On page 146

Boston 1

Deposition of Henry Waters.

Direct Examination by Thomas L. Livermore Esq. of counsel for complainants.

October 25th 1875.

Int 1 Please state your name age and have you testified before in this case -

Ans Henry Waters - I have testified before in this case

Int 2 Please examine the Letters Patent issued to Lewis O. Ogden January 3 1854 No 10373 - Letters Patent granted to Hall & Patten dated November 22 1859 No 26,183 & Letters Patent issued to Ira Cogswell dated February 24th 1863 No 37.734 which are marked respectively Exhibits 8, 9 & 10 H. Land & examine & state whether you find therein features or devices described in the Brin & Ulrich & Richardson patents which are in suit in this case & state how these differ if at all giving the reasons for your conclusions

Ans Taking first the patent to Ogden in question of & comparing the same ~~then~~ herewith the patent to

Bein & Ulrich, so far as relates to what is in controversy in this case, I refer first to the canopy or top of the carriage described in the Ogden Patent which I find different in construction from the canopy in the Bein & Ulrich patent — In the Bein & Ulrich patent the canopy is per se a rigid canopy — In the Ogden patent it is not — It is made rigid by means of a shaft passing from side to side of the carriage across near the front of the seat to the bow ends of which shaft the bows of the canopy are made fast & without this shaft the canopy would not be rigid — Now it is obvious that if a shaft of similar a crop the carriage in the Bein & Ulrich contrivance at or near the pivot upon which the canopy turns in the part F of the drawings then the carriage would become perfectly useless because the shaft would be in the way of the occupant of the carriage —

Making the same comparison between the Bein & Ulrich & the Richardson patents all that I have said in regard to the difference between the Ogden & the Bein & Ulrich is true as between the Ogden & the Richardson patents —

Going back now to the Ogden patent & considering it in regard to its means of adjustment for positioning the canopy it is clear that it

differs from the Bein & Ulrich & from the Richardson in this, that it can only be set perpendicular or turned backward while both the others cannot only be set perpendicular & turned backward but can be turned forward. But it is not clear how this Ogden canopy can be adjusted to a perpendicular position & there held — The description in the patent is not sufficient to enable one skilled in these matters to tell how it was made if it ever was made —

Which

There are described in this patent two shafts extending from side to side of the carriage for the purposes of connecting & operating the canopy such as it was — there are no such shafts either in the Bein & Ulrich patent nor in the Richardson —

Among other things this Ogden Patent says "I also fasten the bolts f f fig 1 upon the edge of the box or seat so that they enter the bows as in fig 1 f f to hold the top firmly when raised" Now this to me is entirely unintelligible & I doubt if any body can explain it — But it is clear that it is not like the Bein Ulrich nor the Richardson contrivance because that whatever f f were their only office was to hold a canopy in an upright position & there is no other position described in the patent than that upright position & its position when turned back or down.

Taking the Patent of Hall & Patten I find it stated there as follows

"The nature of our ~~Conv~~ invention consists in constructing the bows with joints in the manner hereinafter to be set forth so that the desired stiffness will be given the top when spread by the bows themselves & when folded the top will be packed close around the seat of the vehicle"

Now it is evident from this quotation that the contrivance here is different from the contrivance in Bein & Ulrich because this Hall & Patten contrivance is not a rigid canopy - It is a folding canopy & nothing else - While in the Bein & Ulrich patent the canopy is a rigid canopy to all intents & purposes, when mounted upon its joints for the purposes of adjustment, the same being made rigid by means of the usual carriage joints & arms connecting the two & three bows of the canopy, & when the same is distended by means of these joints it is a rigid canopy in all intents & purposes & can be turned upon the joints in the piece F & held in any desired position by means of the arch & working in a slot & and the screw i seen at fig. 5 of the drawing. - There is no such rigid canopy in the Hall & Patten contrivance which can be operated upon

joints answering to this joint upon the piece F nor is there any such clamping apparatus as the screw i working upon the arch-piece which is in the slot –

And if we compare the Hall & Patten contrivance with the Richardson about the same differences will be found; the Richardson contrivance having a rigid canopy turning upon joints furnished with means for clamping the same in any desired position. –

Among other things this patent says:
"Fig 3 represents the top thrown forward so that the front bow rests in a horizontal position the back bow partially folded – the upper section standing perpendicular ~~upon~~ from the joints at the front of the arm of the seat thus covering the carriage in front & forming a protection against storms or dust"

It is clear from the above quotation that the "top" there spoken of is not a rigid ~~top~~ but is a folding one & there for is alike that in the Bain & Hinch or the Richardson

It is also clear that in the Hall & Patten patent there is no clamping contrivance for holding the top in position whatever its position may be –

In the patents to Mr Cogswell there is a full & clear description of a carriage-top ~~or can~~ or canopy which is a sort of rigid canopy &

adjustable as such after a manner; but to carry out this contrivance a shaft extending from side to side of the wagon is necessary in order to constitute the same a rigid adjustable canopy — & in this respect the contrivance differs from both the Bein & Hilnch & the Richardson — Moreover in this Cogswell contrivance the pivot upon which the canopy is adjustable is at the extreme rear of the seat — while in both the Bein & Hilnch & Richardson patents the pivot is at or near the extreme front of the seat & from this difference it results that the canopy in the Bein Hilnch & Richardson Patents can be turned backward without being thrown so far to the rear as to make it useless while in the Cogswell contrivance it could not be so thrown back for reason of the position of the pivot upon which it turns if for no other; but there are other reasons why the Cogswell canopy cannot be so thrown back or thrown back at all —

The apparatus for holding the canopy in position in the Cogswell contrivance is so constructed that the canopy cannot be thrown back at all but can only be thrown forward and that to a limited degree —

So that upon comparing the several patents inquired of with either the Bein & Hilnch or the Richardson I find each & every one of them

essentially different from either the Bain & Ulrich contrivance or the Richardson & for the reasons hereinbefore stated —

X Adjourn

Int 3 Have you examined the frame marked Exhibit 1 Henry Lunt Examiner Have you read the testimony of ~~Henry~~ Francis A Whitney & Joseph E. Crisp concerning the same & if you will you state whether the carriage now shown you is constructed in accordance with the carriages embodying such frames as described by said Whitney & whether the same embodies the invention described in said Richardson & Bain & Ulrich patents & how it differs from them if at all [Carriage produced & referred to is marked Exhibit W W. E. Perkins Special Examiner]

Ans I have read the testimony of Whitney & also that of Mr Crisp — I do not understand that Mr. Crisp testifies as to the fact of the manufacture of these carriages —

I have examined the frame inquired of & the evidence of Mr. Whitney concerning it & from that evidence of Mr. Whitney I understand that the carriages bearing this device Exhibit 1 upon them had each of them two catches one upon each side of the carriage one side being the counterpart of the other but both acting to hold the canopy in position — ~~Going~~

Going now to the carriage to be marked Exhibit B I find it does not correspond with the testimony of Mr. Whitney because it has a catch only upon one side nor is the other side furnished with any notches for securing a catch as is shown in Exhibit 1 Henry Lunt – If the carriage had the same locking device upon either side that is now upon one side then it would be substantially in accordance with Mr. Whitney's testimony I believe =

Taking now the carriage such as Exhibit B would be if it had upon each side a locking device such as is upon one side & comparing the same with the carriage described in the Bein & Ulrich I find it essentially different from that of Bein & Ulrich first because the canopy is not a rigid canopy but is simply a folding calash canopy ~~not~~ or top having locking devices upon each end of the front bow working in ~~Connection~~ conjunction with the back bow to sustain the top said back bow being connected with the rear of the seat by means of a certain or other leather attached to the back bow & the rear of the seat for that purpose ~~so~~ that without this connection the covering could never be strained into a rigid form & it is obvious that with that connection the canopy when thus strained

~~the canopy~~ could not be swung further forward as the canopy can be swung forward in the Bein & Ulrich -

So that altogether this Whitney carriage is not essentially different from a common Calash carriage but differs from it simply in the fact that the top is strained by means of the clutch fastenings upon the front bow acting in conjunction with the ligatures upon the back bow instead of by jointed arms extending from the front bow to the rear bow & from the rear bow to the rear of the seat - ~~perhaps~~

Filing

It is obvious that when this Whitney ~~carriage~~ canopy is distended it cannot be swung either backward or forward while a distended canopy in the Bein & Ulrich carriage can be swung both backward & forward -

This is because that in the Bein & Ulrich contrivance all the bows are attached to one plate on each side of the carriage while in the Whitney contrivance only the front bow is attached to the corresponding plates - the other bows all acting independently of it upon a common point -

All that I have said regarding the difference between the Whitney carriage & the Bein & Ulrich carriage is true in a comparison between the Richardson canopy & the Whitney contrivance substantially

the difference being that in the Richardson carriage the canopy is absolutely rigid & cannot be folded at all under any circumstances.

That I am correct in regard to the manner of use of the Whitney carriage is obvious from the answer of Mr. Whitney to the 49th Cross Interrogatory ~~in~~ his deposition —

Int 4 Please state whether the carriage Exhibit 2 H. Lent Hammer embodies the ~~same~~ invention described in said patents & ~~if not~~ how it differs from them if at all

Ans It does not — In the first place the points which support the canopy are not properly located they are too near the ~~top of the~~ canopy & too far away from the seat — +also too near the rear of the seat —
In the second place the points have no means of locking the top in any position & ~~is~~ not an upright one — There is a sort of locking apparatus for that purpose it being the same device as that made use of in parasol handles to enable them to be folded up or set straight up ~~so~~ that it is obvious that it is only in one position that any locking can occur at all & that is an upright one — The top cannot be thrown forward & then locked

nor can it be thrown backward & then locked both of which can be done in the Bein Ulrich contrivance & so also but in a different manner in the Richardson contrivance –

Dem

Int 5 State whether the carriage now produced is made in accordance with the specifications of the said Bein Ulrich patent –
[Carriage produced in evidence & marked Exhibit Bein Ulrich W. E. Robins Special Examiner]

Ans It is –

Int 6 Please state whether the Exhibit-Cracker-point & Exhibit-O ~~resemble~~ are like the carriage described ~~in said~~ in said Richardson patent & in what particulars –

Ans They are – They are substantially the same ~~dev~~ contrivance but differing slightly in their clamping devices –

Int 7 Please state whether in your opinion the carriage marked Exhibit Bein Ulrich is a practical carriage for use with the standards which support the top in an upright position

Ans Undoubtedly it is

Int 8 Please state whether the method + means of locking the standards in the position in the Carriage Exhibit G. differs in any material respect from the method & means of ~~adjusting~~ locking the back of the chair described in the patent now shown you? granted to Burrough Beach & Edwin S. Hill Dec. 21 1869 No 98,141

[~~Patent produced & shown witness is marked~~

Ans No they do not –

[Plaintiffs offer this patent in evidence & is marked Exhibit S. W. E. Perkins Special Examiner]

Oct 30. 4.10 Examination adjourned –

Dec 6 11.30 Examination adjourned to Tuesday Dec 7 at 11.30 A.M.

Dec 11. 11.30 A.M. Examination resumed

Cross Examination
by Horatio G. Parker Esq –

× Int 9 Will you look at Exhibit No 12 made in three parts & state whether it correctly represents one of the standards of Exhibit H & if not state in what respect it differs? leaving out the proportions?

Ans I should think not – this model (Exhibit 12) is made in three parts & has got something at the base that I don't understand at all – there is no such thing in the patent –

It has a locking device which if properly arranged in relation to a carriage seat might serve the same purpose as the locking devices in Exhibit H.

Hodgson

x Int-10 What is that part in the base which you say you do not understand at all?

Ans It is the lower member of the contrivance which can be detached from the other two by sliding it off.

x Int-11 Does the ~~ob~~ only difference lie in the fact that it can be detached if not state what other differences there are

Ans In Exhibit H there is a carriage-body & a seat in relation & connection with which the top of the carriage is pointed ~~to~~ There is no such thing ~~in~~ this model Exhibit 12

x Int-12 Discarding the points in Exhibit 12 both above and below the ~~points~~ ~~lock~~ fastening is not the locking device with the spring-handle up the same as in Exhibit H substantially

Ans Substantially - yes - as I have before stated in answer to Cross Interrogatory 9 -

× Int-13 Now when you reverse this so that the spring-handle is down is the locking-device substantially the same?

Ans Yes – It is the same when considered by itself alone –

× Int-14 Is there any limit to the number of slots in the locking device other than the strength of the material?

Ans This locking device is limited to three slots in Exhibit 12 – there might be more cut in it if they were wanted –

× Int-15 And would you consider it any invention to make more slots?

Ans No if that was all that was done to this locking device –

× Int-16 And would you or not consider the device substantially the same if in place of slots, holes were made into which the catch should enter?

Ans What the question supposes couldn't be done to this construction as here constructed.

Filson

× Int-17 Why not?

Ans Because the catch isn't made right for the purpose ~~pro~~ sup posed -

× Int-18 Now if the catch were lengthened holes made so that it could enter instead of the slots would you or not say it was then substantially the same device?

Ans I would say it was - What I understand to be proposed is to lengthen the lever from its fulcrum at the end which enters the slots so that the slots or holes would not require to be cut out to the periphery of the circle as they are now cut out -

× Int-19 Is not Exhibit ~~E~~ 13 a fair representation of one side of the chair shown in the Beach & Pyle patent?

Ans I believe it is as far as it goes -

× Int-20 What are the functions of the slot & screw on each side of the back of the chair in said patent -

Ans Taken in connection with the parts which

as connected by the screw the functions are to allow the back of the chair to be set at any angle between certain limits & then fastened -

X Int-21 Will they not perform these functions with a slot at other angles to the back of the chair than as shown in the patent?

Ans Yes -

X Int-22 And at those other angles if the back & arm were reduced to the same motions as those ~~shown by G. G.~~ of the standards Exhibit 4 would they ~~then~~ still operate?

Ans I don't understand the question -

X Int-23 Exhibit here produced numbered 14 will illustrate what I mean - The arm of the chair being confined to move on pivots at the two ends and the back of the chair the same in like manner as the top & bottom of the two parts of the standard Exhibit 4 which move on pivots at the top & bottom - Will you now answer the question?

Ans If the question means to ask whether in a construction like Exhibit 4 the long

slot which works upon the pin or bolt which connects the two together ~~Range~~ Range at an angle of ninety degrees from where it now ranges then the thing wouldn't operate as it now operates — and this would be true if the long slot departed any considerable number of degrees from where it now is in relation to the other parts —

Morgi

X Int 24 Looking at Exhibit 14 with the screw removed supposing the material to be unyielding metal will it then operate the same as the parts mentioned with a well fitting screw —?

Ans No — This has no operation at all now with the screw out because it cannot be adjusted & set without a screw — but the parts can be put in motion ~~to a very~~ to the extent that they can not be put in motion with the screw in —

X Int 25 If the screw in Exhibit 14 fitted exactly the slot ~~Exactly~~ and the hole through which the screw goes could there be any motion to adjust the arm without cutting off the screw?

Ans Not much if any — without binding upon the screw —

X Int 26 And such binding would stop the motion

would it not?

Ans Yes -

x Int-27 Then is there not a difference between the operation of the slot & screw in the Beach & Pyle patent & the standard Exhibit-4?

Ans No -

x. Int-28 Will not Exhibit-4 move without cutting or binding upon the screw -?

Ans Yes - and so will the slot & screw in the Beach & Pyle patent -

x Int-29 Isn't there a difference in motion between the two devices?

Ans No - as far as the slot & screw goes there is not

x Int-30 Is it material in these carriages what number of bows are taken to sustain the canopy?

Ans ~~Ans~~ I understand these carriages the canopy is not sustained by any bows it is sustained by two standards

× Int 31 Would the number of bows be material in a canopy sustained by the standards In other words might it be a canopy with one or more bows?

Ans To the first question I answer no – The Richardson carriage Exhibit H has no bows in the canopy – Exhibit B in which there are five – Just how a canopy can be made with one bow ~~I don't~~ as proposed in the question I don't understand –

× Int 32 ~~Will you look~~ Looking at the Coggs well patent though the canopy as a whole cannot be thrown back as usual cannot the bars J. J be folded upwards & a part of the canopy between the bows G & G^2 be brought together & secured by any of the usual means as a strap?

Ans That part of the carriage-top in question can be folded as the question supposes by opening the joints at J just like any common carriage top having joints attached to the bows – There's no means of fastening it like those described in the patent that I now recollect of If there are perhaps the counsel will point them out –

x Int-33 Cannot the bars I. I. be folded backwards with the bars J. J. left straight-

Ans Yes just the same as any common carriage top having two sets of joints connecting the bars -

x Int-34 And then will not the part of the canopy between the bars G & G^2 drop to the back of the seat in the same manner as shown by figures 1 & 2 of the original Beim & Ohlrich patent & also move on a pivot in the same manner & almost in the same position from the front of the seat ?

Ans No It will drop to the back of the seat but not in the same manner -

x Int-35 Why not in the same manner

Ans Because there are no means of fastening the canopy except by resting on the back of the seat while in the Beim & Ohlrich patent there is a locking device for that purpose -

x Int-36 In the Beim Ohlrich patent is the joint connecting the bars in the middle of the bar F. perfect that is will it hold the canopy in any position ?

x Int 36 ~~Ans~~ Is the joint which connects the two parts of the standard of the Bein & Ulrich patent the part F & the part ~~C curved~~ jointed to the body of the carriage for moving the canopy from end to end of the body of the carriage a perfect joint for the purpose for which it is designed that is will it sustain the canopy in any position when the carriage is in use?

Ans Yes - Perfect of its kind but it would be better if it were furnished with a locking device such as the upper end of the bars F are furnished with for adjusting the canopy - But I think such as it is when properly made it would sustain the canopy in position in the ordinary use of these carriages -

x Int-

x Int-37 What would be the use then at this joint of a locking device like that at F.?

Ans Simply ~~that~~ be cause that without the locking device the joint must be made so as to turn harder than would be necessary when a locking device is used

x Int-38 Would the canopy of the Coggswell patent in the position stated in Crop Interrogatory 34 be useless?

Ans I don't know what you mean by useless unless it be whether it could be used?

X Int-39 I mean would it be useless in shielding the occupant of the carriage from either the sun or the wind - Please answer the question as thus propounded?

Ans No I think it would be useful under certain conditions for both the purposes inquired of -

X Int-40 And would not the whole canopy perform its functions just as well as the Bein & Ulrich if the shaft D was replaced by a pivoting pin at each side?

Ans No

X Int-41 Why not?

Ans ~~In the~~ First the shaft D is not in the right place for a pivot it is quite to the rear of the seat as will be readily seen while in the carriage described in the Richardson patent & in the Bein & Ulrich patent the pivot bar near to the front of the seat - this is important as will be obvious when we

Consider the top of a carriage turned back on a pivot at D as inquired of in the same angle that the canopy in the Richardson carriage is turned back on its pivot. It would be proved that the carriage-top of Coggs wall patent is in a very different position from the canopy in the Richardson contrivance in relation to the seat so that if the contrivance of Coggswell had the top hung as the question supposes had the joint furnished with suitable locking devices then it wouldn't be good for anything for the purposes of these perambulators in my judgment. But there wouldn't be any locking devices in the hypothetical contrivance inquired of nor would there be anything that I can conceive of to support the top when thrown back as I have just supposed —

Q. Int 42 Do you understand that the top in the Coggswell patent is thrown back upon or turns upon the shaft D.?

Ans No I don't understand that it is thrown back at all but I understand that it turns upon the shaft D when it is thrown forward —

x Int-43 How is it folded upon the back of the seat—as you understand?

Ans By doubling the joints which connect the bows; turning the shaft D upon its journal so as to bring its arms down upon the seat & then folding down the top in joints upon the ends of those arms, just like any common carriage-top—

x Int-44 Now will it not perform the functions of being thrown forward or being folded around the seat with the bar D replaced by pivots just as well as the Bein shelves on pivots?

Ans No—

adjourned to 3.45 — 3.45 examination resumed

x Int-45 Does not the bar D in the Coggswell patent allow the back curtain to be kept down & attached when the canopy is thrown forward to the position shown by the dotted lines shown in Fig. 1?

Ans Yes—I think so—

x Int-46 Will not the Coggswell patent perform its

functions with pivots at each end of the shaft D instead of the shaft?

Ans No not as well as with the shaft.

× Int 47 What good does the shaft do other than support the back curtain while the canopy is being thrown forward?

Ans It keeps the two points upon which the carriage top folds in proper relation to each other so that it is immaterial whether the carriage top is rigid or not.

× Int 48 What keeps the points in the Bein & Hinch patent in proper relation to each other

Ans The rigidity of the canopy & the two pins upon the side of the carriage body upon which the lower members of the supporting arms rest.

× Int 49 To your knowledge were wooden tops for carriages known prior to 1854

Ans I don't recollect of anything of the sort in this connection.

× Int 50 Did you ever know of a rigid top to a carriage

being used prior to 1854?

Ans Yes -

× Int-51 Were not such rigid tops common prior to 1854?

Ans Yes

× Int-52 Would not a rigid top be best adapted to the Ogden patent as shown in Exhibit-8?

Ans Yes - that is a rigid top described in that patent It is made rigid by means of the shaft which runs a crop from side to side upon which it turns but it does not appear that it would be rigid without the shaft

× Int-53 Will you look at the drawing & see if the top is not then represented as extending beyond the arms or standards?

Ans I should think it ~~was~~ is -

× Int-54 And does not that represent a canopy rigid in itself to so project?

Ans Not necessarily

× Int-55 Is not Exhibit-15 herewith presented a fair representation of the Ogden patent?

Ans No

x Int-56 In what respect does it differ?

Ans In the Foden patent & according to the description thereof as I understand it the shaft which connects the two sides of the frame of the top works up & down in vertical slots as the top is swung up & down - In this model there is no such operation - The patent says - "I also fasten the bolts f f fig 1 upon the edge of the box ~~of the~~ or seat - so that they enter the bows as in fig 1 f f to hold the top firmly when raised" Now I am unable to understand that description & so I can't say whether the two pieces against which the top rests when swung up in the model are according to the patent or not The patent don't describe them so that anybody can know - It is a matter of guess-work whether they are like it or not -

In this model there is a lever attached to the lower one of two shafts which when springing in behind a projection on the carriage-top holds it from being turned back & there is no description of any such springing lever in the patent to hold the carriage top from going back - On the contrary the patent says "I fasten the said top to the ends of shaft-a-fig 1- firmly on the outside of the body; shaft-a fig 1 plays up & down freely in

slots made in each side of the body or box so that the said shaft raises when the top is let down or lowered + & falls to the bottom of the slots when the top is raised up.* Below shaft a fig. 1. I place shaft c fig. 1. I attach to said shaft c fig. 1. a lever E fig. 1. & an eccentric circle & hook marked d in fig. 1 to each end of shaft c in fig. 1 so that by raising lever E fig 1 the hooks pass over the shaft a fig. 1 & hold it down to the bottom of the slots." .

Now I understand from this it is the hooks upon the lower shaft that keep the carriage top from turning back in the patent but there's no such holding of the hooks in the model; so that if the lever be sprung out of reach of the pin there is nothing to prevent the top from swinging clear down to its place without raising the shaft in the slots to any appreciable degree – So that it's mainly the lever which holds up the top in the model & not the hooks, while in the patent it is the hooks & not the lever –

* Int – 57 In the model would the lever hold up the top without the hooks?

Ans Yes – unless the top were raised up so as to let the pin slip over the top of the lever –

X Int-58 Will you refer to the Drawing & see if on the Standard near to letter g a pin is not represented with the lever E & spring behind it?

Ans There is no pin represented with the lever E spring behind it -

X Int-59 Is there any pin represented in the Drawing?

Ans Not at g. There not pin represented there -

~~X Int~~

X Int-60 Is there a pin represented on the Standard?

Ans No - I suppose by Standard you mean what the patent calls bows -

X Int-61 Will you look at Exhibit 16 herewith presented & see if it is a fair representation of the Standards & Canopy in the Hall & Patten patent?

Ans It is not -

X Int-62 State why?

Ans It has not the proper covering for the top - It either should have no covering at all or it should

~~X Int-63~~ have a different one -

X Int-63 What kind of a covering would be proper to conform to the patent?

Ans Such as is commonly used in carriage-tops having bows because this patent says among other things

"The nature of our invention consists in constructing the bows with joints in the manner hereinafter to be set forth so that the desired stiffness should be given the top when spread by the bows themselves & when folded the top will be packed close around the seat of the vehicle"

Now this model does not represent any seat & is deficient in that respect – there is a seat in the drawing – but if there was a seat in this model ~~it to~~ as is represented in the drawings then the top could not "be packed close around the seat of the vehicle" because there isn't enough of it – It can only be packed at the back of the seat of the vehicle – ~~Moreover in this model the joints in the bows are so made~~

× Int 64 Does not the patent say "Int Fig 1 of the drawing A. A. A. represents the arms and back of a carriage seat. B. B. represents two bows for supporting a covering for the top of cloth or other material"–

Ans Yes

× Int 65 Then the material of ~~the~~ covering of the top is right enough is it

Ans Yes –

Fulcrum

x Int-66 Are not the means for holding the canopy in any desired position as good in this patent as in the Bein Ehlrich?

Ans No -

x Int-67 What does it lack?

Ans Locking apparatus in connection with the joints -

x Int-68 Will it not sustain the canopy in any desired position as well as the middle joints of the standards in the Bein Ehlrich?

Ans Yes it will answer quite as well in one as in the other if the joints are made as well in one as in the other

~~x Int-69~~

x Int-69 If constructed the same ~~made as well~~ do not the four joints in the Hall & Patten patent give double the bearing surface of the two joints in Bein Ehlrich patent?

Ans The true answer to that question is No - because there is no four joints in one in place of two joints in the other when nothing but the joints is depended upon to hold - if there were then everything else being equal it would take twice as much power to turn two joints as to turn one & therefore twice as much to turn ~~two~~ four joints as to turn two -

x Int-70 In what positions in the Bein & Hinch patent are the joints spoken of in my last answer, depended on to sustain the canopy?

Ans The two joints at the lower end of the arm F are what I referred to but I didn't mean to say that there were corresponding joints in the Hall & Patten patent for there is not –

x Int-71 In what positions are said two joints at the lower end of the arm F depended upon to sustain the canopy?

Ans When the other arms which are jointed to the arms F. rest down on the pins of the carriage body towards one end or the other as the case may be –

x Int-72 In the Hall & Patten patent the canopy can be thrown either forward or back of the seat – Can it not? to any extent?

Ans No not to any extent – It can be thrown backward & forward –

x Int-73 State the limit forward & back of the seat?

Ans I can't state the limits but the lower member of the hoops can be swung through about a hundred & eighty degrees I think –

x Int-74 Either way I suppose you mean forward or back?

Ans Yes - ~~but~~ When they are clear forward they can be swung one hundred & eighty degrees back & when they are clear back they can be swung one hundred & eighty degrees ~~back~~ forward

X Int-75 And then held at the limit forward & back can it not?

Ans Yes after a manner

X Int-76 And will not the Hall & Patten patent sustain the canopy in any intermediate position?

Ans Yes if the ~~arms~~ joints are properly constructed. ~~but~~ for that purpose

~~X Int-7~~

X Int-77 And the joints can be as easily constructed for that purpose as in the Bein & Ulrich patent can they not?

Ans They can be as easily constructed for the purposes of holding when they are set as the joints at the foot of the arms F in the Bein & Ulrich can be - The joints to which I now refer are those shown at C.C in Figs 1 2 3 in the drawing - the joints at D D in the several drawings can not be made to work like the joints at the upper end of the arms F in the Bein & Ulrich patent however they may be constructed - this is because the joints at D are four in number & on four

separate arms in the Hall & Patten contrivance each joint occupying a different position in relation to ~~the~~ its corresponding joint upon the same side of the carriage-top; while in the Bein & Hirsch there is only one joint upon each side of the carriage-top & must always occupy only one position for the time being –

x Int-78 Is there any difficulty in constructing each of the joints D D in the Hall & Patten contrivance so that it will have the same resistanning power as the joints at the lower end of the arm F. in the Bein & Hirsch

Ans No – I have already stated this in substance on this cross examination

x Int-79 Then if the canopy in the Hall & Patten patent were in a single piece & rigid the inventions described in said patent would operate the same as they do with the canopy specified in said patent with the exception of folding around the seat would they not?

Ans No

x Int-80 In what respects not?

Ans If the canopy in the Hall & Patten patent were rigid the joints at D could not be operated at all for any practical purpose neither for folding down around the seat nor for any thing else

described in the patent -

Q Int-81 Will you now look at Exhibit-16 with a rigid canopy attached & see if the joints at D do not operate exactly the same as with a cloth canopy except that the bows cannot be brought nearer together than the rigid canopy allows?

Ans This is not a rigid canopy in this model. The canopy in the Hall & Patten patent if it be a canopy must according to that patent extend down to the secondary joints at D. In this model the bows are jointed to a rigid top so that they turn in that top - There is no such contrivance described in the Hall & Patten patent -

Q Int-82 Does the Hall & Patten patent say anything about the bows supporting a covering for the sides?

Ans Yes - But not in the terms of the question - It says that when the top is folded down it comes around the seat - It can't do that unless it comes as far as the secondary joints at D or there about - I have already quoted from that patent this point as being of the essence of the invention according to the statement of the patentee

× Int-83 Should you think it required any incision to cut off the sides of the top which you describe as the top of the Hall & Patten patent?

Ans No - but if it were cut off it wouldn't comply with the patent & wouldn't be any better but would be worse than if it were not cut off

× Int-84 Look at Exhibit 17 here produced and state whether a canopy will not operate well having one standard the same as Exhibit 4 & another the same as the Hall & Patten patent?

Ans No it will not. But the model has Exhibit 17 little or nothing to do with the question because it doesn't contain what is described in the Hall & Patten patent nor does it contain what is represented in Exhibit 4

× Int-85 Look at Exhibit 18 now produced & say whether the canopy will operate well or not with one standard like the Richardson patent and another like Exhibit 4?

Ans No it will not -

× Int-86 Will not a canopy with standards like Exhibit 17 operate better than a canopy with standards like Exhibit 18

Ans Yes - But neither of them will operate as the Richardson contrivance operates or the Exhibit

~~+ Int 8~~ Bein & Albrein because there is no locking
Glasgow apparatus in either of them — Models in guard of —

+ Int 87 Has the locking apparatus anything to do
with the motions of the standards
Ans Yes

+ Int 88 How?
Ans It prevents the motion when you don't want
it & allows you to get it when you do want it

+ Int 89 Has it anything to do with the directions of
the motions?
Ans Yes it enables you to move it backward & forward
when you want it & to keep it from moving
backward or forward when you don't want
it — It has nothing else to do with the motion
I believe except to control the extent to which
it takes place —

+ Int 90 In Exhibit 17 calling that the front on which
the crop is cut & considering the right hand standard
standing with its surface to the back of the carriage
When you move the canopy forward which
of the two braces is the main, ~~brace~~ supporting ~~that~~ standard
the outer or the inner one?
Ans Neither of them — There is no supporting standard
to keep the thing in place — It can oscillate to

to go without any support –

× Int-91 Which if either of them is the main brace?
Ans Neither of them there is no brace in it –

× Int-92 Taking Exhibit 4 & placing it in the same position & moving the canopy forward which is the main brace
The one that has the ~~bolt for the~~ long slot in it which the bolt slides through, which ever way you move it, when the bolt is secured fast – This ~~other~~ might be cut-away as I said in my direct Examination in this case from the canopy down to the long slot provided the main standard was connected rigidly to the canopy –

~~× Int-93~~

Int-93 Are the bows represented in the Hall & Pallen patent the one inside of the other as they are in the Model Exhibit 16?
Ans No they are not – It may be seen by reference to Figure 3 of the Drawings at D. D. D.D. when the two short-arms of the bows are folded down one upon the other the upper one lie directly upon the lower one but do not go down between or the lower one nor out side of them either –

Int-94 Could fruits like the upper ones in the model Exhibit-16 serve the purposes of the fruits D.D.D. described & shown in the Hall & Patten patent?

Ans I think they might but I do not think that those in the model are like those in the patent

Harvey Waters

~~Subscribed & sworn to before me~~

~~Arthur E. Jones~~

~~Justice of the Peace~~

Attest, W. E. Perkins

Notary Public.

Special Commission

Mem for Stipn

Probably the med — See if any exhibits to fruits — give the formula & provide with bottle as per instructions

Richardson
v.
Noyes

Evidence for Complt

Deposition of
Harvey Waters

Printed pp

Exhibit 9
H. Luce
Examiner
Richardson & al. Nagorsel
U.S. Cir. Ct. Dist of Illinois
4551 Equity

THE U. S. PATENT OFFICE.

To all persons to whom these presents shall come, Greeting:

This is to certify *That the annexed is a true copy from the* Records *of this Office* of the Letters Patent granted Hall and Patten, dated Nov 22nd 1859 No. 26,183 for "Impt in Carriage Jacks."

In testimony whereof, *I,* Ellis Spear *Acting Commissioner of Patents, have caused the seal of the Patent Office to be hereunto affixed this* Seventeenth *day of* September *, in the year of our Lord one thousand eight hundred and seventy-five, and of the Independence of the United States the one hundredth.*

Ellis Spear
Acting Commissioner.

THE UNITED STATES OF AMERICA,

To all to whom these Letters Patent shall come:

Whereas A. J. Hall & Russell Patten of Morristown, Vermont

have alleged that they have invented a new and useful

Improvement in Carriage Jacks

which they state has not been known or used before their application; have made oath that they are citizens of the United States that they do verily believe that they are the original and first inventors or discoverers of the said Improvement, and that the same hath not, to the best of their knowledge and belief, been previously known or used:

have paid into the TREASURY OF THE UNITED STATES the sum of Thirty dollars, and presented a petition to the COMMISSIONER OF PATENTS, signifying a desire of obtaining an exclusive property in the said Improvement and praying that a patent may be granted for that purpose:

THESE ARE THEREFORE to grant, according to law, to the said A. J. Hall & Russell Patten their heirs, administrators, or assigns, for the term of fourteen years from the twenty-second day of November one thousand eight hundred and fifty nine the full and exclusive right and liberty of making, constructing, using, and vending to others to be used, the said Improvement, a description whereof is given in the words of the said A. J. Hall & Russell Patten in the schedule hereunto annexed, and is made part of these presents.

IN TESTIMONY WHEREOF, I have caused these letters to be made Patent, and the seal of the PATENT OFFICE has been hereunto affixed.

L. S.

GIVEN under my hand, at the CITY OF WASHINGTON, this twenty second day of November in the year of our Lord one thousand eight hundred and fifty nine and of the Independence of the United States of America the eighty-fourth.

Jacob Thompson
Secretary of the Interior.

Countersigned, and sealed with the seal of the Patent Office.

Wm. D. Bishop
Commissioner of Patents.

The schedule referred to in these Letters Patent and making part of the same.

Be it known that we, A. J. Hall and Russell Patten, of Morristown, in the County of Lamoille, and State of Vermont, have invented a new and useful mode of constructing carriage tops, and we do hereby declare that the following is a full, clear, and exact description of the construction of the same, reference being had to the annexed drawings making a part of this specification in which.

Fig's 1, 2 and 3 are perspective views representing the carriage top in different positions.

The nature of our invention consists in constructing the bows with joints in the manner hereinafter to be set forth, so that the desired stiffness will be given the top when spread by the bows themselves, and when folded the top will be packed close around the seat of the vehicle.

To enable others to construct and

use our invention, we give the following description.

In Fig. 1. of the drawings A.A.A. represents the arms and back of a carriage seat. B.B. represents two bows for supporting a covering for the top of cloth or other material. C.C. are ears of iron or other material for confining the terminations of the bows in such a manner as to enable them to move forward or backward in folding. D.D.D.D. are folding joints by which the bows are enabled to be folded and dropped down upon the arms and back of the seat as represented in Fig. 2. Fig. 3. represents the top thrown forward so that the front bow rests in a horizontal position, and the back bow partially folded, the upper section standing perpendicular from the joints at the front of the arm of the seat, thus covering the carriage in front, and forming a protection against storms or dust.

Having described our invention, we claim as new and desire to secure by Letters Patent.

The construction of bows for folding carriage tops with joints, substantially as and for the purposes set forth.

Witnesses
J. W. Swasey
Dudley Swasey

A. J. Hall.
Russell Patten.

A. J. Hall & R. Patten.

Carriage Top.

No. 26,183. Patented Nov. 22, 1859.

Fig. 1.

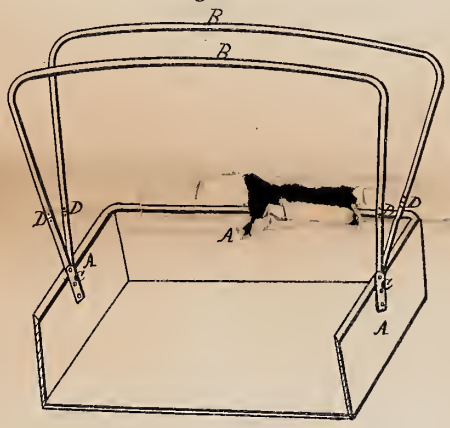


Fig. 2.

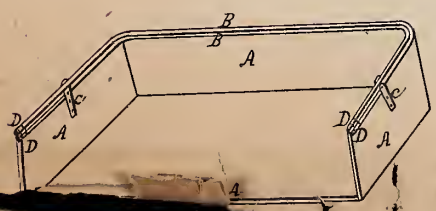
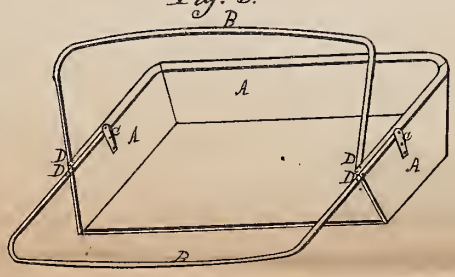


Fig. 3.



Witnesses.

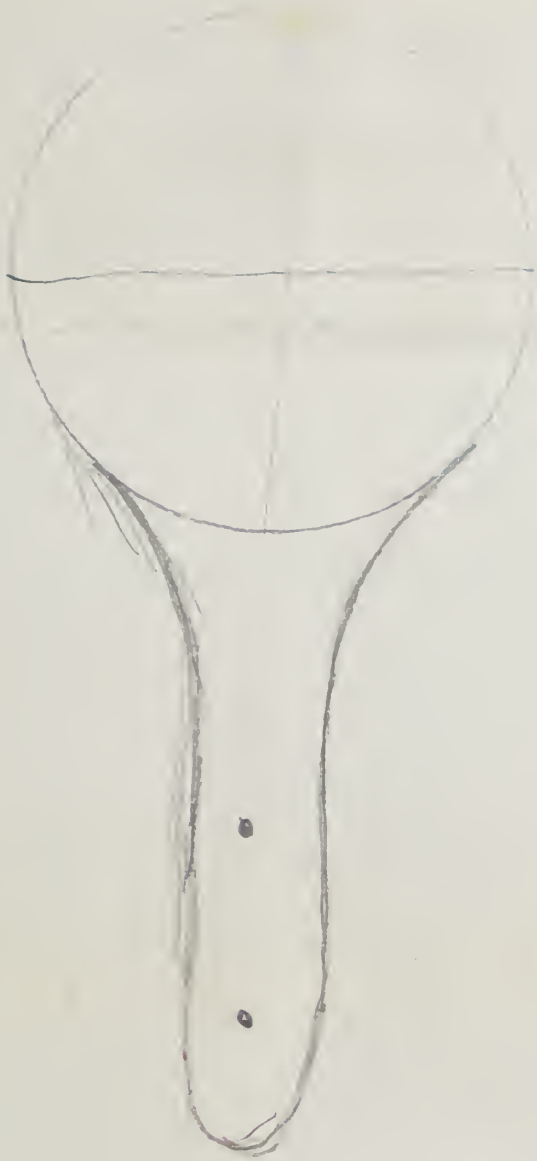
Dudley Swasey

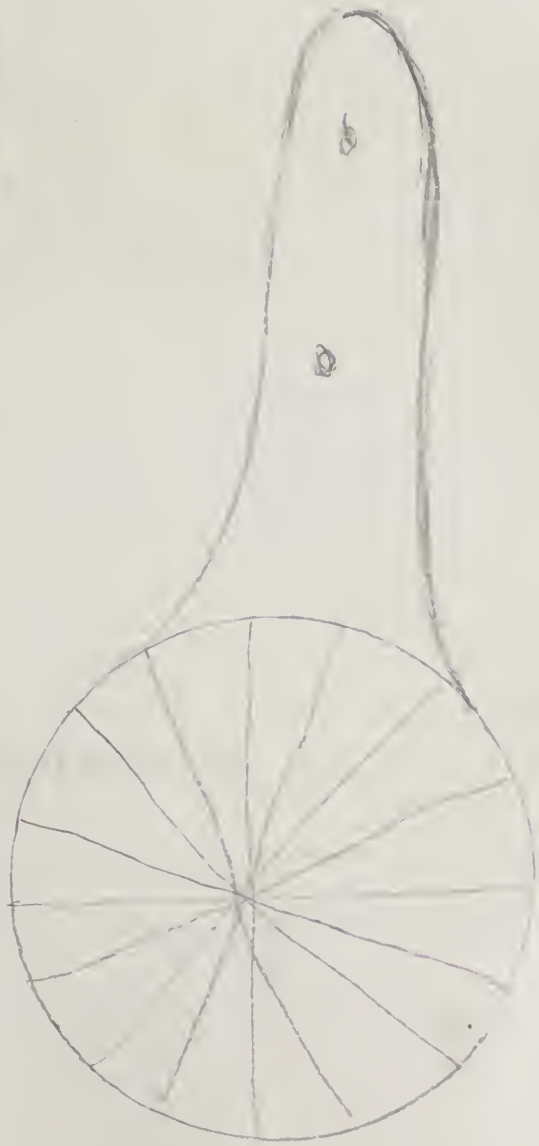
B. F. Swasey

Inventors.

A. J. Hall.

Russell Patten.





U.S. Circuit Court
District of Mass. In Equity

Richardson et al
v
Noyes et al

Exhibit R
W. R. Perkins
Examiner

Circuit Court of the U.S. District of Mass. In Equity.

Richardson vs Co. plaintiff
Noyes vs

Exhibit A
W. E. Perkins
Examiner

THE U. S. PATENT OFFICE.

To all persons to whom these presents shall come, Greeting:

This is to certify That the annexed is a true copy from the Records of this Office of the Levering Patent granted, Peter, and Ulrich, Dated, February, 11th 1868. No. 74.281.

For "Improvement in Wheel Carriage."

In testimony whereof, I, Ellis Spear, Acting Commissioner of Patents, have caused the seal of the Patent Office to be hereunto affixed this Sixth day of July in the year of our Lord one thousand eight hundred and seventy-five and of the Independence of the United States the ninety-~~eighth~~ Ninth.

Ellis Spear
Acting Commissioner.

No. 74,284

The United States of America

TO ALL TO WHOM THESE LETTERS PATENT SHALL COME:

Whereas Louis Beiss and William Ulrich, of Newark, New Jersey, have alleged that they have invented a new and useful Improvement in Childrens Carriage

and have made oath that they are Citizens of the United States that they verily believe they are the original and first inventors or discoverers of the said Improvement, and that the same hath not to their knowledge and belief been previously known or used, have paid into the Treasury of the **United States** the sum of Thirty-five dollars, and presented a petition to the **COMMISSIONER OF PATENTS** praying that a patent may be issued therefor.

These are Therefore to grant to the said Beiss and Ulrich, their executors, administrators or assigns, for the term of Seventeen years from the Eleventh day of February one thousand eight hundred and sixty eight the full and exclusive right and liberty of making, using and vending to others to be used the said Improvement a description whereof is given in the annexed schedule, and made a part of these presents.

In Testimony whereof I have caused these Letters to be made Patent and the Seal of the **PATENT OFFICE** to be hereunto affixed.

L.S.

GIVEN under my hand at the City of Washington this Eleventh day of February in the year of our Lord one thousand eight hundred and sixty-eight and of the **Independence** of the United States of America the Ninety second

W. T. Otto, acting Secretary of the Interior.

A. M. Stout, acting Commissioner of Patents.

Countersigned and Sealed with the Seal of the Patent Office.

J. Bein & W. Ulrich's Childrens Carriage.

74284

Fig: 1.

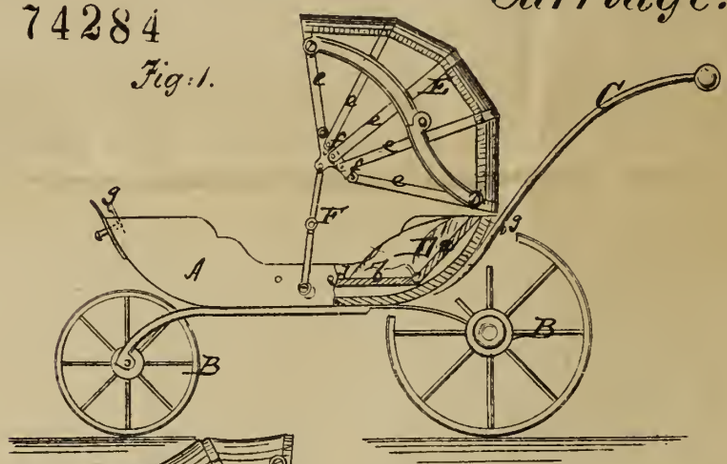
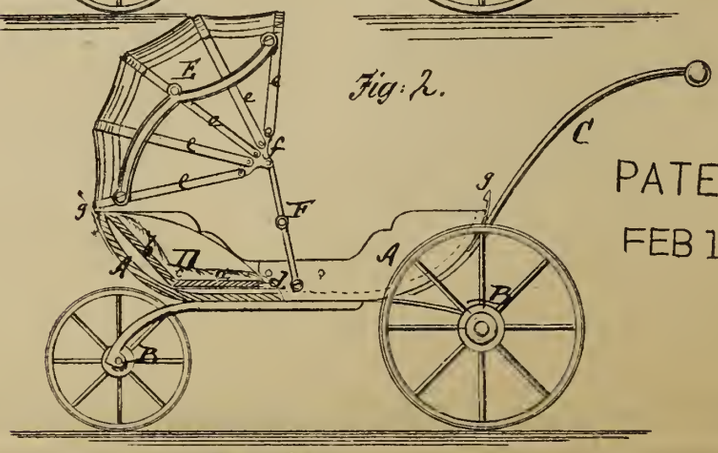


Fig: 2.



PATENTED
FEB 11 1868

Fig: 3.

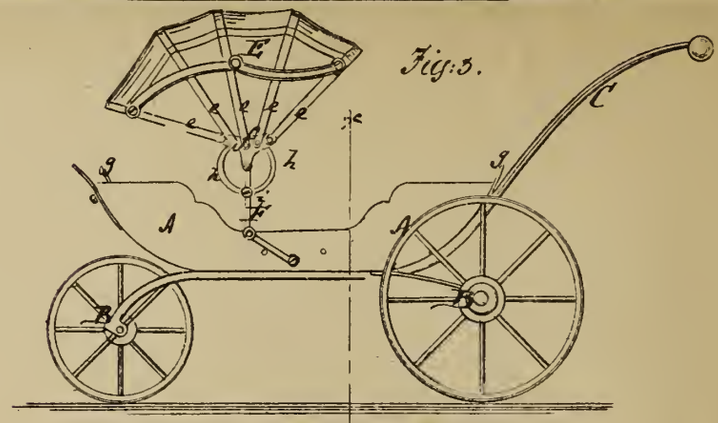
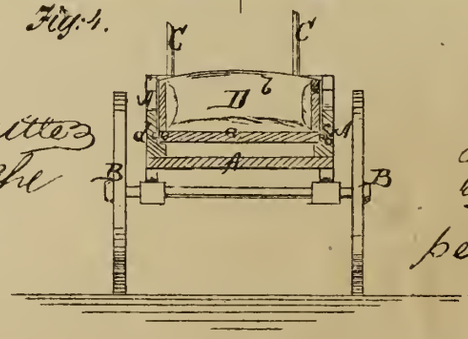


Fig: 4.



Witnesses.
W. G. Ashkettes
Theo. Smoke

Inventor:
J. Bein
W. Ulrich
per Munn & Co
Attorneys

Schedule A, W. E. P. Examiner

Letters Patent of the United States No. 74,284

United States Patent Office.

JULIUS BEIN AND WILLIAM ULRICH, OF NEWARK, NEW JERSEY.

~~Letters Patent No.~~ 74,284, ~~dated~~ *February* 11, 1868.

IMPROVEMENT IN CHILDREN'S CARRIAGE.

The Schedule referred to in these Letters Patent and making part of the same.

TO ALL WHOM IT MAY CONCERN:

Be it known that we, JULIUS BEIN and WILLIAM ULRICH, of Newark, in the county of Essex, and State of New Jersey, have invented a new and improved Children's Carriage; and we do hereby declare that the following is a full, clear, and exact description thereof, which will enable those skilled in the art to make and use the same, reference being had to the accompanying drawings, forming part of this specification, in which—

Figure 1 represents a side elevation, partly in section, of our improved children's carriage.

Figure 2 is a similar view of the same, showing the seat and top reversed.

Figure 3 is a side elevation of the same, showing the top supported above the middle of the carriage.

Figure 4 is a vertical transverse section of the same, the plane of section being indicated by the line *x x*, fig. 3.

Similar letters of reference indicate corresponding parts.

This invention relates to a new children's carriage, which is so arranged that the seat and top can be reversed, and that the latter may be supported above the middle of the carriage, to act as a sun-umbrella.

The object of the invention is to provide a children's carriage, so that the top and seat may be reversed, to let the child be protected from the rays of the sun, or from wind.

The invention consists in making the two ends of the carriage-body nearly alike, and in also making the supporting and back-boards of the seat nearly alike, or so that they correspond to the shape of the respective ends of the body.

The seat is thus made L-shaped, and, at the junction of its boards, are arranged pins, projecting from the ends into grooves that are arranged in the sides of the body. Around these pins the seat can swing, so that when it is pushed to either end of the body, that board nearest to such end can be turned up, so as to form the back of the seat, while the other board will form the seat. When the seat is moved towards the opposite end of the carriage-body, that board which was the seat will be the back, and the former back will become the seat.

The invention also consists in supporting the carriage-top, which is otherwise arranged as usual, by means of bars that are pivoted to the side boards of the carriage-body, in such a manner that the top can be swung over either end of the body, and can be fastened there by means of a suitable spring-catch.

A, in the drawing, represents the body of a children's carriage, made of suitable material, of suitable size and shape. It is supported upon three or more wheels, B B, and is provided with a bar or bars, C, for drawing or pushing it forward. D is the seat. The same is L-shaped, consisting of two boards, *a* and *b*, both suitably upholstered or cushioned, as may be desired. From each end of the seat, at the junction of its two boards, projects a pin, *e*, which fits into a groove, *d*, in the adjoining side board of the carriage-body. The seat can be moved in these grooves to either end of the carriage-body, and can be turned on the pin, so that it can be adjusted in either end of the body, in the manner shown in figs. 1 and 2. E is the carriage-top, constructed in the ordinary or suitable manner. The bows *e e* are pivoted to plates *f*, which, instead of being firmly secured to the carriage-body, are fastened to jointed or stiff bars, F, which are pivoted to the side boards of the body, in the manner shown in figs. 1 and 2. The top can thus be swung to either end of the carriage-body, as indicated in the drawings, and can be fastened by means of spring-catches, *g*, as shown. By having a bent plate, *h*, attached to one of the plates *f*, which passes through a slot in the bar F, and by means of a thumb-screw, *i*, the top can be always fastened over the middle of the carriage-body, substantially as shown in fig. 3. Thus it will be seen the seat, as well as the top, can be reversed on the body of the carriage, so that a child can be easily protected from injurious or annoying effects of the sun or wind.

We claim as new, and desire to secure by Letters Patent—

1. In the children's carriage, the reversible seat and top, constructed substantially as herein specified.

2. Pivoting the top E, of a children's carriage, to bars F F, which are pivoted to the sides of the carriage-body, substantially as herein shown and described.

3. Providing the L-shaped seat D, of a children's carriage, with pins *e e*, which fit into grooves *d*, in the sides of the carriage-body, substantially as described, so that the seat can be easily reversed, as set forth.

JULIUS BEIN,
WILLIAM ULRICH.

Witnesses:
H. BARKHORN,
H. F. KRAFT.

Deduct [illegible]

" A. [illegible] do

" 10 — [illegible] do

" 8 — [illegible] do

" 6. [illegible] do

" [illegible] do

Books [illegible]

[illegible]

[illegible]

June 6, 1876

Richardson Doc

vs

Noyes et al

Mem. of
exhibits in
Judge's Package

Filed & Entered

	days		
Henry Walker	2+1+1=4	—	Boston
Holley	1		"
		3	Somerville
Richardson	1		
McNee	1		Boston
Nace	3		"
		12	Waltham
Johnson	1		Boston
Thompson	1		
		7	Medford
Parks	1		
		7	"
Briggs	1		Boston
Cooley		3	Somerville
Richardson	3		Boston
Browne	1		"
McAuley	1		
		13	Randolph
Hayward	1		
Walters			

45.10
450

21 days.
10.50
31.50
4.50
36.00

868.73
88.00
66.00
1022.73
5.00
1027.23

975.53
47.70
1023.23

1266.85
43.43
436.00
1746.68

C. C. U. S.
Miss. Dist.

No. 551 Richardson et al v. Royce et al

Complts Costs

Filed entry &c			4.00
Marshals fees Service &c.			11.90
Tr. 4 Sevrs @	2.64	10.56	
att. 4 " @	33	1.32	
Tr. May T. 1876.	2.64	2.64	
att 10 days.		3.30	
Tr. 3 Rules	2.64	7.92	
att	33	99	26.73
Clerks fees			
Fil 4.00			
D.C. 4.50			
D.F. 3.00			
Con Off. .90			
Lic. 1.00			
Rec 10.00			
23.40			23.40
Atty fee Sec cause	20.00		
" on 20 depos	50.00		70.00
Fees Examiner taking testimony			165.00
Masters fees			20.00
Printing Record			283.92
Witness fees:			36.00
			$ 643.95

75
10
4.00

Add inj. issued service &c.

Exhibits introduced in rebuttal.

Exhibit	Gacher joint -	carriage.
"	L.	cut of carriage.
"	M.	book.
"	N.	"
"	O.	carriage.
"	Sales Book -	book.
"	P.	photographs
"	Q	photographs
"	Biggs	specimen of canopy top
"	R	sketch of gacher joint
	S	bill of Mar. 1. 73
	T	" " Apr 1. 73

Richardson
v
Royer

Exhibits in
rebuttal

54 Devonshire Street,

BOSTON, July 30 1878

Dear Sir

Will you oblige me by assenting hereon. to the withdrawal of complainants exhibits in the case of Richardson v Noyes Circuit Ct. U.S. in eq. If from the files

Yours truly

T. L. Livermore

I assent to the withdrawal of the exhibits above mentioned.

Horace G. Parker

Counsel for

Defendant Noyes

551 Oct. Term 1878

Re

Richardson v Noyes

Ethelbert Berry

" Reis & ulr

" U

" I

" K

" O

Eq. Crosby pet

" H

UNITED STATES OF AMERICA.

Massachusetts District, ss.

To Baxter B. Noyes and Oscar G. Stratton both of Greenfield in the County of Franklin in the Commonwealth of Massachusetts partners under the firm name and style of B. B. Noyes & Co.

GREETING:

FOR CERTAIN CAUSES, offered before the Circuit Court of the United States of America, for the first Circuit, within and for the Massachusetts District, as a Court of Chancery, WE COMMAND AND STRICTLY ENJOIN YOU, laying all other matters aside, and notwithstanding any excuse, that you personally be and appear before our said Circuit Court at the Rules, to be holden at the Office of the Clerk of our said Court, in Boston, in said District, on the first Monday, being the fifth day of April next, to answer to a Bill of Complaint exhibited against you in our said Court, wherein

Lorenzo H. Richardson of Westfield in the County of Hampden and George McKee of Boston in the County of Suffolk in said Commonwealth copartners under the firm name and style of Richardson McKee & Co. citizens of said Commonwealth and of the United States are Complainants and you are Defendants; and to do further and receive that which our said Circuit Court shall consider in this behalf. And this you are in no wise to omit, under the pains and penalties of what may befall thereon.

Witness, the Honorable Morrison R. Waite at Boston, this ~~twelfth~~ fifth day of March A. D. 1875, in the ninety ninth year of the Independence of the United States of America.

Allen W. Tenney

Deputy Clerk.

MEMORANDUM. The defendant is to enter his appearance in the suit in the Clerk's Office on or before the day at which the writ is returnable, otherwise the bill may be taken *pro confesso.*

United States of America, } Greenfield & Boston 16th Mar 1875
MASSACHUSETTS DISTRICT, SS.

I hereby certify that I have served the within Subpœna by giving in hand to the within named Oscar G. Stratton & Baxter B. Noyes, each a true and attested copy of the same

Fees
Serv. 4.
Ettf 9.90
Copies 1.
$14.90

Roscoe G. Cushing
United States
Marshal.

1912
5574

In Equity,

Lorenzo N. Pickanden et al
v.
Charles B. Norton et al

SUBPŒNA,

RETURNABLE, Forthwith RULES,
To wit, April 5 1875.

T. P. Simmons
Attorney.

Lorenzo H Richardson et al
vs.
Baxter B Noyes et al

Circuit Court of Kan
Out of Kan
In Eq

It is agreed that judgment for plaintiffs for twelve hundred dollars, and for taxable costs may be entered. Costs to be taxed by the Clerk of the Court.

Horatio G. Parker for Defts.
T. L. Livermore for Pltffs

551

Lorenzo N Richardson
vs
Baxter B Noyes et al

Agreement for
judgment

35
16

Circuit Court of the United States
District of Mass -

Richardson et al
Noyes et al -

December 8th 1875.

John G. Stetson Esq
Clerk U. S. Circuit Court

I hereby certify that, Hervey Waters, Henry Holly, Henry M. Richardson, George McKee, Benjamin T. Mace, George E. Johnson, William P. Thompson, Luther C. Pinks, William H. Browne, James F. McIntire, William T. Hazard, Henry Biggs, ~~Henry M. Richardson~~ Edward W. Cody whose depositions are above given, were duly sworn to tell the truth the whole truth, and nothing but the truth, on the following days.

Hervey Waters July 16th 1875
Henry Holly July 16th 1875
Henry M. Richardson July 16th 1875
George McKee July 16th 1875
Benjamin T. Mace Oct 15th 1875
George E. Johnson Oct 21st 1875
William P. Thompson Oct 21st 1875
Luther C. Pinks Oct 23d 1875

William H. Browne	Oct 28th 1875
Henry Biggs	Oct 28th 1875
James F. McIntrie	Oct 28th 1875
William T. Hazard	Oct 28th 1875
Henry M. Richardson (Second deposition)	Oct 28th 1875
Edward W. Cody	Oct 30th 1875
Hervey Waters (Second deposition)	Oct 30th 1875

William E. Perkins
Notary Public and
Special Examiner

Richardson et al

v.

Noyes et al

Certificate of attendance of witnesses

Boston December 8th 1875

Messrs Richardson & McKee

to W. E. Perkins Dr.

To taking testimony in case of Richardson & al v Noyes & al at $20 per diem

July 16th	(whole day)		$ 20
22d	half	"	10
Oct 15th	"	"	10
21st	whole	"	20
23d	half	"	10
28th	whole	"	20
29th	"	"	20
30th	half	"	10
Nov 2d	quarter	"	5
Oct 30 / Dec 8th	two days (Jones)		40
			165

Received payment
W. E. Perkins

Charles pay chg to T. L. Lemman $20.

Lorenzo H Richardson et al
-vs
Baxter B Noyes et al

~~Magistrate~~
Examinis ucuplo
for pltff

Lorenzo N. Richardson et al
vs.
Baxter S. Noyes et al

U. S. Circuit Court
District of Mass.
In Equity

Witness certificate

We, the undersigned hereby certify that we have attended as witnesses for the plaintiffs in the above entitled case the number of days and traveled the number of miles set opposite our names

	Days.	Miles	
Edward W. Cody	1	2	
Benjamin T. Mace	3	2	
Henry Biggs	1	12	
Henry M. Richardson	2	2	
Henry Holley	1	2	
J. C. Pinks	1	12	
George E. Johnson	1	20	
Wm Thompson	1	5	
J. H. McIntire	1	4	
[illegible], Waters	4	2	by T. S. [illegible]

[illegible]

Lorenzo H Richardson
vs
Baxter B. Noyes et al

Certificate of witnesses

C. C. U. S.
Miss. Dist

No. 551 Richardson et al. v. Noyes et al.

Complt's Costs

Bill entry &c.			4.00
Marshal's fees, service &c.			14.90
Fr. 4 Terms @ 2.64		10.56	
Att. 4 " @ 33		1.32	
Fr. May T. 1876	2.64	2.64	
Att 10 days.		3.30	
Fr. 3 Rules	2.64	7.92	
Att.	33	99	
			26.73
Clerk's fees;			
Fil 4.00			
DE 4.50			
DF 2.00			
Cop. & R. 90			
Dec. 1.00			
Rec. 10.00			
			23.40
Atty fee in cause		20.00	
" " on 20 depos		50.00	70.00
Pd. examiner taking testimony			165.00
Master's fees			20.00
Printing Record			283.92
Witness fees			16.00
			$ 643.95

Add Sty. if issued & service of

Attested to as correct. H. H. Parker for Dft.

No 557

Richardson et al

v.

Noyes et al

Costs

Mats, Afghans, Robes, Lamps, Straps, Trimmings, &c.

IN GREAT VARIETY.

ENAMELLED CLOTH

AT MANUFACTURERS PRICES.

In order to meet the constantly increasing demand, we have greatly improved our facilities and can now furnish 15,000 CARRIAGES a year. We have a Factory for manufacturing our wood work and can warrant every part. Our painting and ornamenting is under the supervision of one of the best artists. Our upholstering and trimming will bear comparison with any. We would invite special attention to OUR PATENT STEEL SPRING now acknowledged to be the best in use. Having a house in BOSTON and in NEW YORK, gives us great advantages, in securing bargains in all the materials used in Painting, Upholstering, Trimming &c., also, in determining the Leading Styles and Patterns.

Grateful for past favors, we shall endeavor to merit a continuance of the patronage so generously bestowed upon us.

RICHARDSON & DUTTON.

B. T. Mace

U. S. Circuit Court in Equity
District of Mass.
Richardson vs
Noyes et al

Exhibit L
W. E. Perkins
Examiner

PRICE LIST

—OF—

Children's Carriages,

MANUFACTURED BY

Richardson & Dutton,

77 UNION STREET,

BOSTON.

CENTRE MARKET BUILDING,

NEW YORK.

FACTORY, 61 & 63 HAVERHILL STREET, BOSTON.

1873.

Price List, 1873.

No.

1 Is a Cab, with single Joints, steel springs and wood axle $5.00

2 Same as No. 1, with front wheel..... 5.75

3 Is a Gipsey, with round top, single joint, hung with thorough braces, on a Wood axle.....6.50.

This and all succeeding Nos. have covered bows and lights in side and back curtains

4 Same as No. 3, with front wheel.....7.25

5 Is a Gipsey, with double joints, and wood axle.....7.25

6 Same as No. 5, with front wheel.....7.75

7 Is a Gipsey, with single joints, and iron axle, ...7.25

8 Same as No. 7, with front wheel.....7.75

9 Is a Gipsey, with double joints, and iron axle, ...7.75

10 Same as No. 9, with front wheel.....8.50

11 Is a Gipsey, full plated, double joints, and iron axle.....8.75

12 Same as No. 11, with front wheel.....9.50

13 Is a lined Gipsey, double joints, leather front strap.....10.00

This and all succeeding Nos. have iron axle.

14 Same as No. 13, with front wheel.....10.50

15 Is a lined Gipsey, full plated, double joints, ...10.50

16 Same as No. 15, with front wheel.....11.00

17 Is a Gig, with double spring gear, head lined, Brussels carpet, half oval tires, and scroll standard.....11.00

18 Same as No. 17, with front wheel.....11.75

19 Is a Gig, same as No. 17, with full plated joints.....11.75

20 Same as No. 19, with front wheel.....12.25

21 to 34 are Gigs, from $11.00 to$30.00 to order.

No.

35 Is a Perambulator, with 4 wheels, iron axle, steel springs single joints.....$10.00

36 Is a Per., with 4 wheels, half oval tire, iron axle, best steel springs, single joints, covered bows, curtains roll up, with lights in side and back, and has raised panels on side.....11.00

37 Is a Per., same as No. 36, with tips on handle.....11.50

38 Is a Per., same as No. 37, with double joints.....12.00

40 Is like 38, with Brussels carpet and better strap.....13.00

41 Has long raised panel and better painted.....14.00

42 Same as No. 41, with head lined.....15.00

42 1-2 Same as No. 42, with stuffed top.....16.00

43 Same as 42, with plated double joints and dash rail....17.00

44 Is upholstered with rep or broadcloth, has plated double joints and dash rail..... 18.00

45 Same as No. 44, with stuffed top.....20.00

46 Is a Per., with welted and stuffed top, has handsome stitched front, with full plated joints and dash rail.....22.00

47 Same as No. 46 with roll back seat.....23.00

48 Is a roll back Per., with heavy nickel plated trimmings 24.00

49 Is upholstered with French silk cotteline 28.00

50 Same as No. 49, with extra head lining.....30.00

52 Is upholstered with silk, and has gold plated trimmings .....$40.00 to 60.00

Our Patent Steel Spring with Cross Bar attachment on Nos. 41 and upwards $2.00 extra.

We offer to the Trade this season Our Improved Canopy Top: This is a New and Elegant Carriage, of Handsome and Novel Design:—We can furnish them at prices varying from $20.00 to $60 00 according to finish and upholstering.

Twin Carriages, 50 per cent advance on price of single ones.

BOSTON March 1 1875

Mr Richardson Cutler

BOUGHT OF EDWARD CODY,

BRASS FOUNDER,

No. 33 HAWKINS STREET.

February	11	11 lbs	14 oz	Castings	@	1 95	
"	21	5.	5	"	"	1 53	
"	24	1 1/2.		"	"	1 70	
"	27	4.		"	"	1 60	$6.58

Rec'd payment Edwd Cody

U.S. Circuit Court
District of Mass. In Equity

Richardson et al
v
Noyes et al

Exhibit S

W. E. Perkins
Examiner

Filed Feby
Feb March 1/73
#6.50

BOSTON

April 1 1873

M. Richardson / Dutton

BOUGHT OF EDWARD CODY,

BRASS FOUNDER,

No. 33 HAWKINS STREET.

March	5	7¼ lbs	Castings		2	75	
	6	¼	"			09	
	8	5	14 "		2	23	
	14	35¾			13	58	18,65

Recd Payment April 2nd 1873
Edward Cody

U.S. Circuit Court,
District of Mass. } In Equity

Richardson et al
v
Noyes et al

Exhibit T
W. E. Perkins
Examiner

Examined Docketing
March 5th 1878
#1866

Circuit Court of the U.S. District of Mass. In Equity.

Richardson et al v Noyes et al

Exhibit B
W. E. Baker
Examiner

THE U. S. PATENT OFFICE.

omit

To all persons to whom these presents shall come, Greeting:

This is to certify That the annexed is a true copy from the Records of this Office of the Letters Patent granted, Henry M. Richardson, dated October 1st 1873, No. 142,421,

For "Improvement in Children's Carriages."

In testimony whereof, I, Ellis Shear, Acting Commissioner of Patents, have caused the seal of the Patent Office to be hereunto affixed this Sixth day of July in the year of our Lord one thousand eight hundred and seventy-~~six~~ five and of the Independence of the United States the ninety-~~eight~~ ninth.

Ellis Shear
Acting Commissioner.

No. 143,421

The United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Whereas Henry W. Richardson, of Boston, Massachusetts,

has presented to the Commissioner of Patents a petition praying for the grant of LETTERS PATENT for an alleged new and useful

Improvement in Children's Carriages

a description of which invention is contained in the Specification of which a copy is hereunto annexed and made a part hereof, and has complied with the various requirements of Law in such cases made and provided; and

Whereas upon due examination made the said Claimant is adjudged to be justly entitled to a Patent under the Law;

Now therefore these LETTERS PATENT are to grant unto the said Henry W. Richardson, his heirs or assigns, for the term of Seventeen years from the Seventh day of October one thousand eight hundred and Seventy three the exclusive right to make, use and vend the said invention throughout the United States and the Territories thereof

L. S.

In testimony whereof I have hereunto set my hand and caused the seal of the Patent Office to be affixed at the City of Washington, this Seventh day of October in the year of our Lord one thousand eight hundred and Seventy-three and of the Independence of the United States of America the Ninety-eighth

Countersigned

C. Delano
Secretary of the Interior

M. D. Leggett
Commissioner of Patents.

H. M. RICHARDSON.

Childrens' Carriages.

No. 143,421. Patented Oct. 7, 1873.

Fig. 1.

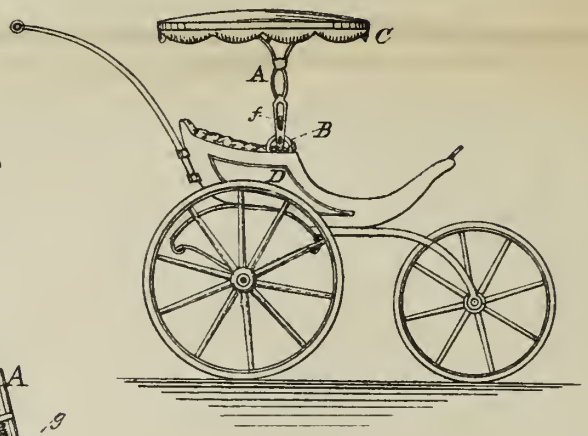


Fig. 3.

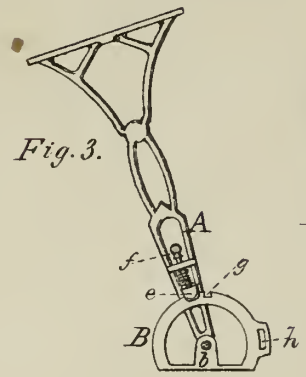
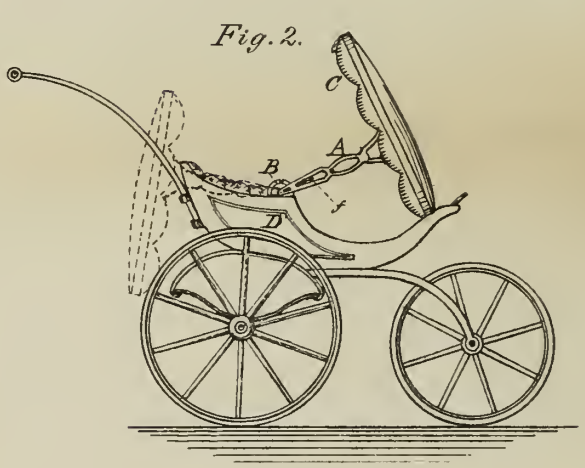


Fig. 2.



Witnesses:

Mrs. S. L. Saunders.

Arthur C. Fraser.

Inventor:

Henry M. Richardson

Per Burke & Fraser

Attys

UNITED STATES PATENT OFFICE.

HENRY M. RICHARDSON, OF BOSTON, MASSACHUSETTS.

IMPROVEMENT IN CHILDREN'S CARRIAGES.

Specification forming part of Letters Patent No. **143,421**, dated October 7, 1873; application filed June 23, 1873.

To all whom it may concern:

Be it known that I, HENRY M. RICHARDSON, of Boston, in the county of Suffolk and State of Massachusetts, have invented certain new and useful Improvements in Children's Carriages, of which the following is a specification:

This invention relates to that class of carriages having a square or canopy top; and its object is to enable the child to be seen and taken from the carriage by the attendant without leaving the position she must occupy for propelling it by the handle at the back, and, also, to enable the child's face to be protected from the sun or wind when they are in the direction in which the carriage is pushed; and it consists in such an arrangement and construction that the top may be dropped in front of the seat as well as behind it, or fixed in an upright position over the carriage, or inclined at various angles; and, also, in the mechanism by which the same is accomplished, consisting of a pair of rigid arms secured rigidly to the carriage-top and jointed to recessed arcs attached to the body, the arms being provided with spring-bolts or their equivalent, which engage with the recesses on the said arcs to retain the top in the desired position.

Heretofore canopy tops of children's carriages have been made to drop back, like the ordinary top, and rest in a vertical or inclined position behind the seat, but have not, to my knowledge, been made to drop in front.

Figure 1 of the accompanying drawings is a side elevation of my improvement with the top shown in an upright position. Fig. 2 is a like view with the top shown dropped forward, its position when thrown back being represented by dotted lines. Fig. 3 is an enlarged view of one of the rigid arms by which the canopy is supported and one of the arcs upon which it is adjustable, both being shown detached.

At each side of the body D of the carriage, and at or near the front end of the seat, I attach one of the arcs B B. The arms A A are jointed at their lower extremities, at the center of the arcs, to the projection *b*, Fig. 3, and are secured rigidly to the top C at a slight distance from the center, as shown in Figs. 1 and 2.

The arms A A may be made of any ornamental form, preferably of light open-work, as seen in Fig. 3, and of metal or other suitable material. They are jointed at one side of the arcs, as seen in Fig. 3, and their opposite sides are provided each with a lug, *e*, which embraces the arc and prevents any lateral motion of the arms, but leaves them free to traverse the arcs in either direction front or back, so that the top C may be lowered in front of the seat, as seen in Fig. 2, arranged in an upright position, as in Fig. 1, or thrown back between the handles, as shown by the dotted lines in Fig. 2, or placed in any intermediate position, as occasion may require.

The arms are each provided with a spring-bolt, *f*, Fig. 3, or other equivalent fastening, which engages with the recess *g* on the arcs when the canopy is placed in an upright position, as in Fig. 1, securing it until the bolts are withdrawn by the hand.

The arcs may be provided with a series of such recesses, so that the top may be retained at any desired angle. At one end of the arcs is a slot, *h*, Fig. 3, through which the guard-strap may be passed and secured.

The advantages attained by having the top so constructed as to be capable of being lowered in front of the seat, or inclined at various angles, as well as being placed upright or thrown back, are numerous and important.

By this means the child can be effectually protected from the rays of the sun in front, as well as from above and behind, and also from cold or strong winds, or from dust; and, moreover, the nurse or person driving the carriage from behind will be enabled to watch the child constantly, speak to it, and attend to many of its requirements, without leaving her position in the rear.

A top or canopy constructed in accordance with my improvements may also be applied to other than children's carriages, if found desirable.

I claim as my invention—

1. In a child's carriage, a rigid top or canopy, C, fixed upon the arms A, pivoted to the sides

of the body, so that said canopy may drop in front of the seat or behind it, or be held in an upright or intermediate position, substantially as and for the purposes set forth.

2. The combination of the arms A, having the spring-bolt *f*, and pivoted upon the arc-shaped irons B, with the top C, and applied to the body D, substantially as herein shown and described, for the purpose specified.

In witness whereof I have hereunto signed my name in the presence of two subscribing witnesses.

HENRY M. RICHARDSON.

Witnesses:
LORENZO H. RICHARDSON,
CHAS. M. HIGGINS.

Exhibit B
W. L. Parkins
Examiner

(3)

Exhibit 8
H. Hunt
Evans v.
Richardson et al

[65]

THE U. S. PATENT OFFICE.

To all persons to whom these presents shall come, Greeting:

This is to certify That the annexed is a true copy from the Records of this Office of the Letters Patent granted to Lewis, C. Ogden, dated January, 13th 1854. No. 10,373

For "Improvement in Carriage Jacks."

In testimony whereof, I, Ellis Spear Acting Commissioner of Patents, have caused the seal of the Patent Office to be hereunto affixed this Seventeenth day of September, in the year of our Lord one thousand eight hundred and seventy-five, and of the Independence of the United States the one hundredth.

Ellis Spear
Acting Commissioner.

THE UNITED STATES OF AMERICA,

To all to whom these Letters Patent shall come:

Whereas Zina D. Ogden of Elm's Falls, N.Y.

has alleged that he has invented a new and useful Improvement in securing, raising & fastening carriage bolts.

(Having assigned his right, title & interest in said improvement to Lewis C. Ogden of Elm's Falls aforesaid.)

which he states has not been known or used before his application; has made oath that he is a Citizen of the United States that he does verily believe that he is the original and first inventor or discoverer of the said Improvement, and that the same has not, to the best of his knowledge and belief, been previously known or used; has paid into the TREASURY OF THE UNITED STATES the sum of Thirty dollars, and presented a petition to the COMMISSIONER OF PATENTS, signifying a desire of obtaining an exclusive property in the said Improvement and praying that a patent may be granted for that purpose:

THESE ARE THEREFORE to grant, according to law, to the said Lewis C. Ogden, his heirs, administrators, or assigns, for the term of fourteen years from the Third day of January one thousand eight hundred and Fifty-four the full and exclusive right and liberty of making, constructing, using, and vending to others to be used, the said Improvement, a description whereof is given in the words of the said Z. D. Ogden in the schedule hereunto annexed, and is made part of these presents.

IN TESTIMONY WHEREOF, I have caused these letters to be made Patent, and the seal of the PATENT OFFICE has been hereunto affixed.

L. S.

GIVEN under my hand, at the CITY OF WASHINGTON, this Third day of January in the year of our Lord one thousand eight hundred and fifty four and of the Independence of the United States of America the Seventy-eighth.

Robert McClelland
Secretary of the Interior.

Countersigned, and sealed with the seal of the Patent Office.

C. Mason.

Commissioner of Patents.

The schedule referred to in these Letters Patent and making part of the same.

To all whom it may concern:

Be it known that I, Zina S. Ogden, of the Village of Glens Falls, in the County of Warren and State of New York, have invented a new and improved mode of lowering, raising and fastening carriage tops, and I do hereby declare, that the following is a full and exact description of the said invention, reference being had to the accompanying drawing and the letters of reference marked thereon:

Figure 1. is a perspective view of carriage top body.

Figure 2. is longitudinal elevation of body

Figure 3. the shaft to which the bows of the top are attached.

Figure 4. the shaft to which the two eccentric circles, hooks and lever are attached.

The nature of my invention con-

Schedule of Patent issued to Z. S. Ogden, Dec 10 1873

Specification of Letters Patent No. 146372, dated Jan. 6, 1874

sists in the application of two shafts placed below the seat one above the other, to raise and fall a carriage top with stationary bows and the application of a lever, two eccentric circles, and hooks and two bolts to fasten the top when raised up.

To enable others skilled in the art to make and use my invention, I proceed to describe its construction and operation. I construct my carriage top in any of the known forms, with stationary bows, that is without joints in the bows. I fasten the said top to the ends of shaft a, figure 1, firmly, on the outside of the body—shaft a, figure 1, plays up and down freely in slots made in each side of the body or box, so that the said shaft raises when the top is let down or lowered, and falls to the bottom of the slots when the top is raised up. Below shaft a, figure 1, I place shaft c, figure 1. I attach to said shaft c, figure 1, a lever e, figure 1, and an eccentric circle and hook, marked d, in figure 1, to each end of shaft c, in figure 1, so that by raising lever e, figure 1, the hooks pass over shaft a, figure 1, and hold it down to the bottom of the slots. I also fasten the bolts f, f, figure 1, upon the edge of the box, or seat, so that they enter the bows as in figure 1, f, f, to hold the top firmly when raised.

What I claim as my invention and desire to secure by Letters Patent, is,

The application of the lever, the shafts, eccentric circles, hooks and the two bolts, to lower, raise and fasten carriage tops, with stationary bows, as herein before described.

Zina S. Ogden.

Witnesses
Joseph S. Perrin
Wm Stevens

Z. S. Ogden.
Carriage Top.
No. 10,373. Patented Jan. 3, 1854.

Fig. 1.

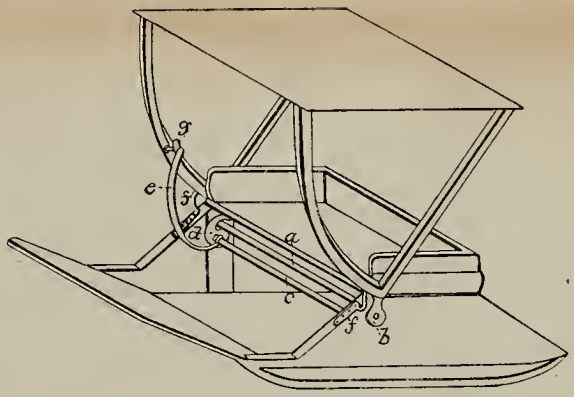


Fig. 2.

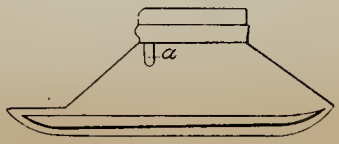
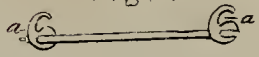


Fig. 3.

Fig. 4.



Circuit Court of the U.S. District of Mass. In Equity. No. 6, 111. Richards et al v. Noyes et al. Com Exhibit C. W. E. Bakins Examiner

Reissue

The United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Whereas Allen Dean and William Weiss, of Newark, New Jersey, assignees to Richardson, Mc Kee &c. _____

_____ have presented to the Commissioner of Patents a petition praying for the reissue of **LETTERS PATENT** for an alleged new and useful

_____ Improvement in Carriages _____

(For which Letters Patent were issued to them dated February 11, 1868, which Letters having been surrendered, the same have been cancelled, and now Letters extend to issue to said assignees on the amended Specification)

a description of which invention is contained in the Specification of which a copy is hereunto annexed and made a part hereof, and have complied with the various requirements of Law in such cases made and provided, and _____

Whereas upon due examination made the said Claimants are adjudged to be justly entitled to a Patent under the Law; _____

Now therefore these **LETTERS PATENT** are to grant unto the said Richardson, Mc Kee &c., their _____ heirs or assigns, for the term of — seventeen — years from the — Eleventh — day of February _____ one thousand eight hundred and — sixty eight the exclusive right to make, use and vend the said invention throughout the United States and the Territories thereof.

In testimony whereof I have hereunto set my hand and caused the seal of the **Patent Office** to be affixed at the City of Washington, this twenty ninth day of — December in the year of our Lord one thousand eight hundred and — seventy one — and of the Independence of the United States of America the Ninety ninth.

Countersigned:

Acting Secretary of the Interior.

Commissioner of Patents.

J. BEIN & W. ULRICH.

Children's Carriages.

No. 6,199. Reissued Dec. 29, 1874.

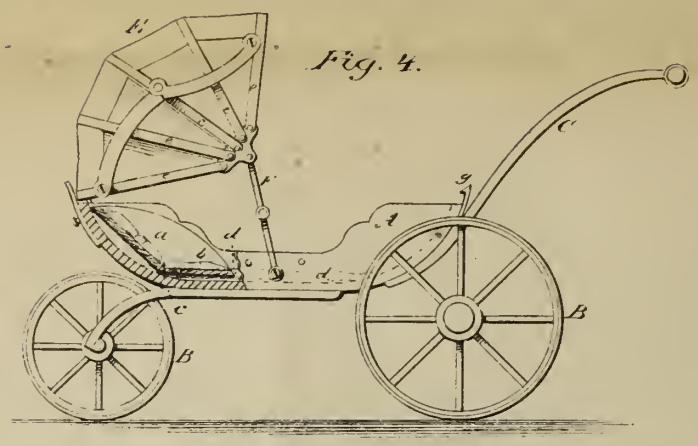
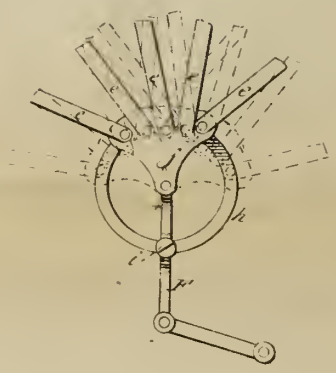


Fig. 5.

Fig. 6.



Witnesses:
C. H. Norris.
Jos. C. Wildman

Inventor:
Julius Bein & William Ulrich
By James L. Norris.
Atty.

2 Sheets--Sheet 1

J. BEIN & W. ULRICH.

Children's Carriages.

No. 6,199. Reissued Dec. 29, 1874.

Fig. 1.

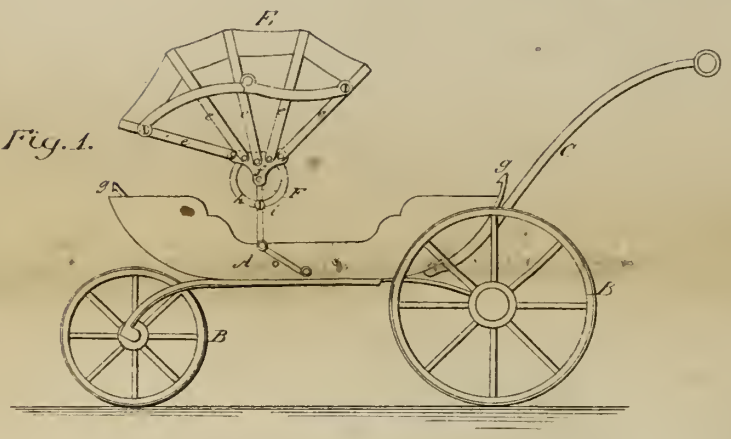


Fig. 2.

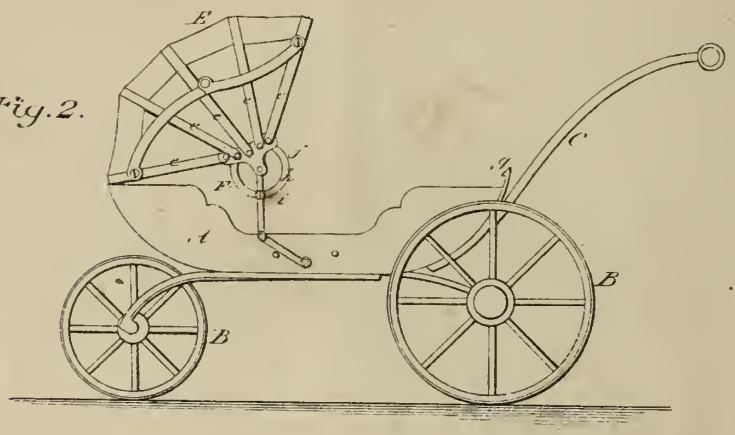
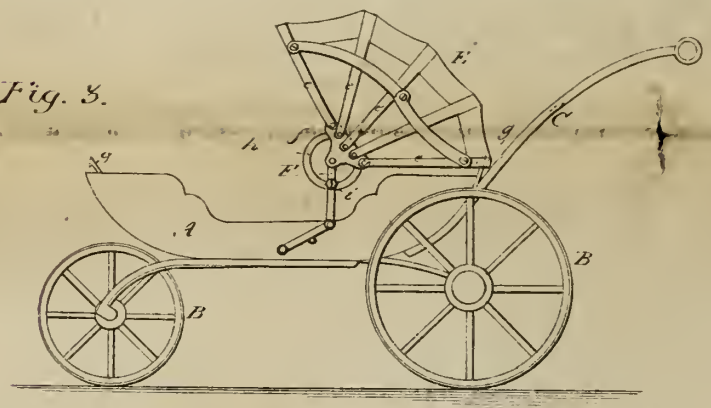


Fig. 3.



Witnesses:

A. H. Norris.

F. W. F. Coward

Inventor:

Julius Bein & William Ulrich.

By James L. Norris. Atty.

UNITED STATES PATENT OFFICE.

JULIUS BEIN AND WILLIAM ULRICH, OF NEWARK, NEW JERSEY, ASSIGNORS TO RICHARDSON, McKEE & CO.

IMPROVEMENT IN CHILDREN'S CARRIAGES.

Specification forming part of Letters Patent No. 74,284, dated February 11, 1868; reissue No. **6,199**, dated December 29, 1874; application filed December 9, 1874.

To all whom it may concern:

Be it known that we, JULIUS BEIN and WILLIAM ULRICH, both of Newark, in the county of Essex and State of New Jersey, have invented certain new and useful Improvements in Children's Carriages; and we do hereby declare that the following is a full, clear, and exact description thereof, that will enable others skilled in the art to which it appertains to make and use the same, reference being had to the accompanying drawings, and to the letters of reference marked thereon, which form a part of this specification.

Our invention relates to certain improvements in children's carriages, its object being to provide a carriage in which the top and seat can be reversed, in order that the occupant may face the direction in which the carriage is moving and be protected from the rays of the sun or from wind, whether the carriage be pushed or drawn; and it consists, first, in a top or canopy fixed upon standards pivoted to the sides of the carriage, so that such top or canopy can be dropped behind the seat, or adjusted to an upright or any intermediate position over the seat, substantially as hereinafter set forth; second, in a top or canopy supported upon standards composed of two sections or parts, in order that the top may be dropped behind the seat, or adjusted and held in any intermediate or upright position, substantially as hereinafter specified; third, in a standard for supporting a carriage-top, composed of two parts suitably united, and provided with a device for locking said parts in any desired position, so that the carriage-top may be adjusted in any desired position or angle with respect to the seat, or dropped behind the same, or be held in an upright position, substantially as hereinafter described; fourth, in the locking device, consisting of an arc or circle attached to one of the parts of the standard, and a locking mechanism attached to the other, by which the top may be adjusted to any desired position over the seat, substantially as hereinafter set forth and described; fifth, in a carriage-body constructed alike, or nearly alike, at the front and rear, and provided with a reversible seat that can be so adjusted that the occupant may face the direction in which the carriage is moving, whether it be pushed or drawn, substantially as hereinafter set forth.

In the drawings, Figure 1 represents a side elevation, partly in section, of our improved carriage, with the top in an upright position over the seat. Fig. 2 is a similar view of the same with the top down. Fig. 3 is a similar view with the top reversed. Fig. 4 is a similar view, showing the reversible seat; and Figs. 5 and 6 are detached views of the locking device.

A represents the body of the carriage, of suitable material and size, and of any convenient design, the front and rear, however, being made as nearly alike as possible. It is supported upon three or more wheels, B B, and is provided with a tongue or bar, C, for drawing or pushing it. E is the carriage-top, which may consist of a canopy in one piece, or the ordinary folding canopy in common use. In the present instance the ordinary folding top is shown, in which the bows *e e* are pivoted to the plates *f f*, which, instead of being firmly secured to the carriage-body, are fastened or jointed to the part F, pivoted to the side boards of the body. The top can thus be swung to either side of the carriage-body, as indicated in the drawings, and can be fastened by spring catches *g*, as shown. In order to fasten the top in any desired position, an arc or circle, *h*, passing through a slot in the bar F, is attached to the plates *f*, forming a part of the standards which support the cover. A binding-screw, *i*, passes through the bar F, by means of which the top may be clamped and secured in any desired position. The seat consists of two L-shaped boards, *a b*, cushioned or upholstered as desired. From each end of the seat, at the junction of the two boards, projects a pin, *e*, which fits into a groove, *d*, in the adjoining side board. The seat can be moved in these grooves to either end of the carriage-body, and can be turned on the pin, so that it can be adjusted in either end of the body, as will be readily understood.

It will be seen that by the present construction the carriage-top can be shifted to any desired position with respect to the seat, either back of the same, directly in front of it, or to any intermediate position, where it can be ad-

justed and held by means of the arc or circle and clamping-screw, thus protecting the occupant from the injurious or annoying effects of the sun, wind, or rain. The seat, being reversible, may be arranged at will so that the occupant may always face the direction in which the carriage is moving, whether it is drawn or pushed; and as the cover or canopy is capable of being shifted to either the front or back of the carriage, it may be dropped behind the seat in whatever position it may be placed, or adjusted to any position that may be necessary to protect the occupant.

What we claim is—

1. A top or canopy for children's carriages, fixed upon standards connected with the sides of the carriage-body, combined so that such top or canopy can be dropped behind the seat, or adjusted to an upright or any intermediate position over the seat, substantially as and for the purpose described.

2. A top or canopy for children's carriages, supported upon standards composed of two sections or parts, connected and combined with the body so that the top may be dropped behind the seat, in front of the seat, or adjusted and held in any intermediate position, substantially as and for the purpose described.

3. A standard for supporting a carriage-top, composed of two sections or parts suitably united, and provided with a device for locking said parts in the desired position, combined so that the carriage-top may be adjusted with respect to the seat, or dropped in front or behind the same, substantially as and for the purpose described.

4. In combination with the standards for supporting a carriage-top capable of being dropped behind the seat, a locking mechanism for adjusting said standards in the desired position for holding the top upright over the seat, substantially as described.

5. The combination, with a carriage-body, of a reversible seat placed therein so that the seat can be made to face toward the front or rear of the carriage, substantially as described.

6. The combination, with a carriage-body, of a reversible seat placed therein so that, when reversed, its back can be made the seat, or the seat be made the back, substantially as described.

In testimony that we claim the foregoing we have hereunto set our hands this 17th day of November, 1874.

JULIUS BEIN.
WILLIAM ULRICH.

Witnesses:
DANIEL LAUCK,
GEORGE MCKEE.

Exhibit C
W. E. Perkins
Examiner

Russian

6

U. S. Circuit Court } In Equity
District of Mass }
Richardson et al
v
Hayes et al

Exhibit
W. E. Perkins
Special Examiner

[65]

THE U. S. PATENT OFFICE.

To all persons to whom these presents shall come, Greeting:

This is to certify *That the annexed is a true copy from the* Records *of this Office of the Letters Patent granted* Peach, Wm, Pyle, *Dated* December 21st 1869 No. 98,141 *For* "Improved Folding Chair."

In testimony whereof, *I,* Ellis Spear *Acting Commissioner of Patents, have caused the seal of the Patent Office to be hereunto affixed this* Seventh *day of* October *, in the year of our Lord one thousand eight hundred and seventy-five, and of the Independence of the United States the one hundredth.*

Ellis Spear
Acting Commissioner.

No. 98141

The United States of America

NATIONAL BANK NOTE COMPANY, NEW YORK.

TO ALL TO WHOM THESE LETTERS PATENT SHALL COME:

Whereas Burroughs Beach, of Meriden, Connecticut

has alleged that he has invented a new and useful Improved Folding-Chair

(He having assigned his right, title and interest in said Invention to himself and Edwin F. Pyle of Bridgeport, Connecticut.)

and has made oath that he is a Citizen of the United States that he verily believes he is the original and first inventor or discoverer of the said Invention and that the same hath not to his knowledge and belief been previously known or used, has paid into the Treasury of the United States the sum of Thirty-five dollars, and presented a petition to the COMMISSIONER OF PATENTS praying that a patent may be issued therefor.

These are Therefore to grant to the said Beach and Pyle, their executors, administrators or assigns, for the term of seventeen years from the Twenty-first day of December, one thousand eight hundred and Sixty-nine, the full and exclusive right and liberty of making, using and vending to others to be used, the said Invention, a description whereof is given in the annexed schedule and made a part of these presents.

In Testimony whereof, I have caused these Letters to be made Patent and the Seal of the PATENT OFFICE to be hereunto affixed.

GIVEN under my hand at the City of Washington this Twenty-first day of December, in the year of our Lord one thousand eight hundred and Sixty-nine, and of the Independence of the United States of America the Ninety-fourth.

L. S.

W. T. Otto, Acting Secretary of the Interior.

Saml. S. Fisher Commissioner of Patents.

Countersigned and Sealed with the Seal of the Patent Office.

JOHN E. EARLE,
Solicitor of
AMERICAN AND FOREIGN
PATENTS,
850 Chapel St., New Haven, Ct.

98141

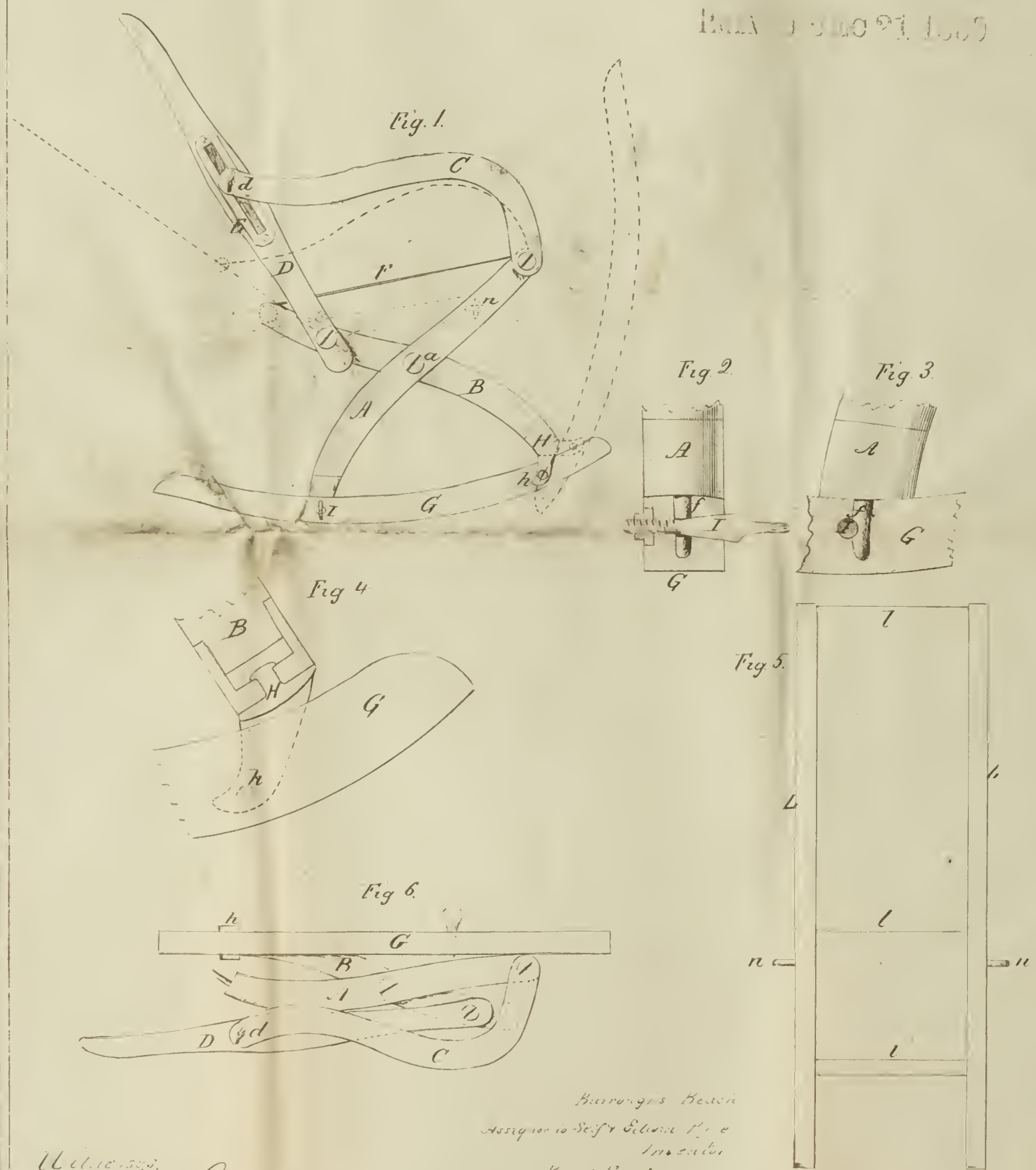
Burroughs Beach

Assignor to

Self & Edwin Pyle

Improved in

Folding Chair



Witnesses.
J. H. Shumway
A. J. Tubbitz

Burroughs Beach
Assignor to Self & Edwin Pyle
Inventors
By Attorney.
John E. Earle

United States Patent Office.

BURROUGHS BEACH, OF MERIDEN, ASSIGNOR TO HIMSELF AND EDWIN I. PYLE, OF BRIDGEPORT, CONNECTICUT.

Letters Patent No. 98,141, *dated December* 21, 1869.

IMPROVED FOLDING CHAIR.

The Schedule referred to in these Letters Patent and making part of the same.

To all whom it may concern:

Be it known that I, BURROUGHS BEACH, of Meriden, in the county of New Haven, and State of Connecticut, have invented a new Improvement in Folding Chair; and I do hereby declare the following, when taken in connection with the accompanying drawings, and the letters of reference marked thereon, to be a full, clear, and exact description of the same, and which said drawings constitute part of this specification, and represent, in—

Figure 1, a side view;

Figures 2 and 3, detached views, to illustrate the manner of securing the rocker;

Figure 4, a sectional view, to illustrate the manner of swivelling the rocker;

Figure 5, the limb-supporter; and in

Figure 6, a side view of the chair, as folded.

This invention relates to an improvement in that class of chairs which is constructed so as to be folded into small compass, the object being to provide such chairs with rockers, and also with a support for the limbs of the person sitting in the chair; and

The invention consists in combining, with the cross-legs of a folding chair, rockers, swivelled to one of the legs, and locked to the other, so that by means of the said lock, the rockers may be detached and turned into position to fold; also, in combination with the same, a detachable platform, for the support of the limbs.

A is the rear leg, and B, the forward leg, crossing each other, and pivoted at *a*, so that the upper end of the said legs makes, inversely, the support for the chair-seat.

To the upper end of the leg A, the arm C is pivoted; and near the upper end of the leg B, the back D is pivoted; and the arm is adjustably attached to the back by a set-screw, *d*, working in a T-shaped slot, E, so that the back may be adjusted to different inclinations, as denoted by the broken lines.

F is the seat, attached to a rundle extending between the upper ends of the front and rear legs, and is made of flexible material.

Thus far my invention is similar to folding chairs in common use.

G, the rocker, is permanently attached to the leg B by a swivel, H, the rocker being pivoted, at *h*, in the ears of the swivel, so as to give to the rocker a universal movement.

The rocker G is secured to the other leg, A, by a pin, *f*, (see figs. 2 and 3,) extending down into the rocker, and a conical key, I, passing into a notch in the pin *f*.

The smaller portion of the key I, when drawn out, is of such diameter as to allow the pin to pass it; but when the pin is set into the rocker, and the key drawn into the notch, then the rocker and leg are firmly secured together.

To fold the chair, withdraw the key I, to free the rocker from the leg A; then turn the rocker to the position denoted in broken lines, fig. 1, and the chair is folded in the usual manner, the rocker lying flat upon the top, as denoted in fig. 6.

L L, fig. 5, are two bars, secured together by rundles *l*, with a flexible or other covering extending from the first rundle to the second. The said bars are of sufficient length to pass under the rear upper rundle of the chair, as denoted in broken lines, fig. 1, and provided with lugs or hooks *n*, to attach to a rest on the forward legs, to retain it in position, as denoted in broken lines, fig. 1. Thus, when the chair is set up, the back inclined, and the rest placed in the chair, a rocking-couch is produced. When not required for use, the bars L may be removed from the chair.

I claim, as my invention—

1. In combination with a folding chair, substantially as described, the rocker G, pivoted and swivelled to the leg B, in the manner herein set forth.

2. In combination with the above, the conical key I and pin *f*, to secure the rocker, as set forth.

3. In combination with a folding chair, substantially such as described, the detachable rest, formed by the bars L L, in the manner described.

BURROUGHS BEACH.

Witnesses:

J. H. SHUMWAY,

A. J. TIBBITS.

Boston June 24 1[illegible]

Rec'd of Clerk brief
for D., Original reissue # 6121 to
C. W. Richardson, Richardson et
al v. Noyes

George McKee of Jerw
of Richardson & McKee

Richardson
v.
Royce

Receipt

Circuit Court of the United States,
District of Massachusetts.

In Equity. Oct. T. 1876.

Lorenzo H. Richardson et al
v.
Baxter B. Noyes et al.

Final Decree

January 5, 1877, ~~Pursuant to that~~ Pursuant to agreement of parties
It is ordered adjudged and decreed by the Court, that the said reference of the ~~of the~~ cause to a master be waived; and that the said complainants recover of the said defendants, the sum of twelve hundred dollars named in said agreement as and for the damages sustained by them by reason of said infringement and their costs of suit taxed at six hundred forty three dollars and ninety five cents

By the Court.

Alex. H. Trowbridge
Deputy Clerk.

Richardson et al
v
Noyes

Final Decree

Circuit Court of the United States.

District of Mass., May *Term, 1876*

IN EQUITY.

Lorenzo H. Richardson et al *Complainants*
Baxter B. Noyes et al *Defendants*

DECREE

For Perpetual Injunction, and for Reference to a Master.

This cause came on to be heard at this present Term, upon the pleadings and proofs, and was argued by Counsel for the respective parties;

and now upon consideration thereof, to wit: Sept. 1, 1876 It is *ORDERED, ADJUDGED AND DECREED*, as follows, viz.: that the two Letters Patent referred to in the complainant's bill, being Reissued Letters Patent of the United States, granted unto the complainants assignees of Bein & Ulrich for a new and useful Improvement in children's carriages dated Dec 29 1874, numbered 6199, and Reissued Letters Patent granted to Henry M. Richardson for improvement in children carriages, dated November 3rd 1874, numbered 6121 are a good and valid patents, and that the said Bein & Ulrich and said Richardson, respectively, were the original and first inventors of the improvements described and claimed therein: and that the said defendants have infringed the said patents and upon the exclusive rights of the complainants under the same.

And it is further *ORDERED, ADJUDGED AND DECREED*, that the complainants recover of the defendants the profits which they have received or made, or which have accrued to them from said infringement by the manufacture, use or sale of the improvements described, and secured by said Letters Patent at any and all times since the twelfth day of November A. D. 1874 and also the damages which the complainants have sustained thereby.

And it is further *ORDERED, ADJUDGED AND DECREED*, that it be referred to John G. Stetson Esquire a master of this Court, to take and report to the Court an account of the profits which the said defendants have received, or which have arisen or accrued to them from the manufacture, use or sale of said improvement, or from said infringement, and to ascertain and report the damages which the complainants have sustained thereby since the twelfth day of November A. D. 1874

And it is further *ORDERED, ADJUDGED AND DECREED*, that a perpetual injunction be issued against the defendants according to the prayer of the bill.

And it is further *ORDERED, ADJUDGED AND DECREED*, that the complainants recover of the defendants their costs of suit.

By the Court, Wm G. Stetson *Clerk.*

~~A true copy,~~

~~Attest:~~ *Clerk.*

I have seen this decree and do not object to the form

Jno Deffs

No 553

Lorenzo A. Richardson Ad.

v.

Baxter B. Noyes et al.

Decree

Sept 1, 1876

Answer.

Circuit Court of the United States.
District of Massachusetts.
~~In Equity.~~

Lorenzo H. Richardson and
George McKee
vs.
Baxter B. Noyes and
Oscar G. Stratton.

To the Judges of the Circuit Court of the United States for the District of Massachusetts.
The answer of Baxter B. Noyes and Oscar G. Stratton to the Bill of Complaint of Lorenzo H. Richardson and George McKee.
The said defendants reserving to themselves all right of exception as to all matters contained in said bill, for answer thereto or to so much thereof as they are advised to be material to be answered unto, say —
They admit that on the 11th. day of February 1868. letters Patent of the United States were granted to Julius Bein and William Ulrich as alleged in the bill; but they deny that the improvement therein claimed was original with the said Julius Bein and William Ulrich or either of them, and they deny that the said letters Patent were either in whole or in

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any part or degree valid, and say that the same were in every respect in part and in whole invalid and void.

They admit the assignment of said letters patent as alleged in the bill.

They admit the reissue of said letters patent in conformity with the Statutes of the United States as alleged in the bill, but they deny that the improvement claimed in said reissue letters patent was original with the said Julius Bein and William Ulrich, or either of them, and they deny that said reissue letters patent were either in whole or in any part or degree valid, and say that the same were in every respect, in part and in whole, invalid and void.

They deny that previously to said reissue, either the Complainants or any other person or persons have ever asserted and maintained any exclusive rights under said letters patent.

They admit that on the 7th. day of October 1873. letters patent of the United States were granted to Henry N. Richardson named in the bill, all as alleged in the bill: but they deny that the improvement therein claimed was original with the said Henry N. Richardson, and deny that the said letters patent were either in whole or in any part or degree valid, and say that the same were in every respect, in part and in whole

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invalid and void.

They admit the reissue of said letters to said Henry N. Richardson in conformity with the Statutes of the United States, as alleged in the bill, but they deny that the improvement claimed in said reissue letters patent was original with said Henry N. Richardson, and they deny that said reissue letters patent were either in whole or in any part or degree valid, and say that the same were in every respect, in part and in whole invalid and void.

They deny that previously to said reissue to said Henry N. Richardson, either he or any other person or persons had ever asserted and maintained any exclusive rights under said letters patent.

They deny the assignment by said Henry N. Richardson to the complainants of said reissue letters patent as alleged in the bill.

These respondents further answering say that the original Letters Patent named in the bill as issued to Bein and Ulrich of date February 11. 1868. and numbered 74,284. were not inoperative or invalid by reason of defective or insufficient description or specification, but that they are fully valid and operative to secure to the said Bein and Ulrich the exclusive right to make, use and vend to others to be used, any and all inventions described in said original letters

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Patent which the said Bein & Ulrich had made at the time they applied for said original letters Patent: and they allege that the said letters patent were not surrendered to correct any mistake therein, or insufficiency thereof, but to claim other and different inventions: and they deny that the reissued letters patent of date December 29. 1874. numbered 6.199, are for the same invention as the original letters patent of date February 11. 1868. numbered 74,254 and allege that they are for inventions substantially and materially different.

They further answering say, that the original Letters Patent named in the bill as issued to Henry M. Richardson of date October 7. 1873, and numbered 143,421 were not inoperative or invalid by reason of defective or insufficient description or specification, but, say that they were fully valid and operative to secure to the said Henry M. Richardson the exclusive right to make, use, and vend to others to be used, any and all inventions described in said original Letters patent, which the said Henry M. Richardson had made at the time he applied for said original letters patent: and they allege that the said letters patent were not surrendered to correct any mistake therein, or insufficiency thereof, but to claim other and different inventions: and they deny that the

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reissued letters patent of date November 3. 1874. numbered 6,121. are for the same invention as the original letters patent of date October 7. 1873. numbered 143,421, and allege that they are for inventions substantially and materially different. They deny that they have ever at any time violated or infringed upon either of the original letters patent named in the bill, and deny that they have ever at any time violated or infringed upon either of the reissue letters patent named in the bill, and especially deny that they have since the 3rd. day of November 1874. made, constructed, used, or sold to others to be used, standards for supporting carriage tops constructed according to the inventions patented by the reissue letters patent named in the bill, or either of said reissue letters patent: and deny that they have in actual concert with Henry S. Kimball named in the bill, and others, or in concert with any other person whatsoever, made such standards and sold them to said Kimball and others, to be by them combined with children's carriages; and deny that said Kimball and others in actual concert with these defendants have so combined said standards with, and have sold, children's carriages, constructed according to the invention patented by the Letters Patent named in the bill or either of said letters patent, in violation of any rights or privileges of the complainants named in the bill.

These defendants further answering upon information and belief say that the invention, improvement, or thing patented by each and the several original and reissue letters patent named in the bill was in public and common use in this country before

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the alleged invention thereof by the said Bein and Ulrich, and before the alleged invention thereof by said Henry M. Richardson, and was in particular so known and used by F. W. and F. A. Whitney of Leominster in the State of Massachusetts.

And they say that the invention, improvement, or thing patented by each and the several original and reissue letters patent named in the bill, or a substantial and material part thereof alleged to be new, was, before the alleged invention thereof by the said Bein & Ulrich, and before the alleged invention thereof by the said Henry M. Richardson, fully described in the following letters patent of the United States, viz:- Letters Patent granted to Nelson G. Burr. dated the 18th. day of August 1868, and numbered 81,135.

Letters Patent granted to Hall & Patten, dated the 22nd. day of November 1859. and numbered 26,183.

Letters Patent granted to I. Cogswell, dated the 24th. day of February 1863. and numbered 37,734.

Letters Patent granted to Z. S. Ogden, dated January 3rd. 1854. and numbered 10,373.

Letters Patent granted to J. M. Freeman,

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dated February 14. 1860, and numbered 27,121.

Letters Patent granted to P. Boyden, dated March 29. 1859. and numbered 23,347.

Letters Patent granted to L. H. Gans, dated June 18. 1861. and numbered 32,558. and Letters Patent granted to Fogelson & Anderson, dated April 17. 1855. and numbered 12,751.

These respondents further answering say, that they are engaged in manufacturing standards for supporting carriage tops at Greenfield in the State of Massachusetts, and at no other place; that they have manufactured, and still manufacture such standards, under the protection of Letters Patent of the United States granted to L. H. Amidon of date March 23. 1875, and numbered 161,086 and letters patent of the United States granted to these respondents of date April 13. 1875, and numbered 161,987. and these respondents have always believed and still believe, that they have a full and perfect right to manufacture and sell such standards under said patents.

All which matters and things these defendants are ready to aver, maintain, and prove, as this Honorable Court shall direct, and they pray that they may be hence dismissed with reasonable costs and charges in this behalf most wrongfully sustained.

Butler B. Noyes Oscar G. Stratton

Horatio G. Parker
of Counsel -

B

Commonwealth of Massachusetts.
Franklin S.S. Personally appeared B.B. Noyes & O.G. Stratton, to me well known, and known to me to be partners under the name of B.B. Noyes & Co. and made solemn oath, that they have read the foregoing answer and understand the contents thereof, and that the same are true, except as those matters therein stated upon information and belief, and as to those matters they believe them to be true, this Sixth day of July 1875.
Before me.
Francis M. Thompson
Notary Public.

551 - (2) Equity -

Richardson et al -
vs
B. B. Noyes et al -

(3)

Defendants Answer -

July 16 1875

This answer may be filed as of the date when due T. L. Lewiston Solicitor for pltffs

Horatio G. Parker for Defts -

Boston Sept 23 1879

Received of B. B. Arnold & Co.
$1113 95/100 in full discharge of
decree and judgment in case
of Richardson, McGee & Co. vs
B. B. Noyes & Co. for infringement
of Letters Patent in Circuit Court
of United States for District of
Massachusetts and the Clerk
shall enter this discharge
in said case when the Docket
of said Court

Provided a Nut Co

Richardson McKee
9/23-79

Pl. complt.
for acknowledgment
of satisfaction and
Discharge

Recd of
Richardson McKee

5716
Richardson et al
vs
Myers et al

Lorenzo H. Richardson et al
vs.
Baxter S. Noyes et al

U. S. Circuit Court
District of Mass.
In Equity

It is hereby agreed that William E. Perkins of Boston Mass. Notary Public, may be appointed special examiner to take evidence in the above entitled cause under the Sixty Seventh rule in equity as amended.

Thomas L. Livermore
Solicitor for plaintiffs.
Horatio G. Parker
Solicitor for defendants.
~~Solicitor for defendants~~

Upon the foregoing agreement William E. Perkins aforesaid is hereby appointed special examiner to take evidence in the above entitled cause under the Sixty Seventh Rule in Equity as amended

531

Richardson et al

vs

Noyes et al

Agt for Ldr

Replication

Chandler
v
Noyes -
from W. E. Perkins

3571/3

John G. Skelton Esq
Clerk U S Circuit Court

Circuit Court of the United States.
District of Massachusetts.

Lorenzo D. Richardson et al
vs
Baxter B. Noyes et al.

In Equity.

The defendants in the above ~~action~~ cause represent that they have settled in full the plaintiffs claim against them, and yet they have received notice from the Master therein appointed to appear before him for the purpose of an account; they therefore move this Honorable Court, that the ~~defendan~~ plaintiffs be ordered to take no further proceedings in the case as against these defendants.

by Horatio G. Parker
their Counsel.

Lorenzo D. Richardson
et al. vs
B. B. Rogers et al.

Motion that pltffs. be
ordered not to pro-
ceed.

Horatio G. Parker
for Dfts.

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CIRCUIT COURT OF THE UNITED STATES,

In and for the District of Massachusetts

IN EQUITY.

Lorenzo H. Richardson et al.
vs.
Baxter P. Noyes et al.
Replication
[filed July 16, 1855]

The REPLICATION of Lorenzo H. Richardson and George McKee **Complainants to the answer of** Baxter P. Noyes and Oscar G. Stratton **Defendants.**

This Repliants saving and reserving to themselves all and all manner of advantage of exception to the manifold insufficiencies of the said answer, for replication thereunto, saith: that they will aver and prove ~~his~~ their said bill to be true, certain and sufficient in the law to be answered unto; and that the said answer of the said defendants is uncertain, untrue, and insufficient to be replied unto by these repliants; without this that any other matter or thing whatsoever in the said answer contained, material or effectual in the law to be replied unto, confessed and avoided, traversed or denied, is true; all which matters and things these repliants ~~is~~ are ready and will be, ready to aver and prove as this honorable Court shall direct; and humbly pray, as in and by his said bill they have ~~hath~~ already prayed.

By Thomas E. Livermore

Solicitor.

(3) 537

No. ..... Sess. 18 .

Circuit Court of the United States,

DISTRICT OF

Massachusetts

Lorenzo N. Richardson et al.

vs.

Baxter B. Noyes et al.

REPLICATION.

(3)

Exhibit 5-
H. Leuit
Examiner

U.S. Circ. Ct. Dist. of Mass. } #651
Richardson v. al. v. Noyes et al } In Equity

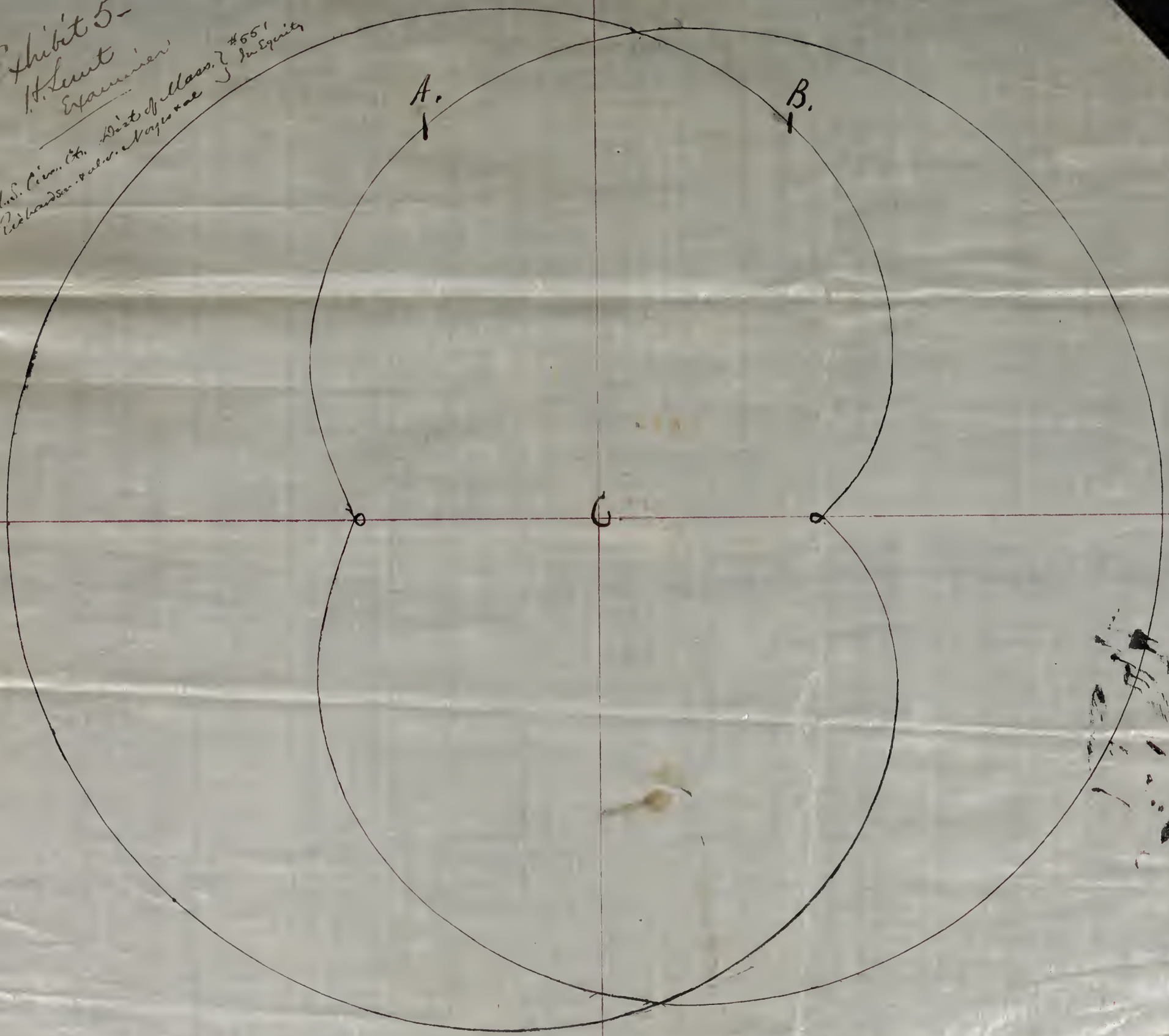
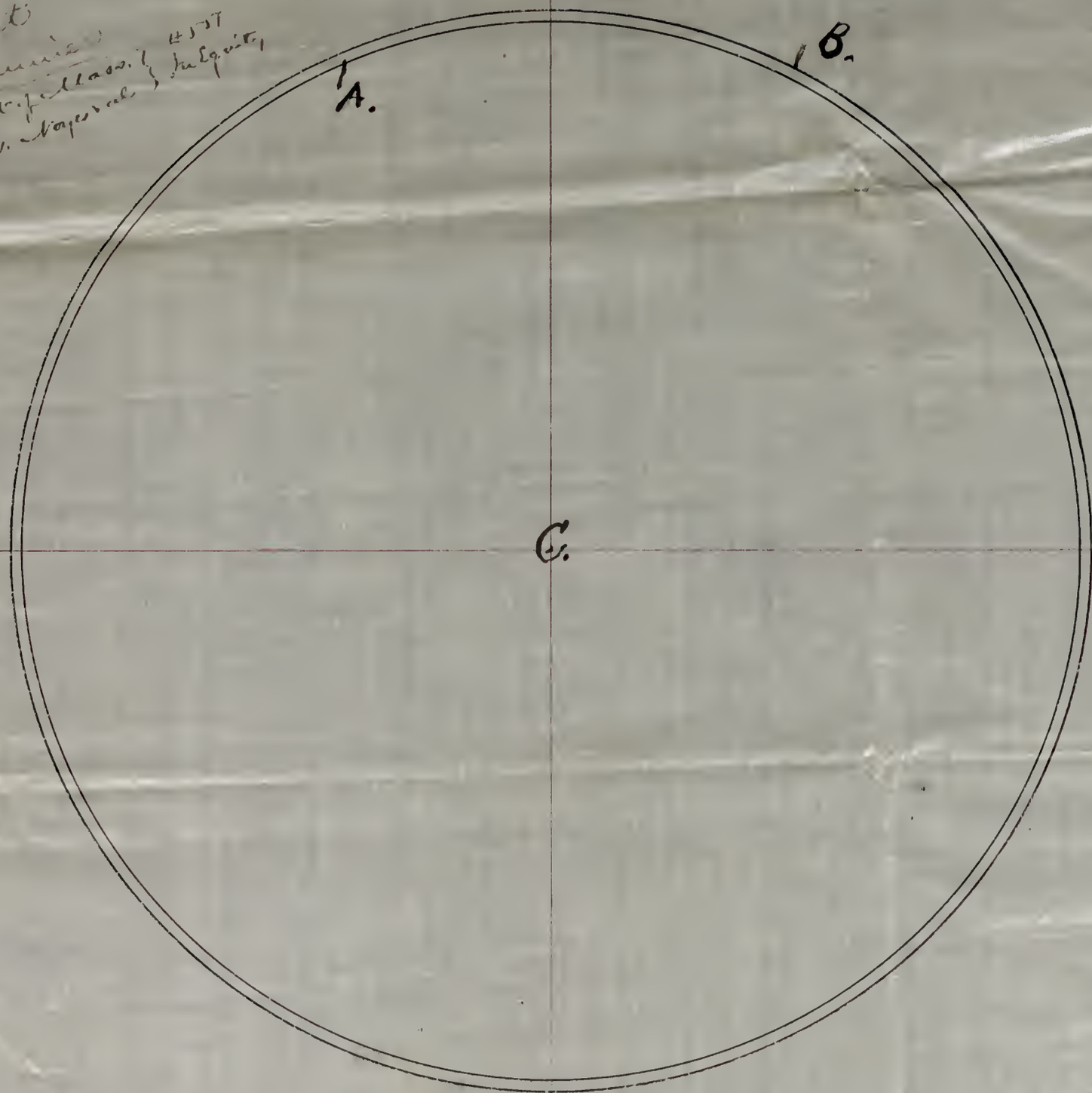


Exhibit 6
H. Frank
Examined
U.S. Circ. Ct. - Dist. of Mass. } #357
Richardson vs. Nagelvoel } Infringt.



8

7

2 Drawings

Exhibits 5 & 6

Received for record November 12 1874 and recorded in Liber K 18, Page 346, of Transfers of Patents.

In testimony whereof, I have caused the seal of the Patent Office to be hereunto affixed.

Acting Commissioner.

Circuit Court of U.S. } Richardson et al
~~District of Mass.~~ } v
In Equity. } Noyes et al

Exhibit E
W. L. Perkins
Examiner

ASSIGNMENT.

Whereas, Perkins Bein and William Ulrich both of the City of Newark in the County of Essex and State of New Jersey

did obtain LETTERS-PATENT of the UNITED STATES OF AMERICA for certain improvements in Children's Carriages.

which Letters-Patent bear date the 11th day of February eighteen hundred and Sixty Eight, and are numbered 74,284

And Whereas, Messrs. Richardson, McKee & Co. of the City of Boston, in the State of Massachusetts,

are desirous of acquiring an interest therein.

Now, this Indenture Witnesseth, that for and in consideration of the sum of One Hundred dollars to the said Bein & Ulrich in hand paid, the receipt of which is hereby acknowledged, we have assigned, sold and set over, and do hereby assign, sell and set over, unto the said Richardson & McKee & Co.

all the right, title, and interest which we have in the said invention, as secured to us by said Letters Patent.

The Same to be held and enjoyed by the said Richardson McKee & Co

together with the right to reissue the same if they the said Richardson, McKee & Co. so desire.

for their own use and behoof, and for the use and behoof of their legal representatives, to the full end of the term for which said Letters-Patent are granted, as fully and entirely as the same would have been held and enjoyed by us if said assignment and sale had not been made.

In Testimony Whereof we hereunto set our hands ~~and affixed seal~~, this 11th day of November eighteen hundred and seventy ~~four~~

Perkins Bein [SEAL.]
William Ulrich

SEALED AND DELIVERED IN PRESENCE OF

Oliver Drake
Geo. H. Wilson.

Exhibit E, W. R. Parkin
Examiner

ASSIGNMENT OF PATENT.

To

Improvement in

Dated *18*

JAMES L. NORRIS,

SOLICITOR OF PATENTS,

WASHINGTON, D. C.

Fees 1 Paid

Exhibit 10
Patent
Examiner.

Richardson v. Newsome
U.S. Cir. Ct. Dist. of Mass.
#551 Equity

THE U. S. PATENT OFFICE.

To all persons to whom these presents shall come, Greeting:

This is to certify *That the annexed is a true copy from the* Records *of this Office of the Letters Patent granted to* Ira Cogswell, Jr. *dated* February, 24th 1863, No. 37,734

For Improvement in Carriage Tops.

In testimony whereof, *I,* Ellis Spear,

Acting Commissioner of Patents, have caused the seal of the Patent Office to be hereunto affixed this Seventeenth *day of* September, *in the year of our Lord one thousand eight hundred and seventy-five, and of the Independence of the United States the one hundredth.*

Ellis Spear

Acting Commissioner.

THE UNITED STATES OF AMERICA.

To all to whom these Letters Patent shall come:

Whereas Ira Cogswell Jr., of Earlville, Illinois

has alleged that he has invented a new and useful

Improvement in Ca-Lash or folding Top for carriages &c —

which he states has not been known or used before his application; has made oath that he is a citizen of the United States that he does verily believe that he is the original and first inventor or discoverer of the said Improvement, and that the same hath not, to the best of his knowledge and belief, been previously known or used;

has paid into the TREASURY OF THE UNITED STATES the sum of Thirty-five dollars, and presented a petition to the COMMISSIONER OF PATENTS, signifying a desire of obtaining an exclusive property in the said Improvement and praying that a patent may be granted for that purpose:

THESE ARE THEREFORE to grant, according to law, to the said Ira Cogswell Jr. his heirs, administrators, or assigns, for the term of seventeen years from the twenty-fourth day of February one thousand eight hundred and sixty-three the full and exclusive right and liberty of making, constructing, using, and vending to others to be used, the said Improvement, a description whereof is given in the words of the said Ira Cogswell Jr. in the schedule hereunto annexed, and is made part of these presents.

IN TESTIMONY WHEREOF, I have caused these letters to be made Patent, and the seal of the PATENT OFFICE has been hereunto affixed.

L. S.

GIVEN under my hand, at the CITY OF WASHINGTON, this twenty-fourth day of February in the year of our Lord one thousand eight hundred and sixty-three and of the Independence of the United States of America the eighty-seventh

W. T. Otto
Acting Secretary of the Interior.

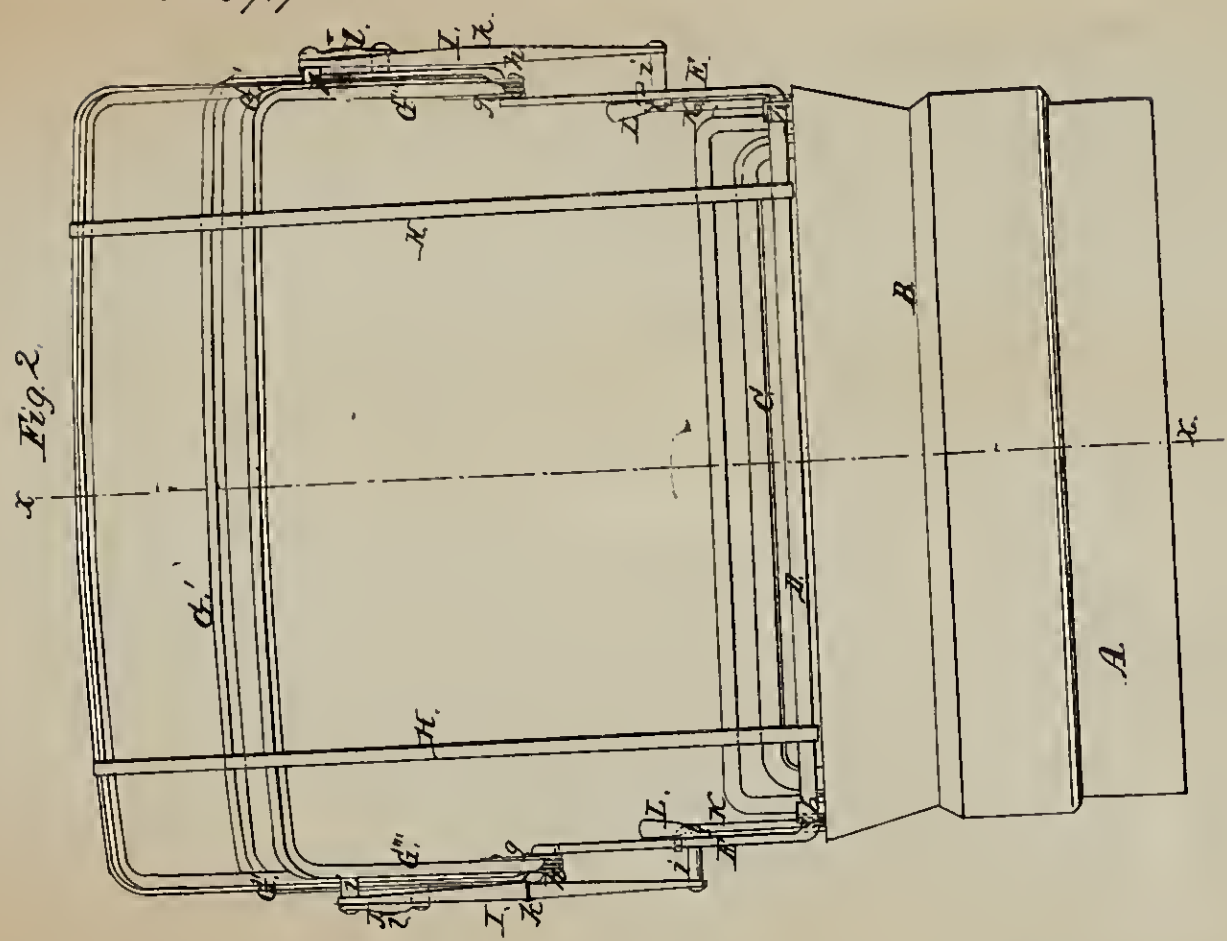
Countersigned, and sealed with the seal of the Patent Office.

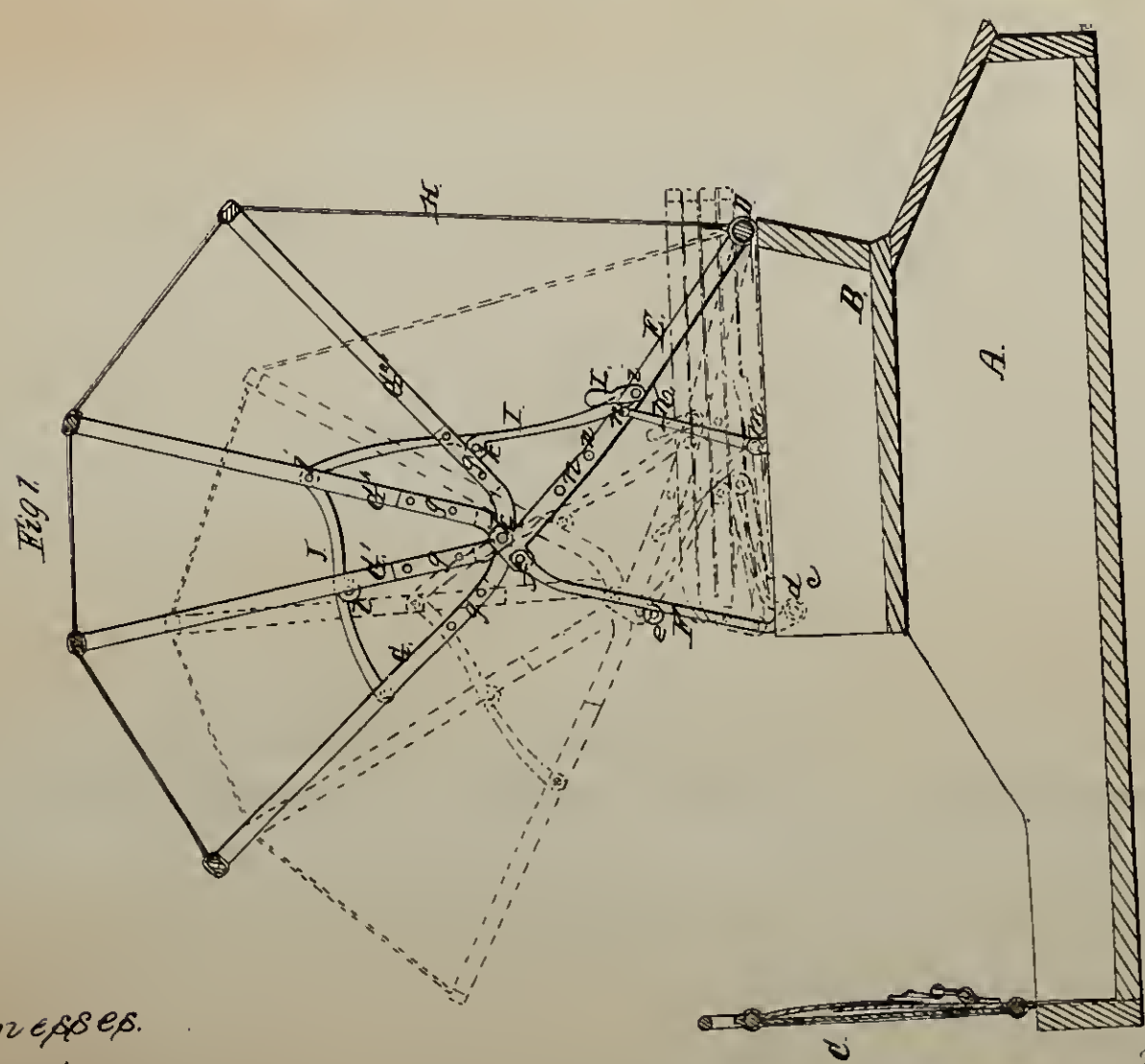
D. P. Holloway
Commissioner of Patents.

I. Cogswell, Jr.

Carriage Top.

No. 37,734. Patented Feb. 24, 1863.





Witnesses.

Geo. Coombs

R. H. Kimpton

Inventor.

Ira Cogswell Jr.

per Munn & Co.

Attorneys

The schedule referred to in these Letters Patent and making part of the same.

To all whom it may concern:

Be it known that I, Ira Cogswell, Jr. of Earlville, in the County of La Salle, and State of Illinois, have invented a new and useful improvement in Ca Lash or Folding Tops for Wheel Vehicles and Sleighs, and I do hereby declare that the following is a full, clear and exact description of the same, reference being had to the accompanying drawings making a part of this specification, in which:

Figure 1, is a side sectional view of my invention, taken in the line x, x, Figure 2.

Figure 2, is a back view of the same.

Similar letters of reference indicate corresponding parts in the two Figures.

To enable those skilled in the art to fully understand and construct my invention, I will proceed to describe it.

A, represents the body of a light wagon, B, the seat and C, the dashboard - These parts may be constructed in the usual way and therefore do not require a minute description.

On the upper part of the back a, of the seat there is placed a rod or shaft D, which is fitted in suitable bearings b, b, and allowed to turn freely therein. The ends of the shaft D, are bent so as to form arms E, E, which are at right angles to the shaft D, and parallel with the sides of the body A. The front ends of these arms E, E, are connected by jointed bars F, F, with the front parts of the sides c, of the seat B, the lower ends of the bars F, being connected to the sides of the seat by pivot bolts d. The bars F, are jointed at about their centres

the joints e, being so formed as to admit of said bars folding backward. The upper ends of the bars F, are attached to the front ends of the arms E, by pivot bolts F'.

G, G', G'', G''' represent four bows which may be constructed of wood, and in the same manner as the bows of an ordinary Ca-lash or folding carriage or wag on top. The lower ends of these bows are provided with irons g, all of which at each side of the top are fitted on a common pivot or bolt h, and these bolts pass through the front end of the arm E,. The bows form the frame of the top, and they have straps H, attached to them to prevent them spreading beyond a certain distance from each other. These straps at their back ends are attached to the shaft D,

I, I, represent two jointed bars the lower ends of which are connected by pivot bolts i, i, with the arms E', E', the upper ends of said bars being connected by pivot bolts j, j, with the bow G''. The joints k, of the bars I, are so formed that said bars may fold backwards. The bows G'' and G, are connected at each side by jointed bars J, J, the joints l, of said bars being so formed as to admit of the bars J, folding upward.

From the above description it will be seen that by folding the bars I, I, backward, and folding the bars J, J, upward, the bows G, G', G'', G''' may be brought in contact with each other, and turned down parallel with the arms E, E', and that the latter by folding back the bars F, F, may be let down upon the sides of the seat B, as shown in red in Figure 1. When the top is in this position, it does not form any encumbrance whatever, and the view from the seat is unobstructed all around, equally so as if the seat were not provided with a top. In order to raise the top the arms E', E', are first lifted as shown in blue tint in Figure 1, the bars F, supporting the same, and the bows G, G', G'', G''' are then spread out, the jointed bars I, I, J, J, retaining them in proper position. If it should be necessary for the occupant of the seat to be better protected in front than the top in this position is capable of doing, the bars F, F, are folded backward and hooks K, which are attached to each side of the seat by joints or pivots m, are fitted in any of the series of holes n, in the arms E, E. By this arrangement the front part of the top may be adjusted more or less forward, as shown in blue outline in Figure 1.

The bows or frame of the top may be covered in the usual manner and the lower ends of the jointed bars I, I, may be provided with levers L, to admit of said bars being manipulated at the inner side of the top.

By this invention a strong and durable top is obtained, one that will be firm or not liable to rattle, and on account of the comparatively great scope of its adjustment, far preferable to the ordinary tops in use.

Having thus described my invention, what I claim as new, and desire to secure by Letters Patent, is

The combination of the inclined arms E, E, hooks K, and folding bars F, F, with the bars I, J, bows G, G', G'', G''' and seat B, all in the manner herein shown and described.

Witnesses
Russell A. Cain
Asa Kelsey

Ira Cogswell Jr.

Morgan

53

Circuit Court of the United States.

IN AND FOR THE DISTRICT OF Massachusetts

Lorenzo H. Richardson and ~~George McKee~~ v. ~~Baxter P. Noyes and Oscar G. Stratton~~

In Equity.

~~Bill of Complaint~~

~~Filed Mar 7, 1893~~

To the Honorable the Judges of the Circuit Court of the United States in and for the District of Massachusetts

Lorenzo H. Richardson, of Westfield in the County of Hampden and George McKee

~~both~~ of Boston in the County of Suffolk and Commonwealth of Massachusetts copartners under the firm name and style of Richardson McKee & Co.

and citizens of said Commonwealth and of the United States, bring this bill of complaint against

Baxter P. Noyes and Oscar G. Stratton both of Greenfield in the County of Franklin in said Commonwealth, copartners under the firm name and style of B. P. Noyes & Co.

and thereupon your orators complain and say, on information and belief:

That on and prior to the eleventh day of February A.D. 1868 Julius Beni and William Ulrich both of Newark, in the State of New Jersey were citizens of the United States, and was the original and first inventor of a certain new and useful

Improvement in Children's Carriages

not in public use or on sale for more than two years prior to their application for a patent, next hereinafter mentioned, and that being such original and first inventors the said Julius Beni and William Ulrich, before said 11th day of February, A.D. 1868, made application, in due form of law, to the Commissioner of Patents of the United States for Letters Patent for their said invention,

whereupon such proceedings were had, that on said 11th day of February A.D. 1868, Letters Patent of the United States were granted to said Julius Beni and William Ulrich, therefor, in conformity with the requirements of the Statute in such case made and provided, and that the said Letters Patent in their terms granted to the said Julius Beni and William Ulrich and to their heirs, administrators executors or assigns, for the term of seventeen years from said last-mentioned day, the full and exclusive right and liberty of making, using and vending to others to be used the invention therein described and claimed; and your orators bring here into court a duly authenticated copy of said Letters Patent,

and pray that the same may be taken as a part of this bill.

And your orator further show that by valid assignment, duly recorded in the office of the Commissioner of Patents of the United States, all the right, title, and interest of the said Julius Beni and William Ulrich

Letters Patent, in and to said
secured by said Letters Patent, and in and to the invention

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became vested in your orators prior to the infringement herein complained of, and your orators then became, and now are entitled to and possessed of the full and exclusive right and liberty of making, constructing, using, and vending to others to be used, the aforesaid invention within and throughout the United States, as in and by said assignment, or certified copy thereof, here in court to be produced, will more fully appear.

Case 30

And your orators further show that afterwards the said Beni and Ulrich with the consent of your orators surrendered the said last-mentioned Letters Patent to the Commissioner of Patents in due form of law, and such proceedings were had that said Commissioner did, on the twenty ninth day of December A.D. 1874 re-issue to ~~said~~ your orators under their and firm name Letters Patent of the United States, in conformity with the requirements of the statute in such case made and provided; and that the said Letters Patent, in their terms, granted to ~~the said~~ your orators and to their ~~his~~ heirs, or assigns, for the term of seventeen years from said eleventh day of February A.D. 1868 the exclusive right ~~and liberty~~ to make, use and vend the invention therein described and claimed; and your orators bring here into court a duly authenticated copy of said Letters Patent.

And your orators further show that on and prior to the seventh day of October A.D. 1873, ~~said~~ Henry M. Richardson was a citizen of the United States and was the original and first inventor of a certain new and useful improvement in children's carriages not in public use or on sale for more than two years prior to his application for a patent, next hereinafter mentioned, and that being such original and first inventor, the said Henry M. Richardson, before said 7th day of October, A.D. 1873, made application, in due form of law, to the Commissioner of Patents of the United States for Letters Patent for his said invention,

whereupon such proceedings were had, that on said 7th day of October, A.D. 1873, Letters Patent of the United States were granted to said Henry M. Richardson therefor, in conformity with the requirements of the Statute in such case made and provided, and that the said Letters Patent in their terms granted to the said Henry M. Richardson and to his heirs, or assigns, for the term of seventeen years from said last-mentioned day, the exclusive right to make use and vend the invention therein described and claimed; and your orators bring here into court a duly authenticated copy of said Letters Patent,

and pray that the same may be taken as a part of this bill.

And your orators further show that afterwards the said Henry M. Richardson surrendered the said last-mentioned Letters Patent to the Commissioner of Patents in due form of law, and such proceedings were had that said Commissioner did, on the third day of November A.D. 1874 re-issue to said Henry M. Richardson Letters Patent of the United States, in conformity with the requirements of the statute in such case made and provided; and that the said reissued Letters Patent, in their terms, granted to the said Henry M. Richardson and to his heirs, or assigns, for the term of seventeen years from said seventh day of October A.D. 1873 the exclusive right ~~and liberty~~ to make use and vend the invention therein described and claimed; and your orators bring here into court a duly authenticated copy of said reissued Letters Patent.

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became and now are entitled to and possessed of the full and exclusive right and liberty of making, constructing, using, and vending to others to be used, the aforesaid invention within and throughout the United States, as in and by said assignment or certified copy thereof, here in court to be produced, will more fully appear

~~Circuit Court of the United States~~

~~IN AND FOR THE DISTRICT OF~~

~~vs.~~ } ~~In Equity.~~

~~To the Honorable the Judges of the Circuit Court of the United States in and for the District of~~

~~County of~~ ~~of~~ ~~and~~ ~~in the~~ ~~of~~

~~and a citizen of said States, bring this bill of complaint against~~ ~~and of the United~~

~~Your orator further show that the said invention has hitherto been in the exclusive possession of~~

And your orators further show that the said inventions have been in the exclusive possession of your orators and is of great profit to your orators, yet that the said defendants, well knowing the premises and the rights and privileges so as aforesaid secured by the said Letters Patent, but contriving to injure your orators , and to deprive them of the profits, benefits and advantages which might and otherwise would have accrued to them from the said Letters Patent, have been ever since the 3d day of November, A.D. 1874 , and still are unlawfully, wrongfully, and without license or permission of your orators , making, constructing, using, and vending to others to be used, standards for supporting carriage tops constructed according to the aforesaid inventions patented by the said reissue letters patent and each of them and in actual concert with Henry S. Kimball of Malden in the County of Middlesex in said Commonwealth and others, have made such standards and sold them to said Kimball and others to be by them combined with children's carriages, and said Kimball and others in actual concert with said defendants have so combined said standards with, and have sold, children's carriages constructed according to the aforesaid invention patented by the said Letters Patent, and each of them in violation and infringement of the aforesaid rights and privileges of your orators ; but how many of said ~~machines~~ standards the said defendants have so made, constructed, used or sold, your orators are ignorant and cannot set forth, but they aver that the said defendants have derived and received, and are still deriving and receiving from such construction, use or sale, great gains and profits, but to what amount your orators are ignorant and cannot set forth, and they pray that the defendants may be required to make a disclosure of all such gains and profits.

And your orators further pray that the said defendants may be compelled by a decree of this Court, to account for and pay over to your orators all such gains and profits as have accrued to or been received by them or either of them and all such gains and profits as they may be entitled to by reason of the aforesaid construction, use or sale of said standards and all such gains and profits as your orators would have received but for the said unlawful acts of the said defendants, and the damages which your orators have sustained by said unlawful acts of the said defendants

And that the defendants, their clerks, attorneys, agents, servants and workmen, may be perpetually enjoined and restrained by the decree and injunction of this Court, from directly or indirectly making, constructing, using, and vending to others to be used, standards or carriages containing or employing the invention described and patented in said Letters Patent, or either of them

and that they may be decreed to pay the costs of this suit, and that they may be also enjoined and restrained, as aforesaid, during the pendency of this suit

and that your orators may have such other and further relief as the equity of the case may require, and to this Court may seem meet.

To the end, therefore, that the defendants may, if they can, show why your orators should not have the relief hereby prayed, and may full, true, direct and perfect answer make to the several matters hereinbefore stated and charged, as fully and particularly as if the same were here repeated and the defendant specially interrogated in reference thereto, and especially that they may set forth whether, since the third day of November A.D. 1874 they have made, constructed, used or sold, and are now making, constructing, using or selling, or causing or permitting to be sold, within the district aforesaid or elsewhere, in the United States any standards or carriages containing or employing the invention aforesaid,

and how many thereof they have so made, constructed, used or sold, or caused or permitted to be used, and whether they claim so to make, construct, use and sell the said standards or carriages, or to cause or permit the same to be used, under any pretended grant or license held by them or by others under said Letters Patent:

Odon

May it please your Honors to grant unto your orators not only writs of injunction conformable to the prayer of this bill, but also a writ or writs of *subpœna ad respondendum*, issuing out of and under the seal of this Honorable Court, directed to the said defendants, commanding them to appear and make answer to this Bill of Complaint, and to perform and abide by such order and decree herein as to this Court may seem required by the principles of equity and good conscience.

Lorenzo H Richardson
by atty
T. Le. Livermore
George McKee

And your orators, as in duty bound, will ever pray.

Thos. Le. Livermore
Solicitor and of Counsel.

UNITED STATES OF AMERICA,
DISTRICT OF Massachusetts
Suffolk ss.

On the 16th day of March A.D. 1874, before me came the above-named ~~Lorenzo H. Richardson and~~ George McKee one of the complainants named in the foregoing bill, and he being by me duly sworn, did depose and say that he had read the foregoing bill, and that the same was true of his own knowledge, except as to the matters therein stated on information and belief, and as to those matters he believes it to be true.

And he further depose and say that he did verily believe the said Henry M. Richardson Julius Pain and William Ulrich in the said bill named, respectively the the original and first inventors of the inventions described and patented in the Letters Patent mentioned in said bill. and that said Lorenzo H Richardson is now in said Westfield

Before me,

William L. Perkins
Notary Public

551 Oct. Term 1876.

No. 551 Eq. ~~Term~~ 18

Circuit Court of the United States.

DISTRICT OF

Recorded, Vol. 9.

Massachusetts

Henry M. Richardson et al

vs.

Parker P. Noyes et al

BILL IN EQUITY.

Issued subpœna returnable the April Rules, 5th day of April, 1875.

Thos. E. Sewinnard

Sol'r for Complainant