serial Set (1879-88), p. 357.	51 n.76	0620-0621
J. Q. Dickinson to "Hamilton," in 42nd Cong., 2nd sess., "Affairs in Insurrectionary States," vol. 13 (Florida), U.S. Congressional Serial Set (1871), pp. 289-90	50 n.73	0622-0627

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NEWS ARTICLES		
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Charleston News, Oct. 17, 1870, p. 2	40 n.55	0661-0663
Chicago Daily Inter Ocean, January 12, 1877, p. 1	49 n.67	0664
Chicago Daily Tribune, July 23, 1876, p. 4.	34 n.43	0665
Chicago Daily Tribune, April 15, 1878, p. 4.	34 n.44	0666

"The Reds," Chicago Daily Tribune, March 23, 1879, p. 7.	52 n.78	0667
Georgia Weekly Telegraph and Georgia Journal & Messenger, April 5, 1870, pp. 4, 8.	46 n.62	0668-0669
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David Kopel, "The History of Magazines holding 11 or more rounds," Washington Post, May 29, 2014.	28 n.32	0679
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New Orleans Republican, March 13, 1877, p. 2.	49 n.67	0681-0683
"Breech-Loading Arms," New York Herald, Oct. 12, 1866, p. 4.	34 n.46	0684
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As with the "gun that won the West," much of the history we know about the frontier and guns never happened. The Wild West of the 1800s, recall, was not so wild or gun-violent as it is perceived. There is the gun that won the West, but also the West that won the gun: the social fiction, out of so many contingencies and historical possibilities, which allied to the gun and amplified its cultural mystique. This conquest occurred in the early and mid-1900s, not the 1800s, and most energetically through the braiding of fiction, history, and legend in the mediums of advertisement, film, and story. The gun industry itself helped to deepen its product's mystique, which increasingly traded on the currency of desire and affinity, rather than utility.

The western and the frontier hero dominated movie theaters, magazine stands, bookstores, and televisions in the 1950s before declining as a genre. The body count of gun casualties on the frontier at Saturday matinees far exceeded the number of casualties on the actual frontier. At least 650 westerns were released between 1935 and 1940, and then 501 from 1950 to 1955, and over 250 from 1955 to 1960. Eight of the top ten television prime-time shows in 1959 were westerns, with a total of 39. Publishers sold an average of 35 million paperback westerns a year in the 1950s. Scores of "Old West" magazines, also described as men's magazines, appeared in the mid-1900s, including *Gunslingers of the West*, *True Frontier*, *Outlaws of the Old West*, *Badmen of the Old West*, and *Best of the West*. By one metric of content analysis, the mention of "cowboys" in English printed material peaked in 1939.[3]

In 1969, Ramon Adams compiled an annotated bibliography of 2,491 works on western gunmen. Excluding state and local history guides with only a passing mention of gunmen, or entries without a date, of the 1,951 remaining publications, all but 241 were published in the 1900s; the greatest number of books was published in 1936, followed by the years 1957, 1958, 1960, and 1955, in that order. This is not a precise or exhaustive census of all published material on gunmen, but it roughly quantifies the character's fluorescence in the mid-1900s. This vernacular proliferation extended even to plastic-mold play figurines. The Marx Company debuted its first of 134 Wild West playsets in 1951 and offered more than 400 Wild West figures, with which

children in the 1950s played "Cowboys and Indians," Patricia Limerick observed, not "masters and slaves."[4]

In this way we advertised, wrote, filmed, staged, played, and televised our way into a gun culture. As with the earlier example of Buffalo Bill, the West that won the gun was a prematurely postmodern narrative of the fictionalized real: it was important that the truth be asserted, and equally important that it not be told.

Business professor Douglas Holt has described how commodities that become icons, as Winchester and Colt did in the 1900s, compete and win on a "myth market." The product has intangible value and charisma as a commodity that embodies a powerful cultural myth, contoured through advertisement. The most powerful myths, Holt argued, are those that resolve "acute tensions people feel between their own lives and society's prevailing ideology," and promise to resolve cultural anxieties and antinomies. Like gun legends, the myth flourishes in the space between what happened and what we wish had happened.[5]

Advertisements in the 1900s about the Winchester in the 1800s ran the gamut from international sloganeering to window displays at hardware stores in small towns that were supported by the fledgling Winchester marketing department. The *Winchester Herald*, a company magazine for its sales force, praised a Colorado City window display that created a "lifelike scene of the prairie in the wild days." The window depicted a "treat 'em rough roundup," a "wild show for wild men."[6]

Ad men had discovered the gun's history—or myth. As Colt's concluded in one ad, its gun had been "famous in its past." In the mid-1900s, Smith & Wesson ran an extensive ad campaign under the banner, "Makers of History . . . Arms and the Man." Each ad took a year in American history and airbrushed the gun into the narrative. The year 1891 began with, "Chicago remodels its shore line to prepare for the Columbian Exposition . . . U.S. Patent Office celebrating 100 years of service . . . McKinley races to political prominence . . . Smith

& Wesson startles the hand-arm shooting world with the new .22 Single Shot pistol." These ads, suggestive non sequiturs, placed the pistol atmospherically at the scene of historical events in which it played no part.[7]

Several midcentury Colt's ads rehabilitated the cowboy. Historically a boozy "unmarried lower-class laborer," to quote historian David Cartwright, the cowboy became one of the "lean-jawed, hard riding, fast-shooting men who blasted their way across the pages of a nation's history to the thunder of the guns of Colt." He went from bleary-eyed with drink to steely-eyed with courage: "He can look calmly at danger because he knows he has the advantage," one of the Colt lithographs explained. The most famous and coveted gun industry lithograph, created for Colt's by Frank Schoonover, depicts the austere, sober cowboy "Tex and His Horse Patches," an image for 1926 about 1876.[8]

The WRAC offered cash prizes for photographs and brief histories of early model, historic Winchesters as a form of historical-advertorial promotion. "With many an old-time Winchester is associated some interesting item of history," the company wrote, "some bit of romance, or some story. . . . Perhaps your old Winchester has figured in a real adventure." The article touted the Winchester's role in "push[ing] the frontier of civilization westward," especially. In 1928, the company initiated an Arctic Broadcasting schedule of radio shows to the "polar regions" to convey news and messages to the pioneers and missionaries of the Arctic Circle, inviting listeners to imagine earlier pioneers, to "*see* into their cabins, igloos, huts or ships," and to see therein Winchester rifles and cartridges.[9]

In these ads and other vernacular media, the gun gained a history, in one sense; but it also lost its true history, or at least its historical specificity. Casual assertions held that Americans had "always" loved guns, or that they had a "timeless" tradition of gun fluency, a "priceless tradition" in firearms, or had "long known how to shoot," with "every boy" trained as a marksman. The acceptance of an "inherent love" of the gun, or an "urge to buy" one, whose sources were "mysterious," if not mystified—always there, predating history or the commercial gun culture—elided a great deal. It ignored the changing attitudes toward

guns (different guns, for different purposes, in different eras, imbued with different meanings) by which gun interest and fluency has always waxed and waned. It also obscured the gun industry's self-conscious efforts to stoke love for the gun as nothing more than an agnostic imperative of its business as gun utility waned.[10]

In some cases, the gun was retroactively fetishized. Where it had played a role in American history, it was now the star of the show, as numerous articles from the Colt's archives illustrate. In a characteristic symbolic abridgement, the *Savannah Morning News* wrote that "the revolver stands for invention, extension of territories, suppression of lawlessness, influx of wealth and, in general, power." The very "creation of the United States was due to the rifle," it concluded. F. Romer's 1926 book, published by the Colt's company, stated the trend bluntly in its title: *Makers of History: A Story of the Development of the History of Our Country at the Muzzle of a Colt*. Some began to argue that the American long rifle, or Kentucky rifle, had won the Revolutionary War, although antique gun experts consider this notion, in one's terms, "romanticist nonsense." These works transliterated historical narratives that might have been about any number of themes into a story about a gun, which in some cases must have been an easier story to tell. The gun was a historical ellipsis that got Americans from a world before conquest to a settled land after, without contemplation of the contradictions between ideals and realities in the middle.[11]

Historical and biographical interest in the gunman emerged in the 1920s and 1930s with the emergence of "legend-maker" historians, who claimed accuracy, but actually reinforced, or even created, the legends. Biographies of Wild Bill Hickok, Billy the Kid, Wyatt Earp, and others leaned at first toward glamorization of the six-shooters, mirroring in a more high-brow genre the low-brow pulp fiction of the day, and, in the 1960s, toward equally glamorized condemnation.[12]

Popular western stories started off with an emphatic assertion of truthfulness. As early as 1915, Dennis Collins (*The Indians' Last Fight*) worried that Wild West dime novels had created utterly false impressions of the West, inflamed young men's imaginations, and inspired outlawry. But even books marketed as historically accurate were closer

to fiction. Widely sold Signet books were largely fictional accounts of actual characters (for example, Ray Hogan's *The Life and Death of Johnny Ringo* in 1963) that were marketed as "actual history." Even works flying under the flag of history continued the gun overkill, exaggerating both the quantity of gun violence and its charisma or "quality"—its moral scaffolding.[13]

Popular fiction and putatively accurate historical narratives of America's gunmen continued farther down the path first trailblazed in the late 1860s. The authentication of the dime-novel fables as fact got a boost in the early 1920s when Dr. Frank O'Brien, a dentist, donated his novel collection to the esteemed New York Public Library. The catalog copy for the collection described dime novels as "realistic novels: it has finally come to be realized that the pictures of pioneer life in the far west, as presented by the Beadle books, are substantially accurate portrayals of the strange era and characters." (Beadle was a publisher.) These novels, said the library, gave a "more accurate and vivid picture" of the West than the work of "formal historians."[14]

This endorsement would have been welcomed by "formal historians," many of whom drew on the dime-novel archive for their accounts. At least two serious historians, in 1926 and 1933, wrote books that "gave respectability" to the legend. If anything, the Wild Bill Hickok gun narrative became more extreme in the fluorescence of western narratives in the mid-1900s, as it was retold under the ennobling flag of nonfiction. In these decades, Hickok became a gun "superman," says an expert on westerns, who killed more people, and killed them faster, with each retelling. Frederick Ritchie Bechdolt (*When the West was Young*, 1922) claimed that Bill had killed eleven at Rock Creek; William S. Hart (*William S. Hart in Wild Bill Hickok*, 1923) said he had killed twenty-five in Abilene; Charles Willis Howe (*Timberleg of the Diamond Trail*, 1949) has Hickok killing "eighty-seven men not including Indians" while he was a peace officer; and O. W. Coursey (*Wild Bill*, 1924) asserted that Bill "never missed," and that he once shot a man who entered the front door with a revolver in his left hand, while with his right he shot a man coming from the rear, although there is no evidence this ever happened. Other accounts simply

reprinted the George Ward Nichols or James Buel accounts (*The Great West*, 1958, and Atomic Books, 1946, respectively). Of twenty-five additional books on Hickok published between 1908 and 1968, at least seventeen duplicated the Nichols legend, now asserted more confidently as history. Stories written explicitly for young readers by esteemed publishers such as Random House (Steward Holbrook, *Wild Bill Hickok*, 1952) created a powerful impression for children of an over-gunned Hickok "strapping two revolvers on" before taking down the McCanles gang.[15]

By the mid-1900s, more accurate portrayals of Hickok and other gunmen were available, occasionally acknowledged by authors, and then discreetly ignored in favor of the legend, even with august publishers. Author Glenn Chesney (*Pay Dirt, Appleton-Century*, 1936) mentioned an obscure *Nebraska Historical Magazine* corrective to the Hickok tale, but dismissed it in favor of the tale itself; likewise, a 1949 book published by Bobbs-Merrill tells a corrected version, but the author "writes as though he does not believe it," said a westerns expert.[16]

Stories of dime novels and other mass media of earlier ages found powerful new amplification in the new: movies and, eventually, television. Before Hollywood was Hollywood, it was Oklahoma, a forgotten frontier of the gun culture. Oklahoma's early productions cut a template for depictions of gunmen, outlaws, cowboys, and Indians. The Edison Manufacturing Company produced the first Oklahoma film in 1904, and the genre aspired to documentary realism for an audience that craved nonfiction "actualities." In 1911 a viewer wrote to *Moving Picture World*, "We don't thank you, Mr. Producer, . . . for forcing down our throats the knowledge that this is only a screen. . . . [W]e want to think it's the real thing." Pawnee Bill's Oklahoma buffalo ranch and the 101 Ranch, used for settings in the first western movies, promised authenticity to the filmmaker: "Everything is genuine and true to nature," the ranch promised. "No Jersey cowboys nor painted white men for Indians."[17]

Al Jennings was among the most important figures of Oklahoma's film industry. He made what a cynic might see as a natural progression, from lawyer to outlaw to actor to politician. Apparently, he became a

bank robber because of disillusionment with the law after a man who shot his brother to death in a quarrel was acquitted. Jennings was no more successful as a bandit than he had been as a lawyer: his gang perhaps robbed one or two trains and the occasional general store, and in one train robbery left with no more than a few dollars and a jug of whiskey. Jennings spent five years in prison, and when he was released he wandered into evangelism and politics before meeting writers in a New York City club and compiling a "highly romanticized" version of his life, rife with inaccuracies and outright fabrication, which became a *Saturday Evening Post* story, "Beating Back." This account became the basis for a movie in 1915 that was touted as a "bandit story for respectable audiences," and its "*real*" hero as the "Jean Valjean of America," who "beat back at society until it recognized and honored him." Moralists, including the local politician and Congregationalist minister Thomas Harper, obligingly read the new genre as all too realistic—and prescriptive—and wanted to outlaw "any pictures of a bank robbery, train robbery, or any picture of nude forms . . . or any picture whatsoever that would be suggestive of evil thoughts and deeds."[18]

Jennings's movies, like written works on the gunmen, claimed authenticity, promising that actual outlaws, actual Indians, and actual cowboys were playing themselves. They had to be real—but not really real. Historian Richard Slotkin noted that Jennings used actual Oklahoma Indians, and seemed to have a sincere desire to show reality, but the real reality was not the reality audiences craved. In truth, outlaws looked like "city tramps," and Indians lived "in small cabins and dressed like dirt farmers rather than feathered warriors."[19]

Hollywood drew its first gunmen from an obscure book called *Triggernometry: A Gallery of Gunfighters*, by Eugene Cunningham. Filmmaker Nunnally Johnson's researcher used it as his muse for *The Gunfighter* in 1950. The book's introduction would have had obvious value for a scriptwriter. It claimed historical accuracy, and it was atmospherically detailed yet deracinated, easily imagined as a summer movie trailer. It presented a type, "the figure we have come to call the Gunman." His particular place of birth does not really matter, so long as it placed him in the "vast, wild region" of the West, nor his year, so long as it would

"set him functioning within the years 1860 to 1900." Killing "would be natural to such men," Cunningham wrote, continuing the tradition of both overstating and naturalizing America's gun pathology.[20]

The movie *Winchester '73* (1950) belongs to the subgenre of what Slotkin defined as the psychological or *film noir* western, which includes *Colt .45* (1950) and *The Gun That Won the West* (1955). These movies, Slotkin said, emphasize the hero's darker, even pathological, aspects, and are characterized by "a particular kind of stylization and abstraction"—indeed, a fetishization of the gun itself. The western noir was particularly detached from historical or social context, with personal motives replacing the social ones, and the line between outlaw and lawman further blurred by their kinship through gun violence. This Cold War gunfighter navigated through dimly lit, claustrophobic, desolate landscapes on a quest driven by his private obsession and desires for justice. This gunfighter, Slotkin brilliantly argued, must be understood in American culture as an idiomatic figure transcending particular historical and social settings.[21]

Winchester '73 is a story of boy meets gun, boy loses gun, another boy loses gun, and so on. Lin McAdam, played by Jimmy Stewart, is on a mysterious quest after "Dutch" Henry Brown. But the Winchester "1 of 1,000" extra special Model 73 rifle is the "main star of the movie," as critics have noted. Today, it would be an impressive example of product placement, since the company was involved in the movie's production.[22]

The first twenty minutes are devoted to a shooting competition to win the coveted rifle. The story, itself a fiction, threads through familiar legends: The competition takes place in Wyatt Earp's Dodge City, on the Fourth of July. Stewart wins the gun, but Dutch steals it from him. As McAdam pursues Dutch across the prairie, the Winchester 73 passes from Dutch's hands to a gun trader's, to an Indian chief's ("This is gun I want," he declares, before scalping and killing the trader), to a shady character named Steve, then back to Dutch. Along the way we discover why McAdam is so intent on pursuing Dutch: he's his brother, and a robber, and had shot their father in the back. McAdam's sidekick, "High Spade," explains to the love interest, Lola Manners,

that "the old man sired two sons. One was no good." In a final shootout on a cliff outside of town, waged with repeaters and the 1 in 1,000, McAdam shoots Dutch dead, and he plummets off the cliff. Jimmy Stewart gets the gun—and the girl—in the end, and in that order of priority. The last shot shows only the rifle, the gun version of a close-up.

The Winchester occupies the narrative place that a woman might in another film. It's the object of fevered, discombobulating desire, whose possession is fought over (through the use of other, inferior guns—Dutch complains of the Henry, "this rifle takes too long to kill people"). Lola, like the rifle, changes hands a few times in the movie. Actor Shelley Winters marveled at "all these men . . . running around to get their hands on this goddam rifle instead of going after a beautiful blonde like me."[23]

It is worth noting the particular ways in which the movie transformed the actual biography of the actual Winchester 1 in 1,000 so passionately fought over in the movie. Most significantly, in *Winchester '73*, none of the characters will sell the prized Winchester. Dutch takes it to a gun dealer, but he won't sell it for $300 in gold, and it actually changes hands because of a card game; another character won't give it up until he's shot dead. Another finds it on the battlefield and gives it to another. The next gives the rifle freely back to Dutch, who had stolen it from McAdam. The gun might be won, stolen, given, killed for, or found, but it is not bought or sold. The movie traces the movement of the Winchester, but at each moment when it changes hands, removes it from commerce and subtly elevates it as something more mystical than commercial. This is only one cinematic example of a transformation that had been unfolding in different ways, and places, for decades. The ties between the American gun and the industry and commercial contexts that produced it were getting obscured.

The actual Winchester 73 used in the movie was sold repeatedly, which is unsurprising. Most guns were. It was manufactured in New Haven in December 1873. The WRAC shipped it on November 21, 1876, to a hardware store in Jonesboro, Arkansas. There, a man named Grady bought it. Purportedly, he used it two months later, as part of a sheriff's posse, to kill three cattle thieves. Sometime after that, it was

traded in 1877 by an Indian to a man named Wilkes, for three bottles of whiskey. Then in 1893, a man who lived in Scranton bought the rifle in a Montana gunshop.[24]

The movie biography of the rifle exempts it from this quotidian, profane world of commerce. Sale would taint the sense that the 1 in 1,000, like a special totem, belongs with only one person: McAdam. His violence in the movie, and his quest, is perhaps psychotic, but it is also purposeful, almost biblical, in its righteous mission against the patricidal bad-seed brother, Dutch, who plays Cain to McAdam's Abel. High Spade disapproves of "hunting a man," and cautions McAdam ominously, if vaguely, that he's "coming to the end of the trail"; but there can be little doubt that the gun is supporting an odyssey of great consequence and a dark but morally legible quest.

Once the actual Winchester 1 in 1,000 was in the hands of its Scranton owner, a man named Hollis, its use continued in a more prosaically realistic pattern. Hollis used the rifle to kill two men who had "gotten fresh" with his wife, what we know today as a variant of intimate or domestic violence. Presumably he had bought the gun on the secondary market as a good guy and became a bad guy when he killed people with it.

In *Winchester '73*, Dutch mocks his brother after he wins the rifle: "That's a lot of gun to have for just shooting rabbits with." At its next sale, in 1909, the actual Winchester was purchased by Frederick Rogers of St. Louis—who used it for squirrel-hunting.

The next stop of the actual gun before Hollywood was with a Nashville minister who collected antique firearms. He willed it to his son, who in turn lent it to Universal Studios for the movie.

The story of this Winchester 1 in 1,000 got more lethal and morally epic in *Winchester '73*'s rewrite.

Just as the starring gun in *Winchester '73* cannot get sold, backlit by a noncommercial mystique, the gun is today treated as such a hallowed or notorious object, depending on the point of view, and keeps company with such portentous arguments about existential political differences and constitutional law, that it is easy to forget that it is a commodity, produced by a business, designed to make money.

Eventually, it all came full circle: movies and television, shaped by the gun genre of the fictionalized real, became factual certification that Americans had "always" loved guns. The gun's fabularized history was now a part of its material value as well. "It seems that the closer we get to the year 2000," a modern gun ad reads, "the more people need the image of the past when . . . good usually won out in the end . . . and a man's word and his honor meant something real and worth fighting for." Admirers were nostalgic for a past that was not only past but had never really happened.[25]

Television and movies also materially influenced, and still influence, the gun market. "'Good Guys' on TV Stir Interest in Frontier Revolver," a 1956 headline read. The Colt six-shooter reappeared that year as a collector's item, and Colt's was "swamped with orders," especially from NRA convention attendees, whom the article depicted as "gun-hungry guys clamoring for sidearms." Sales of Smith & Wesson's Model 29 .44 Magnum (not a user-friendly gun, with its heavy recoil and loud report) soared for five years after Clint Eastwood's first Dirty Harry movies appeared. Bren 10 gun sales increased after the *Miami Vice* character Sonny Crockett carried one.[26]

In the 1990s, gun industry magazines urged the business to "reap the profits as shooters relive the old west" in "end-of-trail competitions" and cowboy reenactment shootings, trading on the charisma of American gun violence. *Guns & Ammo* magazine offered its readers a special edition of the Colt's revolver—"as used by John Wayne in his cowboy films"; and Winchester released a Model 94 memorial carbine in honor of John Wayne at the 1981 NRA convention. It had come to this. The movies and fiction had subsumed history, becoming the real event on which the reproductions were based—as if there were no truth left to tell.[27]

IT IS IMPOSSIBLE TO SAY DEFINITIVELY THAT THE WEST THAT WON the gun in popular media and advertisement stimulated sales on the bottom line, but it is a reasonable assumption, and the two were correlated, at the least. Now part of the Olin Corporation, the Winchester line reached a per capita gun production in the 1950s rivaled only by

its production in the first decade of the 1900s. In 1950 it added 384,283 guns to the census (1 per 396 Americans), and production stayed close to this—anywhere from a quarter of a million (252,147) in 1959 to a high mark of 431,055 in 1955—for the rest of the decade, before declining in the 1960s. Meanwhile, Colt's produced 150,296 revolvers and pistols in 1950 (1 per 1,775 Americans) and 209,044 in 1960 (1 per 864). Yearly gun production gives us a rate, to borrow epidemiological terms, but not a (cumulative) incidence of gun ownership, since Winchesters and Colts were built for durability. Each year's production added to a preexisting American gun "load."[28]

As the value of the American gun shifted from utility to mystique, guns with the patina of history became valuable collector's objects. An antique gun subculture and market emerged that still flourishes. This market coincided with some of the first serious histories of the American gun, including Charles Sawyer's *Firearms in American History* (1910) and John Dillin's *The Kentucky Rifle* (1924), followed by Robert Gardner's works in the 1930s. "The collecting of antique firearms is becoming a passion with thousands of persons in the United States," reported the *Savannah Morning News* in 1914, "particularly millionaires and other rich men," as well as the dabbler who hung an old gun on the wall of the newfangled space called a den. In 1914 there were around 5,000 serious collectors, compared to perhaps 500 a few decades earlier. Collectors scavenged through small towns for the rare find, the Harpers Ferry flintlock or a "primordial Colt." The value of the antique firearm was tied to the value of the history (or fable) attached to the firearm. "To the zeal of the antiquarian is added a semi-reverence for these pieces of iron and steel that have won states and empires and contributed to the uplifting and happiness of the race," an article on gun collection breathlessly stated.[29]

Pugsley was an avid firearms collector. When he contemplated selling his collection in the early 1930s, he was assailed by a manic antique arms dealer named Theodore Dexter. Dexter described himself as someone who could "create a demand" and then "blackmail" his public—especially his list of 1,200 collectors—into buying by convincing them that they would be reduced to antique firearms "camp

followers" otherwise. As for Pugsley's antique Winchesters, they acquired value as they acquired a richer historical patina in the form of wear and tear. Dexter estimated that the "demand for a '66 Winchester in better condition is almost nil, because the men now in the market for Winchester rifles or earlier models are exhibitors, using Winchesters as part of a 'Western' exhibit, and, as you know, in line with popular ideas that an old gun must look old, the $5.00 model '66 Winchesters serve better than the fine ones." The story of the gun imbued it with value more than its condition.[30]

Books benefited from historical legend as well. In early 1949, Winchester executives wanted to commission an official company history. They eventually secured the services of Yale economist Harold Williamson, who authored a meticulous corporate history. The company thought it might appeal to "gun bugs, cranks, collectors, . . . and arms historians, who regularly buy three or five thousand copies" of any gun book—hinting at the proliferation of gun subcultures. But by this time, the legend of the Winchester held more sway than the history of Winchester as it was: a business. Bantam requested "a rewritten version which would in effect be a 'western.'" An editor explained that it "would be much more interested in the gunmen and peace officers that used Winchesters, in famous battles against Indians and rustlers in which Winchester played a part and in general with the more wild and woolly aspects of Winchester history." With a history in hand, the legend was preferred, or the history implored to act more like the legend.[31]

Nineteenth-century America left to the twentieth a diffusion of guns. It also left the beginning of a gun mystique that had been forged on a changeling frontier, annealed with a rifle, and machined into a cultural idiom. That mystique may have been incubated in the nineteenth century, but it flourished in the twentieth, when it acquired the obduracy of fact through repetition in the mediums of advertisement, story, television, radio, history, and film. At midcentury, the gun prevailed on the American myth market.

Its legacy is a simple but profound one for twenty-first-century gun culture and a striking contrast to the gun's reality: the legend conjures a country, and a frontier, imagined as more gun-violent than it was, not less, and a world of gun violence between good guys and bad guys. This Manichean conceptualization—of Hickok facing down a villain on a dusty town plaza—has proven to be almost a cultural narcotic. It is a conceptualization that construes gun violence as a story of crime versus the abstract, cool metaphysics of justice, with the latter achieved by a paramilitary citizen-soldier, when it is more often a story of suicidal self-destruction and intimate, angry, intoxicated impulse. According to the Centers for Disease Control and Prevention (CDC), there were 31,672 gun deaths in the United States in 2010, and 33,636 in 2013. The majority in both 2010 and 2013 (61 and 63 percent, respectively) were suicides. Thirty-six percent in 2010 were homicides, and the rest were accidental. Of the homicides, the majority did not occur between strangers, or by criminals. A study of 400 homicide victims from three cities found that in the 83 percent of cases where the perpetrator was identified, he or she was known to the victim in almost all—95 percent—of these cases (although statistics on homicides committed by known or unknown perpetrators is unavoidably and inherently skewed, because it is based on solved homicides—and it is easier to solve a homicide that involves an intimate or known assailant). The majority of women murdered are killed at home by a family member or an intimate partner—a spouse, lover, boyfriend, or intimate acquaintance (64 percent in 2007, according to the Bureau of Justice Statistics: 24 percent by a spouse or ex-spouse, 21 percent by a boyfriend or girlfriend, and 19 percent by "another family member"). More than half of all female "handgun" homicide victims (57 percent) were killed by an intimate acquaintance. Guns were used in 71.5 percent of spousal murders. Although in theory a gun should equalize and protect women against violence, case control studies have found that having a gun in the home increases a woman's risk for homicide and has "no protective effect."[32]

In the real world individuals often refuse to stay put in one static category. A "good guy," noted by his neighbors as a quiet, upstanding

citizen, can snap, becoming a monstrous villain with no apparent warning. We watch horrified as the armed, acting out of mental illness, rage, impulse, sadness, or other unknown and perhaps unknowable causes or motivations, harm others or themselves. It is a grotesque transmogrification, consistently replaced in entertainment media with tropes of the good vanquishing a more comprehensible and ever-fixed evil.

And so every summer night, in Cody, Wyoming, the town reenacts an Old West shoot-out for tourists' entertainment. The audience cheers the reenactment of a murder. Comparable reenactments don't occur for bar brawls or domestic homicides. But this is the seduction of the gun mystique, and some of the cultural tension that the West that won the gun repairs. It refurbishes a story of violence abetted by gun diffusion—careless, serendipitous, often intimate—into a story of justice, radical autonomy, and a compensatory sort of equality. It eclipses the majority of gun deaths, caused by suicide, with the minority of gun deaths caused by honor-fueled homicides. It takes "senseless" gun violence and makes it sensible.

Although the mystique obscures the most prominent facets of gun violence, gun politics still hum with the mystique's early intimations, as Oliver Winchester advertised it, and as it was mightily amplified in the 1900s: a good lone gunman, in danger, against adversaries in a bad world, out there in a wild country.

CHAPTER 20

"MERCHANTS OF DEATH"

WINCHESTER'S HYPHENATED CORPORATE MARRIAGE WITH Simmons did not save the company. After a full, bleak accounting in 1924, fifty-seven years after its first Book of Account was opened, the company went into receivership, with Kidder & Peabody holding most of the stock. Throughout the 1920s, the "dead hand of receivership," Edwin Pugsley recollected, "gradually but inexorably strangled" Winchester, and "the great momentum of the company was slowing down." The company was still paying interest on the money borrowed for the war, and it had only managed to sustain, not grow, its sales. Winchester folded in January 1931, too weak to withstand the Depression, and was bought out of receivership by the rival Olin Corporation. After the war, "had the Company been satisfied with its measure of growth," Winchester gun expert Herbert Houze later speculated, the company might have survived intact as the Winchester Repeating Arms Company that Oliver had conceived. But expansion and overbuilding was the company's and Sarah's shared hubris. The Winchester ammunition line continues, although Olin stopped US production of Winchester guns in 2006. But in 1931, the family business disappeared into new corporate coverture, a ghost in the machine.[1]

The family names on the most familiar American guns outlasted family control of the businesses. The entrepreneurial fever that burned in the first generation cooled by the third. Remington had been bought

LAKOTA AMERICA

A New History of Indigenous Power

Pekka Hämäläinen

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of more than twenty buffalo hides, and filled with imported goods. It took six horses to move just one of those big lodges. Government agents supplied Lakotas with annuities, and independent American traders were eager to trade with the wealthiest Native nation in the interior. Finely honed protocols structured the booming commerce. Red Cloud welcomed prominent traders by erecting a lodge for them next to his own and had their goods placed within it and their wagons corralled around it. He then offered a great feast.

The inflow of merchandize was both voluminous and varied. In came wagon-loads of state-of-the art Remingtons and Colt six-shooters, powder, lead, saddles, swords, iron axe heads, iron arrow and lance points, awls, files, knives, hide scrapers, scissors, cast-iron kettles and skillets, spoons, red and blue Navajo blankets, clothing, fabrics, buttons, beads, bells, bracelets, earbobs, German silver rings, pipe tomahawks, brass and glass adornments, dried Mexican pumpkins, sweet Mexican cornmeal, coffee, and whiskey, for which Lakotas bartered buffalo robes and meat. Lakota villages abounded with objects, both necessities and luxuries, which brought their owners joy, status, spiritual contentment, and, when shared, respect and power. These modern Lakota villages were centers of intensive and fulfilling consumption.

This commercial prowess was fueled by Lakotas' greatest modernizing engine: the still relatively new horse-powered bison hunt that could yield massive quantities of hides, meat, fat, and sinew in a matter of minutes. By the late 1860s Lakotas had built prodigious horse herds: an average household probably owned around twenty animals, some of them trained for hunting and war, the rest used as beasts of burden. A specialized labor force of young boys and enemy captives tended to the herds, watering, pasturing, grooming, and protecting the treasured beasts. When the mobile villages struck camp, cottonwood-studded riverbanks and floodplains became blanketed by enormous herds, the pulsating, organic engine of the Lakota economy.

Contemporary Americans saw the Powder River country as an Indigenous retreat, an insular world intentionally cut off from the rapidly expanding American empire of cities, railroads, settlers, farms, ranches, and capitalism—a perception that has dominated outsider views of the Lakotas ever since. In reality, the Powder River country under the Lakota rule was a safe and dynamic cosmopolitan world of its own where transnational commercial circuits converged, where Indians enjoyed many comforts and advantages of the industrial age, and where new ideas about being in the world were constantly debated. Lakotas knew full well that they lived in a transitional period of innovation, quickening change, and questioning of old conventions. But contrary to the tired old stereotype of obstinate, tradition-bound Indians, they embraced this radical regeneration of their world.[8]

Lakotas had lived with wašíčus in their midst for two centuries, and they had had U.S. forts and agencies in their lands and on their borders for two generations. This had become accepted and normal. Close wašíču presence had given them access to new markets, technologies, foods, peoples, and ideas. Some of the novelties—such as Christianity—they approached with deep scepticism, some with relish. By the late 1860s Lakotas had entered—irreversibly, it seemed—a new technological age where life without guns, metal, horses, and textiles was unimaginable. Ready-made utensils and tools rendered daily chores immeasurably faster and easier, while horses and guns kept them safe. The introduction of the 1866 Winchester lever-action repeating rifle alone nearly revolutionized their ability to inflict harm on their enemies. Colonel Richard Irving Dodge could but marvel at the speed and scope of the change. Repeating rifles, he wrote, had transformed "the Plains Indian from an insignificant, scarcely dangerous adversary into as magnificent a soldier as the world can show."[9]

Men and women alike relied on foreign goods for safety, comfort, and status, and families measured their wealth and social standing in the horses and trade goods they possessed. From cooking to keeping warm to feeling beautiful to feeling powerful, everyday life now necessitated access to and consumption of imported products. Many families included captives whose labor was essential for the managing of horse herds and the production of bison robes, which kept the all-important export economy running. Lakotas were still Lakotas and in control of their world, even though that world had changed fundamentally. Thus far they had adapted ingeniously to it.

The creation of the Great Sioux Reservation magnified that sense of newness, a rupture between the past and the present. In 1869 along the Powder River both Crazy Horse and Sitting Bull addressed a council deliberating Lakota policy toward the wašíčus. Crazy Horse—a man who believed he was only good for war and was widely celebrated for his uncompromising position toward the wašíčus—now emerged as the very embodiment of Lakota capacity to change. "This tribe will slowly be living with white men," he said, "but whereas I fear the land will be taken under duress without payment, you should go on home. Soon I shall come. If I were present I would not sell it to the whitemen. So take the message: I will go slowly." Sitting Bull echoed the eminent warrior: "I shall make peace with whitemen slowly."

This was *iwáštegla*, a new political philosophy that recognized that Lakotas would have to gradually learn to live with the wašíčus, whose presence in their world had become an irrevocable fact. In the long run, this could mean farming and settling in reservations. In the short run, it meant accepting whatever material and political support the Americans could offer while thwarting any

American attempts to civilize and remold them. Lakotas still expected wašíčus to compromise more than they did: after all, most of their interactions took place in Lakota territory. In this charged moment one can glimpse something essential about Lakotas' ability to accept new realities, adjust to changing governing conditions, and yet remain entirely Indigenous. Confident as Lakotas may have been about their place in the world, they remained flexible and receptive. They would survive the wašíču version of modernity by selectively embracing it.[10]

Lakotas rejected the wašíčus' reformist zeal so forcefully because they knew its dangers intimately. On the eastern side of the Mníšoše they could see how unrestrained civilization programs played out. There their Yankton, Yanktonai, and Dakota kin had lived on small reservations for years, suffering a sharp decline. Pressured into farming, their crops tended to fail while government rations fell repeatedly short. Deprived and often starving, they had become horribly diminished. Those reservations were a warning. The Yankton agent worked hard to secure enough supplies for his wards, but his superior saw in Yanktons little more than a useful tool for pacifying the Lakotas. "Located as they are," he wrote in 1869, "directly between the wild and warlike bands of their great nation and the frontier settlements of the irresistible advance of civilization, they are the practicable medium for reclaiming from savage life their roving and bloodthirsty brothers, by transmitting to them, and inducting and disseminating among them, the modes of life and the rules of law and order of their white brothers on the other side."[11]

Repulsed by such wašíču schemes and certain of their ability to adapt to changing circumstances, Lakotas set out to mold the Great Sioux Reservation to meet their needs. Federal agents envisioned the reservation as a tightly controlled space of cultural engineering where Lakotas would be stripped of their savage habits. Lakotas, however, saw the reservation as an Indigenous domain where government officials operated under their auspices. What mattered to them most were the American resources—rations, clothing, guns, tools, and vaccines—that buttressed their power and ambitions in the great interior. They had few illusions about the agents' intentions—primarily because the agents were so effusive about their plans to Americanize them—and they refused to become wards. Instead, they meant to transform the agencies into stepping stones in their ongoing quest to keep their world prosperous and inviolate. The result was a prolonged contest over the standing of the Lakota nation within the American one and over the very meaning of the reservation itself.

THE NON-RESERVATION

U.S. Indian agents had two major incentives to make the Lakota reservation experiment work. The first was personal and humanitarian: many of them genu-

and other Plains Indians, the railroad had come to signify a cure-all solution to the Indian problem. By allowing quick troop deployments and by ushering in settlers, railroads would dramatically accelerate the dispossession of the Native Americans. The commissioner of Indian affairs predicted that "the progress of two years more, if not of another summer, on the Northern Pacific Railroad will of itself completely solve the great Sioux problem, and leave the ninety thousand Indians ranging between the two transcontinental lines as incapable of resisting the Government as are the Indians of New York or Massachusetts."[3]

But even if war was needed to complete the railroad and Lakota dispossession, government agents were confident that they had co-opted enough "friendlies" to dilute Lakota military might. "The working on the proposed line of the Northern Pacific Railroad will meet with no opposition from any of these Indians," promised the agent of the Grand River Agency who watched over six thousand Lakotas and Yanktonais. By 1873 roughly half of the Lakotas lived more or less permanently near agencies, which suggested to U.S. officials that their military capacity had become decisively compromised. In his annual report Commissioner Edward P. Smith urged the nation to abandon its "fiction" in "our Indian relations" and forgo "as rapidly as possible, all recognition of Indians in any other relation than strictly as subjects of the Government." Federal officials with deep ties to the railroads had already divested the Wahpeton-Sisseton Sioux of five million acres between the Red and Missouri Rivers, and the Lakotas would have to yield next. "If it should become necessary to reduce the hostile portion of these Sioux to submission by military force," Smith was confident it could be done, for the Lakotas were surrounded by Native enemies: "The Government will find faithful and efficient allies in the several Indian tribes around, the Crows, Black Feet, Gros Ventres, and Arickarees. From these Indians a sufficient number of scouts can be enlisted to break the power of the Sioux Nation."[4]

Saddled with heavy expectations but confident of success, the prodigious Yellowstone Expedition moved west from Fort Rice on the Missouri in late June. Lakotas knew they were coming, but they waited until the waší̌cus reached the Yellowstone-Tongue junction in early August, far from U.S. military forts on the Missouri. They saw an opportunity in an advance detachment of horse soldiers riding on the north bank, and decided to bait them into a pursuit. Six warriors charged in to stampede the waší̌cu horse herd; as expected, the soldiers rushed after their mounts—and toward some three hundred warriors hiding in a cottonwood grove. The warriors charged "in perfect line," and the soldiers formed a skirmish line. The warriors kept shooting and charging at the line for three hours in 110°F heat and eventually set the grass on fire to burn the waší̌cus out. The soldiers retreated, and the warriors chased them downriver until they saw a dust

cloud: it was the main wašíču column. Lakotas swung around and withdrew upriver, the wašíčus now chasing them, marching hard to the tune of "Garry Owen." Custer—Pȟehíŋ HáŋskA, Long Hair, to Lakotas—had realized that there was a whole Lakota village nearby with women and children and rushed to "make short work" of it to sap the enemy's morale. When Lakotas neared the mouth of the Bighorn, they packed their possessions into bull boats and swam their horses across the fast-running Yellowstone to its south bank. Custer, burdened with the heavy army horses, failed to do the same and set up camp.[5]

At night the soldiers woke up to the sound of rifle fire: Sitting Bull had brought Minneconjou, Oglala, Sans Arc, and Cheyenne reinforcements, and now they shot at the wašíču camp on the far bank. The distance was nearly five hundred yards, but the fire was shockingly accurate: many Lakota warriors now carried Winchester magazine rifles; Henry and Spencer repeaters; and Springfield, Enfield, and Sharps breechloaders. There was a short duel between an expert U.S. sharpshooter and a Lakota marksman, which the latter won. Then some three hundred Indians crossed the river above and below the wašíču camp and Gall led a band of mounted warriors on its flank, releasing concentrated carbine fire and forcing Custer to form a new line of defense. It could have been a rout, three years early, if Colonel Stanley had not moved downriver with unusual speed. Once he brought his infantry and four Rodman guns on the scene and began shelling Sitting Bull and the warriors across the river, the battle was over. Lakotas moved south along the Bighorn, and Americans pushed northeast to the Musselshell River and turned back.[6]

And then the wašíčus vanished from the Yellowstone basin, their railroad seemingly abandoned: after two failed surveying expeditions in consecutive years it seemed there would be no more. Lakotas appeared to have stopped U.S. expansion in its tracks. They did not know—could not have known—that the United States had been gripped by financial panic. Jay Cooke and Company, the financier of the Northern Pacific, had defaulted its loans, triggering a sprawling financial crisis. Fifty-eight railroads went bankrupt within a year, and half of the nation's iron foundries failed. Credit tightened, prices fell, wages plummeted, and jobs melted away. The United States stood economically paralyzed, and the gigantic enterprise that was the Northern Pacific Railroad lay dead on the Missouri near Bismarck, its untouched, pointless rails covered with grass.[7]

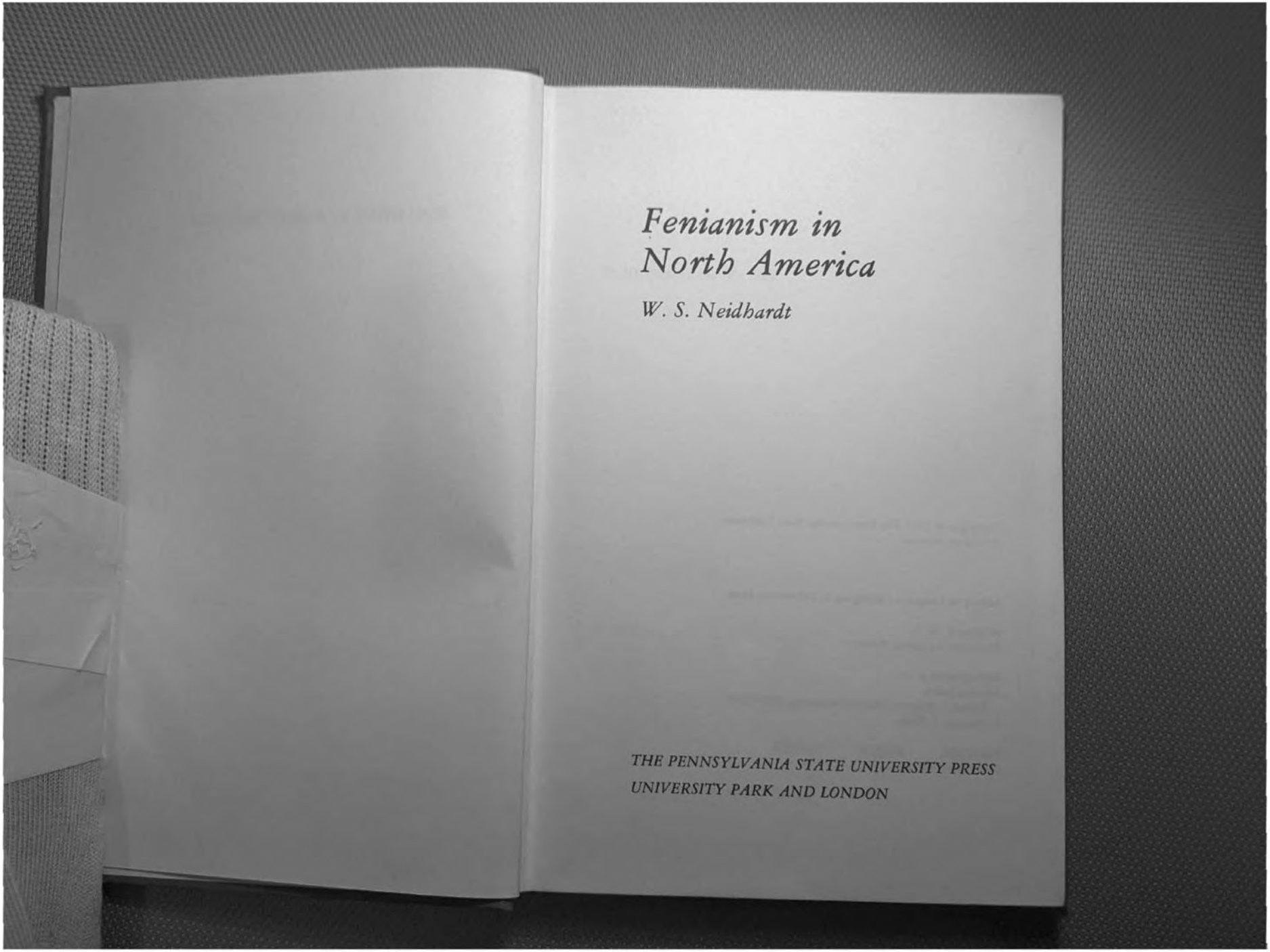
That same year a Lakota boy had a vision in the Little Bighorn Valley. He was a sensitive child who heard voices and communicated with spirits. Now two men asked him to follow them into the clouds: his grandfather was calling him. He was circled by millions of horses—"a sky full of horses"—and a bay horse guided him into a cloud tipi of Thunder Beings where he saw the six grandfathers who were the six directions: west, north, east, south, above, and below, the whole

45. The Red Cloud Agency in 1876. Courtesy of the Collections of History Nebraska, Nebraska State Historical Society, RG5895.

of the universe. The grandfathers showed him sick children, emaciated horses, wailing men and women, people dying—"it looked like a dying nation"—and they showed him herds of buffalo and dancing horses. They said they would take him to the center of the earth, and then he was on top of Pahá Sápa where he could see all the earth. Black Elk saw "what is good for humans and what is not good for humans." He knew what his people had to do.[8]

FORTS AND FRICTION

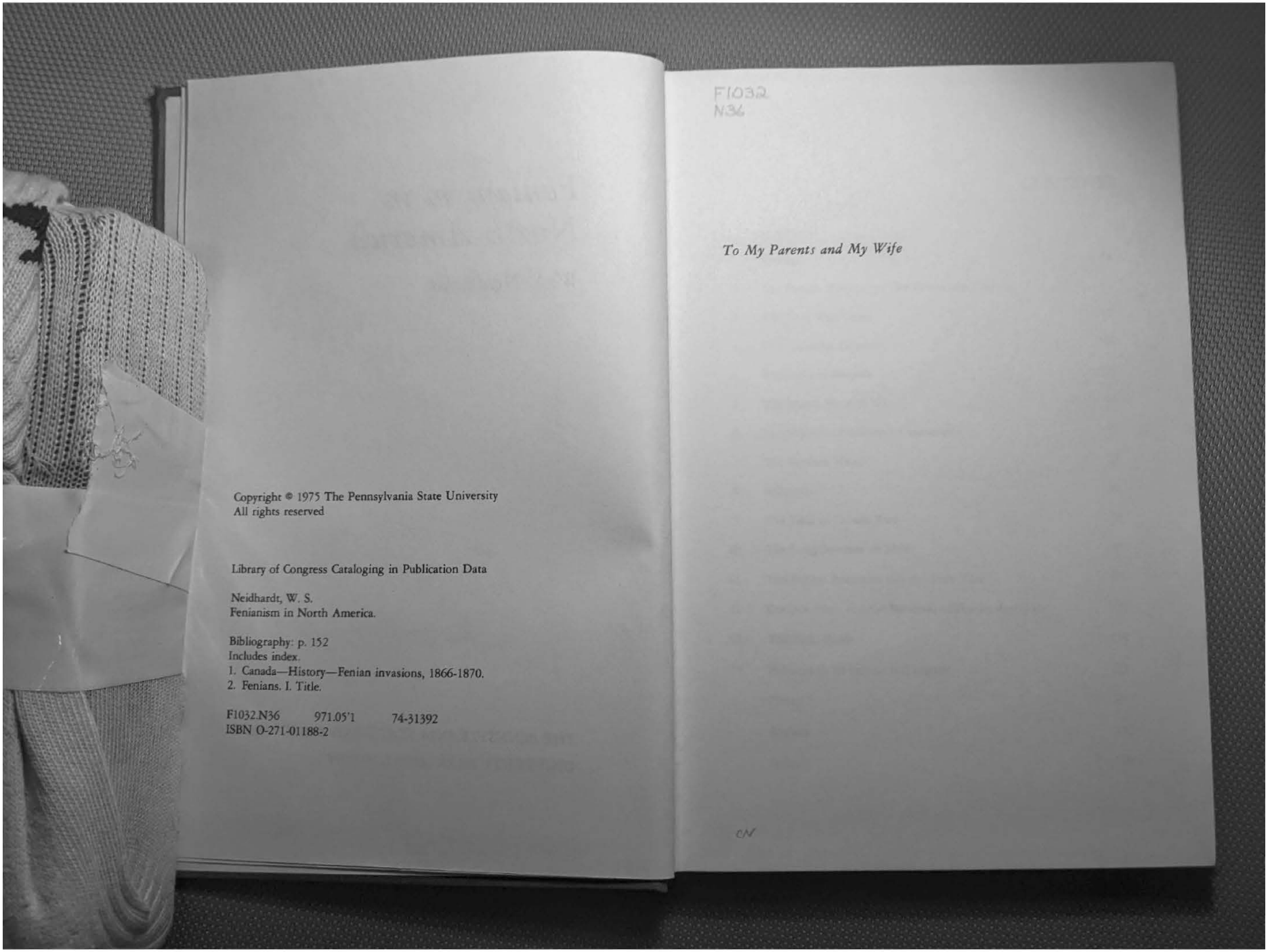
"The Oglalas killed the Indian agent's (Seville's) clerk," reads an 1874 winter count. The long-suffering Saville had struggled from the start in his post at Red Cloud Agency. Red Cloud and other chiefs had made sure the agent knew his place: he was there to serve, to make sure that Lakotas got what the United States had promised them in 1868. Saville was also unnerved by the animosity of the hundreds of northern nontreaty Lakotas who came in to draw food and goods as the weather turned cold, and refused to be counted and identified. Saville caved in to their demands for rations, believing, accurately, that the agency chiefs could not guarantee his safety. Things came to a head in February 1874. Saville panicked and called in troops, and a Minneconjou warrior walked into the clerk's building and shot Saville's nephew, Frank Appleton, at point blank, likely mistaking the young man for Saville himself. Saville asked again for troops, and now Sheridan sent more than nine hundred men to the White River. They built Camp Robinson to oversee Red Cloud Agency and Camp Sheridan to watch over Spotted Tail's site. Ever since its humiliating defeat in the Powder River War, the U.S. Army treated any Lakota threat as a potential national emergency.



Fenianism in North America

W. S. Neidhardt

THE PENNSYLVANIA STATE UNIVERSITY PRESS
UNIVERSITY PARK AND LONDON



To My Parents and My Wife

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Colonel Dennis escaped the initial Fenian rush and found a hiding place. After he shaved his moustache and disguised himself as well as possible, he succeeded in slipping by the enemy and at three Sunday morning reached Colonel Peacocke's camp, a mere three miles north of Fort Erie. Meanwhile the men on the *W.T. Robb* decided to return to Port Colborne "on account of being encumbered with so many prisoners on board . . . and so very few men left to guard them."[24]

Captain King and a few volunteers from the Welland Canal Field Battery resisted the Fenians for some time. But when a bullet shattered King's ankle, he fired the last bullets in his revolver and rolled from behind the woodpile that had protected him into the cold waters of the Niagara River, where he grasped the wooden support of a wharf until he was rescued. Unfortunately his wounded leg had to be amputated at the knee in a Buffalo hospital. Some time later, the officers and men of the Welland Canal Field Battery and the Dunnville Naval Brigade received special silver medals from the grateful people of Welland County. Captain King was presented with a beautiful ceremonial sword from the citizens of Fort Erie.

It was now Saturday evening, 2 June, and the Fenian raiders had been on Canadian soil for nearly forty-eight hours. They had fought one major and one minor engagement against courageous but inexperienced Canadian volunteer units, but now they were tired and hungry as they encamped in the ruins of the old Fort Erie. Here John O'Neill waited for the promised reinforcements from Buffalo, while sending messages to Captain Hynes informing him that by the next morning 5000 Canadians would have him surrounded. But he also explained somewhat boastfully that he was "perfectly willing to make the old fort a slaughter-pen" on the next day if orders called for it.[25]

Colonel Peacocke's troops finally left Chippawa much later than he had anticipated. A dismally poor commissariat system was largely to blame for this delay, and an inaccurate field map further impeded the column's progress. When Booker's messenger, Detective Armstrong, reached Peacocke at 10:30 A.M., his troops were still four miles from the scene of the battle. They could hear the sounds of distant gunfire but were helpless to intervene. Not being able to alter the situation, Peacocke decided to encamp his men for the night, fully expecting to meet the Fenians in the decisive battle for Canada on the next morning. The Fenian raiders, however, now in an untenable position, were unwilling to continue the struggle. In the early hours of Sunday, 3 June, they hastily abandoned their camp, including over 100 of their comrades, and embarked on two large canal boats pulled by two tugs which had crossed the Niagara River at a prearranged signal to bring the Fenian force back to the American border.

But when the entourage reached midstream, an armed American tug, the *Harrison*, steamed up and overtook the returning raiders and forced them to surrender to the American authorities. Everyone was placed under arrest, and the U.S.S. *Michigan* dropped anchor beside the floating prisons filled with Fenians and anchored in midstream, thereby effectively preventing any massive escapes. In all, about 700 Fenians were taken into custody by the authorities.[26] The American government had finally decided to intervene, with some reluctance, in the affairs of the Brotherhood. Attorney-General for the Northern District William Dart had already ordered American officials along the Canadian-American frontier to limit harbor activity to certain hours of the day and to inspect all cargos for hidden arms. The *Michigan* and the *Harrison* were now enforcing this order when the Fenians sought to return to the safety of American shores early Sunday morning, 3 June.

Furthermore, Lieutenant-General Ulysses S. Grant, who had passed through Buffalo on 2 June, instructed General George Meade, commander of the Northern military district, to inform the state authorities along the frontier "to call out the militia on the Frontier, to prevent hostile expeditions leaving the United States, and to save private property from destruction by mobs."[27]

General Meade, already familiar with the Fenians from the Campobello affair, ordered Brevet Major-General Barry to take command of the troubled Niagara frontier and directed him

> to use the force at your command to preserve the neutrality by preventing the crossing of armed bodies, by cutting off reinforcements or supplies, by seizing all arms, munitions, etc., which you have reason to believe are destined to be used unlawfully—in fine, taking all measures precautionary and otherwise to prevent violation of law.[28]

Finally, President Andrew Johnson belatedly issued a "Neutrality Proclamation," which was made public on 6 June—one full week *after* the Fenians had openly violated America's neutrality laws. The proclamation referred to the latest Fenian machinations as "proceedings which constitute a high misdemeanour, forbidden by the laws of the United States," and it warned all American citizens "against taking part in or in anywise aiding, countenancing or abetting such unlawful proceedings."[29] In conclusion it called for the arrest of all lawbreakers and empowered General Meade to use all the land and naval forces necessary to carry out the letter of the law.

The Neutrality Proclamation was definitely the most serious blow to the fortunes of the Brotherhood. "The appearance of the President's Proclamation yesterday morning threw much of a damper upon the spirits of the Fenians congregated in our city," wrote the *Buffalo Express* on 8 June, and the

way from Chicago, Illinois, to help in the defense of Canada. They crossed the border at Windsor on 4 June, too late for any action.

5. W. Ellis, "The Adventures of a Prisoner of War," *The Canadian Magazine* 13 (1899): 199. Corporal Ellis participated in the battle at Ridgeway and was captured by the Fenians. Later in life he became a professor at the School of Practical Science at the University of Toronto.

6. Ellis, p. 199, and W.T. Barnard, *The Queen's Own Rifles of Canada, 1860–1960* (Don Mills, 1960), p. 17.

7. *Toronto Leader*, 2 June 1866.

8. Ellis, p. 199, and A. Somerville, *Narrative of the Fenian Invasion of Canada* (Hamilton, 1866), p. 46.

9. This song is recalled by a contemporary of the times (M.G. Sherk, "My Recollections of the Fenian Raid," *WCHSPR* 2 [1926]: 64).

10. G. Wells, "The Fenian Raid in Willoughby," *WCHSPR* 2 (1926): 57–59.

11. Denison, *Fenian Raid*, p. 19.

12. Cited in Macdonald, p. 30.

13. O'Neill, *Official Report. . .*, p. 39. Colonel O'Neill hoped "to get between the two columns, and, if possible, defeat one of them before the other could come to its assistance."

14. Colonel Booker was the senior officer in the area and commanded these volunteer units: the Thirteenth Battalion from Hamilton, the York and Caledonia Volunteers, and the Queen's Own Rifles from Toronto (Ellis, p. 199).

15. E.A. Cruikshank, "The Fenian Raid of 1866," *WCHSPR* 2 (1926): 31.

16. The total strength of Canadian defenders in the Niagara area at this moment was about 2400 men. Colonel Peacocke commanded about 1500 men and Colonel Booker's force numbered about 900. See F.M. Quealy, "The Fenian Invasion of Canada West," *Ontario History* 53 (1961): 50.

17. Cruikshank, pp. 32–33. According to the 1865 Militia Report (*SP*, No. 16 [1865], p. 23), each soldier was to be supplied with these rations: one pound of bread and meat; two pounds of potatoes; two ounces of butter, rice and sugar; one pint of milk; and a small amount of coffee and tea. These were daily rations.

18. Ellis, pp. 199–201. Ellis was soon released by his captors for he had won their sympathy when he had helped a wounded Fenian. Ellis even recalled that John O'Neill bought him a glass of beer at a roadside tavern (pp. 201–3).

19. Cited by Slattery, p. 326.

20. Information from Cruikshank (see pp. 34–37 of that book for more details). For Booker's critical order to "Form Square," see Denison, *Fenian Raid*, pp. 44–45.

21. J.S. Brusher, "The Fenian Invasions of Canada," Ph.D. dissertation, St. Louis University, 1943, p. 76.

22. J.F. Dunn, "Recollections of the Battle of Ridgeway," *WCHSPR* 2 (1926): 52, claims that O'Neill himself acknowledged the importance of the fatal command: "Up to the time when they made the fatal mistake of forming the square, they had driven in all my skirmishers and were advancing on my main position. . . . We were just on the point of retiring to the woods nearby, when the enemy, seeing a few of my men who had horses they had picked up, formed a square to prepare for cavalry."

23. *Proceedings and Report of the Court of Inquiry on the Late Engagement at Lime Ridge*, in Macdonald, pp. 241–42; the *Toronto Globe*, 1 August 1866, also has a complete summary of the inquiry.

24. "Official Report of Lt. L. McCallum," in the appendix of Denison, *Fenian Raid*, p. 92.

25. O'Neill, *Official Report*, p. 40.

26. H. Hemans to Monck, 3 June 1866, *SP*, No. 75 (1869), p. 142.

27. The instructions are reprinted in the *New York Tribune*, 4 June 1866.

28. Cited by Macdonald, p. 92.

29. Richardson, 6:433.

30. Beale, *Diary of Gideon Welles*, 2:519–21, notes the open reluctance of Seward and Secretary of War Stanton to act against the Fenians between 2 and 4 June. Welles noted in his diary: "Seward was in a fog. Did not want to issue a proclamation . . . Stanton wanted to keep clear of the question." In the end, President Johnson was forced to act and on 5 June he ordered Attorney-General James Speed "to cause the arrest of all prominent, leading, or conspicuous persons called 'Fenians' who . . . have been or may be guilty of violations of the neutrality laws of the United States." See Richardson, 6:447.

31. Macdonald, p. 118.

32. Ibid., p. 93.

33. Quoted in the *Toronto Globe*, 9 July 1866.

34. Most of the arrested Fenians were soon free. The rank and file merely had to promise to appear if a trial became necessary, and the leaders posted a $500 bond in order to stay out of jail. The *Daily Telegraph* in Toronto could not restrain its sarcasm when it publicly asked on 6 June 1866 whether or not the bail could be paid in Fenian bonds.

35. Cited in King, p. 206.

36. *St. Paul Pioneer*, 5 June 1866, cited in A.C. Gluek, *Minnesota and the Manifest Destiny of the Canadian Northwest* (Toronto, 1965), pp. 205–6.

37. A monument was built to commemorate the Fenian raid and it still stands in Queen's Park in Toronto today. There also is a plaque inside the doors of the Ontario Legislature and a stained glass window in Toronto's University College to recall the events of June 1866. In 1899, General Service Medals were issued to all living survivors of the Fenian raids.

38. O'Neill, *Official Report*, p. 42, maintains that eight of his men were killed and fifteen others wounded. Canadian sources place the figures somewhat higher. See the letter written by one Robert Denby to his brother Frederick, dated 3 June 1866, informing him of the death of their cousin Albert John during the fighting at the front. The angry letter writer refers to "those damning Fenians. May the Lord curse the lot." Letter is in the possession of the *Toronto Historical Board: Fort York*.

39. On 8 June 1866, the *Toronto Leader* reported that several irresponsible American newspapers were apparently printing stories telling of Fenian prisoners in Canada being summarily shot and even scalped.

40. Macdonald, p. 56.

41. B. Cumberland, "The Fenian Raid of 1866 and Events on the Frontier," *Proceedings and Transactions of the Royal Society of Canada*, 3rd series, 4 (1910): 96–97.

42. G. Wells, "A Romance of the Raid," *WCHSPR* 2 (1926): 80–81.

43. Cited by M.F. Campbell, *Niagara: Hinge of the Golden Arc* (Toronto, 1958), pp. 224–25.

44. Printed in the *Toronto Globe*, 2 June 1866, for C. Potter, 20 King St. East, Toronto.

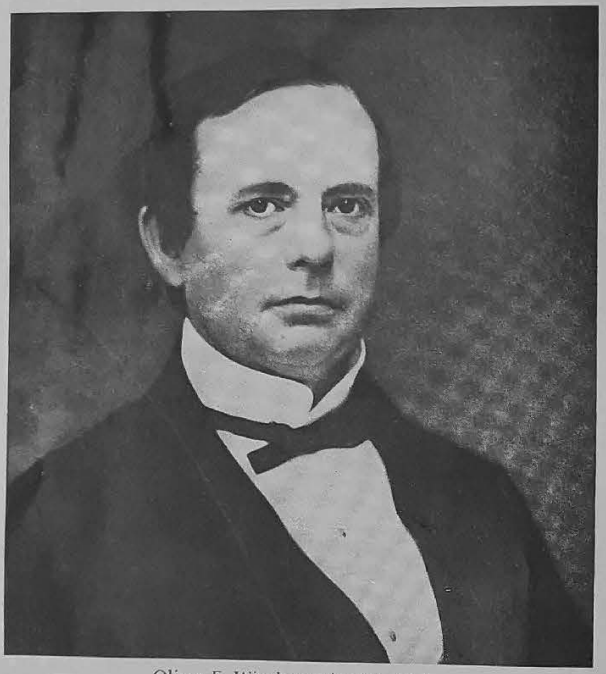
45. Cumberland, p. 99.

46. This point is supported by Ellis, pp. 201–2, Denison, *Fenian Raid*, p. 69, and N. Brewster, "Recollections of the Fenian Raid," *WCHSPR* 2 (1926): 76.

47. C.P. Stacey, "Fenianism and the Rise of National Feeling in Canada at the Time of Confederation," *CHR* 12 (1931): 242.

CHAPTER 9

1. See the reports in the *Toronto Leader* and the *Toronto Globe*, 4-7 June 1866.
2. Quoted in the *New York Tribune*, 5 June 1866.
3. *Quebec Morning Chronicle*, 7 June 1866; cited by Waite, p. 279.



Oliver F. Winchester in the 1860's
Courtesy of Winchester Repeating Arms Company

The FIRST WINCHESTER

The Story of the 1866 Repeating Rifle

By JOHN E. PARSONS

New York
William Morrow and Company

1955

CONTENTS

The front endpaper, left side, reproduces a trade card which appeared in the *Salt Lake City Business Directory* for 1869. Facing it is descriptive matter from J. H. Johnston's 1873 catalog of the Great Western Gun Works, Pittsburgh, with an advertisement from Langley's *Pacific Coast Business Directory* for 1871. The back endpaper comes from Corbett, Hoye & Co.'s *Denver City Directory* for 1876.

The emblem reproduced on page 1 of this book is the reunion badge of the First Maine Cavalry Association, from the *First Maine Bugle*, January, 1891.

FOREWORD

THE genesis of this study was a review written for *The Gun Collector* of Harold F. Williamson's *Winchester—The Gun That Won the West*. Having noted a paucity of collector's grist in this company history and that the thesis of its subtitle was left unproven, the reviewer undertook to see if he could meet his own criticisms. Whether or not this has been accomplished is for the reader to say: the author can only report his surprise and pleasure in the material uncovered.

One gratifying find concerns the Winchester carbine in use by the Northwest Mounted Police at the time of the Riel Rebellion of 1885. Characteristics were fixed through locating a specimen still in police possession. Its serial number supplied the key to early factory records giving the date and number of weapons ordered and their specifications differing from standard. These last identified an unmarked arm in the Winchester Museum as the original prototype for the Mounted Police carbine. Details of its adoption, found in the annual reports of the commissioner, complete the story.

While effort has been made in this study to supply only fresh material, in a few instances it has become necessary to cover old ground, particularly where the history of the gun and of the company coincide. For leads in the latter respect

acknowledgment is certainly due to Mr. Williamson, whose presentation along economic lines is masterful, and to his bibliography and appendices. To the Winchester Repeating Arms Company, now a division of Olin Mathieson Chemical Corporation, and to its personnel at New Haven, the author is particularly indebted for making available its records, museum, library and photographic laboratory. Thomas E. Hall, Curator of the Winchester Museum, has been of the greatest help in giving technical advice, answering queries, following up lines of investigation and suggesting points at which the study could be improved or expanded. To him and to Edwin Pugsley and Paul S. Foster, the author renders heartfelt thanks for reading and commenting upon the manuscript.

A host of collectors in the United States have helped make this book, by generously supplying details and photographs of their arms. Particularly useful has been information on serial numbers and type characteristics, enabling the author to construct sequence tables and trace minor changes in design. Individuals and institutions kindly furnishing illustrations are named in the captions, but special acknowledgment is due to George Madis, Norris E. Pratt and Gerald Fox, whose several contributions have been invaluable. Joe W. Bates, Maurice C. Clark, John S. du Mont and James E. Serven have rendered signal aid, as have likewise John A. Leermakers, Clarence T. Hanson, Wilbur K. Hilgar, Harold N. Ball, Robert E. McMahon and John Hintlian. The author expresses his grateful thanks also to Cleves H. Howell, Jr., Lloyd Bender, Don Whaley, Norman L. Pratten, Frank Russell, Ed Baldwin, James S. Hutchins, B. K. Wingate, Philip R. Phillips, James Thompson, Herschel C. Logan, J. Thomas Cottrell, Jr., Herb Glass and William M. Locke for their help and interest.

Collectors of Americana other than firearms who have kindly supplied photographs are Frederick H. Meserve and

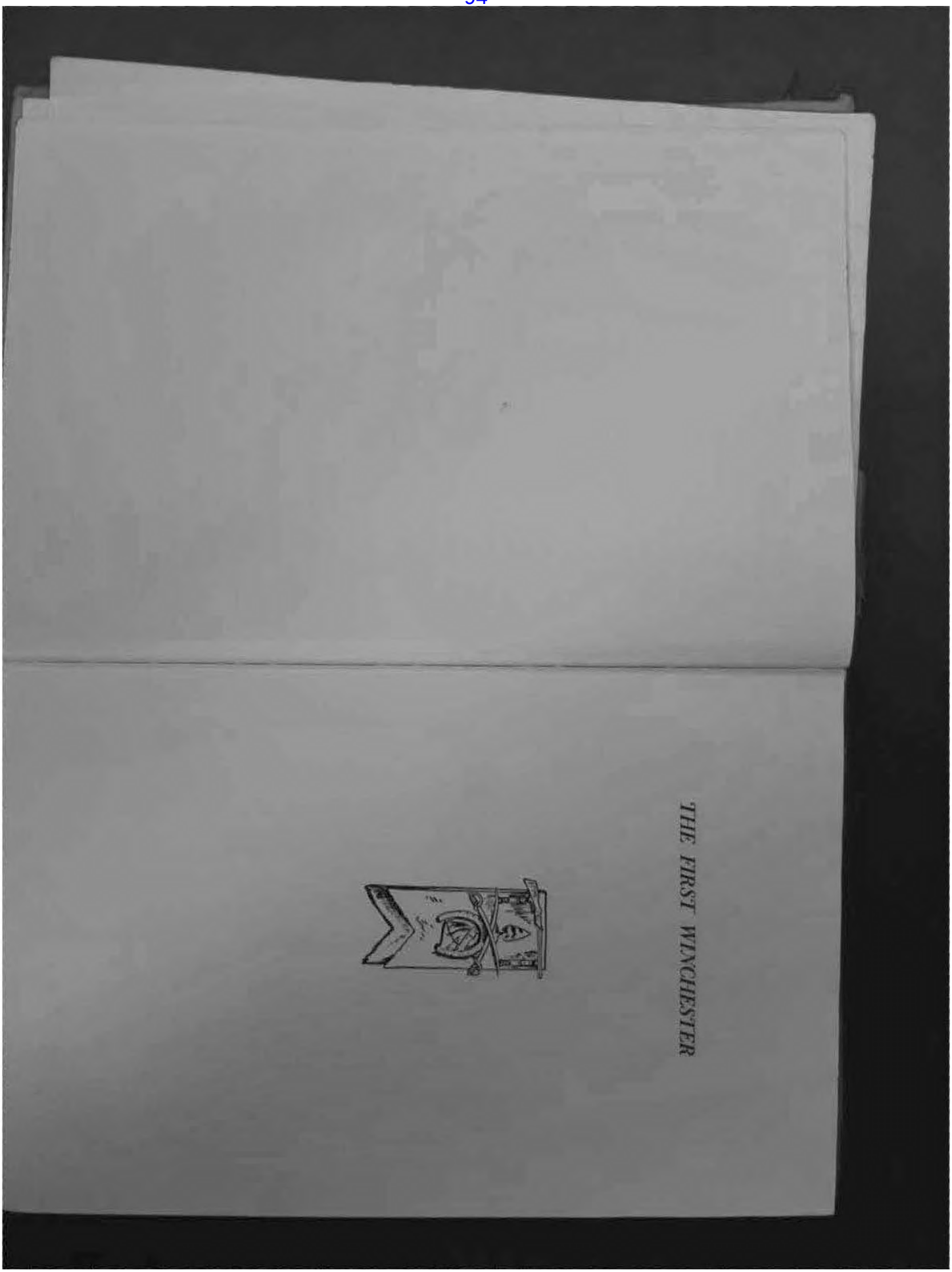
Frederic Allen Williams. John C. Ewers of the Smithsonian Institution and Stephen V. Grancsay of The Metropolitan Museum of Art have each contributed of their special knowledge. Miss Mari Sandoz has been generous with her store of notes. From original sources in the Western Americana Collection, Yale University Library, through its curator Archibald Hanna, have come unique data and illustrations. Grateful acknowledgment is due likewise to the Union Pacific Historical Museum, Omaha, the Wells Fargo Bank History Room, San Francisco, the State Historical Society of North Dakota, The House of Yesterday, Hastings, Nebraska, the Royal Canadian Mounted Police, Ottawa, and the National Archives for unusual photographs. Source material has also been found in the Louisville Free Public Library, the University of Illinois Library, the New York Public Library, the Boston Public Library, the Library of Congress, the New York Historical Society and the Historical Society of Pennsylvania.

Interest in the early Winchester is by no means confined to the United States and Canada. From England much helpful information has been supplied by S. Basil Haw, Major G. Tylden of the Council of the Society for Army Historical Research, and A. Norris Kennard of the Armouries, Tower of London; and from Denmark by Tage Lasson, author of *De Tidlige Winchester-Rifler*.

Frederic Remington's painting of "The Scout," a mounted frontiersman armed with a Model '66 Winchester carbine, is reproduced on the jacket of this book through the courtesy of Harold McCracken and the publishers of *Frederic Remington—Artist of the Old West*.

The author is grateful to Miss Belle M. McSherry for statistical work done at Winchester's and as heretofore to Miss Mary V. Farrell for her skillful assistance in putting manuscript into type.

J. E. P.

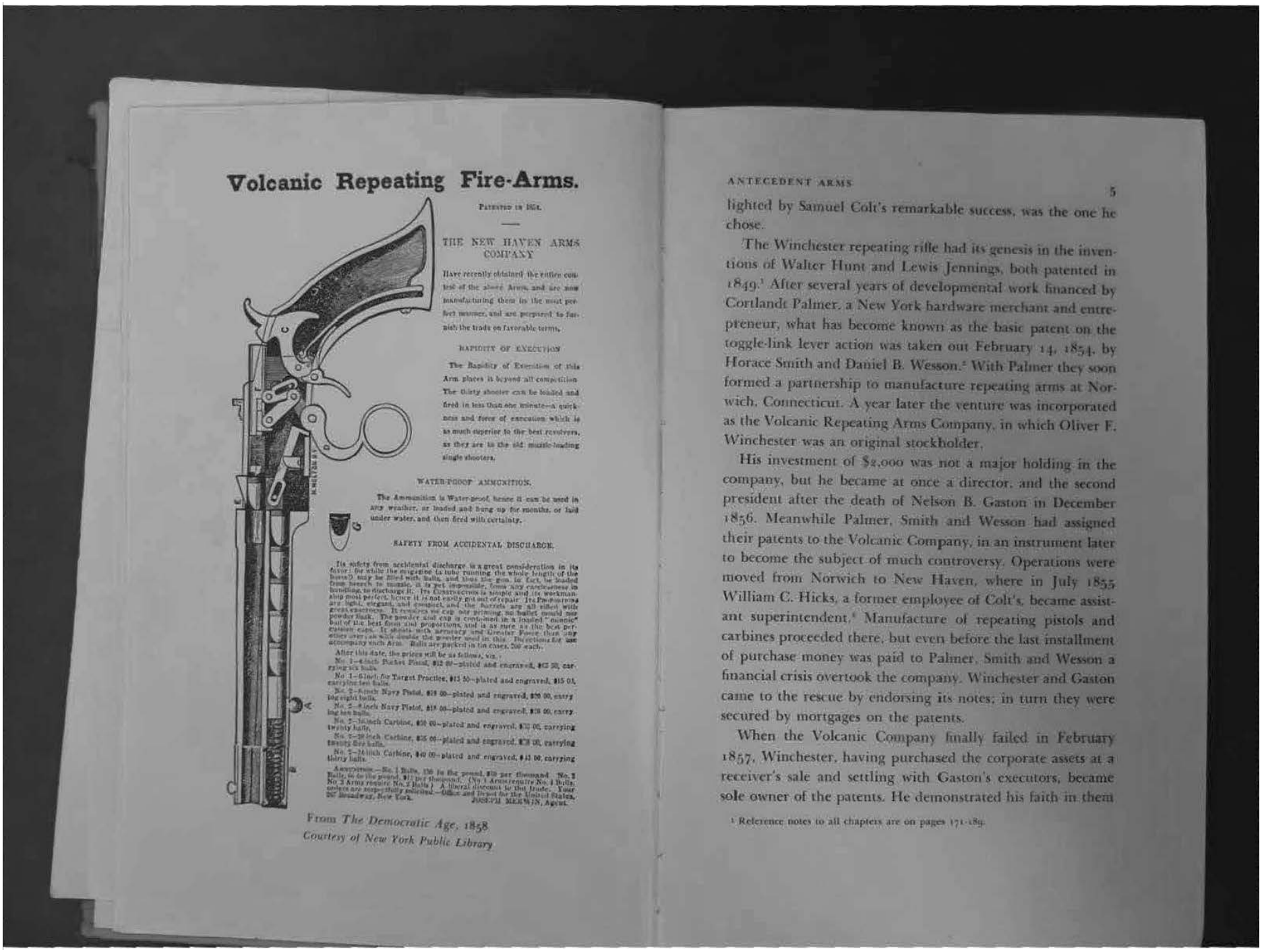

THE FIRST WINCHESTER

CHAPTER I

ANTECEDENT ARMS

It has been said of Oliver F. Winchester that he was a shirt manufacturer who happened into the arms business, and never fired a gun. While these observations may be true in themselves, they by no means tell the whole story. For without the faith, perseverance and capacity of the man, the rifle eventually named for him would never have found its market.

Born in 1810 in Boston, with a twin brother the youngest of five children, Oliver F. Winchester was successively a farm boy, a carpenter and a building contractor. After marrying a girl from Maine, he became a merchant in Baltimore selling men's furnishings. This got him interested in shirts, and in 1848 he took out a patent on a new method of cutting them. Moving to New York, he formed a partnership to exploit the patent, and soon took charge of manufacture in New Haven. On the advent of the sewing machine the business expanded so as to make Winchester a man of means, with capital to invest in other enterprises. Arms manufacture, then spot-



Volcanic Repeating Fire-Arms.

PATENTED IN 1854.

THE NEW HAVEN ARMS COMPANY

Have recently obtained the entire control of the above Arms, and are now manufacturing them in the most perfect manner, and are prepared to furnish the trade on favorable terms.

RAPIDITY OF EXECUTION

The Rapidity of Execution of this Arm places it beyond all competition. The thirty shooter can be loaded and fired in less than one minute—a quickness and force of execution which is as much superior to the best revolvers, as they are to the old muzzle-loading single shooters.

WATER-PROOF AMMUNITION.

The Ammunition is Water-proof, hence it can be used in any weather, or loaded and hung up for months, or laid under water, and then fired with certainty.

SAFETY FROM ACCIDENTAL DISCHARGE.

Its safety from accidental discharge is a great consideration in its favor: for while the magazine (a tube running the whole length of the barrel) may be filled with balls, and thus the gun, in fact, be loaded from breech to muzzle, it is yet impossible, from any carelessness in handling, to discharge it. Its construction is simple and its workmanship most perfect, hence it is not easily got out of repair. Its Pistols are light, elegant, and compact, and the barrels are all silver with great exactness. It requires no cap nor priming, no ball mould nor powder flask. The powder and cap is contained in a loaded "minnie" ball of the best finish and proportions, and is as sure as the best percussion caps. It shoots with accuracy and greater Power than any other; one can with double the powder used in this. Directions for use accompany each Arm. Balls are packed in tin cases, 500 each.

After this date, the prices will be as follows, viz.:

No. 1—4-inch Pocket Pistol, $12 00—plated and engraved, $13 50, carrying six balls.

No. 1—Short, for Target Practice, $13 50—plated and engraved, $15 00, carrying ten balls.

No. 2—6-inch Navy Pistol, $18 00—plated and engraved, $20 00, carrying eight balls.

No. 2—8-inch Navy Pistol, $19 00—plated and engraved, $21 00, carrying ten balls.

No. 3—14-inch Carbine, $50 00—plated and engraved, $55 00, carrying twenty balls.

No. 3—20-inch Carbine, $55 00—plated and engraved, $60 00, carrying twenty-five balls.

No. 3—24-inch Carbine, $40 00—plated and engraved, $45 00, carrying thirty balls.

Ammunition.—No. 1 Balls, 150 to the pound, $30 per thousand. No. 2 Balls, 60 to the pound, $12 per thousand. (No. 1 Arms require No. 1 Balls; No. 2 Arms require No. 2 Balls.) A liberal discount to the trade. Your orders are respectfully solicited.—Office and Depot for the United States, 307 Broadway, New York.

JOSEPH MERWIN, Agent.

From *The Democratic Age*, 1858
Courtesy of New York Public Library

lighted by Samuel Colt's remarkable success, was the one he chose.

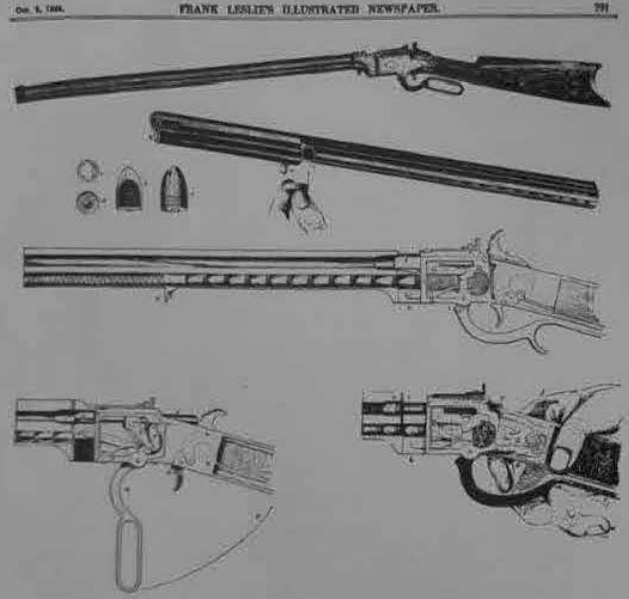
The Winchester repeating rifle had its genesis in the inventions of Walter Hunt and Lewis Jennings, both patented in 1849.[1] After several years of developmental work financed by Cortlandt Palmer, a New York hardware merchant and entrepreneur, what has become known as the basic patent on the toggle-link lever action was taken out February 14, 1854, by Horace Smith and Daniel B. Wesson.[2] With Palmer they soon formed a partnership to manufacture repeating arms at Norwich, Connecticut. A year later the venture was incorporated as the Volcanic Repeating Arms Company, in which Oliver F. Winchester was an original stockholder.

His investment of $2,000 was not a major holding in the company, but he became at once a director, and the second president after the death of Nelson B. Gaston in December 1856. Meanwhile Palmer, Smith and Wesson had assigned their patents to the Volcanic Company, in an instrument later to become the subject of much controversy. Operations were moved from Norwich to New Haven, where in July 1855 William C. Hicks, a former employee of Colt's, became assistant superintendent.[3] Manufacture of repeating pistols and carbines proceeded there, but even before the last installment of purchase money was paid to Palmer, Smith and Wesson a financial crisis overtook the company. Winchester and Gaston came to the rescue by endorsing its notes; in turn they were secured by mortgages on the patents.

When the Volcanic Company finally failed in February 1857, Winchester, having purchased the corporate assets at a receiver's sale and settling with Gaston's executors, became sole owner of the patents. He demonstrated his faith in them

[1] Reference notes to all chapters are on pages 171-189.

by organizing the New Haven Arms Company to continue production. In the new company he took 800 shares out of 1,900 issued, and became president and treasurer. These hap-



Diagrams of the Volcanic Repeating Rifle
Courtesy of University of Illinois Library

penings, of which a much fuller account will be found in Williamson's history,[4] are recited to show the early and important role played by Oliver F. Winchester in promoting the arm and the company which for ten years yet were not to bear his name. The New Haven Arms Company continued to make arms on the Volcanic pattern, but found no better market

than its predecessor. A page in Frank Leslie's weekly for October 9, 1858 [5] described the Volcanic with enthusiasm:

> It combines every quality requisite in such a weapon, with many advantages which no similar invention has yet succeeded in attaining. It is placed beyond all competition by the rapidity of its execution. Thirty shots can be fired in less than one minute —a really marvellous rapidity, in which it far outdoes the best revolving firearms yet produced. Its ammunition has the advantage of compactness, lightness, and of being water-proof. As will be seen in our diagram, the entire charge consists in a bullet of the Minié pattern, in which both charge and priming are contained, and of which sixty weigh only one pound. What an improvement upon the heavy cartridge or powder-flask that it has hitherto been necessary to carry! The balls may be soaked in water with perfect impunity, and can be kept any length of time in any climate, without losing their explosive force: nor can they be exploded by contact with flame.
>
> One of the principal recommendations of the Volcanic repeating rifle is its safety from accidental discharge, as, while the magazine (a tube running the whole length of the barrel), may be filled with balls, and thus the gun, in fact, be loaded from breech to muzzle, it is yet impossible from any carelessness in handling, to discharge it. Its construction is simple and its workmanship most perfect, hence it is not easily got out of repair.
>
> The manufacture of these firearms—of which several sizes, as well pistols as rifles, are produced—was commenced in 1855, and is now carried on by the New Haven Arms Company, of New Haven, Conn., where a large factory is established, employing, on an average, some fifty hands. The depot of the company, a very handsome store, is at No. 267 Broadway, New York.

The arm had won premiums at a number of state fairs and at the American Institute in New York City. It was currently on exhibition there at the Crystal Palace. But sales continued to be disappointing, and by January 1, 1860 the New Haven Arms Company had built up an inventory of unsold Volcanic

arms and ammunition which even at a discount of 50 percent from list prices amounted to half the company's capital.

B. Tyler Henry of Windsor, Vermont, became plant superintendent May 1, 1857, Hicks having left at the end of 1856.

Presentation Henry Rifles
Upper Inscription: "Gideon Welles–Secretary–Navy," Serial 9
Lower: "Presented to Gov. W. F. M. Arny [of New Mexico] by E. M. Stanton Secty of War August 1863," Serial 2,317
Courtesy of Gerald Fox

After several years of experimental work, Henry patented an improved design of rifle utilizing a metallic rimfire cartridge instead of the loaded projectile previously used.[7] The essential feature of his patent consisted in drilling a hole through the solid breech-bolt of Smith and Wesson's design, so that a firing pin might work through it. Two opposite ears or firing points were placed on the front end of the pin to hit the primed

cartridge head. This made the blow of the hammer more certain to explode the charge. There was also an improvement in the method of ejecting cartridge cases as claimed in the 1854 patent. Yet what actually made Henry's arm a practical one was the change-over in ammunition.

The new cartridge represented a return to the concept of the expansible metallic case described in Smith and Wesson's original patent.[7] Actually it had never proved reliable enough to adopt in the Volcanic pistols. But the inventors themselves had improved it by the addition of a flange on the base holding the fulminate, and used it for their .22 calibre revolvers. Under Winchester's direction B. Tyler Henry likewise experimented with such a cartridge, though larger in size.[7] His boss held an assignment of Smith and Wesson's 1854 and 1856 cartridge patents,[8] and if he availed himself of their patent of 1860,[9] it was by color of that assignment. The .44 calibre rimfire load which Henry developed, with a powder charge of 26 grains and a conical bullet of 216, made his new rifle a success.

Envisaging a military demand and financed by loans mainly from its president, the company tooled up for production during the first year of the Civil War. Favorable reports on the Henry rifle came to the Ordnance Department from the Army of the Potomac, but the Chief of Ordnance, Brig. Gen. James W. Ripley, took a dim view of repeating arms in general in a letter to the Secretary of War, December 9, 1861. General Ripley had already[10] warned the Secretary of "a great evil now specially prevalent in regard to . . . the vast variety of new inventions, each having of course its advocates, insisting upon the superiority of his favorite arm over all others." Of the Henry and Spencer repeaters he wrote:[10] "I regard the weight of the arms with the loaded magazine as objectionable, and also the requirement of special ammunition rendering it

impossible to use the arms with the ordinary cartridges or with powder and ball." He questioned "the effect on the cartridges in the magazine of carrying them on horseback . . . and whether they will be safe for transportation with the fulminate in the cartridge." Finally he was satisfied with the rapidity of fire of single-shot breechloaders already purchased.

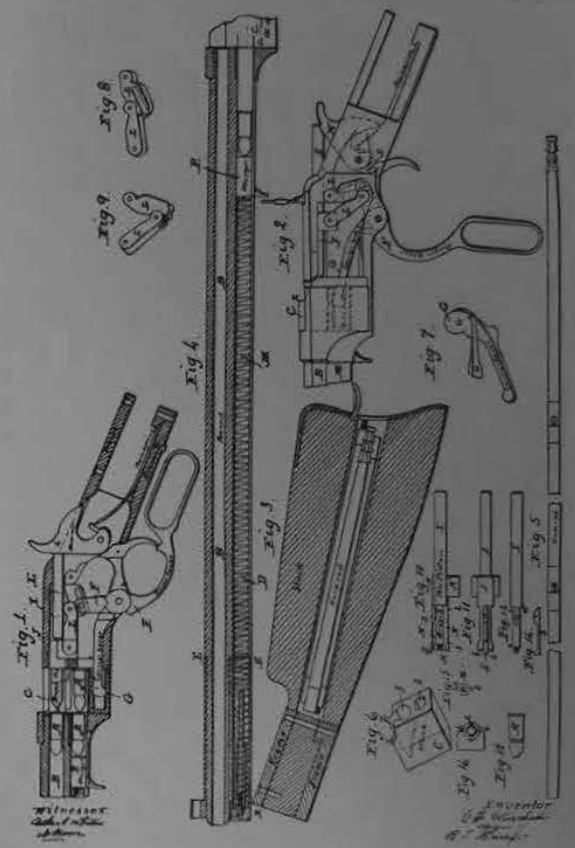
Oliver F. Winchester presented one of the first Henrys to Gideon Welles, Secretary of the Navy and a fellow citizen

Barrel Marking of the Henry Rifle
Courtesy of Winchester Repeating Arms Company

from Connecticut. This gift may have led to a test of the rifle at the Washington Navy Yard, the details of which were forwarded without result to the Naval Bureau of Ordnance. Lt. William Mitchell, U.S.N., reported [21] to Capt. John A. Dahlgren, U.S.N., May 20, 1862:

> For time and rapidity, 187 shots were fired in 3 min. 56 sec. These were fired in rounds of 15 shots each, the actual time of firing only counted. One round (15 shots) were fired in 10.8s.; 120 shots were loaded and fired in 5 min. 45 sec. This includes the whole time from the first shot to the last . . . 15 shots were fired for accuracy at a target 18 inches square, at 348 feet distance, 14 hit direct.
>
> The firing was then continued to test endurance, &c., up to 1040 shot, the gun not having been cleaned or repaired from the first shot. The piece was then carefully examined, and found considerably leaded and very foul, the lands and grooves not being visible. In other respects it was found in perfect order.

B. T. HENRY.
Magazine Fire Arm.
No. 30,446. Patented Oct. 16, 1860



* It is manifest from the above experiment that this gun may be fired with great rapidity, and is not liable to get out of order.

The penetration, in proportion to the charge used, compares favorably with that of other arms.

By July 1862 the new rifles were ready for public sale. They were stamped on the barrel:

HENRY'S PATENT. OCT. 16, 1860
MANUFACT'D. BY THE NEW HAVEN ARMS CO. NEW HAVEN, CT.

and were advertised and marketed as the "Henry Rifle." A capital H was stamped as a trademark on the heads of the rimfire cartridges supplied by the New Haven Arms Company.

While the 1860 patent had been assigned to Oliver F. Winchester, the guns were actually made by B. Tyler Henry at the company plant at 9 Artizan Street on an inside contract basis. In the process, the basic patent of 1854 likewise held by Winchester was of course utilized. That it continued to have significance is evident from the fact that an extension of it for seven years was sought on its expiration in 1868. This required a special Act of Congress, the original application to extend not having been filed in time. Congress obligingly gave permission " to apply again, and the Commissioner of Patents granted the extension August 11, 1868. His reasons for doing so are not on record, and the application itself cannot be found in the files in the Patent Office.

CHAPTER II

THE HENRY IN THE CIVIL WAR

INTRODUCTION of the Henry rifle to the public appears to have taken place at Louisville, Kentucky, in midsummer, 1862. An advertisement in the *Louisville Journal* of July 9 invited inspection of the rifle at James Low & Co.'s, Sixth Street. The notice was placed by William C. Stanton, traveling salesman for the company since Volcanic days. George D. Prentice, editor of the *Journal* and an immediate enthusiast, devoted a column of news to the arm on July 14:

In these days, when rebel outlaws and raids are becoming common in Kentucky, when guerillas are scouring different counties nightly, and practising the most atrocious outrages, when even the central positions of our State are openly threatened, and when it is understood in high quarters that secret companies are on foot for a sudden and general insurrection at some favorable moment, it behooves every loyal citizen to prepare himself upon his own responsibility with the best weapon of defense that can be obtained. And certainly the simplest, surest, and most effective weapon that we know of, the weapon that could be used with

the most tremendous results in case of an outbreak or invasion, is one that we have mentioned recently upon two or three occasions, the newly invented rifle of Henry, now on exhibition, and for sale at Messrs. Jas. Low and Co.'s, Sixth street.


HENRY'S
REPEATING RIFLE

THESE MOST POWERFUL AND EFFECTIVE weapons can be bought,
BY THE CASE ONLY,
OF
A. B. SEMPLE & SONS,
Louisville,
General Agents for the State of Kentucky.

They may be procured at retail of the following parties:
JOSEPH GRIFFITH & SON, Fifth street, near Main street, Louisville.
DICKSON & GILMORE, Third street, near Main street, Louisville.
CHAS. H. BRADFORD, New Albany, Indiana.
WELLS, KELLOGG, & CO., Evansville, Indiana.

Duplicate Springs and other parts of the Rifle can be obtained from, and all needed repairs made by
DICKSON & GILMORE, Third, near Main street, Louisville, Ky.
O. F. WINCHESTER, Pres't N. H. Arms Co.
New Haven, Conn.

From the *Louisville Daily Journal*, March 7, 1863
Louisville Free Public Library

This rifle, as we have stated, can be loaded in eight or ten seconds with fifteen cartridges, and the whole number can be fired in fifteen seconds or less, so that one man, with the weapon, is equal to fifteen armed with ordinary guns. We have never known an instance of its missing fire, and, if it were to do so, the delay involved would be but a single second. Except when it is cocked, there is no possibility of its being discharged by falling upon the floor, or by the most violent blow inflicted upon any part of it. If it is desired to withdraw the cartridges, the whole fifteen can be withdrawn in three or four seconds. It may lie loaded for a week at the bottom of a river, and, if taken out, will then fire with as much certainty as if it had been kept perfectly dry all the time. It is remarkably simple, not liable to get out of order, and is utterly free from the objection sometimes urged against other repeating rifles that two or more charges are liable to be fired at once.

Prentice himself purchased several hundred of the rifles for resale to Union sympathizers, but when the Confederates threatened Louisville in September, he let the guns go hurriedly below cost. This distressed John W. Brown, who was

handling the arm in Columbus, Ohio, and Winchester wrote him and other dealers that Prentice would be required to observe established prices henceforward. The retail price was set at $42 without slings, with discounts to dealers of 20 percent, and 10 percent to rifle clubs purchasing a case of ten or more. Slings cost two dollars additional, leather rifle cases five, and ammunition was quoted first at $10 a thousand, later increased to $17.50 as costs of production rose. Silver plating and engraving of rifles were an additional $10, whereas gold-plated arms cost $15 extra.

Brown was more of a general agent than a dealer, receiving until 1863 an additional discount of 10 percent on sales. In this period he handled, according to correspondence[1] with Winchester, some 500 rifles. Others in the border states dealing in the Henry were A. B. Semple & Co. of Louisville, general agents in Kentucky; T. J. Albright of St. Louis; Wells, Kellogg & Co. of Evansville, Indiana; and E. C. Johnson of Peoria, Illinois. Two individuals who bought arms for resale, though not regular dealers, were Judge R. K. Williams and Dr. W. W. Gardner of Paducah, Kentucky. The rifle was handled also by established dealers such as William Read & Son of Boston, J. C. Grubb & Co. of Philadelphia, E. R. Bowen of Chicago, C. Proal of St. Paul, and Cooper & Pond and Schuyler, Hartley & Graham of New York. In California C. S. Dowd of San Francisco became general agent, and G. R. Codding of Petaluma ordered a consignment of ten cases in 1863 for the firm of R. Liddle & Co. Winchester wrote to Brown May 7, 1863 that in California "our rifles are selling at $70 to $75 for plain, and fancy stocks plated and engraved $90 to $100 each."

One well-known dealer with whom Winchester refused to do business, at least in 1863, was B. Kittredge & Co. of Cincinnati. This was partly to protect the trade of John W. Brown

in nearby Columbus, but mainly because Kittredge was agent for the Frank Wesson rifle and had disparaged the Henry. On several occasions Kittredge asked for a supply of rifles or ammunition, only to have his order refused. Winchester finally

Henry Rifle, Serial 3,261, owned by R. H. Bates, Company A, 29th Texas Cavalry, C.S.A.
Collection of Joe W. Bates

answered a challenge for a trial of the two rifles with an offer to wager $5,000 to $10,000 on the result. He angrily told off Kittredge: "The egotism with which you assume to have the power of setting up one gun or putting down another is rather amusing, and hardly excusable in you, after your failure in a similar course towards Colt's Revolver."

By October 1862, the president was able to inform a stockholder of the New Haven Arms Company that "our progress

in the last three months has been entirely satisfactory. Our rifle has, during that time, acquired a high reputation in Kentucky and other Western States. We have been obliged to decline many orders; for what few our facilities enable us to make, we have finished and sold about 900 rifles, and hope to average 10 per day after this." To another stockholder, he wrote more pessimistically of the large indebtedness accumulated by the company ($77,000, of which he himself had advanced 30 percent), and he estimated the current value of its shares at twenty-five cents on the dollar.

The following January, Winchester answered an inquiry from Brig. Gen. Alfred W. Ellet in St. Louis. The general had commanded a Union steam ram at the capture of Memphis, and was organizing a marine brigade for further operations on the Mississippi. Winchester wrote "that but fifteen hundred of Henry's Rifles have yet been made and sold; none to the Government, or to any organized body, except 104 recently furnished to the State of Kentucky for a Company of Sharp Shooters. Most of the balance have been sold to individual officers of the Army and Navy."

The Kentucky order was one placed in November through George D. Prentice, the rifles being issued to Company M of the 12th Kentucky Cavalry, commanded by Capt. James M. Wilson. Of him Winchester wrote to Prentice December 30 that he had heard "some marvelous stories . . . but not on such authority as to give us full confidence in their accuracy." The tales concerned an encounter between Wilson and seven rebel guerillas, whom he disposed of with eight shots from a Henry rifle. Winchester was never able to get from the captain explicit confirmation of the story, but it was printed anyway as a testimonial in company catalogs. Reprinted in Cleveland's *Hints to Riflemen* and other contemporary works,[8] the account

received wide circulation and has apparently been credited ever since.

More significant than Captain Wilson's exploit was the fact that the State of Kentucky's issue to Company M reversed a policy laid down by the War Department in a letter to Oliver

Henry Rifle inscribed "G. W. Fulton," Serial 7,225
Collection of John A. Leermakers

F. Winchester of August 19, 1862.[3] There the Assistant Secretary of War, Peter H. Watson wrote:

> Sir: The inquiry made in your letter of the 6th Instant whether companies arming themselves with Henry's repeating rifle, will be allowed to retain them in the field, the Secretary of War directs me to reply, in the negative, as great inconvenience has resulted from promises heretofore given in other cases to furnish companies of troops with special arms. If you choose to arm and equip a whole regiment at your own expense, or the regiment chooses to arm itself, it will be accepted with the condition that it shall be at liberty to use its own arms and equipments exclusively.

That Captain Wilson's company did carry their Henry rifles in the field is attested by reports[4] of a skirmish with Gen. John H. Morgan's Confederate cavalry near Monticello, Ken-

tucky, in May 1863. The colonel commanding the Union brigade noted that "Captain Wilson, of the Twelfth Kentucky Cavalry, rushed into the midst of the enemy and laid many a man low with his Henry rifle." Other reports alluded to "a company of Henry Rifles under Captain Wilson" and to an advance "nobly supported by Captain Wilson, of the Henry Rifles."

B. Tyler Henry
Winchester Repeating Arms Company

The idea of having a unit or two of scouts or skirmishers armed with repeating rifles spread to other regiments in the Union Army, although the men generally had to buy such arms themselves. Purchases in 1863 by the 2nd West Virginia Mounted Infantry, the 23d Illinois Volunteers, and the 51st Illinois Infantry are mentioned in company correspondence, and there were undoubtedly others. Meanwhile the War Department, perhaps noticing a letter from "O. F. W." in the *Scientific American*[5] pointing out that "all time unnecessarily spent in loading is time lost," bought 240 Henry rifles for the 1st District of Columbia Cavalry. Col. Lafayette C. Baker, its commander, was provost marshal of Washington and his troops were occupied with rounding up deserters and fighting guerillas. Acknowledging the order, Winchester had the satisfaction of writing to

General Ripley: "If these arms are used as efficiently by the men who are to receive them as they have been by our Union friends in Kentucky, the country will have no cause to regret the expenditure."

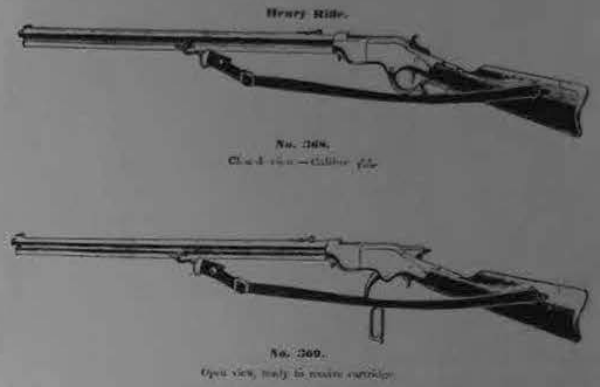
Early in 1864 eight companies of cavalry from Maine were added to the 1st District of Columbia Cavalry, and for them Colonel Baker procured 800 Henry rifles, the second sizable order by the War Department. These troops were incorporated in the 1st Maine Cavalry under Col. Jonathan P. Cilley in August of 1864, and they had numerous encounters with Confederate cavalry before Petersburg and Richmond. One such engagement took place at Dinwiddie Court House on the day preceding the battle of Five Forks. According to a participant,[6] "the First Maine dismounted and advanced in deployed line to meet charging cavalry. They opened fire with Spencer and Henry rifles, seven and sixteen shooters, and the Confederate column trembled, wavered and parted right and left, soon to melt away in a formless wreck of dead horses and men."

The chaplain of the regiment[7] wrote in a postwar reminiscence:

> This regiment was distinguished by the superiority of the carbines with which it was armed. It was the only regiment in the Army of the Potomac armed with "Henry's Repeating Rifle." The peculiarity of this gun is that it will fire sixteen shots without reloading. . . . The whole device is of the simplest nature. The work is strong, and the whole thing is so nearly perfect, that it is difficult to conceive of any improvement. The subsequent history of the regiment proves it to be a terribly effective weapon. Fifteen shots can be given with it in ten seconds. . . . After having witnessed the effectiveness of this weapon, one is not surprised at the remark, said to have been made by the guerilla chief, Mosby, after an encounter with some of our men, that "he did not care for the common gun, or for Spencer's seven shooter, but as for

> these guns that they could wind up on Sunday, and shoot all the week, it was useless to fight against them."

The latter observation has been attributed to others besides Mosby and made about the Spencer as well; it was somewhat of a commonplace among Confederates toward the end of the



From Schuyler, Hartley & Graham's Catalog, 1864
Courtesy of Historical Society of Pennsylvania

war.[8] Another chronicler of the 1st Maine put it even more graphically, describing an action on the 28th of September, 1864: "The boys had 'wound up' their repeaters, and were waiting for an opportunity to touch the magic spring."[9]

In another theatre of the war the Henry was proving itself also. Companies in two more Illinois regiments, the 7th and 66th Infantry, had provided themselves with the arm, and in the Atlanta campaign of 1864 formed part of the 16th Army Corps under Gen. Grenville M. Dodge. The historian[10] of the 7th Illinois noted on September 8: "The regiment is now armed with the Henry repeating rifle (sixteen shooter) which

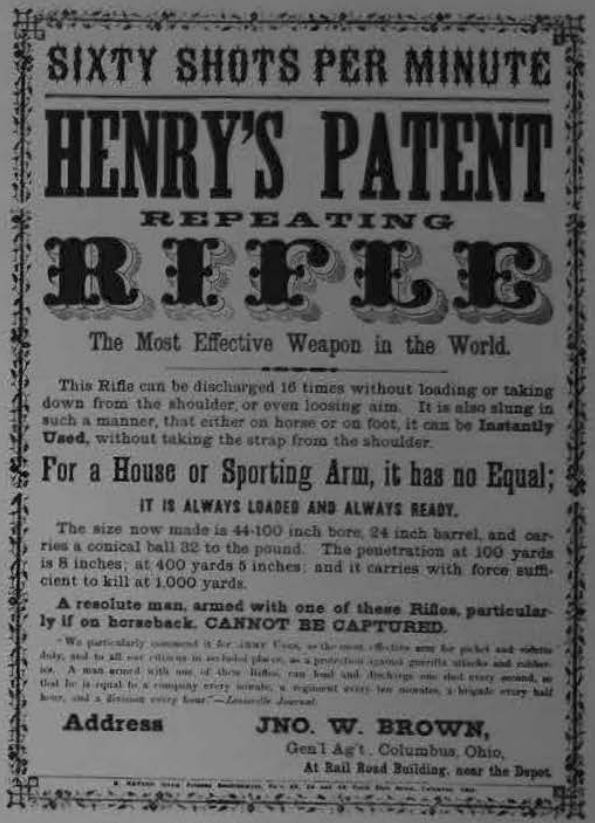
were obtained by the men at their own expense." When a Confederate force threatened the Union supply point at Allatoona Pass, the 7th Illinois, under Lt. Col. Hector Perrin, formed part of the troops sent to reinforce it. The Federals reached the fortified pass before the Confederates, and were soon attacked by superior numbers. Of the battle, October 5, 1864, a Union officer [11] wrote later:

Jointed Wiping Rod for Henry Rifle
Colt's Manufacturing Company

> What saved us that day—among forty other things—was the fact that we had a number of Henry rifles (16-shooters) since improved and known as Winchesters. These were new guns in those days, and Rowett,[12] as I remember, had held in reserve a company of an Illinois Regiment that was armed with them until a final assault should be made. When the artillery reopened . . . this company of 16-shooters sprang to the parapet and poured out such a multiplied, rapid, and deadly fire that no men could stay in front of it, and no serious effort was thereafter made to take the fort by assault.

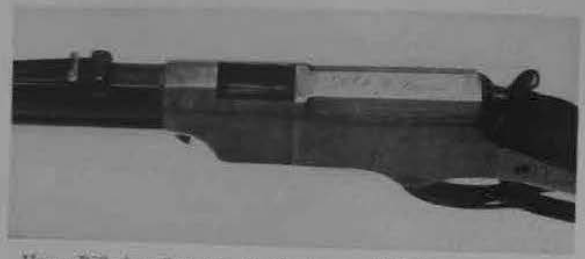
The Confederate commander at Allatoona, Gen. Samuel G. French, C.S.A., was unwilling to admit defeat, even in 1901. His memoirs [13] describe a voluntary withdrawal, leaving behind "inferior muskets exchanged on the field for Springfield rifles, and Henry repeating rifles (16 shooters), one of which I turned over, through my aide Yerger, to the United States ordnance officer at the close of the War."

It is unlikely that the Confederate forces profited much by capture of breechloading arms because they could not supply metallic cartridges for them. Yet there was apprehension in



Courtesy of Winchester Repeating Arms Company

the North that munitions would reach Southern sympathizers, and the loyalty of consignees had to be established to the satisfaction of the provost marshal before arms could be shipped through New York. In one instance the New Haven Arms Company was threatened with suspension by Governor Brough



Henry Rifle inscribed "Lt. D. M. Freeman," Volunteer Missouri Militia. Serial 4,615

Collection of Herschel C. Logan

of Ohio, who telegraphed [1] the Secretary of War August 9, 1864:

> Is there an order of the War Department that manufacturers of the Henry rifle shall not fill private orders while manufacturing for the Government? I have heard something of the kind. Agents for manufacturers are all over this State selling these arms to men who are organizing to resist the draft. Such an agent is selling heavy rifles here: sold thirty yesterday. The transactions are private, and civil process will not prevent it. Do you hold the manufacturers under such control that you can stop for ninety days the shipment or furnishing of arms by them for private sale?

Secretary Stanton replied that "the Government has no contract for the Henry rifle" and inquired who the agent was.

The Governor's answer, which seems to have ended the incident, explained:

> It is called the New Haven Arms Company, New Haven, Conn. The man has been here to see me today. He is not an agent, but is selling on commission. He gives me a list of his sales, and agrees to deposit in the arsenal his rifles on hand; protests his loyalty, and that he has not knowingly sold to disloyal men. He says rifles are coming into the State through other men, but he does not know who they are.

CHAPTER III

COMPETITION WITH THE SPENCER AND COLT

HIGHLY favorable opinions of the Henry rifle were published in the catalogs of the New Haven Arms Company, but these being often solicited endorsements, should perhaps be discounted. In one instance the company printed as its own a testimonial actually given to the Spencer repeater. This came from Gen. John T. Wilder, commander of the "Lightning Brigade," which comprised some of the best shock troops in the Army of the Cumberland. Two of his regiments, the 92nd Illinois and the 72nd Indiana, were armed with the Spencer and fought at Hoover's Gap and Chickamauga. In a letter of November 28, 1863 quoted in Cleveland's *Hints to Riflemen*,[1] the general wrote that "My brigade of mounted infantry have repeatedly routed and driven largely superior forces of rebels, in some instances five or six times their number, and this result is mainly due to our being armed with the Spencer Repeating Rifle." Yet the very same words, ending, however, "breech-loading repeating rifle,"

From Col. R. Schmidt's *Les Nouvelles Armes à Feu Portatives Adoptées comme Armes de Guerre*, 1889

appeared in New Haven Arms Company catalogs in juxtaposition with an earlier inquiry by Wilder about Henry arms.

There can be no doubt as to the general's preference, considering another letter [2] of his to an official of the Patent Office urging "the expediency of arming all the mounted troops of this army with the Spencer Repeating Rifle." He underwrote its purchase by the men of the 92nd Illinois,[3] who were later reimbursed by the Government. It was also the choice of the 72nd Indiana, whose historian [4] has provided an interesting comparison of the Colt, Henry, and Spencer:

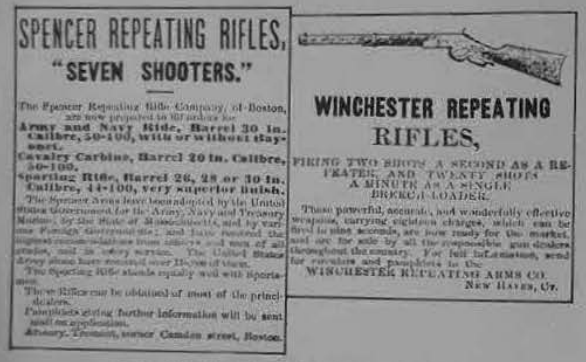
> "Colt's repeating rifle" . . . had a revolving cylinder at the breech containing five chambers, into which as many loads could be placed. . . . But as there was a possibility of two or more chambers being discharged at once, thus crippling about as many of those using them as of the enemy, few regiments were ever armed with them. They were very heavy and clumsy to handle, and were soon abandoned.
>
> The next candidate for favor was the "Henry rifle." This was a vast improvement over the "Colt." It was short in the barrel and light in the breech—on the under side of the barrel was a chamber into which could be placed 16 metallic cartridges. . . . This gun could be loaded and fired 16 times in a minute; but it easily got out of repair, and was, from its shape, entirely unfit for the "manual of arms." Aside from "scouts" and "sharp shooters" it was never used by the army.
>
> Next came the Spencer rifle. This to our mind, was so nearly perfect, that, after using it for two years, our brigade had not a single change to suggest. . . . This gun could be loaded and fired seven times in a minute. It never got out of repair.

In the battle for military endorsements the Spencer enjoyed a decided edge over the Henry, counting among others letters from Generals Grant, Sherman, Hooker, Howard, Crook and Custer. Gen. James H. Wilson, while chief of the Union cavalry bureau in 1863, was responsible for large purchases of the Spencer carbine, and gave it his enthusiastic approval.[5]

Royal Engineers with H. M. Boundary Commission, North Pembina, 1873
Courtesy of Royal Canadian Mounted Police

Brig. Gen. George D. Ramsay, who succeeded General Ripley as Chief of Ordnance, wrote in 1864: [6]

Repeating arms are the greatest favorite in the Army, and could they be supplied in quantities to meet all requisitions, I am sure that no other arm would be used. Colt's and Henry's rifles and the Spencer carbines and rifles are the only arms of this class in the



From the *Army and Navy Journal*, 1868

service. Colt's is both expensive and a dangerous weapon to the user. Henry's is expensive and too delicate for service in its present form, while Spencer's is at the same time the cheapest, most durable, and most efficient of any of these arms.

Altogether the Ordnance Department procured some 94,196 Spencer carbines as compared to only 4,612 Colt revolving rifles and 1,731 Henrys. Average prices were $25 for the Spencer, $44 for the Colt and $37 for the Henry. During the period January 1, 1861 to June 30, 1866, purchases of Henry cartridges amounted to 4,610,400 as compared to 58,238,924 rounds of Spencer ammunition.[7] According to General Ramsay,[8] "the demand for carbine cartridges is principally for

Sharps, Burnsides and Spencers." After the war the Government sold off surplus stocks of ammunition, the New Haven Arms Company repurchasing one million rounds of Henry cartridges. Between 1868 and 1870, 606,000 more were sold at auction, mainly to Charles H. Pond, agent for Winchester's. In a like interval over 30,000,000 Spencer cartridges were sold.[9]

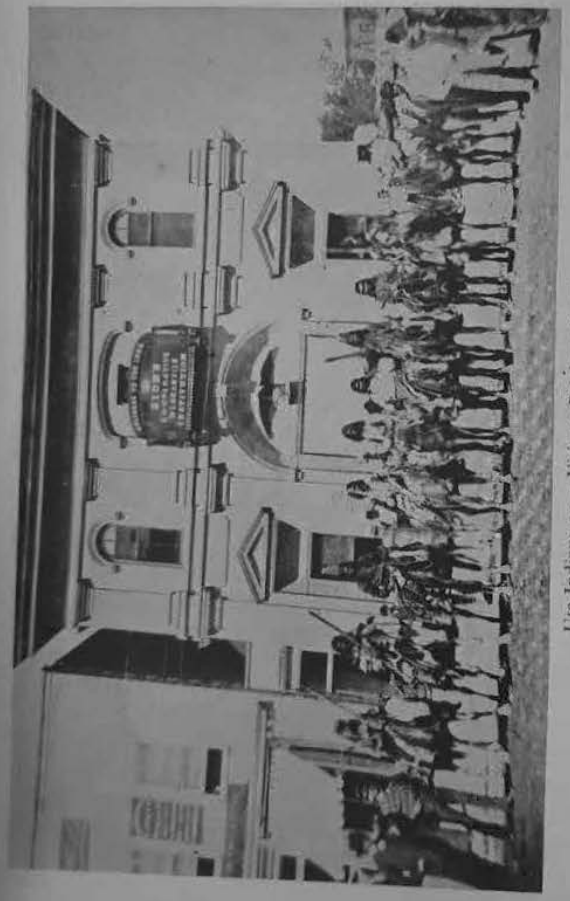
A breakdown of Ordnance Department purchases of the Henry rifle [10] from the New Haven Arms Company follows:

HENRY'S PATENT RIFLE

July 23, 1863	241	$36
Sept. 19, 1863	1	44
Oct. 31, 1863	60	36
March 9, 1864	800	36
June 17, 1864	1	40
April 19, 1865	500	38
May 23, 1865	127	38
Nov. 7, 1865	1 (carbine)	35
	1,731	

The last purchase may have been in anticipation of the postwar trials conducted by a board of officers in Washington to select a breechloading system for the Army. Convened March 10, 1866, the board was presided over by Maj. Gen. Winfield Scott Hancock, with a representative each from the infantry, cavalry and artillery, two ordnance officers, and a member of General Grant's staff.[11] Trials were made of a large number of single-shot arms, the only magazine arms tested being the Spencer and Henry. The recorder mentioned three rifles and two carbines "presented by Mr. Winchester." While there was some test firing of the Henry rifles, the comparison in repeaters soon came down to the carbines.

In a preliminary test of one hundred rounds rapid fire, the Henry carbine with a magazine containing eleven charges



Ute Indians on a Visit to Brigham Young
Photographed by C. W. Carter, Salt Lake City, 1869
Courtesy of Frederick H. Meserve

was discharged in eight seconds, discharged and reloaded in twenty-three seconds. Without use of the magazine eighteen shots were fired in a minute. The Spencer got off only seven shots in eighteen seconds, and six in a minute without the magazine.

Next came a test for strength of construction. Three rounds were fired, with cartridges containing 65, 70 and 75 grains of rifle powder. In the Henry, balls of 300 grains were used, in the Spencer, 400. With the Henry on the first round the "head of case bursted and the gas escaped"; on the second the "breech-pin could not be moved except by blows"; on the third "one cartridge in the magazine bursted, escape of gas clogged the machinery and sprung open the side plates." The Spencer carbine fared little better; on the first two rounds its extractor had difficulty with swelled and split cartridge cases, and on the third pulled off the head of the case. Thereafter the breech could not be closed because a cartridge would not seat in the barrel.

In a test for penetration at thirty yards, the Henry firing a cartridge with 30 grains powder and 304 grains lead, the Spencer, 45 grains powder and 400 grains lead, the first penetrated seven boards of one-inch pine and its competitor ten. As to facility of operation, it was noted of the Henry: "Arm withdrawn from test. The magazine operates, but the arm cannot be used as a single loader. The mainspring is weak and the connection between the arm and the platform that raises the cartridge is imperfect." Finally came the dusting and rusting tests, so dear to the Ordnance Department. Both arms worked freely after dusting, but three days' rusting caused trouble. The Spencer "opened hard" and the Henry "worked imperfectly."

On the fifty-second day of the tests, members of the board separately made tentative selections, but the only magazine

arm any of them chose was the Spencer. Their final report, subsequently approved by General Dyer, Chief of Ordnance, General Grant and the Secretary of War, stated: "The experience of the late War, as well as all experiments by this board, prove that the Spencer magazine carbine is the best service gun of this kind yet offered."

Henry Rifle "Presented by Wells, Fargo & Co. to Stephen Venard for his gallant conduct May 16th, 1866." Serial 1,228
Courtesy of Wells Fargo Bank History Room

Oliver F. Winchester did not take this report lying down. He published a "review" of it addressed to the Secretary of War, pointing out the failings of the Spencer.[12] But the predominant military opinion had great influence with contemporary writers on firearms topics. In *Hints to Riflemen* written in 1864 with the war still on, Horace W. S. Cleveland gave a lengthy description of the Spencer, Colt and Henry, without expressing any decided preference. Edward C. Barber in *The Crack Shot*[14] published in 1868, praised the Spencer at the expense of the Henry, which he criticized as being inaccurate

and fragile. "The charm of being able to fire sixteen rounds of ammunition without cessation would be quickly dispelled by the slightest injury to any one part of the delicate and complicated machinery contained in the Henry and Winchester rifles."

Lt. Col. George T. Denison, a Canadian, whose *Modern Cavalry*[14] drew on the tactical lessons of the Civil War, failed to mention the Henry at all, saying, "The Spencer carbine is generally admitted to be the best description for general use, and the Sharp and Snider rank next in efficiency." The author of *The Hunter and Trapper*[15] did comment favorably only to have his editor add a footnote: "Probably if our author had known the Spencer Rifle, which carries seven charges in the magazine and is a capital arm, he would have given it the preference over the Henry, as did our army during the War."

Perhaps the most revealing comparison came from the pen of a "Volunteer Cavalryman" writing a series of articles[16] on "The Lessons of the Decade" for the *Army and Navy Journal:*

> The Spencer carbine was latterly in very general use, superseding Sharp's. There was but little to choose between them. I have fired as many rounds in the course of twenty minutes out of Sharp's as out of Spencer's. The latter fires seven rounds pretty rapidly, but it takes some time to reload. The Henry rifle, or Sixteen Shooter, is a magnificent weapon, quickly loaded, and firing as quick as Colt's revolver. It is also very accurate. Colt's rifle, although very expensive, is, I am inclined to think, as good or better than any, in the hands of men who are cool and know how to use it. The six shots are fired more rapidly and far more accurately than by any other piece extant, but the loading must be done without flurrying. It is a poor weapon to give to green troops on this account.

Regarding the preference of the troops actually using the various makes during the war, a criterion may be found in the number of arms retained by veterans afterwards. Eight

hundred and eight Henry rifles out of the total of 1,731 purchased were sold by the Ordnance Department, 62 to discharged soldiers from Maine units, 65 to men of the District of Columbia and 681 to "veteran volunteers," i.e., re-enlisted veterans of the war. The first two figures undoubtedly reflected the popularity of the Henry in the 1st Maine and 1st D. C. Cavalry regiments. Probably a good many of the third category

From *Salem Directory*, Oregon, 1871
Western Americana Collection, Yale University Library

were noncommissioned officers. At the same time men from twenty-five states retained 8,289 Spencer carbines out of 94,196 purchased. But 305 Colt's revolving rifles were kept from the 4,612 originally bought.[17] The veteran volunteers bought only the Henry.

It is ironic that the very success of the Spencer Repeating Rifle Company in selling its arm to the Government during the Civil War was a principal cause of its failure in 1868. In contrast to the Henry, a large surplus of Spencers remained on hand at the end of hostilities, leaving few purchasers for the new model of 1865. The glut of old models on the market is apparent in prices offered for them, $7 cash or $9 in trade as against $10 and $15 for secondhand Henry rifles. The new

Spencer models were vigorously advertised in the *Army and Navy Journal*,[18] but late in 1868 the Company was obliged to liquidate. Winchester's was able to buy the assets and thus eliminate its foremost rival. More than a year thereafter a Spencer inventory of 2,000 muskets, 30,000 carbines and 500 sporting rifles was advertised for sale in the *Army and Navy Journal* and the *Scientific American*.[19] They were not disposed of until the Franco-Prussian War.

CHAPTER IV

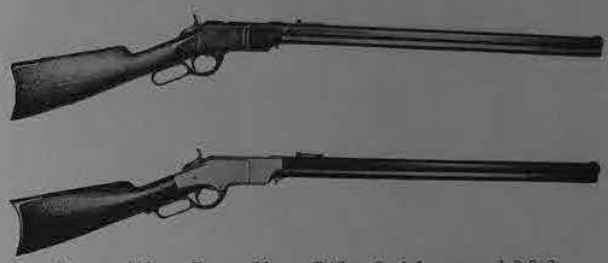
CHARACTERISTICS OF THE HENRY

Among collectors the Henry rifle, 1860 patent, and the immediate ancestor of the first Winchester, has strong appeal. While specimens of its own predecessor, the Volcanic, may be scarcer because fewer were originally made, they lack the character of practical arms and the aura of having seen historic service. This the Henry has, no less than its successor.

Except for a few carbines and experimental arms, only one model of the Henry was made, that in .44 calibre rimfire with a twenty-four inch octagonal barrel and full length magazine holding fifteen cartridges. As Oliver F. Winchester wrote in 1862[2] to a customer who wanted special features, "We do not make but one size; and are so hurried that we have not the time to experiment with globe or telescopic sights." To another who desired a hair trigger, he answered, "It can be applied to our rifle only by a material change in the size of the frame. This would involve the construction of many additional tools and fixtures which we cannot now attend to, from

the fact that we are too hard pressed for the gun in its present form to spare the time."

There were, however, variations in material, in minor parts and in finish. Several hundred of the first rifles made had receivers or frames of iron, instead of the brass found in all later produced. Each gun bore a consecutive serial number, the highest known to the author with an iron frame being 279.



Iron and Brass Frame Henry Rifles, Serials 279 and 8,618
Collection of Ed Baldwin

the lowest 12. Brass was, however, introduced for receivers during this range, six specimens, numbers 9, 20, 30, 181, 205 and 250 being known. Peculiarities of the early iron frame Henrys are that they have no thumbscrew for securing the finger lever at the small of the stock, and no projection on the end of the lever to engage a catch. Likewise none examined are equipped with sling swivels. The butt-plates are made of iron. Wiping rods of hickory in four sections, which could be threaded together at the iron joints, fitted into a recess in the stock. The graduated rear sight of the early Henry could be mounted in two and sometimes three alternative positions. Slots for it were cut on the rear of the barrel, on top of the receiver near the hammer, and sometimes on the frame forward of the carrier. The receiver slot also accommodated a

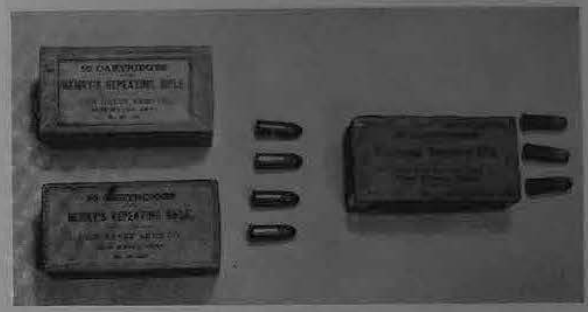
fixed V-sight for short range firing. A single example being known, it would seem that the device was usually discarded. In later specimens of the rifle the barrel only was slotted. About a dozen specimens of the iron frame are known to the author; others are undoubtedly in existence.

Extra Rear Sight on Henry, Serial 5,745
Collection of J. Thomas Cotrell, Jr.

There is evidence that sling swivels were introduced on the left side of the barrel and stock at an early stage, after the brass frame and lever catch became standard. A sling was a feature particularly useful to mounted men, and the suggestion may have come from this quarter. Correspondence of October 1862 with John W. Brown, mentions both "slung" rifles and "plain." At that time Brown returned to the factory for repairs guns bearing serial numbers 324, 359, 391 and 706. A brass frame specimen with swivels, No. 805, is known to the author.

In May 1863, Winchester wrote A. B. Semple & Co., "We find the demand now requires slings; we shall therefore send the next slung." The swivels were made for the New Haven Arms Company by Colt's Patent Fire Arms Manufacturing Co.: at first screws were furnished for fastening but after March 1863 rivets were used. Oliver F. Winchester's relations with Colt's were very cordial. He forwarded orders to them for revolvers and they made available to him manufacturing capacity so that he could bid for a large Government rifle order.

A number of parts or materials for the rifle were supplied by other outside contractors. Steel barrel blanks were ordered from England through the New Haven firm of English, Atwater & White. 5,000 of them thirty inches long and weighing ten pounds each were furnished by Wade & Butcher at 13 cents a pound, monthly deliveries commencing May 9, 1861.



Calibre .44 Rimfire, Pointed and Flat
Collection of Norris E. Pratt

Another 5,000 were ordered August 12, 1863, to be shipped by steam packet from Liverpool. The same concern furnished decarbonized cast steel for main springs. The Arcade Malleable Iron Co. of Worcester, Mass., supplied finger levers. 2,500 being ordered by Winchester in March and another 5,000 in November, 1863 "from our patterns, same as last." Blank walnut stocks were obtained from Benjamin Ray, and steel piano wire for the magazine spring from Washburn & Moen of Worcester [2] and William E. Rice & Co. of Holyoke.

Extra magazine springs were furnished with plated and engraved arms, supplied in three varieties, nickel, silver and gold. Prices have already been discussed; there was a sufficient differential to keep the demand for fancy arms small. The

correspondence for 1862 and 1863 mentioned 14 "Plated & Engraved," 17 "Silver P. & E." and 9 "Gold P. & E." There are specimens of nickel- and silver-plated Henrys in the Winchester Museum at New Haven, and the author knows of a few others and one of gold. Some are without sling swivels. Foliate engraving is found on earlier specimens; later the decoration becomes a simple leaf, flower and fruit design, rather crudely executed by hand. Half a dozen have names of their original owners engraved on the receiver, and two a date, but it seems probable these inscriptions were added after the arms left the factory.

Nothing was said in the correspondence about an inherent fault in the Henry design, the long slot in the underside of its magazine tending to admit dirt to clog the action. Defects discussed and remedied were weakness in the breech-pin and at the joint of the frame and magazine. The metal here was strengthened, and users cautioned against snapping the hammer or the magazine plunger when the gun was empty.

In May 1863, Oliver F. Winchester answered an inquiry as to the price of a thousand rifles, saying, "Our facilities are small and we can make only about two hundred a month." He was, however, already giving thought to expansion and to changes in design. In June he furnished an estimate on a .50 calibre size with a 30 inch barrel; in July he wrote of "preparing to make Rifles and Carbines . . . using the same size cartridges, one with a Barrel 30 inches long, the other 20 or 22 inches . . . the bore to be 50/100." The next month he wrote to the Acting Chief of Ordnance, who had ordered a sample of "Henry's Patent Carbine":

> We send you today by Adams & Co. Express one of the only size that we have made except to order,

Tzi-kal-tza, Nez Percé photographed by William Henry Jackson, 1871
Said to be a son of Capt. William Clark
Western Americana Collection, Yale University Library

This size has been and is in use as an Infantry Rifle, and for mounted Infantry and for Cavalry.

Should it be desired exclusive for the latter purpose it can be made shorter to advantage. The size we send has a barrel of 44/100 bore, 24 inches long carrying 15 charges. It can be reduced to 19¼ inches and still carry 12 charges in the magazine without any loss of power.

This letter may be read to imply that the New Haven Arms Company on special order did make arms with barrels shorter than 24 inches. When, in November 1863, Winchester submitted a formal offer[3] to the Assistant Secretary of War to supply a large quantity of arms, he mentioned "carbines . . . of the usual lengths used in the Cavalry Service." The length Winchester had in mind appears from his writing E. Remington & Sons at the same time asking them to estimate on 10,000 steel magazine tubes 22 inches long. This length of barrel had been recommended by a board of ordnance officers convened by the Secretary of War to standardize carbine specifications.[4] A majority of the board preferred a calibre of .50, but four including General Ramsay favored .44.

Nothing came of Winchester's offer, which was predicated in part on using the manufacturing facilities of Colt's. Instead, the Government bought 800 Henrys of the regular size made in New Haven, and 500 more a year later. But the idea of a shorter carbine persisted and as noted in the preceding chapter, one such was bought by the Ordnance Department late in 1865. There are indications that improvements in the magazine were planned as early as June, 1865, but the nature of them is not clear. In a note to the 1865 catalog, second edition, Oliver F. Winchester projected "an improved carbine with an 18 in. barrel, weighing 7½ lbs., and enclosing the spring in a close tube." King's improvement discussed in the next chapter had not been invented, but Winchester may have

Cover of 1869 Winchester Catalog, with .44 R. F. and .42 C. F. Cartridges
Courtesy of Winchester Repeating Arms Company

had in mind features of Albert Ball's patent of June 23, 1863, which his company eventually acquired.[3] It covered the Ball and Lamson repeating carbine which had a magazine under the barrel like the Henry but loaded through an aperture in the side of the frame.

Engraved Winchester '66 and Henry Rifles
Collection of Maurice C. Clark

On the basis of serial numbers of some sixty examples canvassed, the correspondence in 1862 and 1863, and excise tax returns for 1865, which reflected sales of 3,011 rifles in that year, it is possible to estimate annual production of the Henry over the years. A total manufacture of about 13,500 rifles is indicated, the highest serial noted being 12,832, a specimen in the Winchester Museum. Serials for every thousand range are known to the author. On serial 3,919 there is an inspector's

LIDDLE & KAEDING,

Sportsmen's Emporium,

Gun and Rifle Makers, and Importers of all

CLASSES OF SPORTING TACKLE,

538 Washington St., San Francisco.

Constantly on hand, GUNS from the first makers of London, viz: Wm. Greener, Wm. Moore, Moore & Harris, Reffern, Hollis & Son, and all other makers. Also, the best stock of American Rifles, Pistols and Carbines on the Pacific Coast, viz: Colt's, Sharp's, Smith & Wesson's, Remington's, and all the latest patents of Pistols. Sharp's, Wesson's, Ballard's, Spencer's, and Henry's Patent Breech-Loading Rifles.

CARTRIDGES OF ALL KINDS CONSTANTLY ON HAND

We are the only authorized Agents for the "Greener" Guns on the Pacific Coast. Authorized Agents for Henry's Patent Breech-Loading Rifle.

Fishing Rods, Lines, Hooks, Reels, Trout and Salmon Flies, Lines of all sizes, Cotton, Hemp, Linen, Silk, and China Grass: Drinking Cups, Spring Hooks, Flasks, Floats, Sinkers, Spears, Gut Leaders, and everything appertaining to the Fishing-Tackle Trade.

Orders, Wholesale and Retail, Filled and Forwarded Promptly.

From Langley's *Pacific Coast Business Directory*, 1871
Western Americana Collection, Yale University Library

stamp "C. G. C." in the stock, suggesting that this arm was one purchased by the Ordnance Department. Sales to Prussia or elsewhere abroad, resulting from publication of the 1863 New Haven Arms Company catalog in German and French,

Henry Rifle converted to King's Improvement, Serial 3,555
Collection of Norris E. Pratt

were probably in the 4,000 and 5,000 range. A table reflecting all these factors is:

THE HENRY RIFLE, PATENT OF 1860

Year	*Annual Production*	*Serial at Year's End*
1862	1,500	1,500
1863	2,500	4,000
1864	4,000	8,000
1865	3,000	11,000
1866	2,500	13,500

Sales for the first six months of 1866 upon which excise tax was paid amounted to only 308 rifles. But it is known that

Thomas Emmet Addis, an enterprising salesman for the company, took 1,000 Henrys to Mexico in 1866 and sold them to President Juarez for silver coin. There was also a substantial sale of Henrys the same year in South America, to the government then constituted for Chile and Peru.

CHAPTER V

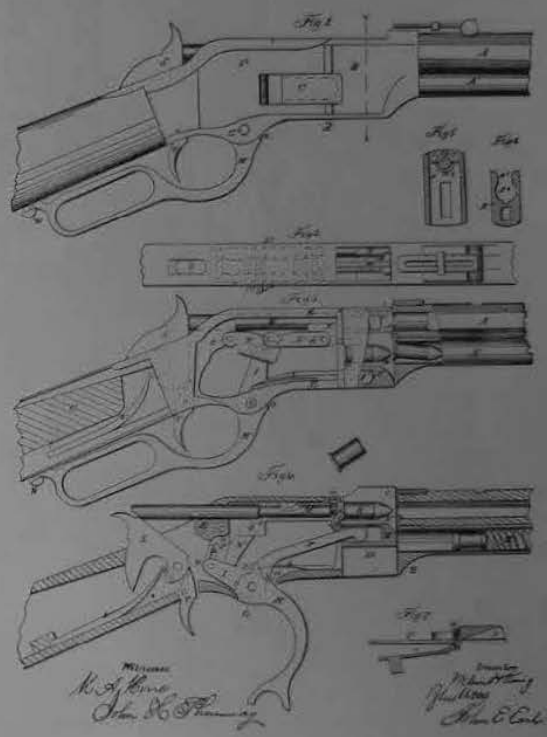
KING'S IMPROVEMENT

When B. Tyler Henry left the New Haven Arms Company he was succeeded as superintendent by Nelson King, of Bridgeport, listed in that city's directory as a machinist. The new superintendent's name first appears as witness on a patent taken February 27, 1866[1] by James D. Smith, also of Bridgeport, and assigned to Oliver F. Winchester. This patent related to improvements in retracting shell cases: King was himself working on changes in loading arrangements. An inherent defect in the Henry design was its slotted magazine. This was liable to pick up dirt if the arm came in contact with the ground, and required heavier metal than a closed tube. Surviving from Volcanic days, there was also a rather complicated and fragile sleeve for turning the forward part of the magazine aside. With the tube thus arranged, a slot in its lower portion was necessary to manipulate the plunger, and the arm could not be readily charged for a single shot. Improvement therefore lay in the direction of rearward loading.

N. KING.

Magazine Fire-Arm.

No. 55,012. Patented May 22, 1866.



Nelson King's patent of May 22, 1866,[2] already assigned to Oliver F. Winchester March 29, was the solution finally adopted. Elementary enough in itself, not only did it simplify construction of the arm, but it greatly facilitated loading and use. Whereas Henry's patent of 1860 had made the lever action repeater a practical arm, King's improvement won it full popular acceptance.

There can be little doubt this development induced Oliver F. Winchester to reorganize the company and give it and the rifle his own name. A new charter had been obtained from the Connecticut Legislature in 1865 with the title of the Henry Repeating Rifle Company. This name was changed by a special act in May 1866 to the Winchester Repeating Arms Company, whose incorporation was finally effected February 20, 1867, with its founder holding a majority of the stock. Thus the Model 1866 rifle became the first Winchester.

The essential feature of King's design was the placing of a hinged loading gate in the side of the receiver, through which a single cartridge could be inserted in the carrier or a series of them pushed forward into the magazine. This enabled the magazine plunger and its spring to be encased in a closed tube capped at its forward end. In King's own description of his invention:

> Beneath the barrel I place a thin metal tube extending along the barrel nearly its entire length, its rear end entering the frame. . . . I secure the said tube to the barrel by means of bands or otherwise, and, if advisable, incase the lower portion of the tube with a wood stock. Within the tube I place a follower and close the upper end of the tube by a plug or otherwise, and between the follower and the plug I place a helical spring, the tendency of which is to force the follower toward the lower or rear end of the tube. Through one of the plates (preferring that one upon the right hand side) I form an opening . . . so as to communicate through the frame directly to the chamber in the

> carrier-block. Through this opening, and while its carrier-block is down . . . insert the cartridges, front first . . . the second cartridge pressing the first into the magazine, and so on. . . . A cover for closing the opening in the plate is hinged thereto.

The patent description and model show this cover as opening outward when a spring catch was released. In production, the cover opened inward, and was held shut by its own spring.

Experimental Loading Devices, Briggs' Patent
Courtesy of Winchester Repeating Arms Company

Other devices for facilitating loading were also experimented with. The most practical of these was a sliding magazine tube patented October 16, 1866[3] by George F. Briggs of New Haven who assigned to Oliver F. Winchester. It moved forward far enough to permit cartridges to be loaded into it in front of the receiver. A variation of the device had a sliding metal fore-end, uncovering a loading aperture in a fixed magazine tube. Specimens are preserved in the Winchester Museum, but none so far as known were marketed. Another experiment, patented by James D. Smith February 27, 1866, had a hinged loading gate in the bottom of the receiver. It utilized an idea from Charles Howard's earlier patent of September 26, 1865.[4]

Oliver F. Winchester took a patent in his own name[5] on

a design for simplified loading, in which the cylindrical magazine contained an inner tube retractable from the forward end, where a latch held it to the barrel. Examples of this device are also preserved in the Winchester Museum. During the life of the patent the design was not used, although a substantially similar system appeared many years later in .22 calibre repeaters. But the most unusual features of Winchester's patent were a hinged stop forward of the finger lever, to arrest it for single loading, and an auxiliary chamber for converting the rifle into a percussion muzzle-loader! Neither were put in production, yet the explanation of the second is worth quoting since it anticipated a similar device used in the Williamson deringer:

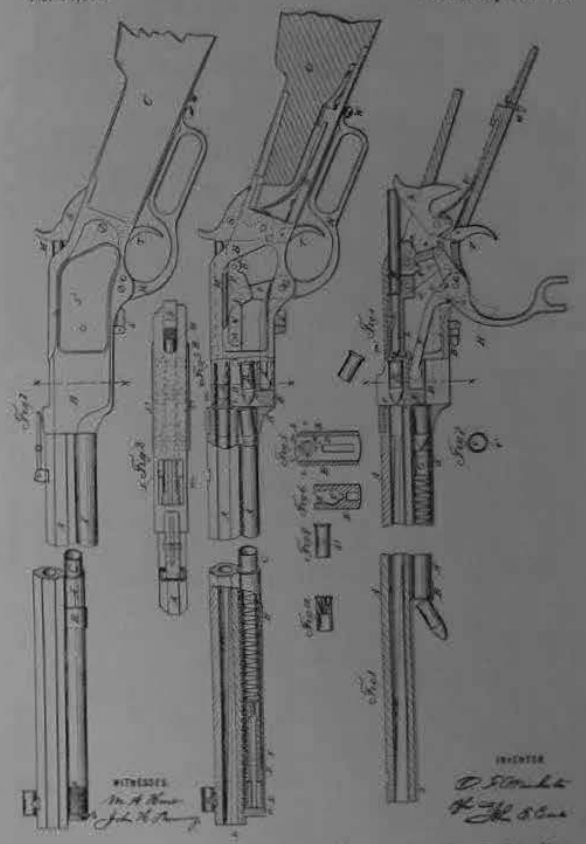
> It is sometimes desirable to use this arm as a muzzle loader. For this purpose I construct a steel case . . . formed to fit the rear end of the barrel like the shell of a metallic cartridge, placing in the rear end of the said tube a cone-seat to receive an ordinary percussion cap. The arm thus arranged may be loaded from the muzzle in the usual manner, while the breech-pin is held against the said case when thus loaded (or, if preferred before the loading is commenced) place a percussion cap upon the cone, then cock the arm . . . and release the hammer, which, on striking the piston will explode the percussion cap and ignite the powder within the arm. In order that the latch and points on the breech-pin and spindle may not interfere with this operation, I cut recesses in the flange of said case.

The date that Nelson King actually took charge of production is not clear. B. Tyler Henry was listed in the New Haven directory of 1865,* as "Superintendent, New Haven Arms Co.," but in the issue for the following year this designation was omitted. Certain it is, however, that King was in charge of the Bridgeport factory, part of Wheeler & Wilson's sewing machine works, to which manufacturing operations were moved from 9 Artizan Street, New Haven, late in 1866. His

O. F. WINCHESTER.

Magazine Fire-Arm.

No. 57,808. Patented Sept. 4, 1866.



Figures 9 and 10 show Auxiliary Chamber for Muzzle Loading

name appeared in the Bridgeport directory of 1867[8] as "Superintendent, New Haven Arms Co." Not until 1869 was there a listing of the "Winchester Repeating Arms Company" in either Bridgeport or New Haven.[9]

King continued in charge of the Winchester factory, even after it moved back to its present site in New Haven in 1871. He was succeeded as superintendent May 1, 1875 by Victor A. King. For a short time thereafter Nelson King was superintendent of the Sharps Rifle Company in Hartford. In 1876 he returned to Bridgeport for three years, then went to Waterbury to superintend the factory of Blake & Johnson, manufacturers of cast steel rolls, rivet machines, power presses and cartridge machinery. He remained in charge there until 1889, when he went back to Bridgeport.[9]

Unlike B. Tyler Henry, who appears to have received little reward for his patent other than the privilege of making the arm as an inside contracter, King was voted $5,000 by the board of directors of the Winchester Company in 1869, of which $4,000 was paid in stock. He appears in the 1869 stockholders' list as owning forty shares, but his name is absent thereafter. An indication of his worth to the company was the salary paid him in 1869 of $3,000 a year. Only the president and treasurer, Winchester himself, received more.[10]

Another acknowledgment of King's contribution was the placing of his name on the gun, along with Henry's. The barrel inscription of early issues of the Model '66 read:

HENRY'S PATENT—OCT. 16. 1860
KING'S PATENT—MARCH 29. 1866

This recognition was continued, even when the inscription was changed, after some nine or ten thousand Model '66 guns had been made, to:

WINCHESTER'S—REPEATING ARMS. NEW HAVEN, CT.
KING'S—IMPROVEMENT—PATENTED—MARCH 29. 1866. OCTOBER 16. 1860

It may be noted that the month and day given for 1866, March 29, was the date of King's assignment to Winchester, not the actual day the patent issued, May 22. This discrepancy in marking, which can only have been inadvertent, continued as long as the Model '66 was manufactured.

Early and Late Barrel Markings, Model '66 Rifles
Courtesy of Winchester Repeating Arms Company

The impact of King's improvement when introduced to the gun world was positive. But no example of it is believed to have been sold for about a year after its patenting, except one carbine shipped September 15 through V. Azarian & Co. of Boston to Constantinople. This was described as of the "improved model." At the same time Azarian received 70 "rifles" and 51 "carbines" of the Henry pattern. The latter

were undoubtedly standard arms except for barrels shortened on special order.

The inference drawn from these circumstances is that none of the Model '66, other than prototypes, were made in New

Breech-bolts for Henry (left) and Model '66 R. F. and C. F. (right)
Note Auxiliary Chamber patented by O. F. Winchester
Courtesy of Winchester Repeating Arms Company

Haven by the New Haven Arms Company. When the Winchester Repeating Arms Company was organized, one of the first acts of its board of directors was to authorize the manufacture at Bridgeport of 5,000 rifles and carbines, to be completed in ten months. Adopted March 4, 1867, this was the production program for the balance of the year.

Serial records of the time would of course establish the exact date of introduction of the Model '66. Regrettably, none for this model prior to 1875 have been preserved. But company

officers noted, when the records were still in existence, that the "first two carbines of the new model" were sold to H. G. Litchfield of Omaha, Nebraska, on August 31, 1867, for $34 each. A confirmatory statement from the same source

WINCHESTER REPEATING RIFLES,
Firing Two Shots a Second
AS A REPEATER, AND
TWENTY SHOTS A MINUTE
AS A SINGLE BREECH-LOADER.

These powerful, accurate and wonderfully effective weapons, carrying eighteen charges, which can be fired in nine seconds, are now ready for the market, and are for sale by all the responsible Gun Dealers throughout the country. For full information, send for circulars and pamphlets to the
WINCHESTER REPEATING ARMS CO.,
10-v7-3m New Haven, Conn.

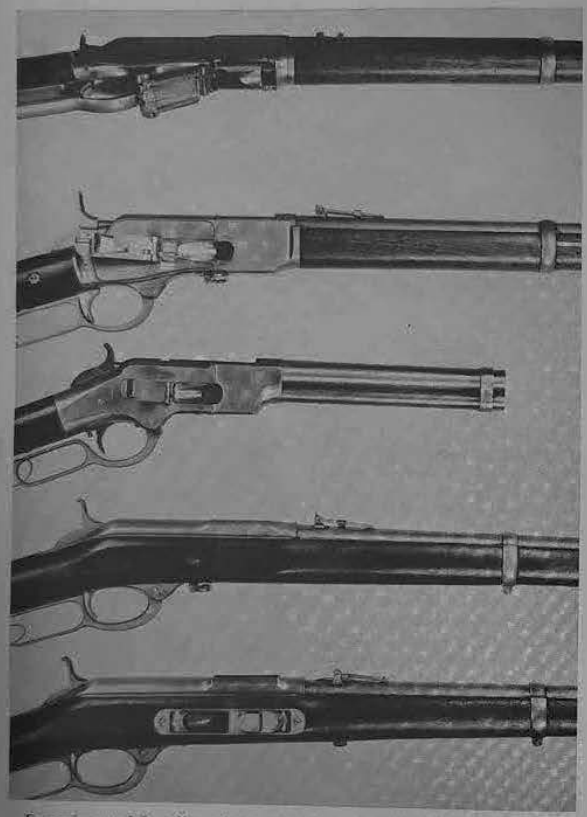
DERINGER PISTOLS.
TOMES, MELVAIN & CO.,
SOLE AGENTS,
No. 6 Maiden Lane, N. Y.

I have this day appointed Messrs. TOMES, MELVAIN & CO., SOLE AGENTS for the sale of my Pistols in the City of New York.
Dealers can obtain them of Messrs. Tomes, Melvain & Co. at my lowest wholesale rates, and my full guaranty accompanies every Pistol of my manufacture sold by them.
Philadelphia, Aug. 29, 1867. [20-v7-13t] HENRY DERINGER.

From *Turf, Field and Farm*, 1869

is that "the first of these guns was sold in this country in August 1867, although a carbine was sent abroad in 1866 as a sample."

The 1867 catalog of the Winchester Repeating Arms Company, its first, led off with an optimistic article by its president entitled "The Coming Gun." Its theme was the advantages of a repeating arm, and "Winchester Repeaters" were de-



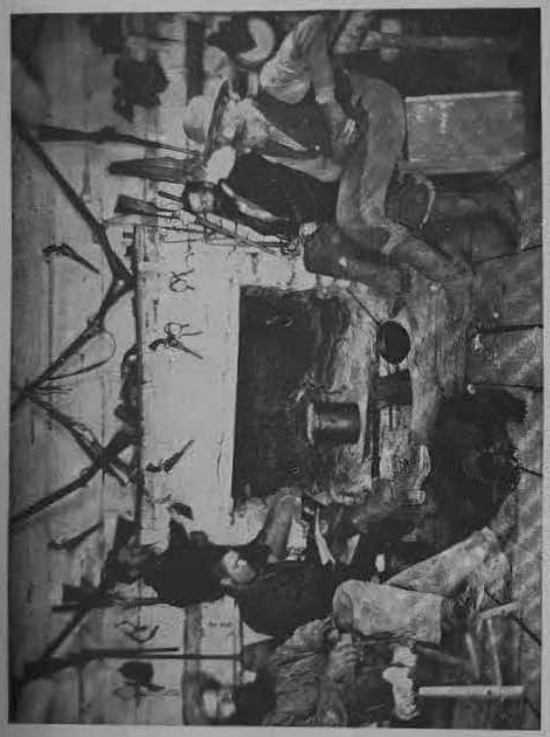
Experimental Loading Apertures, King's Patent Model in center, Wheelock's Designs below

Courtesy of Winchester Repeating Arms Company

scribed as "an improvement on the 'Henry Rifle.'" The change in name was explained on the ground that the rifle had been named after Henry because of his extractor patent. "Since then five or six new patents have been obtained, one of which is for a new and improved Extractor, entirely superseding Mr. Henry's." This explanation seems disingenuous as neither Smith's patent of February 27, 1866 nor King's patent of August 28, 1866 [11] on extractor changes was ever put in production. But the latter's more significant loading gate patent of May 22, 1866 would have justified the change of name. The other patents referred to—Howard's of September 26, 1865; Smith's of February 27, 1866; Winchester's of September 4, 1866; and Briggs' of October 16, 1866—all on loading devices, have already been discussed.

The board of directors authorized the making of another 10,000 arms February 18, 1868, at the same time declaring a first dividend of 5 percent. Sales of the new model evidently were promising, and an advertising campaign in the fall gave added impetus. The change in stamping of barrels to include the name Winchester occurred around this time, with the beginning of the 23,000 serial range. Earlier issues were known in the trade as "improved Henrys." They are sometimes called by collectors "transition Henrys" but they are true Winchesters. Cuts and copy appeared in the *Army and Navy Journal*, *Turf, Field and Farm*, the *American Agriculturalist* and the *Spirit of the Times* in September.[12] There were notices also in *Harper's Weekly*, the *Rural New Yorker* and the *Scientific American*.[13] The latter, which appears to have been Oliver F. Winchester's favorite outlet, editorialized its issue of October 14, 1868:

We have lately examined the Winchester repeating rifle, manufactured in New Haven, Conn., which was submitted to a series of trials by the Federal Military Commission of Switzerland,



Interior of Sawtelle's Ranch, Henry's Lake, Idaho
Photographed by William Henry Jackson, 1872
Courtesy of the National Archives

appointed to test and report upon a suitable arm for the troops of the Confederation. The result was a recommendation of the Winchester gun, for the arming of Swiss sharp-shooters. When it is considered that the Swiss are unexcelled riflemen, the significance of this selection cannot be misunderstood. The piece is an improvement on the Henry rifle, so well known and appreciated by sportsmen, consisting mainly in an automatic arrangement for discharging the cartridge shell, and the method of filling the magazine, which extends along the length of the barrel, on the underside, is closed at the top and fixed to the barrel. . . . The magazine is charged at the side, by the lock, and whether full or empty, the piece may be used as a common breech-loader. Thus, while the soldier or hunter may carry over twenty charges for cases of emergency, he can use his piece, at the same time, as a breech-loader, retaining the magazine charges. The breech contains a cleaning rod for the barrel, in four sections, easily put together for use, and detached for replacement. The rifle is elegant in appearance, compact, strong, and of excellent workmanship. On examination we find its working parts very simple, and not apparently liable to derangement.

The *Army and Navy Journal* of October 10, 1868, likewise commenting on the Swiss report, observed:

> The Winchester is but a modification of the Henry rifle, from which it chiefly differs in the manner of supply[ing] cartridges. In the Henry rifle, the spiral spring of the magazine was partly visible, but in the Winchester it is entirely concealed, the cartridges being introduced into the magazine from an orifice in the breech of the gun . . . the Henry rifle has found much favor with our Western hunters, and the present modification is a decided improvement upon a deservedly popular weapon.

Magazine capacity of the Model '66 was actually seventeen for the rifle, two more than in a Henry of the same barrel length, and thirteen for the carbine with a barrel of twenty inches. A cartridge in the chamber brought these numbers out even. In the public mind, however, the gun retained its Civil War nickname of "sixteen shooter."

CHAPTER VI

THE MODEL '66 ON THE FRONTIER

MAJOR LITCHFIELD, mentioned in the last chapter as the purchaser of the first 1866 carbines, was adjutant of the Department of the Platte. His interest in new arms was natural, for to him had recently come Colonel Carrington's report of the Fetterman massacre. This ambush of troopers by Indians near Fort Phil Kearney, Wyoming, might not have succeeded had the victims possessed breech-loading repeaters. Two frontiersmen in the party armed with Henry rifles were the only ones to sell their lives dearly. Colonel Carrington, asking Spencers for his remaining men, pointed up the story: [1]

> At the northwest or farther point, between two rocks and apparently where the command first fell back from the valley, realizing their danger, I found James S. Wheatley and Isaac Fisher, of Blue Springs, Nebraska, who with "Henry rifles" felt invincible, but fell, one having 105 arrows in his naked body. . . . The cartridge shells about him told how well they fought.

The Henry rifle gave others a feeling of security, if not invincibility, on the Indian frontier at the close of the Civil

Bearshield, Blackfoot Warrior, 1874
Courtesy of Royal Canadian Mounted Police

War. Gen. Grenville M. Dodge, returning from the Powder River in 1865, tells how with these arms his party held pursuing Cheyennes at bay when they came too near.[2] On this expedition he found a pass through the Laramie Mountains for the Union Pacific Railroad. There is similar reference to the Henry in the memoirs of Alexander Toponce, a wagon freighter between Fort Union and Fort Benton, Montana.[3] His ox teams traversed Sioux country and "each man carried a Henry repeating rifle in his wagon, good for sixteen shots." In one fight they held off several hundred attacking Indians and, by his count, killed or wounded fifty. Indian possession of the arm had already begun, serial 2729 being owned by High Backed Wolf, a Cheyenne warrior who was killed July 25, 1865 at the Platte Bridge on the Oregon Trail, in what is now Wyoming.[4] The gun was hidden with his mummified body along the Powder River and not rediscovered until 1921.

These are the earliest firsthand mentions found, but references multiply in ensuing years. Lt. A. H. Ward of the 36th Infantry relied on a Henry in Montana Territory during 1866, and its fire power twice saved his life.[5] Col. Regis de Trobriand in *Army Life in Dakota* speaks of his mail couriers carrying Henrys on hazardous journeys between army posts in 1867.[6] At Fort Berthold in 1868, Yellowstone Kelly[7] recalled:

> The trader had a few Henry carbines and they were for the white trade. Before I left Ft. Berthold I purchased one of these carbines and it served me well for several years, or until I was able to secure a Winchester rifle. With the Henry and the stubby little .44 cartridge that went with it, I killed many a buffalo, as well as other game, and it stood me in good hand when I was forced to defend myself in encounters with hostile Indians.

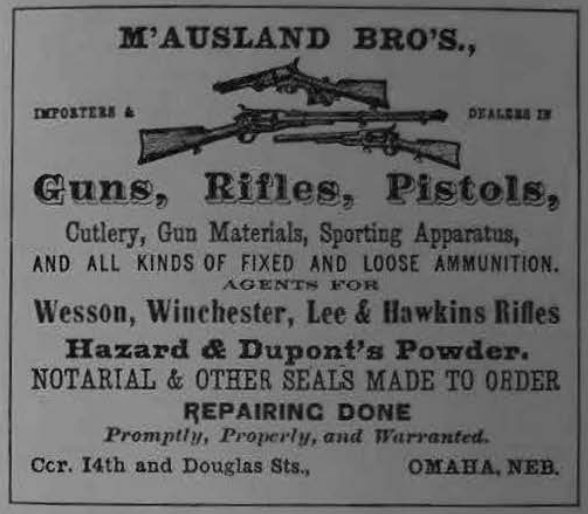
Ute Chief Piah (right) and his Head Men
Photographed by William Henry Jackson, 1874
Western Americana Collection, Yale University Library

What Kelly acquired may have been an early Model '66, since he refers again to having "purchased one of the brass-mounted little Henry carbines . . . along with a supply of .44 calibre cartridges. If I remember correctly, I paid fifty dollars for the outfit."

But the Henry did not always prove to be effective life insurance. Near Fort Union in 1868 the tale is told of a party of young men from St. Louis who came ashore to establish a wood yard for the Missouri River steamboats. They were visited by some "friendly" Sioux, who, being allowed to examine the party's Henry rifles, killed the woodcutters with their own guns.[8] At Fort Boise, Idaho Territory, the *Army and Navy Journal* for March 21, 1868 recorded the sad demise of Lt. James A. Rothermel, 8th Cavalry, accidentally killed by a shot from his Henry rifle when striking a rabbit with the butt.[9]

More remotely at Musselshell, Montana, we learn that in 1869 "Breechloaders had just been introduced on the river, and most of the whites were armed with the Henry and Spencer, which were as yet unknown to the Indians."[10] Yet at points nearer the newly completed Union Pacific Railroad, like old Fort Bridger, there already existed a brisk trade in Henry and Spencer ammunition. The post trader's journal of November 9, 1869, for example, charged "20 bxs Henry Cartridges" and "1008 Spencer cartridges" to "Wind River Adventure." This was the country of the Shoshone Indians, and the inclusion in the consignment of "ear rings, beads and mirrors" left no doubt as to its destination.[11] That the Utes and Nez Percé were familiar with the repeater is shown in early photographs by William Henry Jackson.[12] Of their neighbors to the north, the Blackfoot, Inspector General Hardie observed[13] in 1870 "they have some Henry and some Spencer rifles among them."

Feeling the steady encroachment of the white man, the Plains Indians took every opportunity to acquire what they called "heap-firing" guns or "many shots." A favorite was the "yellow boy," a frontier name for the brass frame successor of



From Collins' *Omaha City Directory*, 1868
Courtesy of New York Public Library

the Henry. The *Army and Navy Journal*[14] noted this desire in publishing a letter satirically ascribed to "Red Cloud, Chief of Sioux, Cheyennes, etc." With much logic he was made to say: "As the white men are now coming out here armed with long range and repeating weapons . . . I think the agents could afford to give us Spencer or Henry Rifles, and the regulation allowance of ammunition."

After 1870, the Henry and the Model '66 ceased to be

novelties on the Western American frontier. Apart from their primary use for personal protection, they were coming into increasing favor with hunters and explorers. British visitors to this country provide the first and perhaps the most illuminating comments. One of them, writing of a sporting expedition to the Southwest in 1868, noted "we had nine Winchester repeating rifles with us and three thousand rounds of ammunition." For buffalo they brought along English double rifles, but it was volleys from the Winchesters that kept off prowling Comanches.[11] A like combination of arms, this time a double rifle and a Spencer carbine, was reported by another Britisher[12] who shot buffalo from horseback with the carbine. On a railroad survey in western Kansas a third visitor[13] observed that at the stagecoach stations "many repeating Spencer and Henry breechloading rifles—the former carrying seven, the latter eighteen charges—lie loaded and ready to hand."

Early notice was taken of the Winchester as a sporting arm in a London publication,[14] whose authors signed themselves merely "The Two Englishmen." The book was quoted by a reviewer in *The Field*,[15] who wrote: "The 'Winchester rifle' must be a very deadly instrument. It 'discharges sixteen rounds in half a minute' and thus it is 'almost impossible for the animal to escape unhurt under such a shower of bullets.' We must confess that this most murderous weapon fairly puzzles us. Is it a revolver?" The skeptic received his answer in the very next issue:

> Sir,—In the review of "Reminiscences of America in 1869" which you inserted in your paper of Sept. 3, I notice that your reviewer complains that the principle of the Winchester is unexplained. I will therefore, for the benefit of such of your readers as may be interested in such matters, endeavor to give a brief description of the rifle, which I used on the Rocky Mountains in September of last year.

The system of rifling of this weapon is, I believe, the same as that of the better-known Spencer rifle, which did such good service in the American Civil War. The length of the barrel is about the same as our regulation short Enfield. Beneath the barrel, and of nearly the same length with it, is a tube, which is the receptacle

Presentation 1866 Winchester in the Collection of Maurice C. Clark

or chamber for the cartridges. At the muzzle end of this tube is a spiral spring, which forces the cartridges back towards the breech, so that there is always a cartridge ready to drop into the barrel. Consequently, there are only two openings in this tube, both at that end which is nearest the breech. By one of these (on the right side of the rifle) the cartridges are inserted, one by one, and are pushed forward by the thumb of the right hand. The other opening is between the tube and the barrel, and through it the cartridges are raised into their place in the breech. The tube, when full, holds about sixteen cartridges.

To load the rifle, the trigger-guard is bent back, and thus (as

in the Martini-Henry), by means of mechanical arrangement, the breech is opened, the old cartridge case extracted, and the rifle cocked. By bringing back the trigger-guard into its original position a fresh cartridge is forced into the barrel, and the breech closed. In much less time than I have taken to describe the process of *once* charging the rifle, the whole contents of the chamber might be discharged by even an inexperienced sportsman; and when the chamber is emptied of its sixteen charges it has to be refilled by hand. Up to 300 yards, and even to 500 yards, the Winchester rifle shoots very accurately; but beyond this distance, on account of a rather high trajectory, it is not very effective, although sighted, I believe, up to 1200 yards. For large game, such as elk or grizzly bears, this rifle, being a small-bore, is comparatively useless; but for smaller game, as antelope or black deer, it is very effective.

One of "The Two Englishmen"

Bovey Tracey, Devonshire
Sept. 8, 1870

At home the new Winchester found favor with sportsmen too. *Buffalo Land* [20] by William E. Webb of Topeka, Kansas, affords a contemporary American comment on the Model '66:

For shooting bison, the hunter should come prepared with some other weapon than a squirrel rifle or double barreled shot gun. I have known several instances in which persons appeared on the ground armed with ancient smooth-bores or fowling-pieces; and in one of these cases the object of attack, after receiving a bombardment of several minutes duration, tossed the squirrel hunter and injured him severely. A breech-loading rifle, with a magazine holding several cartridges, is by far the best weapon. In my own experience I became very fond of a carbine combining the Henry and King patents. It weighed but seven and one-half pounds, and could be fired rapidly twelve times without replenishing the magazine. Hung by a strap to the shoulder, this weapon can be dropped across the saddle in front, and held there very firmly by a slight pressure of the body. The rider may then draw his holster revolvers in succession, and after using them, have left a carbine reserve for an emergency. Twenty-four shots can thus be exhausted before

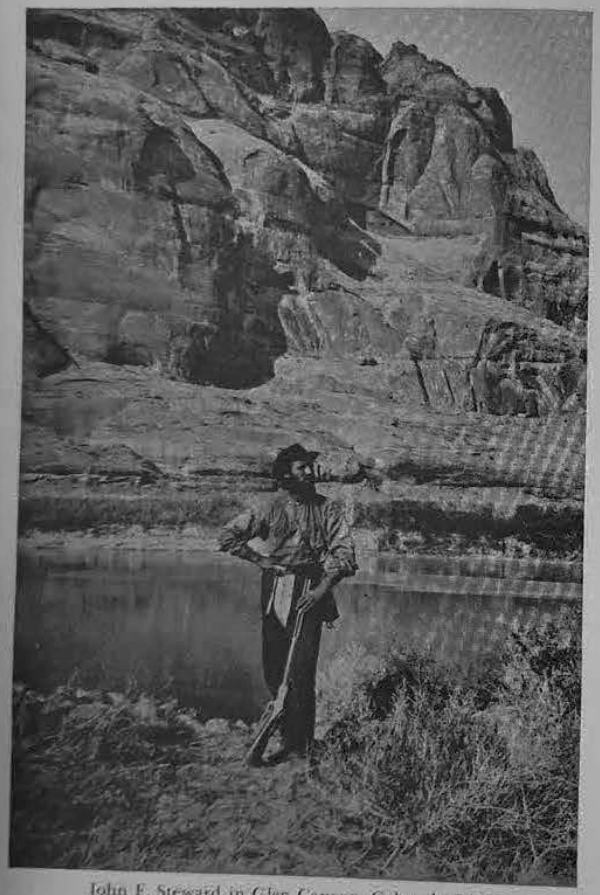
reloading, and with a little practice, the magazine of the gun may be refilled without checking the horse. So light is this Henry and King weapon that I have often held it out with one hand like a pistol, and fired.

The Colorado River explorers of 1869 and 1871 took Winchesters along in their boats for game and security. Yet three

Model '66 Winchester inscribed "Ben Holladay"
Pony Express Museum, Arcadia, California

members of the first party lost their lives to Indians. Frederick Dellenbaugh, who accompanied Major Powell on the second expedition,[21] recorded that "Most of the rifles were Winchesters. There were two of the original Henry pattern." He fired at coyotes and cougars in the canyons, but found the Utes friendly. "To satisfy one of them that we had no loose powder," wrote Dellenbaugh, "I removed the spring from the magazine of my Winchester and poured the sixteen cartridges out. He had never seen such a gun before."

Another river explorer finding the Henry a handy arm was Thomas P. Roberts,[22] who descended the Upper Missouri from Three Forks to Fort Benton in 1872. He had seven companions



John F. Steward in Glen Canyon, Colorado River
Photographed by E. O. Beaman, 1871
Courtesy of the National Archives

with him in a twenty-four foot rowboat. "Two Henry rifles and a Greener breech-loading shot-gun were convenient to the 'quarter-deck,' constantly loaded, but never fired except to replenish the larder." They met no Indians, but shot mountain sheep in the canyons and other game such as elk, deer, antelope, bear, beaver and geese.

A Canadian observer [23] wrote: "The breech-loading rifle is used in running buffalo by the wealthy amateurs who come from Europe to enjoy the sport, but the hunters of the country still almost universally use the old muzzle loaders." Yet when Louis Riel seized Fort Garry in the Red River Rebellion of 1870, part of the arms taken were described as "fourteen shooters." An English officer who came to see Riel, Lt. William Francis Butler, had one too.[24] Traveling to Winnipeg from St. Paul by way of the Red River of the North he carried "arms available against man and beast—a Colt's six shooter and a fourteen-shot repeating carbine." Beyond a doubt the gun was a Model '66.

Within two years the Winchester had reached Indian hands in what is now Alberta. Rev. John McDougall [25] reported Blood Indians coming back from the Missouri River trading posts with "repeating rifles, mostly Henry's sixteen shooters." He had one himself, which he dropped into a snowbank while hunting buffalo. To clear the barrel in subzero weather he "had to take the cleaning rods out of the gun stock and screw them together." A Cree chief took such a fancy to this rifle that McDougall finally traded it to him for a horse.

Ubiquity of the repeater in the transportation field is illustrated by a number of inscribed specimens. The Wells Fargo Bank History Room in San Francisco exhibits an engraved Henry presented to "Stephen Venard for his gallant conduct May 16th, 1866." On a plaque in the stock he is portrayed shooting three bandits who tried to rob the Wells Fargo ex-

press. A Model '66 rifle, bearing the name of Ben Holladay, the stagecoach king, may be seen in the Pony Express Museum, Arcadia, California. At Omaha, in the Union Pacific Historical Museum, there are two 1866 rifles acquired during construction of the railroad, and a sawed-off arm used by an express

Model '66 Winchester Rifles in the Union Pacific Historical Museum

agent in Idaho. A treasured heirloom in private hands is an early carbine that belonged to Captain James M. Paine of Minneapolis, and has his initials on the frame. For several years after the Civil War Captain Paine had charge of wagon trains for the Northwestern Transportation Company, freighting between Fort Stevenson and Fort Union, Dakota Territory.[28]

Perhaps enough has been said of the rapid dispersion in the West of the 1866 Winchester to indicate its utility and popularity with frontiersmen. Mention of it was, of course,

coupled with other makes, particularly the Civil War favorite. When the international boundary was surveyed in 1873 along 49° north from the Lake of the Woods to the crest of the Rockies, Her Majesty's Boundary Commission armed themselves with Spencer carbines. From time to time the surveyors encountered bands of Sioux, Cree and Assiniboine Indians, but none were hostile. Of the Assiniboines a doctor attached to the Commission noted in his diary:[29] "We gave them a present of bacon, flour and tea. They appeared to be very friendly. There were about thirty all mounted on very good ponies and appeared to be well armed. Some had Winchester repeaters or sixteen shooters."

While the Spencer carbine remained an official shoulder arm of the United States Cavalry until 1873, and was undoubtedly the more common repeater on the frontier, it lost ground rapidly to the Model '66.[29] But competition for the Winchester from single shot breechloaders was strong. The Sharps enjoyed the preference among professional buffalo hunters, particularly after long range metallic cartridge models were introduced in 1871.[29] The Remington No. 1 sporting rifle became another favorite, being the chosen arm of General Custer. Both these rifles greatly outranged the Model '66, whose .44 rimfire cartridge never carried more than twenty-eight grains of powder.

Among the lower-powered single-shot rifles the Frank Wesson and the Ballard[30] were the strongest rivals of the Model '66. They were of course lighter, less complicated and much cheaper. Charles Collins' prospectus[31] for an expedition to the Black Hills of Dakota made the following comparison:

> After a practical experience on the frontier, where all the most approved arms are in constant use, and where rapid, accurate firing, lightness, convenience, cheapness, average liabilities of getting out of order and becoming useless thereby, after carefully

weighing these considerations, by those interested in the success of the expedition, they have decided that the Ballard carbine combines the greatest number of indisputable qualifications. In thus deciding the merits and demerits of the Winchester, the Needle, the Colt and Henry rifles, were all thoroughly and impartially discussed. Selecting five gun-smiths in five different towns, we aggregated their experience which briefly was that the Winchester rifle is, when handled by inexperienced men, easily got

Model '66 Winchester Carbine marked "J M P," Serial 15,626
Courtesy of Frederic Allen Williams

out of order and hard to repair. Owing to the complicated interior works of a Henry rifle, when out of working order, it is next to impossible to be repaired except at the factory where they are made. The Henry rifle when loaded is too much of a solid weight, swung either on the shoulders of a person or on the pommel of a saddle. If not loaded it is not ready for immediate and effective service. Another important feature is that both the Henry and Winchester rifles cost nearly double that of the Ballard, with no correspondent advantages. Experiments have demonstrated the fact that the Ballard can be fired off twenty times in succession, in less time than the same number of shots can be fired from either a Winchester or a Henry. The Ballard carbine is light, (half ounce cartridge) weighs only six and a half pounds, and can be purchased here by companies, from $20 to $25. The Ballard sporting rifle, with a finer finish and longer barrel, can be had here from $30 to $35 according to finish, etc. The Ballard Kentucky rifle is too clumsy to be packed over such a vast range of country. The Ballard

carbine is adapted for muzzle or cartridge loading. The Henry rifle can be purchased here at from $30 to $37, according to finish. The Winchester rifles can be purchased here at $45 each.

Yet when Gordon's Stockade Party set forth from Sioux City in October 1874, after General Custer's report of the discovery of gold, Annie Tallent [1] assures us that "each man provided himself with the most approved Winchester rifle."

CHAPTER VII

FOREIGN TRIALS AND MARKETS

OLIVER F. WINCHESTER, perhaps again following the example of Samuel Colt, sought to develop foreign markets for his arm as soon as its success in this country seemed assured. In 1863 he patented the Henry rifle in England,[1] but this did not altogether preclude infringement. A few examples are known of a rifle patterned very closely after the Henry, but with a loading aperture closed by a sliding cover toward the forward end of the magazine. The magazine tube is slotted in the usual way but is round like the barrel, there being no turning sleeve. Another peculiarity is a ramrod mounted on the left side of the barrel, between it and the magazine, displacing the usual sling fitting, which is instead placed on the right.

These copies of the Henry are well finished, showing a large amount of hand work, and many parts bear serial numbers, even the heads of screws. Numbers 181, 212 and 331 are known to the author, the first and last being respectively in the Winchester Museum and the Tower of London. They carry various

unidentified proofmarks on the barrels, but all have in common the Gothic letter L surmounted by a crown stamped twice on the right side of the brass frame. This has been

European Copy of the Henry Rifle
Note Loading Aperture Forward

Royal Bavarian Armory Mark
Courtesy of Winchester Repeating Arms Company

identified by one European authority as the mark of the Royal Bavarian Armory. One of the arms, No. 212, is stamped on the barrel forward of the sight: B. J. STACEY LONDON. Yet Stacey did not become an English gunmaker until 1887.[2] Just when and where these unusual copies were made has not been established, although the author has consulted various authorities abroad. It is apparent, however, that they are not factory

products, and the workmanship suggests an individual gunmaker perhaps in Belgium or Germany where Henry copies are said to have been made.

As already noted, the 1863 New Haven Arms Company catalog was reprinted in German and French, and orders from Prussia followed. In the fall of 1866 Oliver F. Winchester entered a rifle in a Swiss trial at Aarau, the findings of which were translated and published in the 1867 and later Winchester catalogs. A contemporary German book on breechloaders [1] establishes that the rifle submitted was a King's improvement, .44 calibre. From the same book we learn that this experimental rifle was entered under the name "Winchester." The Swiss board recommended adoption for sharpshooters, but no purchases of arms came of it.

A British trial at Woolwich followed the Swiss one, with like results. The first arm examined by the Special Parliamentary Subcommittee on Breechloading Rifles was a standard .44 Henry. It was tested against the Ball and Lamson repeater and the Spencer. For rapidity the Henry outperformed the others, and in sand it "stood the test very well, and worked satisfactorily." The report [2] went on to say:

> After a careful consideration of the results of these trials, and an examination of the breech arrangements of the three arms, the Committee decided that the Henry system was on the whole most suitable for a military weapon. But they were also of opinion that a repeating arm, in order to be adapted for the requirements of the service, should be capable of being employed as a single loader, the magazine being kept in reserve for use in case of need.
>
> Having understood that this improvement had been embodied in the Winchester rifle, which was on the same principle as the Henry repeating arm, the Committee communicated with the Winchester Repeating Arms Company, in America, requesting them to furnish two specimen arms with suitable ammunition.

One of these arms was received about the middle of October 1868. It was similar in construction to that previously described as the Henry, but contained the improvement already alluded to, viz., the capability of being used either as a single loader or a repeater. It was also more suitable for an infantry weapon in point of length and ammunition.

Experimental Winchester Musket tested in England, 1868
Courtesy of Winchester Repeating Arms Company

Specifications of the arm were given as follows:

Length from bottom of butt to muzzle	49½ inches
Weight without bayonet	8 lbs. 12½ oz.
Length of barrel	29¾ inches
Calibre	.45 inch
Number of cartridges in magazine	12
Number of cartridges to one pound	About 14

The magazine is loaded at the end nearest the breech in place of the end nearest the muzzle, and the arm can be used either as a single loader or a repeater.

From the dimensions given it has been possible to identify an experimental King's improvement in the Winchester Museum as the gun in question. Its cartridge was tabulated in the report as "drawn copper, in two pieces, the powder case fitting into a base cup, which has a rim for extraction, central fire, the fulminate held between base of cup and a perforated metal disc." Length 1.99 ins.; powder 50 grs.; bullet diameter .46 ins., weight 320 grs. These specifications fit closely the cartridge patented January 1, 1867 by Oliver F. Winchester.[3]

While never put in production, it was pictured on the cover of the 1867 to 1871 catalogs as .47 calibre.

After further tests, in which a Swiss Vertelli * repeater was also examined, the Committee came to the conclusion "that the Winchester was simpler in construction and better adapted to the purposes of a military weapon than the Vertelli, and

Arsenal Mark of the State of Nuevo Leon, Mexico
Collection of George Madis

that it was the most favorable specimen of a repeater that had yet been brought before the notice of the Committee." But they were not prepared to recommend a repeater for general adoption in the British service.

There can be little doubt, however, that these foreign trials were closely followed by ordnance officers in Europe, and opened a market there for the Winchester, once war threatened. Henry A. Chapin, Secretary of the New Haven Arms Company, became European agent late in 1866, with headquarters at 13 King's Street, Cheapside, London, and 31, rue du Château d'Eau, Paris. The first considerable shipment of Model '66 guns, consisting of 100 carbines and two rifles, went to Charles & James Farve Brandt, of Paris, in 1867. A number

of shipments were made to Chapin that year, and in 1869 another order was filled for Azarian in Constantinople. Foreign sales of the Model '66 commenced on a large scale in 1870, with the outbreak of the Franco-Prussian War. Through Remington's the Winchester Company sold 3,000 muskets and


PRICE LIST OF ARMS
MANUFACTURED BY THE
Winchester Repeating Arms Company.

Office, 191 CHAPEL STREET.

W. W. WINCHESTER Sec'y

Winchester Price List, 1869 to 1871
Courtesy of Winchester Repeating Arms Company

3,000 carbines to the French Government.[1] A reflection of their use against the invading Germans is found in a letter of February 20, 1871 from Oliver F. Winchester to William C. Church,* editor of the *Army and Navy Journal:*

I enclose you a letter from my friend Suzanne, by which you will see that the only decided victory fought against large odds by the French during the war, at Dijon, in which the 61st Prussian Regiment was destroyed and their standard captured, the only one captured by the French Army during the war, was fought by a battalion of four hundred Garibaldians who had, only a few days before, been armed with Winchester Repeating Rifles.

When you recollect that the "Chassepot," the regular arm of France, did not save them from defeat and capture, and that at least one hundred thousand "Remingtons" and thirty thousand

"Spencers" have since been placed in the hands of the Army of the Republic, without having made their mark, the facts given by Suzanne are very significant.

Presentation Model '66 Winchester Carbine, Serial 36,130
Note Mexican Eagle and Grooves for Mortise Cover
Collection of George Madis

The story of Turkish Government orders for the Model '66 has been told in Williamson's history* and will be supplemented here only by newly discovered particulars. Aristakes Azarian's account of how the orders came to be placed is quoted from a deposition[10] of his in 1875:

In 1865, our firm in Boston and in Constantinople was named as agents of various manufactures of arms—among others, of the Spencer Repeating Rifle Company, and by the corporation of the New Haven Arms Company, of which Mr. O. F. Winchester was President. Samples of the Spencer repeating rifle, and of the Henry repeating rifle—the latter manufactured by the New Haven Arms Company—were sent to our house in Constantinople, which samples were shown by us to Mithat Pasha, then Governor of the Danubian Principality, and resident of Rustchuk, but temporarily in Constantinople. He was very much pleased with the Henry repeating rifle, and gave orders to bring ten for himself and a friend, which order was executed. . . . In 1866 our house in Boston sent us a sample of Winchester's repeating carbine, which was presented to the Sultan. In 1867 we received another sample of the Winchester repeating rifle, which we exhibited to all the Turkish ministers. Mithat Pasha gave us an order for ten of these, which order we executed. In 1869, various officials at the Ministry of War asked us for some Winchester repeating rifles. In November of the year 1869 we received sixteen of these rifles. They were delivered to . . . members of the Dari-Choura, or Supreme Council of War. . . . In June, 1870, the Minister of War and Marine, Hussein Avni Pasha, received orders from the Sultan to purchase Winchester repeating arms.

On the 3rd of July of the same year, a trial was made of said rifle in presence of all the Turkish ministers, at a place called "The Sweet Waters of Europe." After the trial, Hussein Avni Pasha, Minister of War, and Halil Pasha, Grand Master of Artillery, asked me the price of the Winchester repeating rifle and carbine. My answer was, $27½ for the carbine and $28 for the rifle, without bayonets. They said that was too dear, and called upon Blacque Bey, then Turkish Minister to the United States, but temporarily in Constantinople, to verify my statement as to the price, which he did. I then proposed a discount of from ten to fifteen piasters on each gun. Three more trials of the Winchester arms were made in presence of the Turkish ministers, and of Yussuf Izzedin Effendi, the eldest son of the Sultan. The latter part of August, 1870, a telegram was sent by the Minister of War to Mr. O. F. Winchester, asking the price of the arms. After receiving

Mr. Winchester's reply, the Minister of War called me again, and we began to negotiate for the sale of these arms to the Turkish Government. Said negotiations were continued between Hussein Avni Pasha and myself till the contracts were signed and concluded.

The contracts themselves, and relevant correspondence between Winchester and Azarian, are reproduced in the appendix of this book. Dates and quantities of the orders were as follows:

MODEL '66 ORDERS FROM TURKEY

November 9, 1870	5,000 carbines @	$20 less 5% discount
	15,000 muskets @	28 " " "
August 19, 1871	30,000 muskets @	28 " " "

These arms saw service in the Russo-Turkish War of 1877 but without sufficient effect to save the Turks from defeat. Their infantry was armed with Peabody-Martini and Snider single-shot rifles, only cavalrymen and artillery gunners having the Winchester repeater.[11] For the desperate but unsuccessful sortie from Plevna, carbines were issued to officers.[12] Both muskets and carbines were carried with slings, the muskets having been furnished without bayonets. The Turks mustered only about 8,000 regular cavalry and 20,000 irregulars.[13]

Yet the execution done by barrage fire from Winchesters at Plevna drew the attention of ordnance officers elsewhere to the desirability of adopting magazine arms. So in a London lecture [14] to the members of the Royal United Service Institution in 1882, Lieutenant Colonel Fosbery, V.C., remarked: "It may be urged that I am advocating the use of untried arms, a use not justified by any sufficient experience on actual service; but this is not the case; as you will remember both the Spencer and the Winchester repeaters were employed in large numbers in the American war . . . while the Winchester was

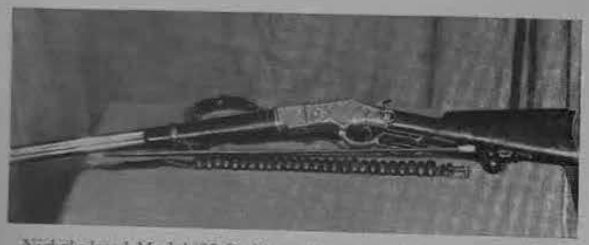
made use of with deadly effect by the Turkish troops." His statement was indorsed by Vice Admiral Jasper H. Selwyn, R.N., who commented from the audience:

I have been for a long time a consistent advocate of the magazine gun known as the Winchester, or the Winchester-Henry as it is

The Sortie from Plevna, December 10, 1877
Illustrated London News

also called: for there is a gentleman of the name of Henry who has been connected with it. . . . I saw personally in Turkey during the war the Circassian cavalry all armed with the Winchester-Henry carbine. My friend Reouf Pasha . . . told me he was reconnoitering at Yeni Zahrah with only his personal bodyguard of some thirty Circassians. A Cossack regiment, some 600 strong, came down and surrounded him. It was toward nightfall: he got his Circassian guard off their horses and made them all lie down

they and their horses. He said to them: "Now, my children, we are in a mess, and must sell ourselves dearly to the Ruski." The Cossacks formed around them, thinking they had only to prevent their escape, but in five minutes so many of the Cossacks were killed, not one of the Circassians being touched, that the Cossacks decided to leave them alone and to go away. That shows the value of magazine weapons.



Nickel-plated Model '66 Carbine with Sling Swivels, from Turkey
Courtesy of George Maily

Other Britishers provide the most informative accounts of the Winchester in the hands of the Bashi-Bazouks, as the irregular Ottoman horsemen were called. Lieutenant Colonel Fife-Cookson,[15] a military observer, tells of being threatened by one "with his Winchester." The colonel drew "a small Deringer from a breast-pocket" but luckily for him some Turkish officers intervened. Edward H. Vizetelly,[16] a war correspondent, joined the Bashi-Bazouks and was issued a Winchester, only to sell it to an American missionary for a horse. He expected to pick up another repeater on the battlefield, and did, more than one. Visiting a Kurdish Bey near Kars, Vizetelly reported: "Our arms had to be inspected. The Winchesters were the first rifles of that kind our host had seen, and he was so taken with them, that one of us had to write down the necessary information in French, so that he might give an

order for one through an Armenian merchant at Kars, who executed his commissions for the capital."

In another corner of the world the Model '66 was making history too. Henry M. Stanley, looking for Dr. Livingstone in Africa, left Zanzibar with a Winchester and a Henry "six-

From Winchester's Chinese Catalog, 1883

teen shooter." He shot at hippopotami but "The Winchester rifle (calibre 44), a present from the Hon. Edward Joy Morris —our Minister in Constantinople—did no more than slightly tap them." In hostile country he kept his Winchester with its magazine full and two hundred cartridges in a bag slung over his shoulder. "Each soldier's gun was also ready and loaded, and we retired to sleep our fatigues off with a feeling of perfect security." The gunbearers were right behind Stanley when he uttered his famous cliché."

On their final parting, February 22, 1872, the journalist left

Dr. Livingstone a revolver and three rifles, including the Henry, with 1,500 rounds of ammunition. The gifts were mentioned by the recipient in a letter a year later: "One rifle was injured at Bagamoyo; your revolver and splendid rifle were all I could desire for efficiency. The fifteen-shooter cartridges are not satisfactory, but everything else gives so much satisfaction that I could not grumble though I were bilious."

CHAPTER VIII

VARIATIONS AND SERIALS

As to distribution of the Model '66 in the United States, advertisements of dealers confirm that the greatest market was in the West. Thus in Omaha, Nebraska, in 1868 before completion of the transcontinental railway, the arm was handled by McAusland Brothers,[1] who listed themselves as "agents for Wesson, Winchester, Lee & Hawkins Rifles." The next year Freund & Brother,[2] of Salt Lake City, "Pioneer Armorers on the Union Pacific Railroad," announced, "We are the only authorized Agents for the West for the celebrated Winchester 18 Shooting Rifle, and Winchester 14 Shooting Carbine." They had stores in Cheyenne and Laramie, Salt Lake City, and "the Terminus of the U. P. Railroad."

Farther west Liddle & Kaeding[3] of the Sportsmen's Emporium, 538 Washington Street, San Francisco, were listed as "Agents for Henry's Patent Breech-Loading Rifle," while Redmond Gibbons & Co.,[4] 108 Battery Street, advertised Dupont's powder and "Rifled Muskets, Winchester Repeating

Rifles, Carbines and fixed ammunition." Later John Skinker [5] was listed from the same address as "sole agent for the Pacific Coast." In Portland, Oregon, William Beck & Son [6] kept "constantly on hand Henry's and Spencer's Repeating Rifles." M. L. Rood,[7] Charles Gove & Co.,[8] and later John P. Lower,[9] handled the Winchester in Denver. John Day advertised it with verse at Central City,[10] and C. S. Kingsley of Idaho City [11] listed "Winchester's Improved Henry Rifles."

These were but a few of the Western dealers; many did not advertise their wares by name. Other handlers of the Model '66 included such old customers of the New Haven Arms Company as Cooper & Pond; [12] Schuyler, Hartley & Graham [13] and John P. Moore & Sons of New York; J. C. Grubb & Co. of Philadelphia; and William Read & Sons of Boston. Among newer dealers Philip Wilson & Co. of Philadelphia and William Golcher of St. Paul are mentioned in company documents. Listed too were Merwin & Simpkins, Barton, Alexander & Waller and Spies, Kissam & Co. of New York; J. D. & D. C. Sutphen of Omaha; Henry Folsom & Co. of New York and New Orleans; and Charles Folsom of Chicago.[14]

A rare circular of the Model '66 is reproduced on another page. It can be dated early in 1869, that being the year William Wirt Winchester, Oliver's son, became secretary of the company, and by omission of the Model '66 musket, introduced later that year. The list tells us that "for Indian, Bear or Buffalo hunting," the new model is unrivaled. "But two sizes are made . . . a Rifle with an octagon barrel, twenty-four inches long and weighing nine and one-half pounds, and carrying seventeen shots in the magazine. . . . Also a Carbine with a round barrel, twenty inches long, carrying thirteen shots in the magazine . . . weighing seven and a half pounds; this is specially adapted to the use of cavalry, or for hunting on horseback on the western plains."

Another unusual Winchester document, the company's rimfire cartridge board, illustrates in margin vignettes the type of game for which the Model '66 was deemed suitable. At the top, an elk, in the corners, bear and buffalo, wild swan and

Courtesy of Winchester Repeating Arms Company

turkey, are shown. The design dates about the same year as the circular, the Model 1873 cartridge being a subsequent addition.

A price list later than the circular was printed for retail customers; only a much-handled copy of it has been found. This offered the rifle with varnished or oiled stock, the musket with angular or sabre bayonet, and the carbine with oiled stock. Slings were optional for the rifle and carbine. Fancy

THE WINCHESTER REPEATING RIFLE.

TWO SHOTS A SECOND.

This splendid weapon is a great improvement on the celebrated "Henry" Rifle. These improvements remove all the objections to the "Henry" Rifle; it is lighter and more simple in its construction, less liable to get out of order, and is in *every* respect a better and more perfect weapon, which *for* power, accuracy and rapidity of fire, exceeds any other weapon ever made and used with a corresponding charge. It is of the same caliber and length of barrel as the Henry Rifle, and carries two charges more in the magazine.

For Indian, Bear, or Buffalo hunting, it is unrivaled; and as a war weapon is as much superior to the Prussian Needle Gun, or any single Breech Loader, as they are to the old muzzle loading arms, not only in rapidity, but in accuracy and power.

At present but two sizes are made, namely, a Rifle with an octagon barrel, twenty four inches long, and weighing nine and a half pounds, and carrying seventeen shots in the magazine, and one in the barrel, or eighteen shots, all of which can be fired by an expert in nine seconds, or at the rate of two shots per second. Also a carbine with a round barrel, twenty inches long, carrying thirteen shots in the magazine, and one in the barrel, or fourteen shots in all, weighing seven and a half pounds; this is especially adapted to the use of cavalry, or for hunting on horseback on the western plains.

Both of these guns use the same charge or cartridge, as is used in the old model Henry Rifle.

To the following prices but the cost of packing will be added in all cases. Box for single gone seventy-five cents. Cases for ten guns, $2.50. Lining boxes with tin for shipment, holding ten guns, $2.50 each extra.

Rifles, with varnished Stocks and Rings	$50.00
Rifles, with oiled Stocks	48.50
Carbines with oiled Stocks, without Rings	40.00
Cartridges, per 1,000	30.00
Rings for Carbines	1.00
Leather Cases for Rifles	7.00
" " " Carbines	7.00
Extra Finish, with plating and engraving, will cost additional, from	10 to 30.00
Globe and Peak Sights, extra	7.50
Fancy Stock, additional	5.00

TERMS CASH.

Owing to the number of orders received to C. O. D. from irresponsible parties who fail to respond when the goods are sent, and the consequent loss, expense and trouble to get them back, we are compelled to require all orders from parties unknown to us to be accompanied with the amount in a draft on New York, (always the best method of remittance,) a postal order, or in greenbacks.

No discount from the list prices on less than a case of ten guns or more.

Discount to the trade by the case, 10 per cent.

CAUTION.

As much of the accuracy and power of any good Rifle depends upon the care and judgment exercised in making the ammunition and the quality of the materials used, we have paid, and still pay, great attention to keeping up the quality of our Cartridges, and none are genuine, or of our make, except those that have the letter W raised in the metal on the head of the copper shell. All manufacturers are cautioned against using or copying this, our trade mark.

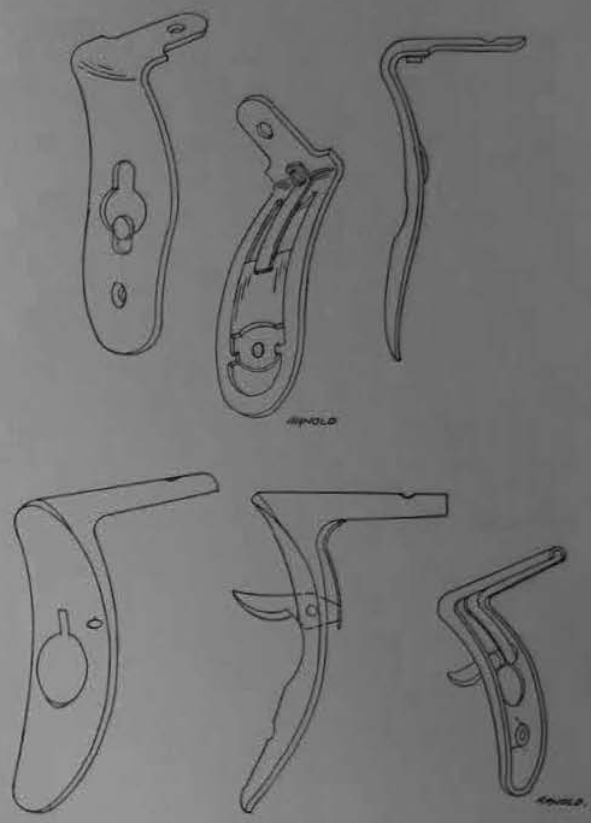
MANUFACTURED BY THE

Winchester Repeating Arms Company,

NEW HAVEN, CONN.

W. W. WINCHESTER, *Secretary.* O. F. WINCHESTER, *President.*

Winchester Circular, 1869
Collection of Norris E. Pratt



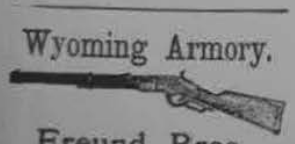
Butt-plates, Model '66 Winchester

stocks, globe and peek sights, and plating or engraving were available at extra charge. Its date is no later than 1871, when W. W. Winchester became vice president.

The Model '66 was not termed such in company catalogs until 1873, when introduction of a newer model required differentiation. Retail prices of $50 for a rifle, $45 for a musket and $40 for a carbine were reduced at that time, and by 1876 they had been cut to:

Sporting Rifles,	Octagonal Barrels, 24 in.	$30.00
" "	Round " 24 "	28.00
Infantry Musket,	" " 27 "	28.00
Carbines,	" " 20 "	25.00

A page from the catalog of 1878 shows what rear sights were available for the rifles and carbines; front sights were as pictured on page 104. The two uppermost are found on 1866 carbines, the lowest on rifles. The top example with the sight mounted on the front barrel band was the first style used; yet it was not discontinued with the introduction of the second, both styles occurring in high serials.



From the *Cheyenne Daily Leader*, 1877
Western Americana Collection, Yale University Library

Drawings of two styles of butt-plate are illustrated; the more rounded type was common to muskets and carbines, the more pointed to rifles. Yet the rifle type occasionally is found on carbines, and vice versa. Brass and iron were apparently used indiscriminately, the first being far more frequent in lower serials. A three- or four-piece metal cleaning rod replaced the four-section wooden rod of the Henry.

Forward sling swivels on rifles are of two designs, the second one turning in two arcs appearing about serial 21,000. Many rifles were made without swivels and some carbines and all muskets have them. It is believed that the Turkish Government patterns included swivels. A saddle ring on the left side of the frame was standard for carbines; it is not found on rifles.

The brass frame or receiver of the Model '66 went through several changes. On the earliest serials found, beginning with 13,534, the receiver resembles the Henry, with side plates dove-tailed at both ends into the frame

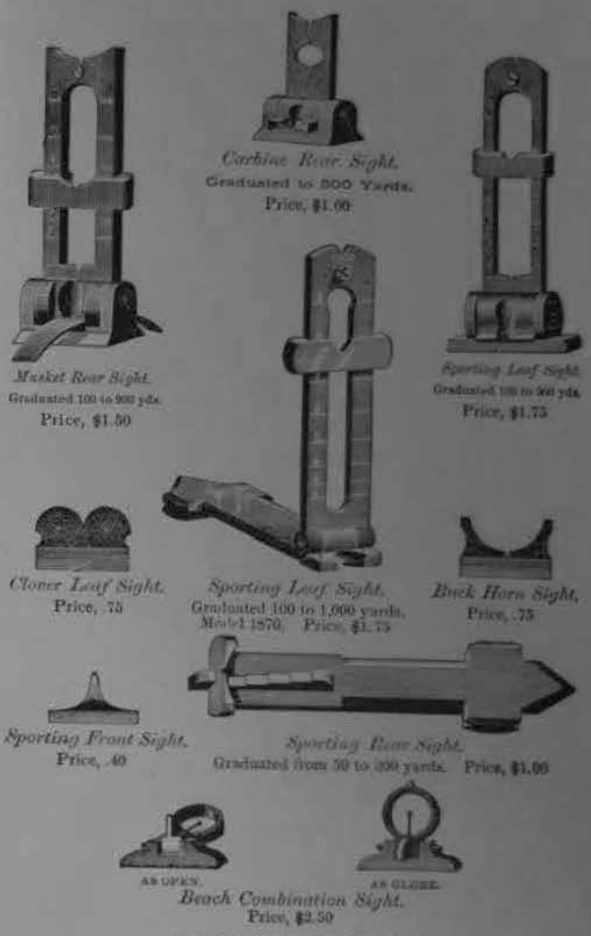
From the *Idaho World*, 1874
Western Americana Collection, Yale University Library

and no flare forward at the joint with the wooden fore-end. These features were present beyond serial 15,090. By serial 15,626 they have changed, however, so that the sideplates are dovetailed only on the forward end, their rear joints with the frame being at right angles. A screw on each side holds them in place. Likewise the frame flares at its juncture with the fore-end.

The steel spring cover for the loading aperture on the right side of the frame reflects another change in design. On serials up to 14,910 it is flat; by serial 15,090 and thereafter it is grooved or indented. The earlier pattern is made in two parts and requires two screws through the right sideplate to hold it in place. For the later single piece design only one screw is needed.

A half-cock notch, or second click, was introduced on the Model '66 hammer at an early stage, as were also vents or notches in the top of the breech-pin. Just when these changes occurred is hard to establish through serial numbers. Thus serial 17,720 has a "two click" hammer, but serial 23,265 lacks it. Serial 17,720 likewise has the newer bolt, whereas serial 21,220 is without it. The explanation may lie in the fact that in assembling the later serials it was desired to use up old parts. Half-cock notches have been found on a few Henry hammers also; possibly they were gunsmiths' alterations or later replacements.

Change in the marking of barrels, at about serial 23,000, has already been discussed. Another change in stamping had regard to the serial number. Unlike the Henry, where the serial appears on the top of the barrel and on the frame and butt-plate inside, the Model '66 was initially marked on the inside throughout. The serial appears *inside* on the lower tang, left side, up to about number 20,000, then *outside* on the bottom of the tang. The barrel marking is under the fore-end



From Winchester Catalog, 1878

and the serial is repeated inside the butt-plate. But as regards the early receivers with double dovetailed sideplates, there is a second and smaller number stamped inside on the tang and sideplates. This is believed to be an assembly mark, possibly that of an inside contractor at the Bridgeport factory. For serial 13,534 it is 1478; for 13,657, 1277; for 14,473, 707; for 14,838, 1773; for 14,910, 1926, and for 15,090, 1601, the interval not being uniform.

Based on these serial numbers, it is the belief of the author that Model '66 serials began in the vicinity of 13,500, approximately where the Henrys left off. A Briggs patent prototype is known marked 13,546 inside the stock, and a King's improvement 13,534. A few specimens of the Model '66 have been reported with serial digits of three or four from 100 to 2611. While no explanation for their separate numbering is known, the frame characteristics of such pieces are later than those in the 14,000 range. Yet most have inside serials, which would date them in 1868, before serial 20,000. Another peculiarity of Model '66 serials is that many of them have one or two letters or initials accompanying the number, such as B, LE, MS, FF. These are believed to denote minor pattern changes, but the key to them is lost.

Round barrels for the Model '66 rifle were a late variation, introduced about serial 130,000. They probably derived from the round barreled 1873 rifle. The same is true of octagonal barrels for the carbine, which appeared at 150,000. Altogether there were 1,779 round barrel rifles made and 791 octagonal barrel carbines. Three rifles had half-octagon barrels and three half magazines. Eight 1866 carbines were made with the latter feature.

The foregoing figures come from a count of Model '66 guns above serial 125,000, the point where existing factory records begin. A table of known serial numbers and shipping dates

prepared by Thomas E. Hall, Curator of the Winchester Museum, and quoted by his kind permission, follows: "

MODEL 1866 SHIPPING DATES

125,000 to 125,600	1875	162,401 to 163,700	1884
125,601 to 131,900	1876		1885
131,901 to 148,200	1877	163,701 to 165,000	1886
148,201 to 150,500	1878	165,001 to 165,900	1887
150,501 to 152,100	1879	165,901 to 167,100	1888
152,101 to 154,200	1880	167,101 to 167,400	1889
154,201 to 155,700	1881	167,401 to 167,900	1890
155,701 to 159,500	1882	167,901 to 169,000	1891
159,501 to 162,400	1883	169,101 to 170,100	1892–8

It is possible, with gun sales figures from 1869 and the data accumulated in this study to estimate shipments for the earlier years, where exact records are unavailable:

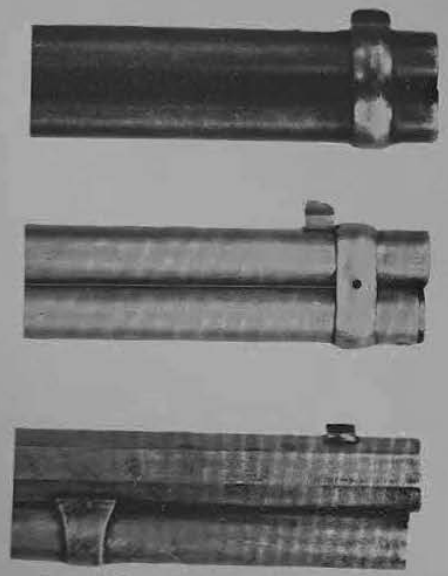
KING'S IMPROVEMENT, PATENT OF 1866

Year	*Annual Shipments*	*Serial at Year-end*
1867	2,500	16,000
1868	4,000 *	20,000
1869	10,200	30,200
1870	22,600	52,800
1871	34,600	87,400
1872	22,700	110,100
1873	8,500	118,600
1874	4,400	123,000
1875	2,600	125,600

* Supplemented by a maximum of 2,000 with three or four digit serials.

About four hundred serial numbers furnished the author by helpful collectors in the United States have enabled him to construct a sequence table in which the larger gaps would appear to reflect foreign shipments. Thus, the range of collectors' serials from 13,500 to 40,000 is quite complete, every thousand being represented with few exceptions. Then comes

a gap to the 44,000 range, which may indicate the lot of 3,000 muskets shipped to France in 1870. Between 50,000 and 72,000 there is a larger gap, perhaps the 3,000 carbines that went to



Front Sights, Model '66 Carbines and Rifle
Courtesy of Winchester Repeating Arms Company

France and the first Turkish order of 20,000 guns delivered in 1871. Subsequent intervals, from 81,000 to 96,000 (with two exceptions) and 104,000 to 118,000, may account for the second Turkish order of 30,000 muskets.

At the point where company records do become available, there is still a mystery as to consignees, because while the serial

books give the date of each shipment, only an order number is entered opposite, and the order books of the last century have not been preserved. Bulk shipments amounting to about 12,000 carbines are listed in 1877 in the 135,000 to 148,000

Model '66 Carbine with Flat Spring Cover, Serial 13,534
Collection of James Thompson

range, only three separate order numbers being entered against them. None of the serials recorded for these orders appear in the collectors' table, which is well represented from 118,000 to 135,000 and from 148,000 on. Hence it may be inferred that another large foreign shipment of carbines was made in 1877, possibly to Turkey.

Study at the Winchester Museum of the serial records above 125,000 has provided some interesting statistics for collectors as to production of the Model '66 after October 1875. In the

period counted, there were shipped 44,739 guns, of which 35,402 were carbines, 5,423 rifles and 3,914 muskets. Of the latter, 1,218 were equipped with angular and 484 with sabre bayonets. Nickel-plated carbines came to 420, muskets to 86 and rifles to 23. There were also 13 carbines and 13 rifles

Interior of Model '66 Carbine, Serial 14,437
Collection of the Author

recorded as half nickeled, i.e., the frame only. Silver-plated specimens were rarer, 245 rifles but only two carbines, while gold-plated came to 16 carbines, seven muskets and two rifles, with nine rifles half gold-plated. Many of these plated arms were also engraved, to wit, 81 carbines, 91 rifles and 53 muskets. Only five were inscribed at the factory, and these with initials. A single order for 200 silver-plated rifles in the 128,000-129,000 range was described as "Coat of Arms Eng." None has turned up in American collectors' hands so far as

known; perhaps they were intended for some Eastern potentate's bodyguard.

Of unusual barrel lengths, ten carbines are recorded with 24-inch barrels, and 201 rifles with barrels of 20 inches. In addition there were 38 rifles measuring 26 inches, 46 measuring 28 inches, 14 measuring 30 inches, two measuring 32 inches, and an extraordinary pair shipped in 1882 with shotgun butts, gilt receivers, nickel-plated magazines, and 38-inch gilt, octagonal barrels! An order of 1,020 carbines shipped in 1891 to Brazil had been converted to centerfire to take a cartridge known as the .44 Henry C.F. This was slightly larger in diameter, both as to case and bullet, than the .44 Smith & Wesson American, although the latter could be fired in the conversion.[16] These were in the 167,000 to 169,000 serial range, without consecutive numbers. A few examples have been reported by collectors, and there is one in the Winchester Museum. All are said to carry the letter C and an auxiliary serial number on the left side of the lower tang, under the wooden stock.

CHAPTER IX

ADVENT OF THE MODEL '73

It was a characteristic of Oliver F. Winchester that he did not readily accept defeat. When the report of the Special Parliamentary Subcommittee reached him, he acknowledged it to the Secretary of State for War in a letter[1] with the title "The First Requisite of a Military Rifle." Here he once more argued the case for the adoption of repeating arms. Not content with argument, however, he set about developing a new model of musket which would convince where words failed.

The result was a repeater patented in England January 6, 1871[2] and in this country January 31.[3] The patentee, who assigned to the Winchester Repeating Arms Company, was Luke Wheelock, a designer in the model shop. The arm represented a streamlined version of the usual breech, with two novel features, a loading port without any cover, and a full length wooden stock. Inside, the action was locked not by toggle-links but by a vertical bolt rising behind the breech-pin. A centerfire cartridge was utilized, apparently more powerful

than any previous. A later version of the Wheelock rifle submitted to the United States Ordnance trials of 1872 fired a .45-70-360 cartridge.[4] This arm passed firing tests satisfactorily,

Model '73 Musket, Serial 67
Collection of George Madis

but in the sand test "utmost exertion in working the lever and other parts failed to clear the piece of dust sufficiently for the movement of the carrier and the arm was dropped from further consideration."

Meanwhile work commenced at the New Haven factory on what was to be called the Model of 1873. No new patents were stamped on this model but it was described in the 1875 cata-

log, the first to list it, as being adapted "to the use of a longer and a centerfire cartridge, holding a charge of 40 grains of powder." Other changes consisted of a sliding cover over the carrier "to keep dirt and snow out of the lock," the substitution of iron for brass in the frame, and a new method of retracting the firing pin. The sideplates no longer fitted flush with the frame, and their rear edges were rounded. Indentation of the spring cover assumed an oval shape.

Probably at the beginning of 1875 production of the Model '66 was, for a time, suspended. The catalog of that year listed only the Model '73, and declared "as in 1866 they abandoned the manufacture of the 'Henry Rifle' for the new model of that year, so they now abandon the manufacture of the Model of 1866." But such a demand for the rimfire arm persisted that by October 1875 its manufacture was resumed, commencing with serial 124,995. At that time there appears to have been only seventeen such arms left in stock, the serials of which were carried over into a new ledger. The vitality of the Model '66 may well have resulted from reductions in its price, which in 1876 was only $25 for the carbine and by 1886 $14.50.

An entire book could be written about variations of the Model '73, but its mortise cover is a feature particularly intriguing to collectors. In early issues it was dovetailed into grooves in the top sides of the receiver; after about serial 30,000 it slid on a center guide in the top of the frame. This guide was initially secured by screws; in 1884 it was made integral with the receiver. A matted oval on the top of the cover provided a fingerhold for the first type, the second usually having teeth on its rear edges. In low serials the oval is raised above the cover; later it is impressed thereon. Of the cover, Oliver F. Winchester advised S. G. Bayes, an inventor holding a patent for such a feature: "In 1872 we got up our Model of 1873 and I had the slide cover we are now using

TOOLS

FOR

Reloading Central Fire Cartridges,

MANUFACTURED BY THE

Winchester Repeating Arms Company,

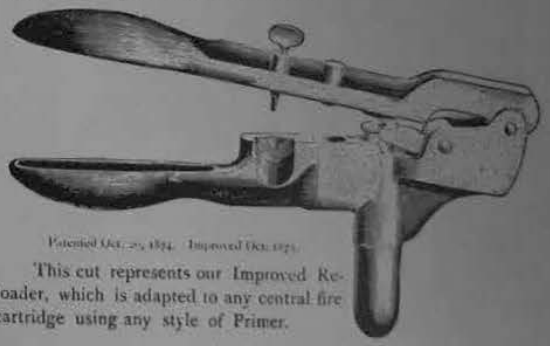
NEW HAVEN, CONN., U. S. A.

In offering these articles to the public the manufacturers believe that they present the most complete and compact article that can be produced. The aim has been to give in one instrument all the functions possible, without complication.

The Reloading Tool, as constructed, removes the exploded primer, inserts the new primer, and fastens the ball in the shell, at the same time swaging the entire cartridge to the exact form, and with absolute safety.

A set of implements comprises the re-loading tool, a bullet mold, charge cup, and wad cutter.

This cut shows our original Reloader, designed only for reloading cartridges using the Winchester Primer.



This cut represents our Improved Reloader, which is adapted to any central fire cartridge using any style of Primer.

From Winchester Catalog, 1878

put on." This letter was written in 1876, when Winchester denied infringing Bayes' patent of 1869, but offered $1,000 for it. It is of incidental interest that a testimonial from Bayes for the Model '73 appeared in the 1875 catalog.

The first example of the Model '73, actually serial No. 2, left the factory September 26, 1873. Only seventeen others followed in that calendar year. An explanation for the delay may be found in Oliver F. Winchester's letter of October 31 to Colt's: "We have not yet perfected our center-fire cartridges, or rather we have not got through with the cap machinery, tools and fixtures &c. for them." In August Nelson King had written about a shipment to Colt's of .44 calibre rimfire cartridges loaded with 23 grains of "very strong" powder, commenting that if they were satisfactory "I see nothing in the way of our making a cartridge suited both to your pistol and our rifle."[6] Thus was born the load known as .44 flat Winchester and Colt. Colt's single action revolver was not, however, adapted to the .44-40 centerfire cartridge of the Model '73 until 1878.[7]

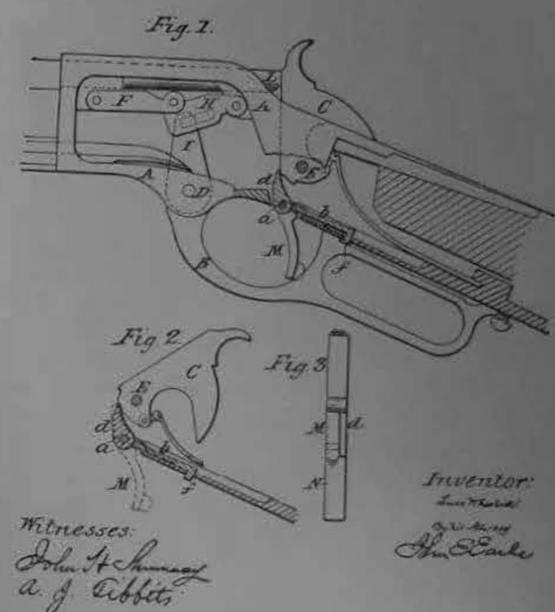
Success of the new model was assured with the patenting by W. W. Winchester on October 20, 1874 of a tool for reloading centerfire cartridges.[8] This was offered in the 1875 catalog, the first to list the Model '73, at $4, or $5 per set including bullet mold, wad cutter and charge cup. "The Reloading Tool, as constructed, removes the exploded primer, inserts the new primer, and fastens the ball in the shell, at the same time swaging the entire cartridge to the exact form, and with absolute safety." An improved reloader, adapted to any centerfire cartridge using any style of primer, was developed in October 1875 and marketed shortly thereafter.

Another patent affecting the Model '73 was Luke Wheelock's of December 1, 1868, assigned to the Winchester Repeating Arms Company.[9] It covered an auxiliary or safety sear,

L. WHEELOCK.

Magazine Fire Arm.

No. 84,598. Patented Dec. 1, 1868.



the object of which was to preclude any falling of the hammer until the breech was fully closed. The extra sear catch was released by contact with the forward part of the finger lever, which was reshaped and squared off for the purpose. Although an early invention, this device did not appear on Model '73 arms until 1880. It had been introduced two years before on the Model '76 as "an attachment which renders premature explosion of the cartridge, even from carelessness, absolutely

Model '73 Carbine with Half Magazine and Short Barrel
de Mores Historic Site, Medora, N. D.

impossible." The safety sear applied only to guns with plain triggers.

The Model '73 was made available in a great variety of styles, barrels, finishes and optional appendages, such as set triggers or peep sights. This was the first model to carry its date of introduction: "Model 1873" appeared on the top tang of all except very early issues, where it was engraved on the bottom, with the serial number. The new model bore the same barrel inscription as did later issues of the Model '66. Basic types continued to be rifles with 24-inch octagonal or round barrels, and carbines and muskets with round barrels, respectively 20 and 30 inches long. Magazine capacity was fifteen for the rifle, twelve for the carbine and seventeen for the musket. Half-octagon barrels and shotgun stocks became available in the rifles and half magazines holding six cartridges for both rifles and carbines. Odd length barrels for rifles, octagon, half-octagon or round, have been reported to the

author in 16, 20, 28, 30 and 32-inch lengths, and carbine barrels 17 and 15 inches long, some with shortened fore-ends.

Full enumeration of the many variations is not possible here; rather the reader is referred to published descriptions and old catalogs.[10] One fact can be stated categorically: the Model '73 was issued from the very start with an iron frame. Altogether 720,610 guns were made in calibres from .44-40 to .22 short until discontinuance of the model in 1924. It was

Spanish Government Model 1873 Carbine
Courtesy of Winchester Repeating Arms Company

not, however, until 1884 that total production of the new model passed that of the Model '66; but 15,000 had been issued at the close of the year following the Custer Battle.

After that fight, criticism of the Springfield carbine and a request by Colonel Mackenzie of the 4th Cavalry for the issuance of Winchester rifles prompted a comparative test at the Springfield Armory.[11] Against either the Springfield rifle or carbine, the Model '73 Winchester had less muzzle velocity and a greater mean deviation at 300 and 500 yards, although comparing favorably at 100 yards. Penetration in white pine at the latter distance was 10.075 inches for the regulation arm with carbine cartridge of 55 grains of powder, compared to but 4.9 inches for the Winchester .44-40. In a later test[12] the Model '66 Winchester was found to have slightly more muzzle velocity than the Springfield carbine, also greater mean devia-

tion at 500 and 600 yards. Penetration measured 10.65 inches in white pine at 200 yards for the Springfield with carbine cartridge, as against 5.05 inches for a 26 grain powder charge in the Model '66.

In the case of the Model '73, records of the shipping dates of all serials have been preserved. A table from 1873 to 1888,* likewise prepared by Mr. Hall and quoted with his permission, is:

MODEL 1873 SHIPPING DATES

1 to	49*	1873	62,178 to	81,313	1881
50 to	2,780	1874	81,314 to	107,492	1882
2,781 to	9,996	1875	107,493 to	139,060	1883
9,997 to	13,225	1876	139,061 to	168,403	1884
13,226 to	15,008	1877	168,404 to	195,448	1885
15,089 to	22,177	1878	195,449 to	221,832	1886
22,178 to	40,550	1879	221,833 to	253,803	1887
40,551 to	62,177	1880	253,804 to	282,435	1888

* Some in this sequence were shipped the following year. Arms not being issued strictly in serial sequence, dates may be a year out in any instance.

Calibre .38-40 or .38 W.C.F. was introduced in the Model '73 in 1879, .32-20 or .32 W.C.F. in 1882, and .22 R.F. short and long in 1884, the latter for rifles only. It required a special magazine tube and had no loading gate in the receiver. In the November 1, 1885 catalog calibre .22 W.C.F. was listed and illustrated for the Model '73, but dropped in the next issue, and no 1873 arms in this chambering are believed to have been sold.

A special type of 1873 carbine in .44-40, having an extended fore-end and exposed ramrod or cleaning rod, was made for the Spanish Government in 1878 and 1879. Only 230 are recorded with this designation, serials 29,601 to 29,830, but a "fore-arm for carbine, Spanish Model" was listed among component parts from 1878 to 1882. The specimen in the

From *Forest and Stream*, 1875

Winchester Museum has a 22-inch barrel, and the frame is cut out forward of the loading gate, apparently to facilitate loading. Its rear sight is fastened to the barrel by screws, rather than dovetailed in. A Spanish Model musket was also made, 100 specimens being recorded, serials 33,701 to 33,800. This had a 30-inch barrel, angular bayonet, exposed ramrod, and no mortise cover. Both it and the carbine were fitted with swivels, but lacked a latch for the lever.[14]

An extensive Winchester advertising campaign featuring the Model '73 was launched in the *Army and Navy Journal* and *Forest and Stream* in 1875.[15] Early that year it had its introduction abroad, in the pages of the London *Field*.[16] John Henry Walsh, firearms editor of that journal, wrote:

> The new model centre fire Winchester Repeater is the product of long and carefully noted experience (dating from 1858) gained both in warfare and the sporting fields of America and Canada. . . . The failure of the revolver principle when applied to rifles and tested for accuracy, no doubt stimulated the manufacture of the repeater. In its early patterns—the Spencer, the Ball and Lamson, and others, including the Henry (American) which Mr. Winchester selected as the then best to base all his projected improvements upon—the mechanism was generally pronounced too complicated. . . . It may be that this new and undeniably well-designed arm, possessing as it does, rapidity, accuracy, long range, and simplicity of parts, will eclipse all single-loaders, even from a military point of view, but at all events it must commend itself to the attention of sportsmen.

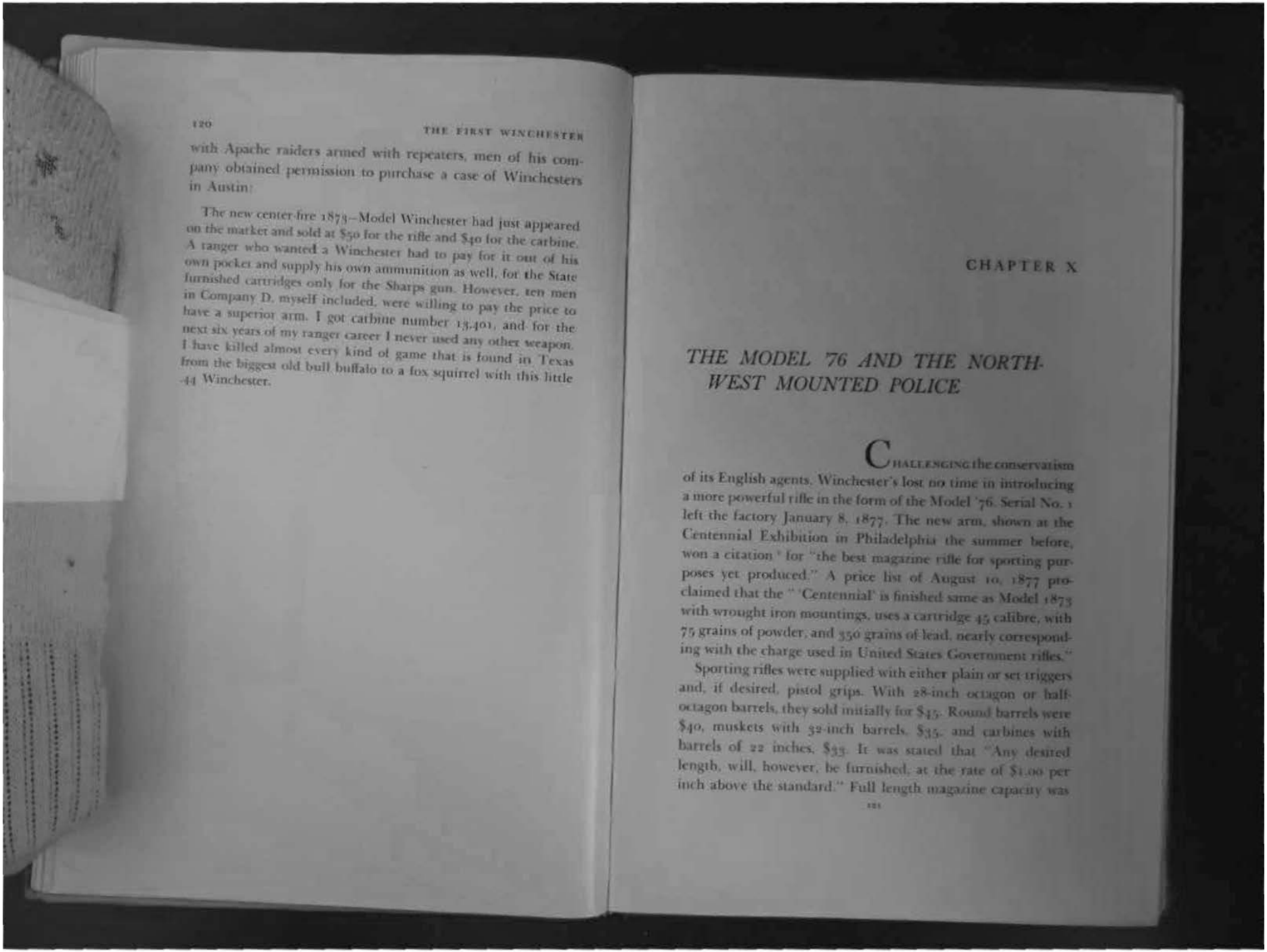
The article went on to say that the carbine was "well suited for travellers and explorers, whether on foot, horseback, or in boats; also for house protection." Agents in London were Messrs. Kerr & Co., 54 King William Street. A correspondent soon wrote *The Field* asking whether the Model '73 could be had in larger bore, or on the "express" principle. If not, he thought it would be "but a poor weapon against a rogue

elephant or a charging tiger." This drew a reply from James Kerr:

> The reason they are not so built—and, as far as we can see, are not contemplated—is that increased bore means increased length of cartridge. . . . The Winchesters are machine-made, and interchangeable in all their parts; and the expense of a second plant of machinery, designed for the class of rifles now in vogue (expresses with their long heavy cartridges, and large bores with explosive bullets &c.) would be such that no trade in them could ever repay it. The demand is so limited that it would result in a loss to the manufacturers.

An early American purchaser of the Model '73 has left his impressions in a memoir.[17] James B. Gillett joined the frontier battalion of the Texas Rangers in 1875 and was issued a Sharps .50 calibre carbine. Following an encounter

From *Pacific Coast Mining Review*, 1878
Western Americana Collection, Yale University Library



with Apache raiders armed with repeaters, men of his company obtained permission to purchase a case of Winchesters in Austin:

The new center-fire 1873—Model Winchester had just appeared on the market and sold at $50 for the rifle and $40 for the carbine. A ranger who wanted a Winchester had to pay for it out of his own pocket and supply his own ammunition as well, for the State furnished cartridges only for the Sharps gun. However, ten men in Company D, myself included, were willing to pay the price to have a superior arm. I got carbine number 13,401, and for the next six years of my ranger career I never used any other weapon. I have killed almost every kind of game that is found in Texas from the biggest old bull buffalo to a fox squirrel with this little .44 Winchester.

CHAPTER X

THE MODEL '76 AND THE NORTH-WEST MOUNTED POLICE

CHALLENGING the conservatism of its English agents, Winchester's lost no time in introducing a more powerful rifle in the form of the Model '76. Serial No. 1 left the factory January 8, 1877. The new arm, shown at the Centennial Exhibition in Philadelphia the summer before, won a citation " for "the best magazine rifle for sporting purposes yet produced." A price list of August 10, 1877 proclaimed that the " 'Centennial' is finished same as Model 1873 with wrought iron mountings, uses a cartridge 45 calibre, with 75 grains of powder, and 350 grains of lead, nearly corresponding with the charge used in United States Government rifles."

Sporting rifles were supplied with either plain or set-triggers and, if desired, pistol grips. With 28-inch octagon or half-octagon barrels, they sold initially for $45. Round barrels were $40, muskets with 32-inch barrels, $35, and carbines with barrels of 22 inches, $33. It was stated that "Any desired length, will, however, be furnished, at the rate of $1.00 per inch above the standard." Full length magazine capacity was