

Sterling Drug, Inc. (XII):
Acquisitions:
James F. Ballard, Inc.



James F. Ballard 1925c

In the annals of Sterling Drug, Inc., the acquisition of James F. Ballard, Inc. in 1944 sounds as a faint whisper. It never really attracted much attention in the press, and appears remarkably unimportant. Yet, while barely even listed on any of the charts or spreadsheets of acquisitions that the government presented during antitrust and other regulatory hearings conducted from the late 1940s through the 1960s to illustrate the capacious appetites of the companies later to be dubbed “Big Pharma,” Sterling’s acquisition of this company perhaps represents most graphically for purposes of this series of articles the kind of rapid transformation of smaller companies into a single company that took place between 1898 and 1920, for, while many companies had each cancelled proprietary battleship revenue stamps in 1898, James Franklin Ballard (1851-

1931) over a very short time came to own his own “entire navy” of them.

BALLARD SNOW LINIMENT CO.		
JAMES F. BALLARD, Sole Prop.		
310 NORTH MAIN STREET, ST. LOUIS, MO.		
	Each.	Per doz.
Ballard's Snow Liniment	.50	\$2.75
" Snow Liniment	1.00	7.50
" Horehound Syrup	.25	2.50
" Horehound Syrup	.50	3.75
" Horehound Syrup	1.00	7.50
" Corn and Bunton Cure	.25	1.75
" Arnica Tooth Powder	.25	1.75
" Essence Jamaica Ginger	.25	1.80
" Essence Jamaica Ginger	.50	3.75
" Rat Poison	.15	1.50
" Rat Poison	.25	2.50
" Insect Killer	.15	1.25
" Blackberry Balsam	.25	1.75
Bond's Ivory Cream Hooth Soap	.25	1.75
" Oatmeal Cream	.25	1.75
Herbinae	.50	4.00
Cousens's Honey of Tar	.25	2.00
" Honey of Tar	.50	4.00
Reld's German Cough and Kidney Cure	.25	2.00
" German Cough and Kidney Cure	.50	4.00
Comot Pile Remedy	.50	4.00
Tabler's Buckeye Pile Ointment	.50	4.00
" Buckeye Pile Ointment, tubes	.75	6.00
White's Cream Vermifuge	.25	1.75
Moore's Pills	.50	4.00
" Throat and Lung Lozenges	.10	.85
" Throat and Lung Lozenges	.25	2.50
" Powders	.25	2.50
Hall's Hog Cholera Cure	1.00	.50

PATENT MEDICINES BOUGHT, SOLD AND EXCHANGED.

1904 Ballard Co. Ad

More than any other merchant prince of the late Nineteenth Century, Ballard foreshadowed the great consolidation in the pharmaceutical industry that was to come in the Twentieth Century, vacuuming into his company many of the elixirs and nostrums that had been popular at the height of the patent medicine boom just after the Civil War. Now remembered by virtue of his munificent gifts as a patron of the arts and a collector of beautiful objects, particularly oriental rugs, many of which still grace present day museums, particularly the Metropolitan Museum of Art (“Met”) in New York City, Ballard was nothing, if not a collector of Nineteenth Century nostrums.

<p>KILL THE COUGH AND CURE THE LUNGS</p> <p>WITH Dr. King's New Discovery</p> <p>FOR CONSUMPTION COUGHS and COLDS</p> <p>Price 50c & \$1.00 Free Trial.</p> <p>Surest and Quickest Cure for all THROAT and LUNG TROUBLES, or MONEY BACK.</p>	<p>WHITE'S Cream Vermifuge</p> <p>THE GUARANTEED WORM REMEDY</p> <p>THE CHILDREN'S FAVORITE TONIC.</p> <p>Beware of Imitations. THE GENUINE PREPARED ONLY BY Ballard-Snow Liniment Co. ST. LOUIS, MO.</p>
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Undated Ballard Co. Ad

However, that there is virtually no mention or discussion of Sterling's acquisition of Ballard's company less than a decade and a half after his death demonstrates the stark diminution of the value of the kind of panaceas that Ballard exploited during his lifetime. Once it was established that sulfa drugs and then penicillin could actually deliver some of the relief, and even cures, promised by

Nineteenth Century patent medicines, these compounds and potions formerly regarded as miraculous were no longer needed. Those that survived were those remedies that relieved *symptoms* like constipation, and thus “cured” minor discomforts, rather than genuinely extirpating disease. Medicine had moved on.

WM. LITTERER. A. D. CABLER.

LITTERER & CABLER,
WHOLESALE

Druggists,
DEALERS IN

PURE DRUGS, MEDICINES, PAINTS,
Oils, Dye Stuffs, Perfumery & Fancy Articles,
GARDEN SEEDS,
PURE WINES AND BRANDIES FOR MEDICINAL PURPOSES,
PATENT MEDICINES, &c.,
ALSO,

LETTER, CAP & NOTE PAPERS,
PENS, PENCILS, SUPERIOR INKES,
AND OTHER ARTICLES KEPT BY DRUGGISTS GENERALLY.

Highest Cash Price always paid for Ginseng, Beeswax,
Flaxseed, &c.

LITTERER & CABLER,
WHOLESALE DRUGGISTS, SOUTH-WEST COR. BROAD & MARKET STS.,
NASHVILLE, TENNESSEE.

TO PHYSICIANS.

The attention of the Medical Profession is respectfully invited to the following preparations of our manufacture, and we beg leave to assure them that they can be procured with the same certainty of result as could an equal amount of the crude medicines represented, in pill or powder. We state distinctly upon our label the contents of each fluid-dram.

BUNTIN & ARMSTRONG Manufacturing Pharmacists,
TERRE HAUTE, IND.

GLYCINN AND COD-LIVER OIL (Emulsion).
This preparation accomplishes what has been so long desired by the Medical Profession:—a perfect and permanent emulsion of Cod-Liver Oil with Glycerin and Phosphorus. In this combination, the absorbable taste of the oil is so completely disguised as to render it agreeable to the most delicate stomach, while its form—an emulsion—makes it readily assimilated. Each fluid-dram contains 1/2 oz. of the purest Cod-Liver Oil, 1/2 oz. Glycerin, 1/2 oz. Gum. Gum. Gum. and 1/2 ounce of the purest Phosphorus.

STRUP PHOSPHATES IRON, QUININE, AND STRYCHNIA.
This can be relied upon as a true phosphate, and there is probably no combination presenting in so permanent and digestible form these invaluable remedies, nor one that promises to become so universally popular with medical men. Each fluid-dram contains 1/2 gr. Phos. Iron, 1/2 gr. Phos. Quinine, 1/2 gr. Phos. Strychnine.

ELIX. JABORANDI.
[From Leaves and Twigs of *Pilocarpus Pinnatifidus*.]
This new medicine was first brought to the notice of the Profession by Dr. Coutinho, of Brazil—of which country it is native—who claimed for it valuable diaphoretic and stimulant properties. Experiments made by our first authorities in Europe and in this country, show these effects to have been produced with great certainty, and have fully established the medicinal value of the drug. Each fluid-dram contains 1/2 gr. Jaborandi.

ELIX. GINDELIA ROBUSTA.
A native of California, and a habitant of the foot-hills of the Sierra Nevada and Coast Range of mountains, has been long used as a specific for the poison of *Rhus Toxicodendron*, and of late years in happy effect in reducing the frequency and violence of the spasmodic contractions of the throat and constrictor organs. From Australia, Brazil, India, and kindred diseases, are so well authenticated as to claim for it a new and important place in the National Materia Medica. Each fluid-dram contains 1/2 gr. of *Gindelia Robusta*.

ELIXIR PANKRATIN.
This preparation, made from the fresh pancreas of the pig, possesses the property of emulsifying oils or fatty substances in the stomach, thereby promoting assimilation. One fluid-dram will emulsify one-half ounce of oil.

FERRO-PHOSPHATE ELIXIR OF CALISAYA BARK.
Combining the medicinal virtues of the Royal Calisaya Bark and Ferro-Phosphate of Iron, two of the most valuable remedies known to physicians. By careful manipulation, the precipitation of the iron by the tartaric acid of the bark is avoided, thus overcoming the numerous failures so objectionable to most preparations of bark and iron. Each fluid-dram contains 1/2 gr. Pyrophos. Iron and 5 grs. Royal Calisaya Bark.

FERRO-PHOSPHATE ELIXIR CALISAYA WITH STRYCHNIA.
Contains an addition of 1/20 gr. Strychnia to each fluid ounce, in a permanent solution, thus greatly increasing its tonic effect.

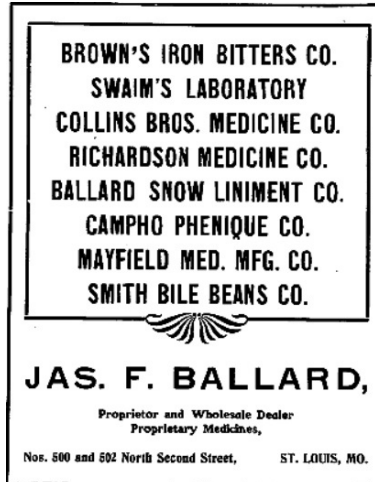
ELIXIR OF GUARANA.
[From Seeds and Juice of *Paullinia Sorbilla*.]
This medicine, introduced into Europe from Brazil, has recently attracted the attention of the Medical Profession of this country, and, from the investigations made, has come to be highly esteemed as a valid and reliable remedy for nervous debility, sick-headaches, insomnia, and 16 other forms of general debility. Each fluid-dram contains the virtues of 15 grs. Guarana. Our Book of Formulas furnished to Physicians free.

BUNTIN & ARMSTRONG, Manufacturing Pharmacists,
TERRE HAUTE, IND.

WHOLESALE AGENTS:
BROWNING & SLOAN, HASKIT & HETSELGESSER,
Indianapolis, Ind.,
A. B. MERRIAM & CO. REED, WILLIAMS & CO.,
Cincinnati, Ohio, Toledo, Ohio,
ALFORD, THORP & Co., Louisville, Ky.

1870 Litterer & Cabler Ad & 1876 Haskit & Hetselgesser Agency Ad

Still, as an individual whose exploits loomed larger than life in magazine and newspaper articles of the 1920s as he pursued oriental rugs in every ungodly part of the world, Ballard today is an unjustly forgotten figure. He was born in Ashtabula, OH, on the shore of Lake Erie in eastern Ohio, in 1851, but his family soon moved to Almont, MI, north of Detroit, where he attended public school until he went to work for a retail druggist at 14. At about age 21, he moved to Nashville, TN spending a year there as a traveling salesman for the wholesale druggist Litterer & Cabler and another two working in the same capacity for an Indianapolis, IN firm, Haskit & Hetselgesser. In 1874, he became a traveling salesman for Richardson & Co. a major wholesaler in St. Louis, MO. He continued in its employ until 1883 when he created his own proprietary medicine company, the Ballard Snow Liniment Co. It then became the center of his empire, for a biographical sketch published in 1906 stated that he owned sixteen additional companies located in “St. Louis, New York, Philadelphia, Baltimore and Peoria, Illinois.” In 1923, Ballard incorporated his company under the name James F. Ballard, Inc.



1906 Ballard Co. Ad

Although the names of some of Ballard's proprietary companies now appear to be unreported in readily available contemporary extant history, the known companies acquired by Ballard can be roughly classified in three groups:

A) those that marketed tried and true brands popular enough in the Civil War tax era (1862-1883) to have warranted their own private die proprietary stamps as chronicled by Holcombe in his book and may have continued to exist long enough to cancel battleship revenues in the Spanish-American War revenue era (July 1, 1898 to June 30, 1901) before being scooped up by Ballard;

B) companies that only came into being, or had reached prominence, after 1883 and/or only cancelled government issued revenues including battleship revenues;

C) those either so small, or that drifted into Ballard's orbit so quickly, that they barely left their own corporate mark, or for which Ballard served only as agent.

Ballard seems to have followed one unshakable rule: he let the companies he acquired continue to operate under their own names, although he did tend to centralize in St. Louis their business operations, and often the manufacture of their goods as well.

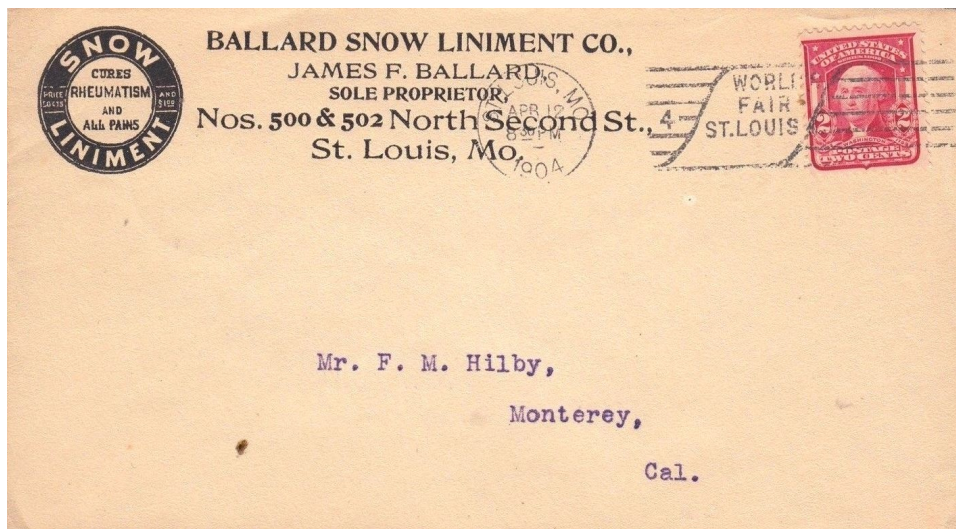
1. Ballard's Operations & Acquisitions

A review of Ballard's acquisitions begins with his own company.

Ballard Snow Liniment Co.



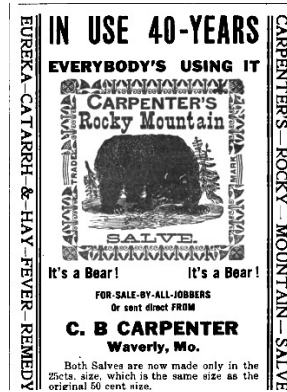
Ballard Cancel Type Recognized in BDR2



1904 Ballard Co. Cover

Too new to have cancelled the earlier revenues, Ballard's own company featured a full line of products under its own name: Horehound Drops & Syrup; Corn & Bunion Cure; Arnica Tooth Powder; Rat Poison; Extract & Essence of Jamaica Ginger; Blackberry Balsam and Insect Killer; as well as, *inter alia*, a number of brands that bore others' names although they seem to be identified exclusively with Ballard's own company: Bond's Ivory Tooth-Soap; Bond's Oatmeal Cream; and, most titillatingly, Osmanlis' Oriental Sexual Pills. Ballard's headquarters were located in St. Louis and his own line of goods plus many he acquired were manufactured there,

although the advertising for the companies he bought usually remained in those companies' names. Occasionally, when the government challenged Ballard's own brands as being mislabeled, he seems to have taken such matters in stride merely by paying the fine and enduring the criticism without comment, as when in 1915 the government seized a shipment of his Horehound Syrup for being misbranded. Ballard just pled guilty and paid the \$10 fine.



1915 C. B. Carpenter Ad

Ballard also acted as distribution agent for other patent medicine companies that he did not own and was successful in promoting that aspect of his business as well. One long-lasting remedy which he represented solely in this capacity was Carpenter's Rocky Mountain Salve owned by one Charles B. Carpenter of Waverly, MO.¹ Established in 1878, as early as 1887, it was being sold through one of the Chicago wholesale drug businesses. In 1901, Ballard advertised that he was the "general distributor." By 1907, other wholesalers were also listing the product in their catalogues, and in 1922, Meyer Brothers advertised that it was now its sole distributor. Ballard's business apparently did not suffer by his loss of the agency for this product.

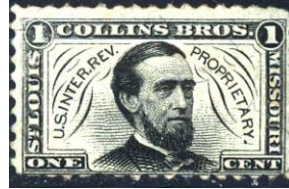
Ballard's Preparations—The Ballard Snow Liniment Co.—The drug trade of the West and Southwest, in fact of the country tributary to St. Louis, is well-acquainted with the preparations of this reliable company, of which, however, Mr. James F. Ballard is now sole proprietor. The business was established in St. Louis in 1883, and has since grown enormously. Besides his own line, which comprises "Ballard's" Snow Liniment, Horehound Drops, Arnica Tooth-powder, Rat-Killer, Extract of Jamaica Ginger, Blackberry Balsam, and Insect Killer, and a number of equally well-known and standard preparations, including Bond's Ivory Tooth-soap and his Oatmeal Crema, Herbine, Reid's Cough and Kidney Cure, and Osmanlis' Oriental Sexual Pills, the Company conducts a PATENT MEDICINE EXCHANGE, where all preparations coming under the head of patents or proprietaries are bought, sold and exchanged. In an advertisement elsewhere in this issue, the Company solicits correspondence. Address Ballard Snow Liniment Co., 310 North Main St., St. Louis.

1896 Ballard Co. Ad

Right from the beginning, however, what seems to have set Ballard apart from his contemporaries was that he appeared ready to accept any challenge in connection with the sale or distribution of proprietary or patent medicines. An 1896 trade ad suggested provocatively that: “ the Company conducts a PATENT MEDICINE EXCHANGE [caps in original], where all preparations coming under the head of patents or proprietaries are bought, sold, and exchanged.” With this ad, Ballard seems to have declared his willingness as well as his financial ability to acquire any and all proprietary brands. His reach was broad and his pockets were deep. By loose classification, in alphabetical order, these are the companies that Ballard assimilated:

A) The Companies With Tried and True Brands

A1) Collins Bros Medicine Co.



Collins Bros. Civil War Era Private Die Proprietary Revenue Stamp Printed on Various Kinds of Paper

Other than identifying the man portrayed on the Civil War proprietary revenue stamp as William H. Collins, Holcombe gives this company extremely short shrift, talking almost exclusively about the stamps themselves and mentioning, only in passing, that the company was a drug wholesaler located in St. Louis. He offers no information about the company’s products. With the existence of the internet, while now probably easier to find, the company’s history does not lie too deeply buried. Contemporary civic “puff books” touting the virtues of St. Louis as a place to do business always mentioned its drug industry and featured Collins Bros. as one of its principal components.



It is quite safe to say that
COLLINS AGUE CURE

has for many years past been a household word in a majority of the homes throughout all the Western and Southern States, because the people have learned how easy it is with a few doses of it to completely break up every kind of fever, or however severe a case of Flux or a cold, and that there is, in fact, scarcely any form of internal disease, either in mankind or among animals, but can be thoroughly cured by its use. If you have any doubt upon the subject, ask most any of your neighbors about it, or get the opinion of any dealer who sells it, and you will find that the above statement is entirely correct.

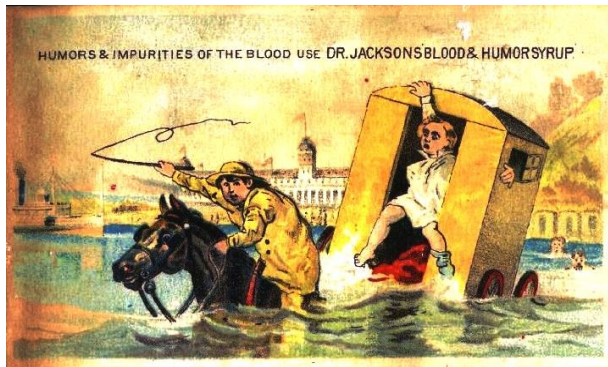
COLLINS BROS. DRUG CO.,
 St. Louis, Mo.

CHICAGO, Mo., June 15, 1887.
 Collins Bros. Drug Co., St. Louis.
 GENTLEMEN:—Collins Ague Cure for chills, fever and all Malarial and Bilious disorders, is a never failing remedy. I recommend it in all cases.
 Yours truly,
 J. L. EATON, M. D.

BRISTOL, Ark., May 16, 1887.
 Collins Bros. Drug Co., St. Louis.
 GENTLEMEN:—I have been selling Collins Ague Cure for the past three years. I find it to be the best remedy for all Diseases of the Liver and Kidneys that I have ever tried. You are at liberty to publish this letter with the hope of it coming under the eye of some person who may be in need of such a remedy, as I am sure it will not fail to give satisfaction.
 Yours very truly,
 J. H. MOLLOY, M. D.

GALLATIA, Ill.
 Collins Bros. Drug Co., St. Louis.
 Collins Ague Cure sells well and gives good satisfaction. I supply myself through the wholesale drug trade.
 Dr. Z. S. WHEELER.

A copy of the PRESENT CENTURY ALMANAC mailed to any address on receipt of postage (2 cents). Correspondence invited.
 Address, COLLINS BROS. DRUG CO.,
 420 to 425 N. Second St., St. Louis, Mo.



DR. JACKSON'S

BLOOD AND HUMOR SYRUP. A compound of Yellow Dock, Stillings, and other products of the Vegetable Kingdom, combined with special reference to renovating the blood of every trace of malignant and foul humors, and of all scrofulous and syphilitic or other diseases having their origin therein.

All Eruptions, Ulcers and bad Sores upon the body, the face or limbs, Scalp Diseases, Swellings of the Limbs, Enlargement of the Bones or Joints, Sore Mouth or Throat, Rheumatism, Salt Rheum, Canker, Cancerous Sores. All these and all similar diseases are invariably cured by this Syrup, and every trace or symptom of them is permanently removed.

It is nearly thirty years since this medicine was first brought to public notice by us, and there is not a State or Territory in the Union but what contains scores of people who now are in the enjoyment of perfect health by the use of this Syrup. We have, in fact, undoubted testimony from thousands of such cases, and we are personally acquainted with hundreds of such to whom we are at liberty to refer if necessary.

1885c Collins Bros. Product Trade Cards



1891c Collins Bros. Cover

very long. Another old established St. Louis drug company, the J. S. Merrell Co., (which also cancelled battleship revenues)² bought out its entire stock in 1897 ending its corporate existence. Exactly how the recently created manufacturing company would have fared is difficult to judge, for William died “very suddenly” at the end of 1898, and Ballard soon thereafter owned the Medicine Co., whose name he continued to preserve.



Collins Bros. Medicine Co. Battleship Revenue Cancel Type Recognized in BDR2

With respect to its product line, while Collins Bros. had been a full-service pharmaceutical manufacturer and distributor, Ballard seems to have concentrated on one single product that he continued to label as produced by the Collins Medicine Co: its Ague Remedy. Of all the products made by Collins Bros. Medicine Co., the reason why Ballard picked this one to preserve is now lost in the sands of time. Presumably it was the best seller of its line of products. While he must have profited from owning it, it ultimately did cause him to clash with the federal government.



COLLINS AGUE CURE.

If you will try it on some old cases where physicians' and other medicines have failed, this will cure them, and you will be sure to recommend it to your friends.

It is a perfect Liver Regulator and as a prompt and permanent cure for Chills its equal has never been found. One bottle of Collins' Ague Cure will cure as many cases as five dollars worth of quinine and the Ague Cure cleanses the system while quinine poisons it.

There is no form of malarial fever to which Collins' Ague Cure is not promptly arrested and cured by a few doses of the Ague Cure—taken in season. It will cure up any attack of Malaria Fever in twenty-four hours.

Whenever you are feeling badly take one or three doses of it at the regular intervals and the thorough relief it will afford will make you a warm friend of the medicine.

Our Ague Cure not only cures the Chills of Fever, but it removes the malarial blood without excitation, and temporarily changes the system, and consequently cures the disease. It is the grandest Antimalarial Remedy and Liver Regulator in the whole world of medicine. One bottle is often sufficient to cure from three to six persons of Chills.

WHOLESALE DEPOT FOR THE MIDDLE WEST.
COLLINS BROS. DRUG CO., 420 to 428 N. 2d ST., ST. LOUIS, MO.

A Letter To Miss Beatrice Gray.

The great love I have felt for you is true, and I did my best to make you my own. I had every my dream and I determined to have you. Believe me, I never had an intention to do you any harm. Our last conversation has left a subtle insipidity which has by no means given me the most exalted idea of your character. Your temper would make me extremely unhappy, and if we were united, I had experience looking for the hatred of my parents added to everlasting displeasure in living with you. I have talked a host of lovers, but I do not desire you to imagine it is your service. I found out that to any one upon whom I had my eyes, I would be true, and I would be true to my home to my child and my family. You, Miss Gray, you will be surprised that I speak honestly, and you will do me a favor to answer this. Your letters are always full of impatience, and you have not a shadow of wit and good sense. A line's advice believe me an advice to you, that it is impossible, for me ever to be your most affectionate friend and humble servant.

— J. B. BRADY.

Read alternate lines.

Miss Kate Letchford, General Merchant, Olathe, Kansas, Mo. We take Collins' Ague Cure every day, and we give away any of my customers that had any of Collins' Ague Cure. It is a wonderful medicine, and it cures you with it instead of pills, and for Chills or Ague, we consider it a certain cure.

West Point, Miss. April 1888. We send Collins' Ague Cure extensively and can testify to its unbounded success and popularity. Our customers say it is best of all the Chills and Liver remedies.

J. B. BRADY & Co.

Conyersville, Tenn. April '88. Collins' Ague Cure has taken the place of all other remedies in my trade for Chills and in every form of malarial complaint.

J. S. CALDWELL.

FOR SALE BY—
L. E. GOODELL,
Wilber, Neb.

Another Collins Ague Cure Trade Card

The federal Food & Drug Act of 1906 required disclosure of contents and the removal of extravagant claims of “cures” from all patent medicines. Although Ballard *did* disclose that Collins Ague Remedy contained 33½% alcohol, as required, the wrapper still avowed that the medicine was “Recommended for Biliousness and Constipation, Liver and Kidney Complaints, Chills and Fever, Jaundice, Dyspepsia, Dysentery, Sick Headache, and most forms of Bilious and Malarial diseases.” The wording of its medicinal power claimed it to exercise “a decidedly beneficial effect” on a “torpid or functionally deranged” liver, especially for “Chills and Fever, Intermittent Fever, and Ague.” As in all such cases, the federal government seized an interstate shipment claiming that even this packaging was fraudulent and misleading. It was. A laboratory test of its composition showed that it contained only 26.4% rather than the advertised 33½% alcohol, and virtually nothing else that could be described remotely as having the slightest curative power. Ballard ultimately pleaded guilty and paid a \$30 fine. Such dust-ups with the government regulators seem to have been fairly common in the patent medicine business and did nothing to harm Ballard’s reputation as an upstanding businessman and civic booster.

A2) Dr. Herrick’s Family Medicine Co., Inc.



**Herrick Civil War Private Die Proprietary Stamp Printed On Various Papers
& Cancelled H.F.M. [Herrick’s Family Medicine] in a Variety of Ways
- First of Private Die Stamps Issued in 1862**



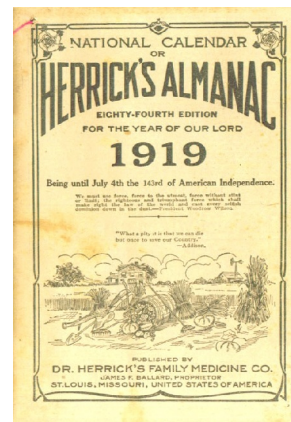
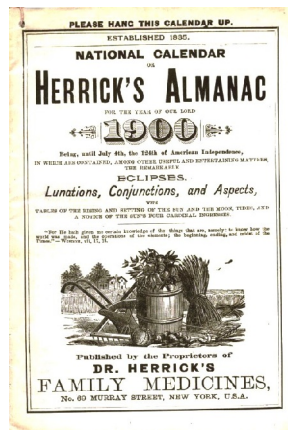
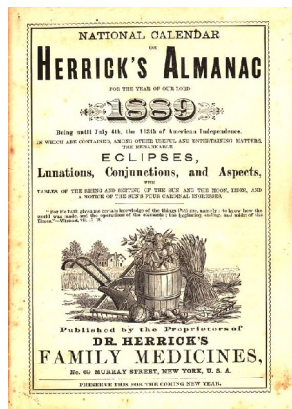
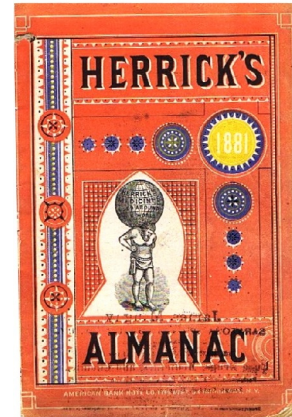
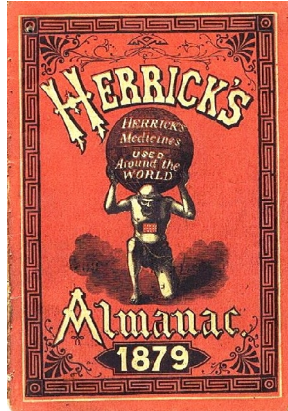
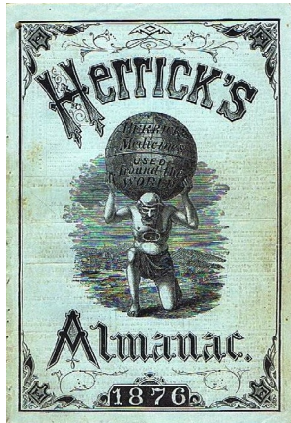
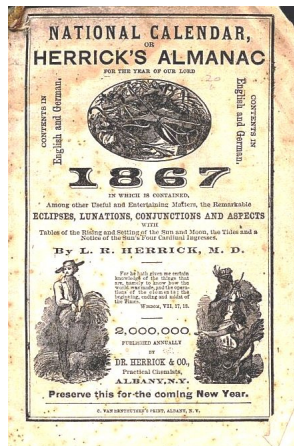
**Second Herrick Civil War Private Die Proprietary Stamp
Featuring Dr. Herrick's Portrait Printed on Various Papers**

Dr. Lewis R. Herrick (1816-1877) was born in 1816 in Nassau, Rensselaer County, NY, east of the Hudson River, not far south of Albany, NY. He trained with a physician and then practiced medicine as a doctor for ten years in Ulster County, NY, on the west side of the Hudson River between New York City and Albany. In 1835, he moved to Albany, NY and opened his own patent medicine business for both humans and animals. His main product was Vegetable Liver Pills, and, as Holcombe explained, for over thirty years, the business grew and flourished as it branched out into other remedies as well as becoming a huge advertiser and printer of home almanacs, the only reading material most farm homes contained other than a bible.

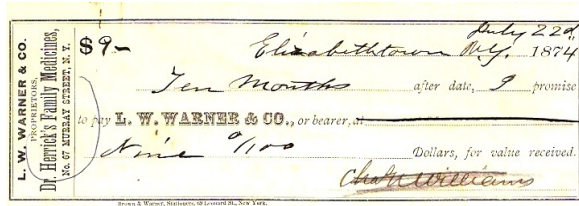




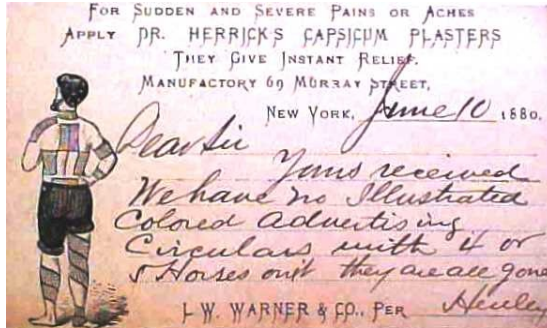
Variety of Herrick Cancels on Government Issued Civil War Proprietary Revenue Stamps Printed on Various Papers



Herrick Almanac Sampler



1874 Check



1880 Postcard

July 6 1897

M. E. Gibbons for
 Town, Dormanville
 County, State, N.Y.

Bought of Dr. Herrick's Family Medicine Co., Inc.
 No. 69 MURRAY STREET, NEW YORK.

	PER DOZ.	AMOUNT.
2... Doz. Herrick's Pills,		\$ 3 20
..... " " Kid Plasters,		
..... " " Perf. "		2 20
..... " " Caps. "		2 20
..... " " Bell's "		
..... " Harvell's Powders, sm'l,		
3 " " " l'ge.		5 55
..... " Ferrin's Fumigr.		
..... " Cigarettes, 10c.		
..... " Herrick's Lin't, 25c.		
..... " " " 50c.,		
2 " " Renne's Magic Oil, tr'l,		3 80
1 " " " " med.		3 80
..... " " " " l'ge.		
..... Bxs. Yucata Chewing Gum,		
Goods received, and agree to pay next trip.		\$ 20.75

R. S. Hammond, Trav. Agent.

1899 Invoice

L. W. Warner & Co. Business Documents

In 1868, Herrick sold the company to Leonard W. Warner (1834-1908?) and retired in 1870. According to Holcombe, Warner was an accountant who started a patent medicine company in New York City. While preserving the Herrick company, he moved it to New York where he ran it out of the offices of his own company, L. W. Warner & Co. He later acquired at least one other patent medicine, Renne's Pain Killing Magic Oil in 1877 from William Renne (1809-1901) of Pittsfield MA, which he advertised under his own company's name, and the two businesses operated quite separately although located in the same place. In the 1880 census, Warner listed his occupation as "proprietary medicine manufacturer."

WHAT IS IT GOOD FOR?

GOOD, both for the inner man and for external application.

GOOD, to cure all ailments of the bowels at any season of the year.

GOOD, to dispose of sudden attacks of cholera morbus or summer complaint, caused by unripe fruit or over-eating.

GOOD, in even the severest cases of **TRUE ASIATIC CHOLERA**.

GOOD, for those who are attacked in the night with sudden and violent cramps.

GOOD, when the child is seized, without warning, with cramp, or dreadful diphtheria.

GOOD, for the severe sprain, the black and blue bruise, the swollen joint.

GOOD, for wounds made by knives, scissors, scythes, hatchets, saws, or other implements of destruction.

GOOD, for colds, coughs, sore throats, and the diseases of the bronchial apparatus.

GOOD, for the lady's headache, which torments her and lays her aside from duty.

GOOD, for neuralgia's twinges and for rheumatism's terrible tortures.

GOOD, to have in the house ready for instant use.

RENNÉ'S MAGIC OIL.

WHAT IS IT THAT IS SO GOOD? IT IS

Renne's Magic Oil,

The Great and Good Household Remedy, which may be bought of any druggist at 25 cents a bottle.

DR. HERRICK'S FAMILY MEDICINE CO.,
SOLE PROPRIETORS AND MANUFACTURERS,
69 Murray Street, New York, U. S. A.

RENNE'S PAIN-KILLING MAGIC OIL.

NOT OF AN OILY NATURE... SAFE, CLEAN AND RELIABLE.

Just the thing to have on hand in cases of emergency.

1 FEW DROPS, taken in a little water, will cure Diarrhea and all Summer Complaints.

1 FEW DROPS, taken from time to time, will cure the worst case of DYSPEPSIA, and instantly relieve all internal pains and aches.

1 FEW DROPS, mixed with molasses, will cure a common COLD at once, and will soothe, as if by magic, all the pains and gripings of children.

1 FEW DROPS, taken internally, and also rubbed, from time to time, into the affected part, will cure any case of NEURALGIA, SCIATICA, STIFF JOINTS, STITCH, CRICK, or CRAMP.

1 FEW DROPS, taken internally once or twice, will correct FULL STOMACH, and also applied to the temples, will cure the MOST VIOLENT HEADACHE. *Try it!*

1 FEW DROPS, used as a gargle, will cure SORE THROAT, and on wool or cotton, placed in the cavity of the tooth, or rubbed into the gums, will at once relieve the worst case of TOOTHACHE.

25 cents, 50 cents and \$1.00. Large size bottles.

THAT GOOD OLD RELIABLE REMEDY WHICH HAS STOOD THE TEST OF 60 YEARS.

DR. HERRICK'S LIVER PILLS.

WE RECOMMEND THEM, AS WE KNOW

THEY CURE WHEN OTHERS FAIL.

For Sick Headache, Biliousness, and all Impurities of the Blood, *They stand without a rival.*

Try them, as they invigorate and tone up the whole system.

25 CENTS A BOX.


Renne's Magic Oil Ads



Hall & Ruckel Civil War Proprietary Stamp bearing Herrick Cancel

Holcombe further notes that Warner also had a business alliance and sometimes partnership with William H. Hall, a druggist connected with the substantial New York City wholesale firm of Hall & Ruckel, which also issued its own private die proprietary stamps as well as and cancelling government revenue stamps, including battleship revenues. One source even names Hall as president of L. W. Warner & Co. Along with stocking and selling other proprietary medicines, Hall & Ruckel too had its own famous brand, Sozodont, a tooth powder, which it advertised extensively under its own name. Because of these interconnections, not only were Herrick's own private die proprietary stamps cancelled with its own mark "H.F.M," but Hall & Ruckel's stamps also bear the "H.F.M." cancel. William H. Hall remains something of a mystery. As Holcombe explains it, he was connected with Hall & Ruckel continuously from 1845 to 1912. His longevity might more satisfactorily be explained by the fact that there were at least two different William H. Halls, Sr. (1826-1894) and Jr. (1869-1914), but the entire complicated story of Hall & Ruckel's own existence must await its own column in this series.

**HERRICK'S
SUGAR COATED PILLS,**
FOR LIVER COMPLAINT—A SUBSTITUTE FOR COLONEL.



The best family Cathartic in the world. Used thirty years by 5,000,000 of persons annually; always give satisfaction; contain nothing injurious; patronized by the principal physicians and surgeons in the Union; elegantly coated with sugar. Large boxes 25 cts., five boxes \$1. Full directions with each box. Warranted superior to any pill before the public.

**HERRICK'S
KID STRENGTHENING PLASTERS
CURE IN FIVE HOURS.**

pains and weakness of the breast, side and back, and Rheumatic complaints in an equally short period of time. Spread on beautiful white lambskin. Their use subjects the wearer to no inconvenience, and each one will wear from one week to three months.

To Ministers of the Gospel and others.
DR. PERRIN'S FUMIGATOR,
A POSITIVE REMEDY FOR
CATARRH, BRONCHITIS, MENSTRUATE SORE THROAT, LOSS OF VOICE, OFFENSIVE DISCHARGES FROM THE HEAD, PARTIAL DEAFNESS, SOUNDING OF DISTANT WATER-FALLS, WHIZZING OF STEAM, &c.
A PERFECT CURE FOR CATARRH.


Perrin's Fumigator the Wonder of the Age, and mode of treatment is the acme of perfection. It penetrates the secret ambush of this terrible disease, and exterminates it, root and branch, forever. It removes all the wretched symptoms of this loathsome malady, and averts Consumption. It cleans the head, deodorizes the breath, and affords the most grateful relief. It alleviates more agony and silent suffering than tongue can tell. It is noted for curing the most hopeless cases that every known means have failed in, and can be substantiated by the evidence of more than ten thousand persons that have used it.

It is nothing to take inwardly. It is used in a common pipe. It cures on a principle of Medicated Air. All the membranes of the head and throat are brought immediately under its influence. This remedy strikes at the root of the disease, and drives from the market all other medicines for the same maladies. Price in large boxes, \$1; sample boxes, 25 cents. Sold by all druggists and medicine dealers everywhere.

WHO WANTS GOOD HORSES?
We own three hundred horses, and own a line of omnibuses. We use Harvell's Condition Powders—would give \$4 a paper rather than not have them.—MARRAS & FAXTON, 63d St., New York.

I have used Harvell's Powders for Cattle and Horses often. I think them the best remedy now known. To improve a horse they are wonderful.—JOHN ASHLEY, Whitehall, N. Y.

Dr. Herrick's Sugar Coated Pills, Kid Plasters, Perrin's Fumigator and Harvell's Condition Powders are sold at 25 cts. each by druggists and merchants in all parts of the United States, Canada, South America, Brazil, Australia, and may be obtained by calling for them by their full name. **DR. HERRICK & CO., Albany, N. Y.**

DR. HERRICK'S FAMILY MEDICINE CO.
PROPRIETORS AND MANUFACTURERS
69 MURRAY STREET, NEW YORK, U. S.

Use To remove the Cloth from the face of the Plaster, wet it with Cold Water, it will come off easily.

Use To remove the Plaster from the Body, wet a flannel with Hot Water, lay it over the Plaster, in a few minutes it can be easily removed.

The Best Plasters in the World!



**HERRICK'S
PERFORATED
PLASTERS.**

IN THREE EXCELLENT AND EFFICIENT VARIETIES.

Each admirably adapted to its own purpose.

Each different from the others, and

Each warranted to give Satisfactory Relief in the cases to which it is adapted.

Each Supreme in its own department, for a special course of action on a special line of ailments.

THE SPECIALTIES IN HERRICK'S PERFORATED PLASTERS ARE THESE:

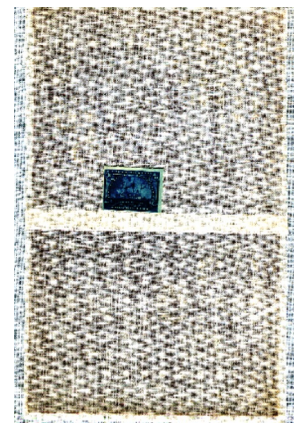
HERRICK'S PERFORATED STRENGTHENING PLASTERS. They impart strength to weakened and wounded parts; they have wonderful healing power; and they soothe and relieve pain.

HERRICK'S PERFORATED CAPSICUM OR RED PEPPER PLASTERS. These are of a counter-irritant character, and are very efficient for every ailment of the inflammatory sort.

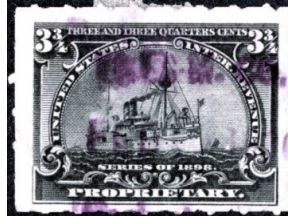
HERRICK'S PERFORATED BELLADONNA PLASTERS. These afford supreme relief in cases of sleep and nerve pain. However much the agent, apply the plaster, and the result is all that can be desired.

These plasters are carefully spread on fine white muslin by means of the most approved machinery. They are perforated with small holes so as to give the skin a fair chance for doing its duty without being entirely covered or from the air. They are perfectly smooth, and are free from lumps and from jagged edges. They are pleasant to the touch, and delightful to wear. There is no difficulty either in putting them on or in taking them off. After wearing one of these plasters a while it may be taken off and put on again without harm to the plaster or inconvenience to the wearer.

Anything as people desire them, these plasters can be bought either by the single plaster or in many papers. The druggists and country merchants keep them in either way. No plasters are made better. Some are more numerous, call them "Herrick's Plasters." None have made better or more abundant proof of their real merit.



Herrick Ads & Products they advertised



Herrick Battleship Revenue Cancel Types Recognized in BDR2

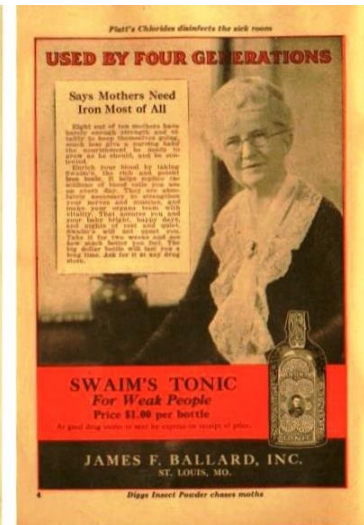
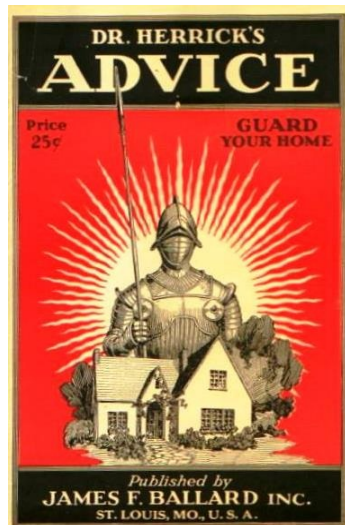
May 23 1913
H. Lehmkolch
 BOUGHT OF **Dr. Herrick's Family Medicine Co.**
JAMES F. BALLARD, Proprietor.
 500-502 North Second Street.
 ST. LOUIS, MO.

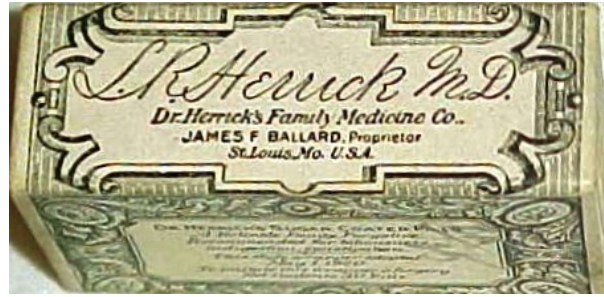
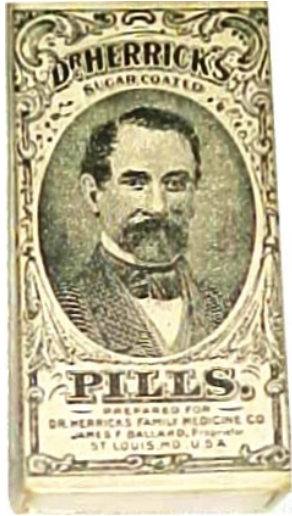
TERMS:

Doz. Dr. Herrick's Sugar Coated Pills	160
Doz. Dr. Herrick's Perforated Planters	125
Doz. Dr. Herrick's Capsicum	125
Doz. Dr. Herrick's Balladonna	125
Doz. Herrick's Condition Powders, small	
Doz. " " large	185
Doz. Dr. Perrin's Fumigates, small	
Doz. Dr. Herrick's Liment, small	
Doz. " " medium	
Doz. " " large	
Doz. Resne's Oil, small	
Doz. " " medium	
Doz. " " large	

7, 20

DR. HERRICK'S FAMILY MED. CO.
PAID
 MAY 23 1913
H. Lehmkolch



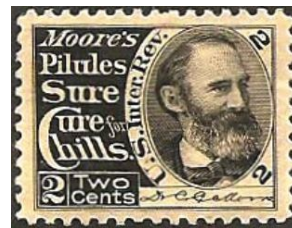
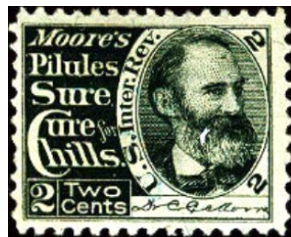
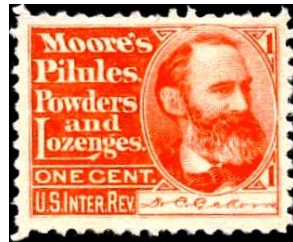


**Ballard's Influence on Herrick Co. After its Purchase:
Receipt & Herrick Booklet Showing Ad for Another Ballard Product
Together with Blended New Pill Packaging**

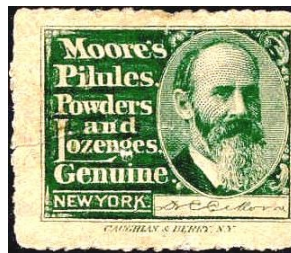
Ballard purchased the Herrick operation in 1907. He continued to support the Herrick's products line and to manufacture them under the name Dr. Herrick's Family Medicine Co. now relocated to Ballard's St. Louis plant. Along with the medicine, Ballard also purchased the right to continue to print the almanac which Herrick and Warner had employed over many years as a key advertising strategy to showcase the product. Ballard quickly adapted the almanac to feature some of his other nostrums as well. The L. W. Warner Co. name seems not to even have been mentioned in the course of this transaction and Ballard seems to have evinced no particular interest in that company's own Magic Pain Killing Oil. Yet he owned it, and for all of his neglect of that brand, there was later some small reckoning and measure of accountability. In 1915, as it had with Collins Ague Remedy, the government charged him with a misbranding violation under the Food & Drug Act in connection with the exaggerated claims made on its label. He was obliged to plead guilty and pay a fine of \$10. Thereafter, a check of government records shows that Ballard continued to

manufacture it in St. Louis, but now it was being offered for sale by Hall & Ruckel.

A3) Dr. C. C. Moore & Co



**Dr. C. C. Moore & Co. Civil War Proprietary Revenue Stamps
Featuring Dr. Moore's Portrait Printed on Various Papers**



Facsimile Label Used After Civil War Tax Ended

Dr. Charles C. Moore (1830-1900) marketed Moore's Pilules and Throat & Lung Lozenges beginning about 1872 through Dr. C. C. Moore & Co. He apprenticed in the patent medicine trade with George C. Tallcot (1821-1899), a New York city manufacturer who also printed his own private die proprietary stamp to apply to packages of his own remedy, Tallcot's Magic Cure. In litigation brought in the mid-1870s by Tallcot against Moore, Tallcot alleged that Moore wrote to him proposing that Tallcot employ Moore as his general agent, but then started selling his own products while still acting as Tallcot's traveling salesman. Tallcot sued accusing Moore of copying his packaging. The New York courts found that while Moore had used red packaging, as had Tallcot, the two wrappers were not sufficiently alike to cause customer confusion, and denied Tallcot relief. The litigation losses led to further litigation by Moore against Tallcot for damages and then prolonged squabbling

between Tallcot and his attorneys when Tallcot refused to pay their bill for their legal services in the various litigations involving Moore, alleging his own attorneys had misled him.



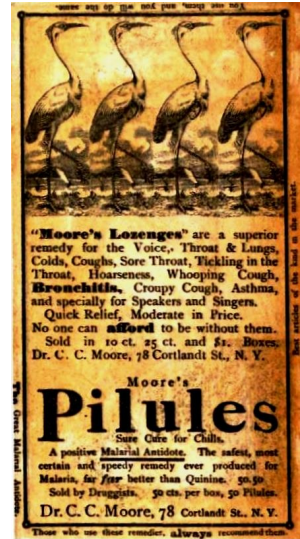
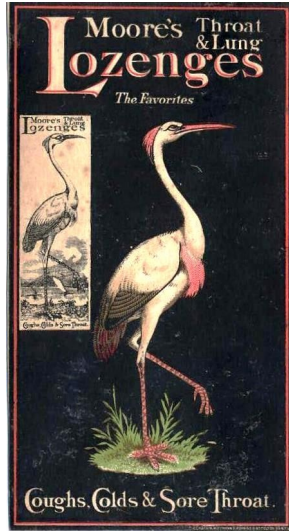
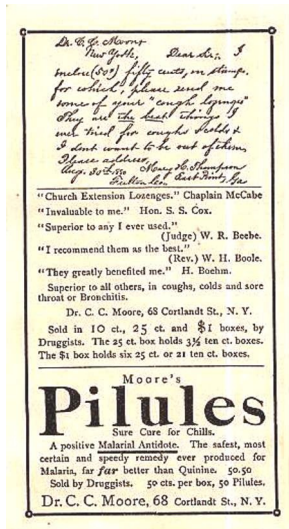
George Tallcot Civil War Private Die Proprietary Revenue Stamps

Tallcot appears to have almost blundered into the patent medicine business. He originally came from a family that ran an iron foundry in Oswego N.Y. in western New York State, and when he first came to New York City seems to have run a machine shop along with his patent medicine business, advertising more prominently as a dealer of Reynolds’ Turbine Water Wheels. With his brother Daniel, he also seems to have held patents on various kinds of marine machinery including an improved marine winch or capstan.

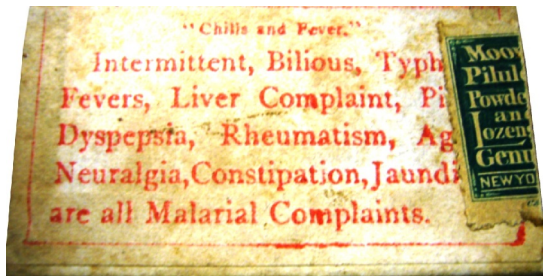


1867 Tallcot Water Wheel Ad & Later Magic Cure Nostrum Package

In 1870 he acquired the formula for his Magic Cure, and despite his unsuccessful litigation with Moore, he apparently remained in the patent medicine business. By 1887, when he suffered a robbery of his home in Brooklyn, the New York Times described him as a “wealthy patent medicine dealer.”



Moore Trade Cards



Moore Sure Cure For Chills Package Showing Ripped Facsimile Seal

Dr. Charles C. Moore, who resided in Elizabeth, NJ with his family, also had a predilection far from patent medicine. He seems also to have been a chess master who created and published chess strategies with the likes of the then world champion Paul

Morphy (1837-1884). Testimonials for his Pilules claimed that they were particularly effective in the treatment of malaria and similar chills and fevers, better even than quinine. His Throat & Lung Lozenges were effusively endorsed by various different strains of Protestant clergy and advertised heavily in their literature. Presumably such ministers had constant need of Moore's remedy to keep their throats in shape for preaching.



Dr. C. C. Moore & Co. Battleship Revenue Cancel Types Recognized in BDR2

As with Collins Bros. Medicine Co., Ballard seems to have stepped forward to purchase the Moore Co. immediately upon the death of the original proprietor in 1900. He must have maintained the most attentive watch upon the patent medicine industry to be aware of such opportunities as soon as they arose, and he clearly was ready in an instant to complete a purchase. A trade magazine reporting on the transaction noted that the Moore Co. "for many years did a very large business in the South Atlantic and Southern States."



**C. E. Hull & Co. Civil War Private Die Proprietary Stamp
Featuring Portrait of C. E. Hull Printed on Various Papers**

DR. STRONG'S PILLS.
The Old, Well Tried, Wonderful
Health Renewing Remedies.
STRONG'S SANATIVE PILLS
for the Liver. A speedy cure for Liver
Complaint, Regulating the bowels, Purify-
ing the Blood, Cleansing from Malarial
Taint. A perfect cure for Sick Head-
aches, Constipation and Dyspepsia.
STRONG'S PECTORAL PILLS
insure healthy appetite, good digestion, regu-
larity of the bowels. A sure remedy for
Colds and Rheumatism. A precious boon
to delicate females, soothing and bracing
the nervous system, and giving vigor and
health to every fibre of the body. Sold by
Druggists. For Pamphlets, etc., address C.
E. Hull & Co., Box 650, New York City.

NO NEW THING.
STRONG'S SANATIVE PILLS
Used throughout the country
FOR OVER 40 YEARS,
And it is proved
The Best Liver Medicine in the World.
No Gripping, Poisonous Drugs, but purely Vegetable,
safe and reliable. Prescribed even by Physicians. A
speedy cure for Liver Complaint, Regulating the
bowels, Purifying the Blood, Cleansing from Malarial
Taint. A perfect cure for Sick Headaches,
Constipation and all Bilious Disorders.
Sold by Druggists. For Pamphlets, etc., Address
C. E. Hull & Co., 18 Cedar St., N. Y. City.

STRONG'S PECTORAL PILLS
A SURE REMEDY FOR
COLDS AND RHEUMATISM.
Ensure healthy appetite, good digestion, regularity of
the bowels. A precious boon to DELICATE FEMALES,
soothing and bracing the nervous system, and giving vigor
and health to every fibre of the body. Sold by Druggists.
For Pamphlets address P. O. Box 650, N. Y. City.

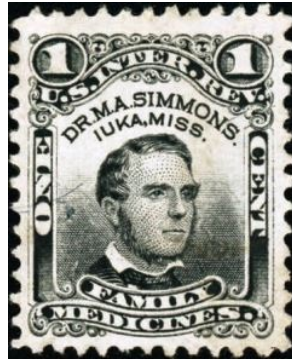
Early 1880s Hull Ads From Southern Newspapers



Hull Battleship Revenue Cancel Types Recognized In BDR2

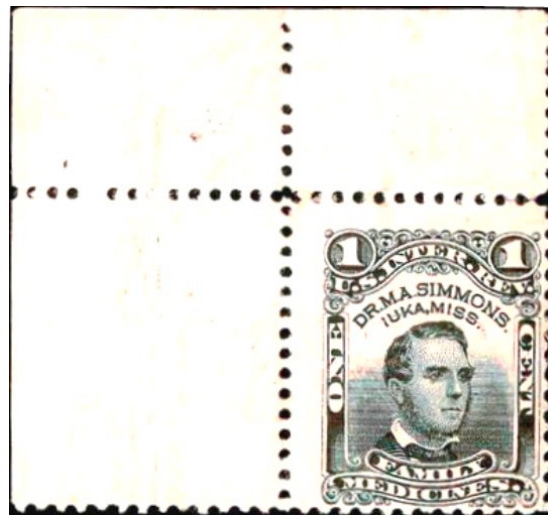
Ballard permitted the Moore company to continue to function and exist in Moore's name while moving its operations to St. Louis. A small note in a 1906 trade journal indicated that Ballard made a further purchase in its name when the Moore Co. obtained the "proprietary rights" to Strong's Sanative and Pectoral Pills from another old-line proprietary medicine manufacturer, C. E. Hull & Co. Ballard does not seem to have purchased the entire Hull company, but only these two product lines. While these two pills were the mainstays of the Hull Co. in its heyday during the 1880s, it is unclear what impact this transfer had on Hull's operations in 1906. Hull himself was then still alive, dying in 1912 at age 84.

A4) C. F. Simmons Medicine Co.



**Predecessor Dr. M. A. Simmons Civil War Proprietary Revenue Stamp
Featuring His Portrait**

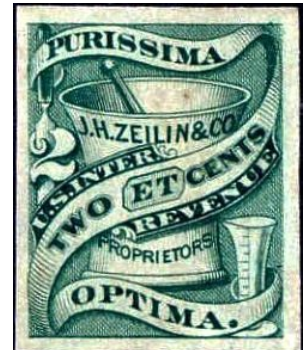
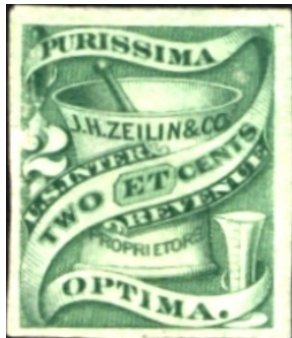
In discussing the Civil War Era private die proprietary stamp of this company's predecessor, Dr. M. A. Simmons, Holcombe sticks almost entirely to a description of that stamp itself. He only hints that there may have been some competitive jockeying about whether his brand of Dr. Simmons Vegetable Liver Medicine or others' elixirs represented the genuine and true product. The full story of M. A.'s and various others' thrashing and turmoil is virtually as complex and tangled as the story of Atwood's Bitters recounted in the article concerning Sterling's acquisition of Manhattan Medicine Co., for the tale replicates the intricacies of dealing with the fallout of splitting a single family's secret recipe for its remedy among various family members each of whom then claimed the exclusive right to manufacture the "true" nostrum.



Exuberant, Rare Sheet Corner Example of Same Stamp on Different Paper

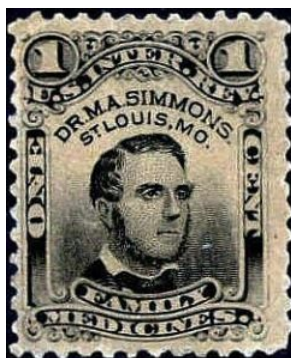
Prior to 1840, one A. [Adam] Q. [Quimby] Simmons (1786-1862), a Georgia farmer, came into possession of a formula for a liver medicine that he prepared for his

family's use. In 1840, he and his grown son, M. [Miles] A. [Alexander] Simmons (1820-1901), determined to sell some of this formula commercially. They prepared it in 5 gallon kegs (not unlike moonshine) at A. Q.'s home. M. A. then put them in his buggy to drive around the countryside dispensing it in such quantities as suited individual customers. After a few such trips, the father and son both decided to manufacture and sell this liver formula, each from his own separate home in different Georgia counties. Both thereupon added the title "Doctor" to their names and each continued to manufacture the liver medicine. A. Q. did not really advertise his medicine, subsequently moved to Texas in 1856 and died there in 1862. M. A. moved to Mississippi and, being younger, extensively advertised his medicine as Dr. M. A. Simmons Vegetable Liver Medicine.



**J. H. Zeilin & Co. Civil War Private Die Proprietary Stamps
Three Types, Imperforate Variety Printed on Various Papers
& Zeilin Facsimile Stamp Used After Tax Ended**

In 1856 and 1857, A. Q. apparently issued written permissions to manufacture all of his medicines, including his liver formula, to virtually all the rest of his children, in particular another of his sons, C. [Cicero] A. [Addison] Simmons (1832-1898).³ C. A. immediately embarked up his own patent medicine manufacturing career, calling his liver preparation “Dr. C A Simmons Liver Medicine” until 1865 and “Dr. Simmons Liver Regulator” between 1865 and 1868. In 1868, he sold his rights to J. H. Zeilin & Co., a Macon, GA company that quickly moved to Philadelphia, PA - yet another issuer of private die proprietary stamps - and incorporated C. A.’s products into its product catalog.

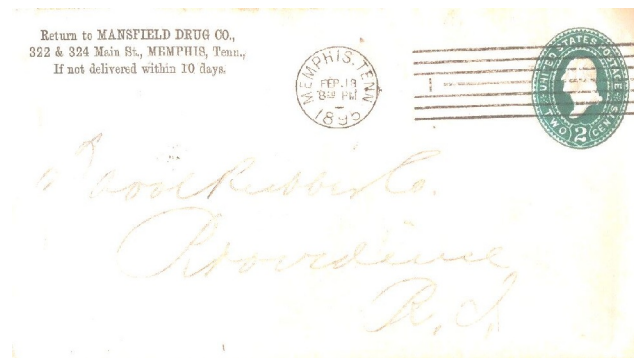


**Re-Issued Simmons Private Die Proprietary Stamp
With Die Re-cut to Show Simmons' Move to St. Louis**

M. A. remained in Mississippi until 1879 when he moved to St. Louis, and sold his business by means of a couple of intermediate transfers to his own son, Dr. C. [Charles] F. [Franklin] Simmons (1853-1910), who continued his father’s patent medicine business. Although Simmons’ Liver Medicine and Zeilin’s Liver Regulator had co-existed uneasily for years, with each warning about imitators and occasionally suing other interlopers, once Zeilin’s brand of Simmons Family Medicines collided with C. F.’s in the marketplace, hostilities heated up between the companies as to whose products were the true successor to A. Q.’s medicines and each side loudly proclaimed itself in various media as the proper heir to A. Q.



Private Die Civil War Proprietary Stamps Of Predecessors to Mansfield Drug Co.



1895 Mansfield Drug Co. Cover

Eventually, in 1891, C. F. sued Zeilin and others in Tennessee (including another company that also issued private die proprietary stamps, the Mansfield Drug Co., of Memphis, TN which was cooperating with Zeilin). C. F. alleged trademark infringement as well as the still relatively new claim of harmful unfair competition. Zeilin denied all these allegations and asserted that C. F.'s own misleading conduct disqualified him from asking for the relief he sought.

DR. M. A. SIMMONS' LIVER MEDICINE, ESTD 1840.
CURS
INDIGESTION, Sick Headache, Sour Stomach, & Dyspepsia,
COMPLIMENTS OF
ANDERSON DRAMER & SULLIVAN
URBANA OHIO

CHILDREN CRY FOR CHILLARINE,
BECAUSE IT TASTES WELL.
Critic: "Four Months' Standing Cured—My little daughter has been suffering for three or four months with Chills and one bottle of Chillarine has cured her and her mother."
—Frank Woods, Cedar Grove, Ill.
Kilic—Chillarine gives prompt relief. It cures Chills, malarial fevers, and all the ailments of the system. —Dr. J. T. SHANKLIN, Meridian, Miss.
Always Remembered.—We have sold Chillarine with instructions to our customers to return if ever defective, and have never had a single bottle returned.—L. A. BROWN & BROTHER, Druggists, Sherman, Tex.

HAPPY FATHERS.
A Georgia Lady Says:—I have been a great sufferer for a number of years from a Female Disorder, and one bottle of Moxon's Female Remedy has entirely cured me.—Miss F. WOOD, Cedar Grove, Ill.

A Texas Lady Says:—I used a bottle of your medicine with very little effect, and it was not until I had used a full course when every other medicine had failed and I was very weak.—Mrs. HELEN E. KENNEDY, Rockdale, Tex.

A Mississippi Lady Says:—I purchased a bottle of your medicine for my mother, and it has done her good. She has been using M. A. Simmons' Liver Medicine for several years and is perfectly well without it.—Miss G. W. DUNN, Kalia, Miss.

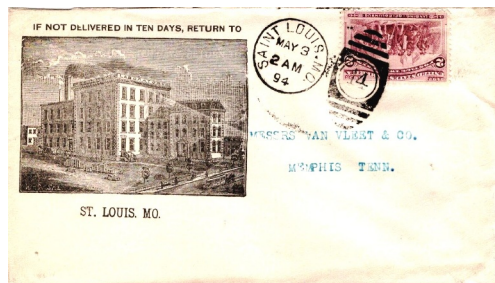
SIMMONS' IRON CORDIAL.
RHEUMATISM, SPRAINS, BRUISES, HEAD-PAINS, NEURALGIA, PALE, AND WEAKNESS, COUGHS, BRONCHITIS, SORE THROAT, HOARSENESS, STOMACH-DISORDERS, NERVE-DEBILITY.
BLOOD PURIFIER.

DELIGHTED MERCHANTS
Showing that Dr. M. A. Simmons' Liver Medicine is the leading Proprietary Medicine of the age.
As Simple as Flour.
M. A. Simmons' Liver Medicine is as simple as flour. We don't handle any other kind, and have sold one for over thirty years. It is the most popular medicine in this country.—DR. T. SHANKLIN, Meridian, Miss.
Profess it to Cashes.
I have not been without M. A. Simmons' Liver Medicine for any time for four years, and I had never do without my bottle.—W. T. THOMAS, Waco, Tex.
As Simple as Quinine.
Dr. M. A. Simmons' Liver Medicine is all the high life. It is as simple as quinine. —DR. C. GIBSON, Druggist, Meridian, Miss.
As Simple as Wheat.
C. F. SIMMONS & CO., St. Louis: I have been handling all your medicines for years and must say that I have given entire satisfaction, and you are the best in the world.—DR. N. M. WILSON, Keller, Tex.
Sates Increasing Daily.
C. F. SIMMONS & CO., St. Louis: Our sales on all your medicines are increasing every day. They seem to have a hold on the people, and are selling rapidly.—DR. J. B. BROWN, Druggist, Brownwood, Tex.
A Big Boom.
Dr. N. V. Simmons' well-known Liver Medicine is having a big boom in our section now. Another good thing is that it is selling so well that we are nearly out of stock.—DR. S. S. BROWN, Druggist, Brownwood, Tex.
No Demand for Any Other.
Dr. M. A. Simmons' Liver Medicine is the only one that gives perfect satisfaction to our customers. I have never had a return of three bottles.—DR. C. A. KIRKMAN, Druggist, Tex.



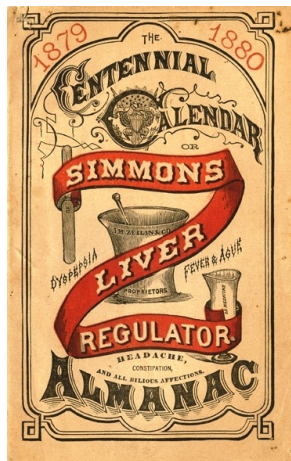
Sample Simmons & Zeilin Trade Cards

In a ruling issued in 1895, the Tennessee Supreme Court wrestled with each of these three thorny issues. First, it ruled against Zeilin’s assertion that the C. F. lacked the right to address the Court because of his own prior bad conduct. While it found false a claim by M. A. once advertised in a broadside circulated some years before the litigation commenced that he, M.A., was the sole discoverer of the formula, it found no merit in Zeilin’s allegation that such a single false representation meant that C. F., as M. A.’s successor, lacked the “clean hands” necessary to seek relief from the Court, finding that since M. A. genuinely believed that he was the only one who possessed the “true” and correct formula for A. Q.’s remedy, and had even offered at an earlier stage in the contentious relations between the parties to teach Zeilin the proper way to make the concoction, M.A.’s single false representation did not disqualify C. F. from seeking legal relief.



1894 Simmons & Zeilin Covers

Next, the Court dealt with the C. F.'s contention that Zeilin had infringed its trademark. With respect to this aspect of the case, apparently M. A. himself had never complained about Zeilin describing its product as "Simmons Liver Regulator" so long as its packaging was distinctive from his own, and only found Zeilin's use of the term "Medicine" in new packaging troubling. After reciting the long record of each side's various attempts at trademark registrations, the Court cited English and American case law precedents which established the principle that trademarks protect distinctive words or designs that become identified by the public with specific products. It held that C. F. could not enforce his trademark against Zeilin. It had no difficulty finding that "Liver Medicine" was too weak, broad and descriptive a term to qualify for trademark protection, even when modified by Simmons' name, which the Court also found merely descriptive after its use for so many years by both M.A. and Zeilin. Thus Zeilin continued to possess the right to use the terms Simmons, Liver Medicine and Liver Regulator, and had prevailed under traditional trademark standards.



Views of Simmons Liver Medicine Tin & Zeilin Almanac Covers Picturing Zeilin Liver Regulator Box

The Court then explored the contours of the developing new legal wrong of unfair competition that C. F. had alleged about a particular packaging design that Zeilin had recently sponsored, finding that, not unlike proof of trademark infringement, its proof also required a finding of a fraud perpetrated upon the public. Tracking in minuscule detail through a tortuous and circuitous pathway, it explored C. F.'s contention that Zeilin had sown confusion about the "true" brand of Simmons Liver Medicine through its marketing of a product called "Simmons Improved Liver Medicine," *separate and apart from Zeilin's own product*, which it claimed to have purchased from yet another of A. Q.'s sons-in-law, a T. F. Cheek, who also claimed to own a share of the family formula as validated by, and attested to, by yet another of A. Q.'s sons, one A. W. Simmons, and whose packaging mimicked the Simmons packaging closely by using A. Q.'s portrait in the same fashion as C.F.'s packaging did. Sadly, with current extant records it is impossible to independently verify information about either T. F. Cheek or A. W. Simmons, both of whose existence, in particular as a part of A. Q.'s family, appears to be presently reported only in the files of this litigation. While C. F. claimed deliberate misrepresentation on Zeilin's part, Zeilin alleged that T. F. Cheek's operation was entirely separate and apart from its own, but the Court found no substance to that allegation, and ruled that Zeilin's sponsorship of the Cheek packaging was intended to confuse the public. The Court granted C. F. a limited injunction against that particular packaging design. C. F. won that battle, but, in a sense, lost the war, as had John Henry when he tried to stamp out all the other Atwood's Bitters, for Zeilin could, and did, continue to advertise and market its own Simmons Liver Regulator.



Portrait of C. F. Simmons

According to such brief biographies as presently exist, C. F. Simmons was a character. His training was as a lawyer and he spent most of his youth filing lawsuits against those whom M. A. thought were infringing on the family business, such as

Zeilin. Like his grandfather and father, he assumed the title “Dr.” when he took full control of the patent medicine business himself. He also possessed a temper, and had “many Affairs of Honor (duels) which he continually won” as one biography put it.⁴ A pharmaceutical trade journal reported one such “affair” in January, 1898. C. F. shot and wounded a company stenographer when the man visited C. F.’s home to deny rumors that he was involved with C. F.’s daughter. C. F.’s son, Harry, finally wrestled the gun away from his father thus preventing him from killing the stenographer, although Harry then chased the wounded man, compelled him to return to C. F.’s house, and both Simmons chased him firing the pistol when he again fled. Both Simmons later turned themselves into the police, and, even though the stenographer declined to prefer charges against them, the article noted that the prosecuting attorney issued warrants against them because C. F. had been involved in other “assault with intent to kill cases in the past.”



C. F. Simmons Medicine Co. Battleship Revenue Cancel Types Recognized in BDR2



J. H. Zeilin & Co. Battleship Revenue Cancel Types Recognized in BDR2

Possibly because of the kind of incident recounted above, or maybe simply because his own doctor recommended it for his health (as one biography claims), in 1900, C. F. sold his company to Ballard and moved his family west to a 60,000 acre ranch in Live Oak County in southeastern Texas. There Harry died from a rattlesnake bite in 1903 at age 29. C. F. continued to engage in the cattle business for a few years after his son's death, but moved on to San Antonio in 1907. He intended to divide and sell his ranch to the neighboring small farmers, but before he completed his plans, he died in 1910. Perhaps for shrewd business reasons, or because of C.F.'s notoriety, Ballard never merged the Simmons business into his own company's name nor advertised its products under the Ballard name, simply adding the title of president of the C. F. Simmons Co. to the list of business positions he held, and letting the Liver Medicine sell itself.

A5) Swaim Laboratory



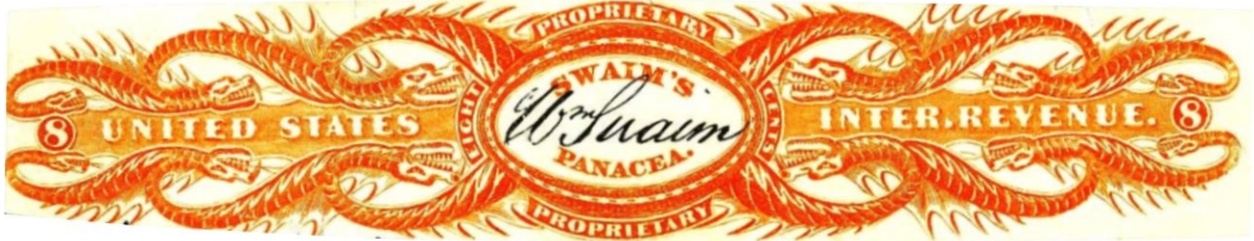
James Swaim Die Cut 6 Cent



James Swaim Imperforate 8 Cent



James Swaim Die Cut 8 Cent



William Swaim Imperforate 8 Cent



William Swaim Die Cut 8 Cent

**James & William Jr. Swaim Signatures On Rare
Swaim Co. Civil War Private Die Proprietary Stamps
Printed As Die-Cut & Regular Stamps On Various Kinds Of Paper**

When James Ballard purchased this company in 1900, the *National Druggist*, a trade journal, congratulated him on acquiring this nostrum: “Of all the old-time “family remedies,” whose names are really and truly “household words” throughout America, none are held in higher esteem or are more favorably known than “Swaim’s Panacea” ...” Swaim was an old name in patent medicines. According to Holcombe, whose focus, after all, was upon its eye-popping private die proprietary revenue stamps that the company utilized between 1862 and 1883, one Dr. James Swaim opened his medical practice in Philadelphia even earlier, but began selling his remedies to the public about 1820. The rest of the history of the company is briefly sketched. Through James control later passed to William Swaim, although Holcombe only presumed that William was James’s son, and did not carry the history beyond 1883.



Portraits of William Swaim Sr.

Others tell a more complicated story that centers on James’s father, William Sr. (1781-1846), being the actual initiator of the formula for Swaim’s Panacea. For example, James Harvey Young, who devoted a whole chapter to William Swaim in his social history of Nineteenth Century patent medicine, *The Toadstool Millionaires*, established that William was actually a book-binder from New York until he became ill and was cured by one Dr. Quackinboss, a reputable physician. The illness turned William into a new path. Fascinated by the doctor’s remedy, he modified what he believed to be its formula, a common, good tasting sarsaparilla concoction, and moved to Philadelphia, to begin a business manufacturing his Panacea. As one of the very first clashes between the medical establishment and the patent medicine industry, Young

discussed at length Swaim's early endorsement by some of Philadelphia's most eminent doctors because sarsaparilla was then considered to have medicinal properties, and then, shortly after, these same doctors' red-faced apologies and his battles with a more discerning groups of physicians in both Philadelphia and New York City who labeled his Panacea yet another quack medicine after they discovered by chemical analysis that his secret formula contained a mercury compound, when mercury was one of the very poisons his advertising claimed to combat.




Swaim Bottle Label & Early “Quasi-Skeleton” Cure Ad

Despite condemnation by the medical establishment, Swaim's Panacea continued to sell well, even at a price several times higher than most contemporary patent medicines, hence the high values later on the Civil War private die proprietary stamps. When William died, his son James (1810c-1870) took charge of the business. His obituary in a medical trade journal noted that, while he was the son of the late [now apparently self-titled] Dr. William Swaim and had trained at the University of Pennsylvania and studied medicine in both London and Paris, “we believe [he] never engaged in the active practice of medicine, but, enjoying the advantages of a liberal income, devoted his time to the study of science, extending his researches in every direction.” One science that James dabbled in was “rapping,” a system of knocking to communicate through walls, a sort of precursor of Morse Code, about which he himself published a treatise. James, as a rich gentleman of leisure, lived a great deal of his time in Paris and in fact, died there.



Has long attracted the notice of the most eminent physicians, by its great efficacy in curing what were considered incurable cases of disease, where the patients have been almost despaired by SCROFULA, &c., and Prof. VALENTINE MOYER, of the New York University, Professor HERSON, DEWEES, and CLAPMAN, of Philadelphia, and many other physicians of celebrity, give, over their own signatures, letters recommending it, and testifying to its great merits. It has been occasionally advertised, and thousands of families throughout the United States recommend and use it. The laboratory is under the direction of DR. FRANKLIN STEWART, who has devoted his attention and skill in its careful preparation during the past twenty-five years, and not a bottle put up but is worth many times its cost to the patient. It is perfectly safe for the most diseased and debilitated, and **IN ALL CASES WHERE THE BLOOD IS NOT PURE, IT SHOULD BE USED FREELY.**

Prepared only at SWAIM'S LABORATORY, 112 South Seventh St., below Chestnut, Philadelphia.
Wm. SCHIEFFELIN & CO.
General Agents, 170 William Street, New York.



SWAIM'S PANACEA.

This alternative was first introduced to the Profession and the public in the year 1820. It has the recommendations of the most eminent professors of Physic in the Universities of New York and Philadelphia; the late Dr. Valentine Mott, Professors Gibson, Chapman, Dewees, and others.

Is Scrofula, and its conditions of disease known as "Secondary Sympthoms," in Coxalgia and White Swelling; in Mercurial Rheumatism; Scrofulous Ophthalmia, Old Chronic Ulcers, &c., it displays its controlling influence, and in the great majority of cases arrests the progress of the disease and restores the patient to health. It has been the means of saving thousands from beds of suffering and lingering death.

Druggists unacquainted with the properties of this Remedy, are assured it

DOES NOT CONTAIN ANY MERCURIAL INGREDIENT WHATEVER.

Bear in mind this is not a new ephemeral remedy gotten up for speculative purposes, but has an unblemished record of more than half a century of testing, and stands today alone and unrivalled. Hundreds of physicians, thousands of families, have used it advantageously. To these we confidently appeal for recommendations of its value, and a fair trial will soon verify our statement.

Address orders to DR. FRANKLIN STEWART, Manager, (under whose supervision it has been manufactured the past thirty-five years),

SWAIM'S LABORATORY,
112 N. Seventh St., below Chestnut, PHILADELPHIA, P.A.

The fac-simile of our bottle will prevent purchasers from being imposed upon by a base imitation sold on our preparation by a person who puts up a so-called Panacea; but the name is spelled differently. Druggists must be on the lookout for it, or they may be swindled.

Remember! Please mention the DRUGGISTS' BULLETIN.

1873 Swaim Ad linking it with W. M. Schieffelin & Co. & 1890 Ad touting Stewart's long stewardship of Panacea

To oversee the actual manufacture of the Panacea and other medicines, James placed Dr. Franklin Stewart (1820-1892) in charge of the Swaim laboratory. Some sources name Stewart as William Swaim Sr.'s son-in-law, but that attribution is seemingly without foundation. Stewart discharged his duties faithfully until his death, and, as the years went on, alluded in its advertising to his many years of service as a guarantee of quality. The very long-lasting and heavy hitting New York City firm of Schieffelin & Co. acted as the company's General Agent for distribution and other matters, although some sources go so far as to say it really handled the manufacture of goods as well.



Swaim Logos

The reason Stewart remained in control for so long was that when James died, ownership of Swaim Laboratory passed to his family, in the person of his son William Jr. (1832-1877), whose signature is found on some of the later period Civil War private die proprietary stamps, but who appears to have had little connection with the business other than that, and who seems to have been perfectly content to continue the practice of absentee ownership. At the time of Stewart's death, twenty years later, the family consisted of the Louisa, widow of William Jr., a foreigner born in Trieste who continued to live in France, and his three daughters. After 1892, Louisa replaced Stewart with a series of unsatisfactory managers.

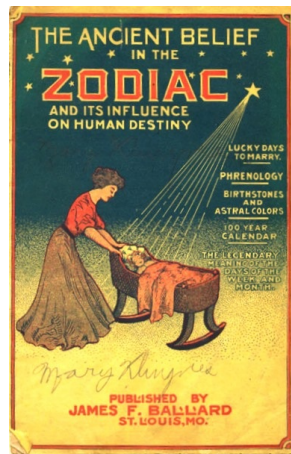


1898 Swaim Cover & Battleship Revenue Cancel Types Recognized in BDR2

Business flagged until *Pharmaceutical Era*, another trade journal, wrote about the company in August, 1897:

Many years ago Swaim's Panacea was considered one of the best proprietary medicine properties in the country. Thousands of the best people swore by it and paid full price for it in the retail stores. Today, owing, it is said, to internecine war and ill-judged advertising, the sale of the medicine languishes, although a number of capitalists would be willing to pay \$30,000 or so for the proprietary rights, were they for sale.

After making this assessment, while reporting on the corrective action taken, the journal related that William Jr.'s youngest daughter, Eliza Battanchon (1864-1908) and her husband had “relinquished their Paris home” in order to assume control of the company, forcing her mother out of management through a sheriff’s sale which realized \$783, with a few lots of the Panacea sold to Philadelphia wholesalers.



Ballard’s Swaim’s Panacea Bottle & Pamphlet Ad

The next few years must not have been deeply profitable, for the ever vigilant Ballard - probably one of those “capitalists ... willing to pay \$30,000” - purchased the company from Eliza Battanchon in 1900. While transferring the business operations and manufacture of the Panacea to St. Louis, as he did with most of the companies he purchased, he seems to have let the company largely continue its own advertising policy, although frequently cross-referencing Swaim’s Panacea in advertising material for other Ballard products. Whether the transaction proved profitable for Ballard is hard to judge at this time so far removed, but Ballard never seem to lack for funds to finance his purchases.

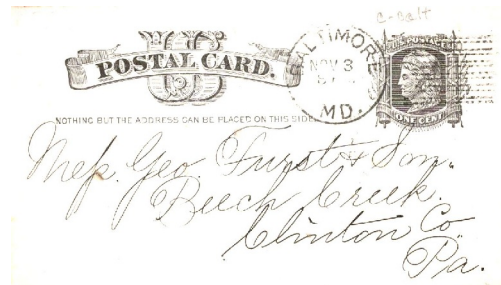
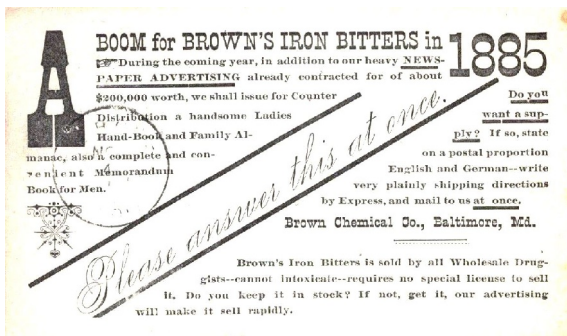
B) Companies That Came Into Existence Or Came To Prominence After 1883

B1) Brown's Iron Bitters Co.



Brown Iron Bitters Co. Cancel Type Recognized In BDR2

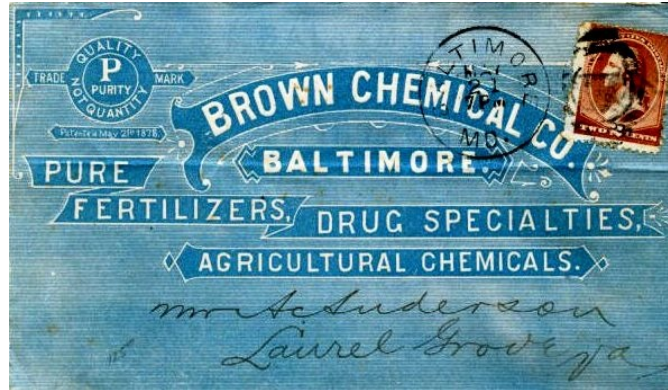
Brown's Iron Bitters were manufactured by Brown Chemical Co. of Baltimore, MD, beginning as early as the 1870s. Three factors seem to have caused the manufacturer to sell the Bitters to James Ballard's in 1903. The first was the legal weakness the manufacturer had in defending its product name. The second was the poor quality of its advertising in the late 1890s that diminished sales of the Bitters, and the third element was that a combination of the first two led to a quiet reorganization of the company.



1884 Brown Chemical Co. Postcard Announcing Huge Ad Campaign for 1885

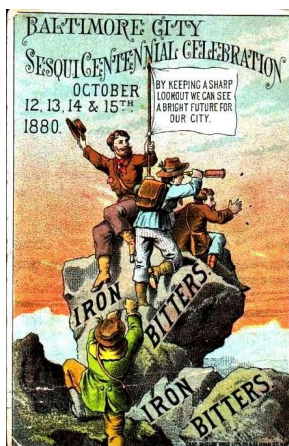
With respect to legal weakness, the difficulty that Brown Chemical Co. faced in manufacturing and protecting the goodwill of its Bitters was much like the one described in the discussion above of Simmons Liver Medicine. Brown was an even more common name than Simmons, so the problem of multiple Browns as product sponsors arose even in absence of a generous clan founder, and both the terms "Iron" and "Bitters" were far too generally descriptive to warrant protection as a trademark. Thus, from the beginning, Brown Chemical Co. was litigating and losing cases concerning the name of its product, so long as the competitors sufficiently differentiated

their packaging from Brown's. In 1889, it litigated and lost a case to Frederick Stearns Co. (recently profiled in this column), although the principal case that it litigated and lost all the way up to the U.S. Supreme Court in 1891 pitted it against the notable St. Louis firm of Meyer Bros. & Co. (also already partially profiled in this column).



1886c Brown Chemical Co. Cover

In the litigation that went to the Supreme Court, the Brown Chemical Co. alleged that the defendant in selling its Brown's Iron Tonic was trading on the packaging and label for the Chemical Co.'s well known and popular Iron Bitters which it claimed it had devised and been using since 1879. The defendant claimed to be the successor to a man named Brown, in this case identified as one E. L. Brown, a traveling salesman for a wholesale drug company located in Louisville, KY, who in 1881 had formed a partnership with a man named C.[Charles] J. Lincoln (1832-1910), who was actually a prominent Little Rock, AK physician and druggist, to sell his own formula of an iron tonic prepared by a Little Rock chemist in accordance with his instructions in packaging that did not mimic plaintiff's. At the time they began selling their tonic, defendant claimed Brown and Lincoln had no knowledge of Brown Chemical Co.'s Iron Bitters. Brown subsequently sold out to Lincoln, who, in turn, sold to Meyer Brothers, the party Brown Chemical Co. sued.



PUZZLE BLOTTER
SPECIAL PRIZES.
TO THE LADY
 Compiling largest number words composed of the sentence "Brown's Iron Bitters The Best Tonic," A GOLD WATCH AND CHAIN.
TO THE GENTLEMAN
 Sentencing "Brown's Iron Bitters Tonic the Nervous," A FINE RIDING OR DRIVING HORSE or \$200.00, winners option.
TO THE GIRL
 UNDER 16 YEARS OF AGE, sentence "Brown's Iron Bitters enriches the Blood," gives BOOZY CHAIR, A DRESS TO CASE or \$25.
TO THE BOY
 UNDER 15 YEARS OF AGE, sentence "Brown's Iron Bitters cures Liver Disease," A FIRST CLASS BRUSH LOADING GUN or \$50.00, winners option.
 *Words must be sent in alphabetical order. All English words having a meaning admitted in proper manner to be proofed after July 1st, 1884. Write name and address plainly.
Brown Chemical Co.
 BALTIMORE, MD.

BROWN'S IRON BITTERS
 THE BEST TONIC.
 A SURE CURE FOR
 DYSPEPSIA
 INDIGESTION
 MALARIA &c

Use other side only

Find Grandfathers Clock, Hat, Portrait, Bible, Pipe and Tobacco, Bootjack, Hoghead, two bottles of BROWN'S IRON BITTERS, Grandmothers Portrait, Cat, Spectacles, Bonnet, Scissors, Turtle, Dove and Slipper.
 The solution of this puzzle and a set of Fancy Cards sent on receipt of four cents in postage stamps. See Special Prize Offers.
BROWN CHEMICAL CO., Baltimore, Md.

Early Trade Cards

BROWN'S IRON BITTERS
 THE BEST TONIC
 CURES DYSPEPSIA MALARIA &c

BROWN CHEMICAL CO.
 BALTIMORE, MD.

BROWN'S IRON BITTERS
 A TRUE TONIC

A CERTAIN CURE FOR DISEASES REQUIRING A COMPLETE TONIC, INDIGESTION, DYSPEPSIA, INTERMITTENT FEVERS, WANT OF APPETITE, LOSS OF STRENGTH, LACK OF ENERGY, MALARIA AND MALARIAL FEVERS, & REMOVES ALL SYMPTOMS OF DECAY IN LIVER, KIDNEYS AND BOWELS, ASSISTING TO HEALTHY ACTION ALL FUNCTIONS OF THESE GREAT ORGANS OF LIFE. ENRICHES THE BLOOD, STRENGTHENS THE MUSCLES AND GIVES NEW LIFE TO THE NERVES.

Trade Cards Showing Iron Bitters Bottle & Young Woman

BROWN'S IRON BITTERS

A Question about Brown's Iron Bitters Answered.

The question has probably been asked thousands of times "How can Brown's Iron Bitters cure everything?" Well, it doesn't. But it does cure any disease for which a reputable physician would prescribe Iron.

Physicians recognize Iron as the best restorative agent known to the profession, no inquiry made of any druggist, will, without doubt, substantiate the assertion that there are no more preparations of Iron than of any other substance used in medicine. This shows conclusively that Iron is acknowledged to be the most important factor in successful medical practice. It is, however, a remarkable fact, that prior to the discovery of Brown's Iron Bitters an imperfectly satisfactory iron combination had never been found.

Brown's Iron Bitters does not injure the teeth, cause headache, or produce constipation - all other iron medicines do. Brown's Iron Bitters cures indigestion, biliousness, weakness, dyspepsia, malaria, chills and fever, tired feeling, general debility, pain in the side back, or limbs, headache and neuralgia, kidney and liver troubles, constipation and impure blood - for all these ailments Iron is prescribed daily.

Brown's Iron Bitters, however, does not cure in a minute. Like all other thorough medicines, it acts slowly. When taken by men the first symptom of benefit is renewed energy. The muscles then become firmer, the digestion improves, the bowels are active. In women the effect is usually more rapid and marked. The eyes begin at once to brighten; the skin clears up; healthy color comes to the cheeks; nervousness disappears; functional derangements become regular, and if a nursing mother, abundant sustenance is supplied for the child. Remember, Brown's Iron Bitters is the only iron medicine that is not injurious.

The Genuine has Trade-Mark and Crossed Red Lines on Wrapper.

TAKE NO OTHER.
BROWN CHEMICAL CO.,
 BALTIMORE.

BROWN'S IRON BITTERS

Eine Frage über Brown's Eisen-Bitter ist beantwortet.

Die folgende Frage wurde vielfach und häufig gestellt: „Wie kann Brown's Eisen-Bitter Alles heilen?“ Nun, es heilt nicht Alles. Aber es heilt jedes eine Krankheit für welche ein Arzt ein Eisenpräparat verschreiben würde. Nichts ist so allgemein anerkannt als die Tatsache, dass Eisen das beste Restorative-Mittel ist, welches die Natur kennt. Dies zeigt uns, dass Eisen der wichtigste Faktor in der erfolgreichen Heilung von Krankheiten ist. Es ist, jedoch ein bemerkenswertes Factum, dass vor der Entdeckung von Brown's Eisen-Bitter kein vollkommen zufriedenstellendes Eisen-Combinatum bekannt war.

Brown's Eisen-Bitter ist nicht schädlich für die Zähne, verursacht keine Kopfschmerzen, oder Verstopfung - alle anderen Eisen-Medikamente thun dies. Brown's Eisen-Bitter heilt Indigestion, Biliosität, Schwäche, Malaria, Malariafieber, Fieber, allgemeine Schwäche, allgemeine Debilität, Schmerz in der Seite, Rücken-, oder Glieder-Schmerz, Kopfschmerz, Neuralgie, Nieren- und Leber-Schwächen, Verstopfung und unreines Blut - für alle diese Krankheiten ist Eisen vorgeschrieben.

Brown's Eisen-Bitter wirkt nicht sofort. Wie alle anderen gründlichen Medicamente, wirkt es langsam. Wenn von Männern gebraucht, ist der erste Anzeichen von Nutzen die Erneuerung der Energie. Die Muskeln werden dann fester, die Verdauung verbessert, die Verdauung wird aktiv. Bei Frauen ist der Nutzen gewöhnlich rascher und ausgeprägter. Die Augen beginnen sofort zu leuchten; die Haut wird klarer; gesunde Farbe kommt zu den Wangen; Nervosität verschwindet; funktionelle Störungen werden regelmäßig, und wenn eine stillende Mutter, reichliche Nahrung wird dem Kinde zugeführt. Denken Sie daran, Brown's Eisen-Bitter ist die einzige Eisen-Präparat, die nicht schädlich ist, und die nicht schädlich ist.

Das Original hat Handels-Mark und gekreuzte rote Linien auf dem Wrapper.

BROWN CHEMICAL CO.,
 BALTIMORE.

Same Trade Card Printed In English & In German



TO LADIES:
BROWN'S IRON BITTERS is peculiarly adapted as a thorough tonic for females. Iron to the physical composition is a necessity. In this connection we would add, that a leading Medical Professor recently speaking of the preparations of Iron said:
 "The preparations of Iron which are termed in medicine as *Tonic* or *Chalybeate*, are by far the most important of all *tonics*—in fact, there is no tonic, either mineral or vegetable, which meets so many requirements of man.
 Besides the local *tonic* effect that Iron is bound to produce, and the general corroborant action on the *cerebro-spinal* system which it possesses, it exercises a *restorative influence on the state of the blood* by increasing the number of its coloring particles and the amount of the solid constituents.
 Iron is, in fact, a *natural* constituent of the blood, and is to be considered as a *necessity* in enlivening this stream of life. The effects of Iron are best seen in conditions of the system in which there is a *relative want of activity in the nerves and muscles*. Under its use the *blood becomes richer*, the *digestive organs are promoted*, the *pulse becomes fuller and stronger*, the *skin assumes a healthy tinge*, the *lips and cheeks grow more florid*, the *temperature of the body is increased*, and the *muscular strength greatly invigorated*.
 The red corpuscles of the blood, which are increased by the use of Iron, act as carriers of Oxygen, which they take up from the inspired air of the lungs; and it is now generally conceded that Iron taken up in the blood corpuscles converts Oxy gen into Ozone, a much more active power than Oxygen, and one that is considered as the *greatest* destroyer of poisons in the system.
 The diseases in which Iron is especially serviceable are those which come from want of richness in the blood, strength in the muscles and tone in the nerves, such as Weakness, Inactivity, Depression, Loss of Appetite, Dyspepsia, Indigestion, Neuritis, Hysteria, and all other diseases so distressing to ladies.
 With such medical authority the use of Iron cannot be too strongly urged. Physicians for a long time have conceded that Iron was absolutely necessary, but the trouble has been that it seemed impossible to prepare it so that it would have no injurious effects. Each new discovery was hailed with delight by the medical profession, only to be thrown aside in a short time as a failure, and it was not until the discovery of Brown's Iron Bitters, that Iron was so prepared that it would readily and thoroughly assimilate with the blood and would not blacken the teeth, cause headache, constipation or other evil effects caused by every other iron preparation. Brown's Iron Bitters is made only by the Brown Chemical Company, of Baltimore, Md., and contains no whiskey or other injurious ingredients.
 Get the genuine, which is for sale by all respectable dealers in medicines, price, \$1.00 a bottle.
BROWN CHEMICAL CO., Baltimore.

Jenny Lind Trade Card



MALARIA.
 THE alarming rapidity with which malaria has been spreading over the country has caused much talk and investigation. It is a malady which not even the most talented physicians are able to fathom. Its cause is in most cases attributable to local surroundings, impure water and marshy ground, but it often appears in places noted for being unusually healthy. Probably no disease has so baffled the investigation of the medical fraternity, and few diseases cause more misery. Malaria does not necessarily mean chills and fever, although these troubles sometimes accompany it, back ache, a tired, weary feeling, lack of energy, aches of all kinds and a sort of despairing misery are the sure indications of malaria. The standard remedy has been quinine, and yet all who have taken this drug know its disagreeable effects, and also are aware that it seldom if ever effects a permanent cure. What is wanted is a good health-giving medicine, which will strengthen and build up the system and permanently restore health.
 Brown's Iron Bitters, manufactured by Brown Chemical Co., Baltimore, Md., is such a medicine, and is a sure antidote against malarial poison, fever and ague and other intermittent fevers. It will also cure without doubt Dyspepsia, Indigestion, Biliousness, Liver and Kidney complaints, enriches the blood, tones the nerves, and is especially valuable as a healing and restoring medicine for diseases peculiar to ladies.
BROWN CHEMICAL CO., BALTIMORE, MD.
 See that all Iron Bitters are made by Brown Chemical Co., Baltimore, and have crossed red lines and trade-mark on wrapper.
Beware of Imitations.

Broken Window Trade Card



Jester Calendar Trade Card

Brown Chemical Co. Trade Card Sampler

In analyzing the dispute, the Supreme Court had no difficulty finding the surname Brown too common, and the terms “Iron,” “Bitters,” and “Tonic” too weak and generally descriptive to sustain any claim of trademark infringement. Although it allowed the product advertising material skated fairly close to being direct copies of the Brown Chemical Co.’s trade cards and posters, it nevertheless found that the packaging and labels themselves - which it noted were the actual subject of the litigation - were distinct enough to avoid public confusion. The Court further noted that Lincoln’s company listed its tonic separately from Brown’s Iron Bitters in its catalogue, thus avoiding representing to its customers that it was trading on the other’s reputation. Moreover, the Court found that plaintiff Brown Chemical Co. had queried Lincoln about infringement as soon as it heard about Lincoln’s Tonic, and [not unlike M. A. Simmons in the Tennessee case] had written to Lincoln that it saw no conflict between the two products after examining a bottle of the Tonic that Lincoln sent to it.



1881 & 1882 Brown Chemical Co. Newspaper Ads

The second weakness of the Brown Chemical Co. was highlighted in an 1896 “Department of Criticism” article by the advertising pioneer Charles Austin Bates (1866-1936) which was run as a regular feature in the advertising trade journal *Printer’s Ink* published by George Rowell (1838-1908).⁵ He wrote about the ads:

I have been asked to criticise some advertising sent out by the Brown Chemical Co., advertising Brown's Iron Bitters.

I do not believe that they are good ads. They don't tell enough, and they don't tell it strongly enough.

...

Brown's Iron Bitters have had some of the most attractive looking ads that have been published in the last two or three years, and yet I have been told that the ads didn't pay. I don't know anything about the truth of this statement. It came to me from an outsider. If it



is true, and I do not find it hard to believe, one reason was that too much thought was given to the display, to the appearance of the ads, and not enough to what was put in them. After all, it is what you say that counts. The manner of saying it comes next, and the appearance last.

...

They look and sound as if more thought had been given to the way they were going to look and sound than to what they were going to say. That sort of thing gives an advertisement an air of insincerity, and, as a matter of fact, I believe that the writer of that kind of advertising is insincere. I have an idea that you can tell when an advertisement is honest and earnest and sincere and when it is not. The goods may be all right. They may be perfectly honest. They may be all that is claimed for them, but if the claims are stated in a cute, stilted, strained, conscious way they will not gain the credence they deserve.

...

In an age where everything is judged by its appearance on first glance and our collective attention span has shrunk to about six seconds, it is hard now to judge whether Bates's criticism was justified, but apparently he was correct when he noted that revenue produced by the product was diminishing.

Every druggist should know that the well known old remedy, *Brown's Iron Bitters*, is being "renewed throughout the South and Southwest."

Druggists, know well what general satisfaction *BROWN'S IRON BITTERS* has always given their customers in the past, and with the largely increased advertising value are now giving.

We want to start of well with the trade, and have worked out a scheme which is proving a great success everywhere.

Special offers (to whom to whom) the Druggist—at least his share of it, for at once he can't be expected to care about more. Here is the plan:

We have selected the covers of an advertising Soap. It's good Transparent Toilet Soap, and each cake has our advertisement which is perfectly legible from both sides in the center. We call it *BROWN'S SOAP*, and it is put up in handsome boxes with colored lithographed show cards for the counter. One dozen costs \$1.50.

If you order (of your wholesale druggist) one dozen *BROWN'S IRON BITTERS* he will send you entirely free four cakes of this Soap. You can retail it for extra value (because it's good soap) or if you like it you can get five cakes, saving you \$1.00. In addition to the regular profit on *BROWN'S IRON BITTERS*, the Soap helps you sell the *BITTERS* and the Soap will hold up its record features.

If you order *more than one BROWN'S IRON BITTERS* you can get the great (extra value) of *BROWN'S SOAP* free, and we pay freight on both *Brown's Soap* and put your advertisement in one side of each cake of Soap. We make no charge for this. It is a unique thing for druggists, and the advertisement lasts as long as the Soap. Besides, it sells readily.

The Soap given with orders of one case *BITTERS* has the advertisement of *Brown's Iron Bitters* on both sides.

On orders of three cases *Bitters* we place the advertisement on one side without charge.

Now you should send for a free sample cake at once and judge for yourself. Of course this is a valuable proposition—*isn't it*—and it's not difficult.

Send your order for *BROWN'S IRON BITTERS* and *BROWN'S SOAP* to your jobber; he will do the rest. If you want more information write us quick, or ask the travels of your wholesale house and get it. The trade proceeds with the greatest thing yet, because it benefits the manufacturer.

If you order we will send you a sample cake of Soap.

our Soap scheme!!

BROWN CHEMICAL COMPANY, - BALTIMORE, MD.

1894 Brown Chemical Co. Trade Journal Ad

The combination of the first and second difficulties seems to have led to the third difficulty the Brown Chemical Co. faced, for approximately one month after the Bates article appeared a report in a single trade journal stated that because of an unpaid debt of \$5000 the local Baltimore court had appointed a receiver to sort out its affairs. This shake-up most likely led to its name change from the Brown Chemical Co. to the

Brown's Iron Bitters Co., and the battleship proprietary revenue identified both with this company and this product reads "BIB," presumably standing for Brown's Iron Bitters. To own this product, James Ballard acquired the Brown's Iron Bitters Co. in 1903.



Brown's Iron Bitters Bottles Pre- & Post Ballard Purchase

Curiously, since Ballard never acquired ownership of the name Brown Chemical Co., within a year or two after the Baltimore company abandoned the name, it was in use by other companies, principally one located in Nashville, TN, which produced and extensively advertised, Brown's Magic Liniment and Brown's Vin Nerva Tonic. That company had also existed during the Spanish-American War and had also cancelled proprietary battleship revenue stamps to indicate payment of taxes on its products, but its cancel read "E. T. Brown."⁶ By 1902, it was registering trademarks with the U.S. patent office under the name Brown Chemical Co., and there seems to have been neither confusion nor litigation concerning its assuming the name Brown Chemical Co. since the Baltimore company apparently no longer existed. Sadly, because of the vast welter of records about Browns, no currently available material discloses the slightest clue about the particular individual E. T. Brown who gave his name to this second Brown Chemical Co. In fact, in 1902, this Brown Chemical Co. was in the hands of a group of businessmen headed by one John W. Love (1866-1948), who was otherwise identified with the lumber industry. The commonness of the name must have given them pause even then, for, at a shareholder's meeting held that year, a trade journal noted that: "no steps were taken

to change the name of the company.” However, the complete telling of that story must remain hidden for revelation on some other day should more complete records become readily available.

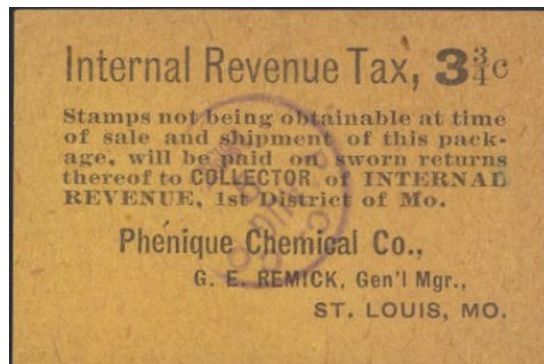
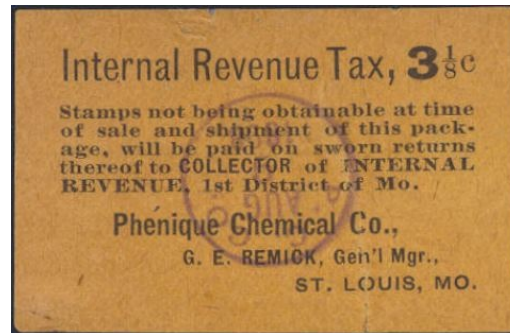
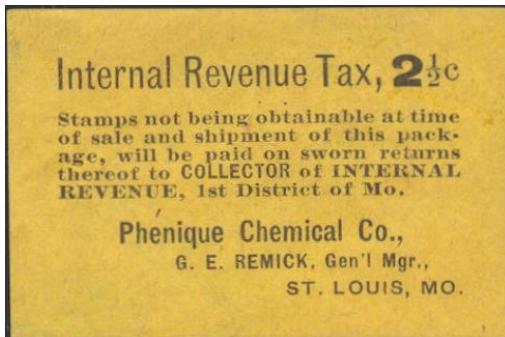
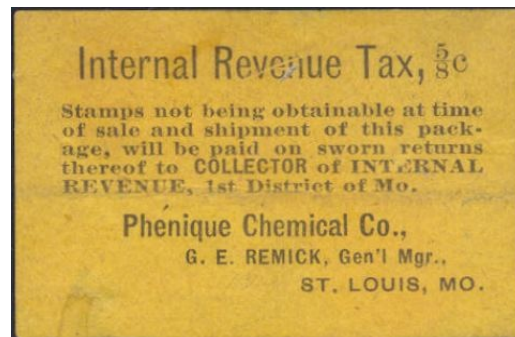
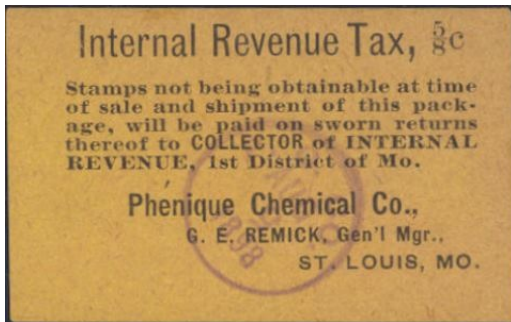
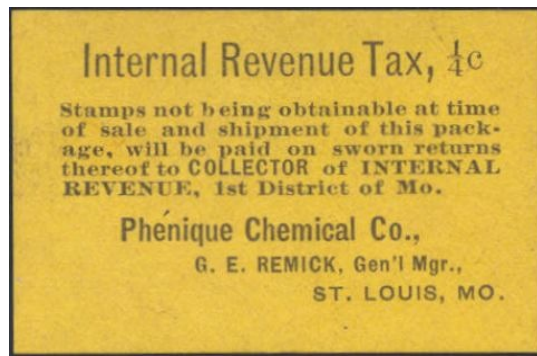
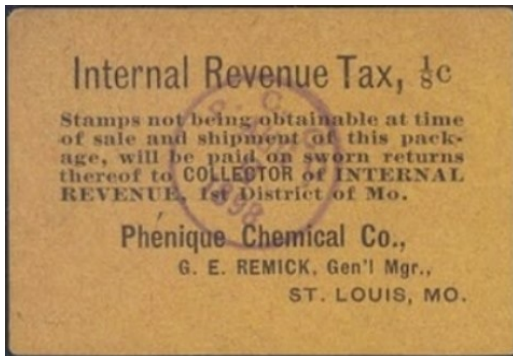
B2) Campho-Phenique Co.



Campho-Phenique Currently Available for Sale on Amazon Seemingly Only Former Ballard Proprietary Medicine Still Currently in Production Now Owned by a Private Limited Liability Corporation

Campho-Phenique was developed sometime in the 1880s by Phenique Chemical Co. of St. Louis as an antiseptic and surgical wound dressing. Created by combining camphor and phenol, it was touted as being safer and less toxic than iodoform, an earlier carbon-iodine based antiseptic. Camphor is a highly aromatic substance occurring in the bark of certain trees that has been used medicinally from time immemorial, probably because of its smell. Phenol was first refined from coal tar, itself a by-product of the conversion to coal gas in place of wood as a source of light and heat which took place at the beginning of the Nineteenth Century. Experiments with different types of coal tar products led scientists to the discovery that certain of them would prevent the breakdown, or putrefaction, of meat, and phenol, which is also known as carbolic acid, stopped the resulting sewage odors. At the same time, Louis Pasteur (1822-1895) and other French scientists and physicians postulated that microorganism, then referred to as microbes, caused putrefaction. While Pasteur’s theories were not immediately universally accepted, following his lead, Joseph Lister (1827-1912) the English surgeon, began to implement medical protocols in 1867 to apply carbolic acid as an antiseptic to surgical wounds to allow healing and prevent infection. Improvements in the rates of surgical success meant that not much more than a decade later, chemical companies all around the world were trying to market their

own antiseptics. Campho-Phenique was one of those offered.



**Extremely Rare Set of Phenique Chemical Co. Provisional Stamps
Used by Certain Companies in St. Louis Region
When Battleship Revenue Stamps
Were First Being Issued and Not Yet Available There**



Phenique Chemical Co. Battleship Revenue Type Cancel Recognized in BDR2

The Phenique Chemical Co. was formed in St. Louis in the late 1880s. It produced Campho-Phenique and a closely related formula called Chloro-Phenique as antiseptics, as well medicines for skin diseases. At first, as advertising it printed testimonials from doctors in the news columns of medical journals who opined whether they preferred Campho-Phenique in liquid or powdered form. It also soon advertised Campho-Phenique for treatment of veterinary and dental cases as well as in medical and surgical situations. By 1897, the company was big enough to increase its capital from \$50,000 to \$100,000. For most of the 1890s, its manager appears to have been a druggist named John Crouch (1850-1927), a journeyman with a number of different pharmaceutical firms, previously a member of his own short-lived drug wholesale firm, Dougherty-Crouch Drug Co., and later a salesman for a quarter century with another large and significant St. Louis wholesaler, John T Milliken & Co., yet another canceller of battleship revenues.⁷ By 1896, the company was also advertising under the separate name Campho-Phenique Co. In 1898, George. E. Remick (1867-1947), who had worked for the Phenique Chemical Co for several years and was hailed by one of the trade journals as being “widely and favorably known in the drug trade,” succeeded Crouch as manager.



1897 Phenique Chemical Co. Ad

Ballard purchased the Phenique Chemical Co. in 1903, but always listed himself as president of the Campho-Phenique Co. While there was some brief, sporadic advertising of other products manufactured by the Phenique Chemical Co. after 1903, Ballard seems to have concentrated virtually all of his energy upon Campho-Phenique. Remick seems to have remained in St. Louis for a number of years possibly operating his own patent medicine business and then moved to Denver, CO where he continued to manufacture patent medicines. As late as 1924, in reporting the latest fine he had paid for a Food & Drug Act violation, the American Medical Association (AMA) printed a list of the various patent medicines which Remick had produced under a variety of company names that it had denounced in its pages dating back to 1910.



1906 Campho-Phenique Co. Trade Journal Ad

Ballard himself quickly came under fire from the AMA for Campho-Phenique and in a most unpleasant way. In 1907, its Council for Pharmacy and Chemistry performed a chemical analysis of both the liquid and powder versions of Ballard's

Campho-Phenique and found that neither result bore any resemblance to the formula printed on the package. The liquid was supposed to be 51% camphor and 49% phenol. Instead the Council reported the liquid was 38% camphor and about 20% phenol, with the balance of the substance - approximately another 38% - being liquid petroleum, or oil. Concerning the powder, the Council noted that the packaging did not set forth a specific formula, but used the expression “campho-phenique in powdered form” which created the impression that it was mixed in the same proportion as the liquid. However, analysis of the powder demonstrated that it was 92% inert talc, with the balance of 8% devoted to camphor and phenol.



Ballard Campho-Phenique Co. Blotter

Of course, the Council found both the liquid and the powder to be misbranded, but, writing for an audience of doctors and pharmacists rather than the public at large, it felt obliged to delve deeper to discuss the harm it felt the misrepresentations might have. First, it showed that the published formulae for these “ethical” drugs were not always reliable. If the formula for the liquid was followed by a professional as written, it would not produce a compound that worked the way liquid Campho-Phenique was advertised to work, and, if made up in the actual proportions that the analyzed mixture proved to be, it would be no more effective than the separate ingredients - essentially, camphor and petroleum - as otherwise commonly used by such professionals. The Council found the powder to be no more nor less than camphorated talcum powder. Second, the misbranding showed that:

The Campho-Phenique Company of St. Louis, according to all reports, is owned and controlled by a gentleman named Ballard. This “company” supplies the medical profession with the preparations under consideration and also with chloro-phenique and scrofonol. We are informed that this same Mr. Ballard is the principal owner, if not the sole owner, of quite a number of “patent-medicine” companies, such as Ballard-Snow Liniment Co., Brown’s Iron Bitters Co., Mayfield Medicine Mfg. Co., Smith Bile Beans Co., Swain’s Laboratory, and several others. We learn from the wholesale drug trade lists that these various “companies” make and sell, beside the campho-phenique preparations, Ballard-Snow Liniment, Ballard’s Herbine, Brown’s Iron Bitters, Dr. Herrick’s Pills, Richardson’s Life-Preserving Bitters, Smith’s Bile Beans, Swain’s All Healing Ointment, and several other “patent medicines.”

It is hardly necessary to make any further comments. The whole business is nauseating to those who know the actual conditions of this nostrum business and how our profession is being deluded. The Campho-Phenique matter is not an exception; it is simply another illustration of these conditions.

The majority of "ethical" proprietaries are foisted on our profession, either without any formula accompanying them, or with a "formula" that is a fake. The majority of the "ethical" proprietaries are manufactured and supplied to physicians, with instructions regarding their use, by men who bear the same relation to legitimate pharmacy that the veriest quack that ever swindled a credulous public bears to scientific medicine.

Perhaps because this "medicine" among all of Ballard's products was considered to be an "ethical" one - meaning it was particularly advertised to doctors for their use, specifically for them to use in disinfecting wounds - there seems to have been some real lingering concern and even bitterness on the part of the AMA about Ballard's cavalier treatment of both its concerns as to its continued proffer to the medical profession and the misrepresentation of its formula.

In 1918, the AMA took the unusual step of again warning against the use of Campho-Phenique again invoking strong language:

The secretary of the Harvard University Medical School received from the Campho-Phenique Company of St. Louis a letter that, presumably, has been sent to most of the medical colleges of the country. It read:

"We wish to supply the senior class of all Medical Colleges with physicians' samples of CAMPHO-PHENIQUE Liquid and CAMPHO-PHENIQUE Powder, and Ointment for 1918.

"We will thank you very kindly if you will send us a communication stating the number of students in your graduating class, and if possible, we would like the name of each and every student, that we may send him personally a sample of CAMPHO-PHENIQUE. In this way, we are sure the party receives the sample."

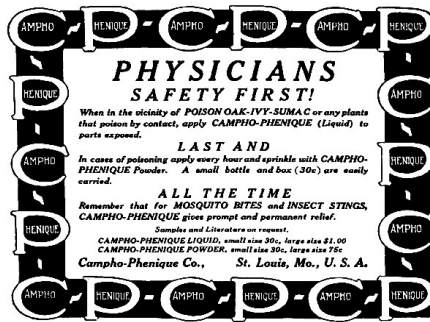
Presumably, the Campho-Phenique concern believes in following the old advice: Catch 'em young! In this connection, it may be well briefly to call to the attention of fourth-year medical students the results of the investigation of the Council on Pharmacy and Chemistry of Campho-Phenique.

[a description of the 1907 article including the description of Ballard's company followed]

If medical colleges of the better class were turning out graduates today who could be caught by free samples of such nostrums as Campho-Phenique, then, indeed, would the outlook for the future of scientific medicine be a gloomy one. But they are not. The young man or woman who goes out today from a reputable medical college is imbued with the scientific spirit, has developed habits of straight thinking and will not, we believe, be so uncritical as to accept at their face value claims made for nostrums of the Campho-Phenique type.—(From *The Journal A. M. A.*, Feb. 9, 1918.)

Neither the 1907 AMA article, which was reprinted thereafter for fifteen years in every AMA compilation of patent medicine denunciations and forthrightly labeled Ballard by name as a quack, nor the 1918 article seems to have elicited the slightest reaction from Ballard. Just like his paying fines for violations of the federal Food & Drug Act, the article seems to have had no impact whatsoever either on the sale of his nostrums nor on his general reputation or standing in the world. Without mass media or the internet, because the AMA's sphere of influence was limited to the professional

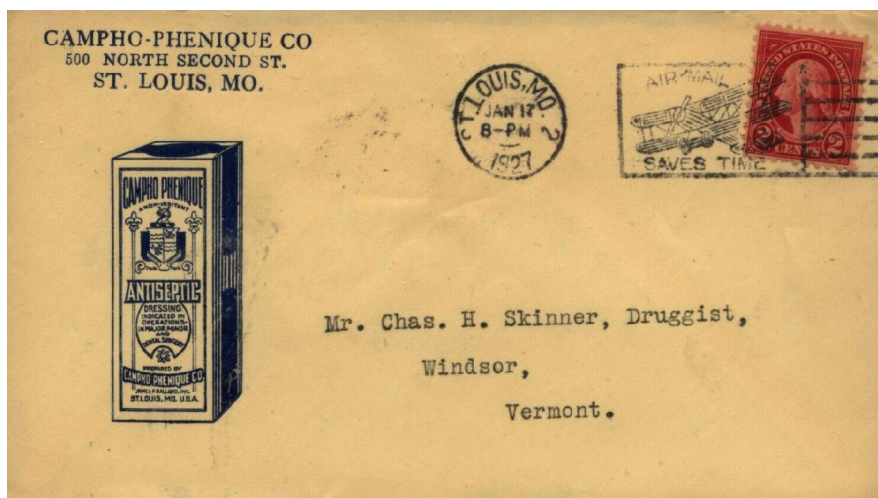
groups who read its literature, its naming Ballard to be a “quack” did not even draw from him a threat of litigation for libel. To the world in general Ballard was a philanthropist.



1920 Campho-Phenique Co. Trade Journal Ad



Ballard Period Campho-Phenique Bottle




1927 Campho-Phenique Co. Cover

B3) Henry B. Platt Co.

BROOKLYN HOME FOR CONSUMPTIVES.
Kingston Ave., Brooklyn, N. Y.

"We have used Platt's Chlorides in the Brooklyn Home for Consumptives for more than ten years and find it not only a comfort but a necessity. Through its use we defy 'The Germs' to make any inroads on the nurses and employees who are in constant attendance upon the sick, one hundred of whom are now in the Institution. One nurse has been there well on to ten years, a second almost as long, and not one person ever employed in the Home has developed lung trouble. Is not this sufficient endorsement of Platt's Chlorides?"
December 31st, 1898. Mrs. S. V. White, President.



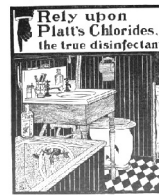
SUN PARLOR IN BROOKLYN HOME FOR CONSUMPTIVES.

"Platt's Chlorides" is an odorless, colorless liquid; a powerful disinfectant and prompt deodorizer, and is endorsed by over 23,000 physicians. It is sold everywhere by druggists and high-class grocers, in quart bottles only, and manufactured by Henry B. Platt, Platt Street, New York.



ROOMS OCCUPIED BY CONSUMPTIVES

can be kept free from odor and contagious dust by frequently sprinkling the floors (particularly before sweeping) with Platt's Chlorides, diluted with 10 parts water, also keeping in the cuspidors Platt's Chlorides, diluted with 4 parts water.



by HENRY B. PLATT, Platt Street, New York.

Put a little Platt's Chlorides frequently into the traps of the water-closets, wash basins, sinks, etc., and all foul gases will be neutralized and disease-breeding matter destroyed.

Platt's Chlorides is an odorless, colorless liquid disinfectant: powerful, safe and economical; sold in quart bottles only, by druggists, high-class grocers, and house-furnishing dealers. Prepared only

1900 Henry B. Platt Co. Ads

Astute readers will recall that Henry B. Platt (1847-1902) was an early partner of Alfred Scott (1846-1908), later of Scott & Bowne, which has already been chronicled in this column as an earlier acquisition of Sterling Products, Inc. [Sterling VII]. When Scott, Platt & Co. dissolved in 1874, Platt started his own business as Henry B. Platt Co. selling disinfectant under the name Platt's Chlorides. As set forth previously, he ran the business successfully and lived the life of a wealthy industrialist, for example, taking his family to Switzerland for the summer of 1896. He died suddenly in 1902 as he was walking between the 23rd Street Ferry terminal and the Pennsylvania Railroad Station in Jersey City, NJ on his way to catch a train to Atlantic City. A trade journal eulogized him:

Few men were more widely or more favorably known among physicians and drug and manufacturing circles than the deceased. Of a robust and handsome figure, a frank and genial bearing, and pleasing manners, he made friends easily and had the happy faculty of retaining them. He was about fifty-five years old at the time of his death.

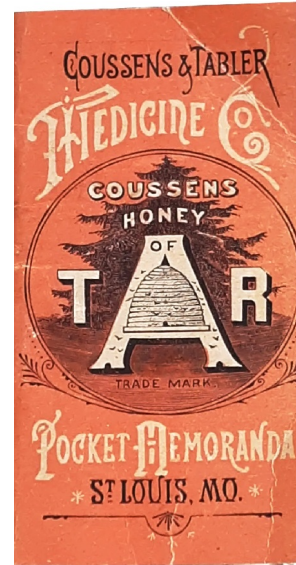
While Ballard might have pounced immediately in 1902 to purchase the company from the grieving family, this company turns out to have been one of his later purchases. Henry B. Platt Co. continued under the direction of Henry's son, Raymond (1876-1931), and Ballard did not purchase it until 1917, at which time he followed his usual pattern of consolidating the operation into his own company in St. Louis while leaving the company name in tact to conduct advertising.

BUSINESS DEPARTMENT.

Too much cannot be said in praise of that great cough remedy, Coussens' Compound Honey of Tar. It will not only afford relief in case of an ordinary cold, but the sufferer with Consumption may rely on it as a permanent cure if taken in time, and according to directions. To persons afflicted with chronic cough, which disturbs their rest at night, it affords sweet and refreshing sleep, and for Coughs, Colds, Croup, Whooping Cough, Sore Throat, Hoarseness, etc., it is simply one of the greatest medical blessings of the age. Use Coussens' Compound Honey of Tar. Price 50 cents a bottle. For sale by all druggists.

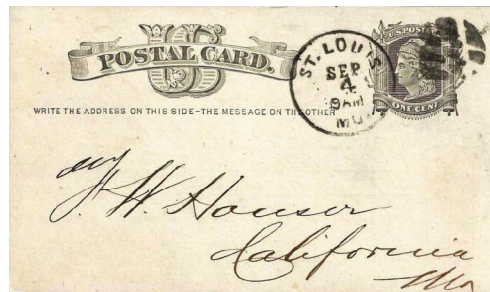
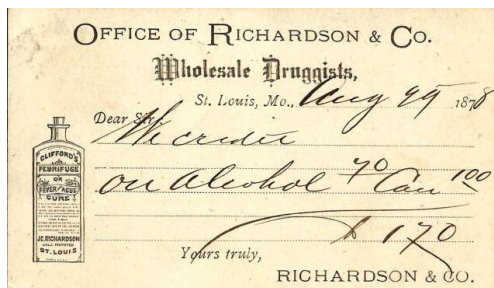


The *Æsculus Hippocastanum*, or Horse Chestnut, commonly known as the Buckeye, is regarded with great reverence, many persons carrying it in their pocket as a kind of amulet. It is a native of Asia, and was introduced into this country about the middle of the 16th century, and is altogether worthy of high regard, as it possesses wonderful curative properties when used for Piles. If afflicted with that disease use Tabler's Buckeye Pile Ointment, 50 cents a bottle. For sale by all druggists.



Coussens & Tabler Cancel on Government Civil War Era Revenue Stamp, 1878 Coussens & Tabler Ad & 1886 St. Louis Booklet

Three products that were advertised by Richardson & Co. while Ballard worked there were White's Cream Vermifuge, Coussens' Honey of Tar and Tabler's Buckeye Pile Ointment. They were not advertised by anyone else, although they originally seem to have been manufactured by the Coussens & Tabler Medicine Co. of Nashville TN, for whom Richardson & Co acted as wholesale distributing agent. At some point Coussens & Tabler moved to St. Louis and either Richardson assimilated it entirely or assumed the manufacture of these products.



1878 Richardson & Co Credit Acknowledgment Postcard



**Richardson & Co Cancel on Civil War Government Issue Proprietary Revenue
& Civil War Era Product Vended by It**

After Ballard left Richardson & Co., it went through a number of travails and trials itself, emerging as Richardson Drug Co.⁸ Like the stories of so many companies that intersect those directly impacted by Ballard, its own rich tale will have to await another column, but suffice to say that in 1895 Ballard purchased the right to manufacture products formerly made by Richardson Co. under the name Richardson Medicine Co. Thereafter these products were advertised as part of Ballard's own company's offerings.⁹

B5) Smith's Bile Beans Co.



J. F. Smith & Co. Battleship Revenue Cancel Types Recognized in BDR2

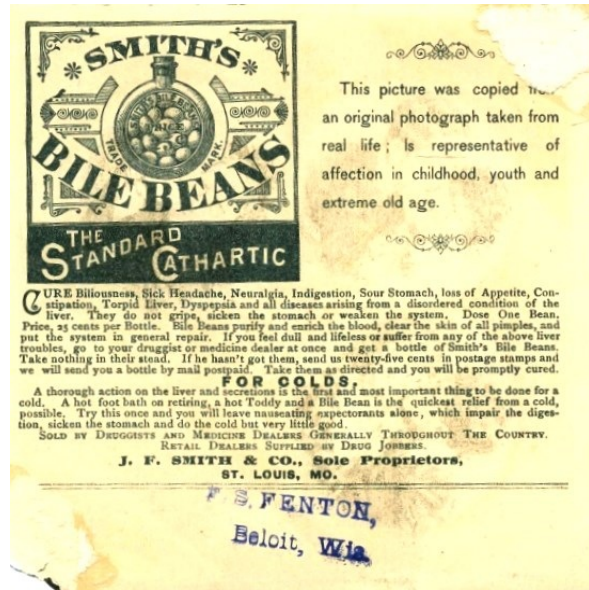
In 1893, responding to a critic who wrote that its product name, Smith's Bile Beans was "disgusting" and "grates upon one's nerves and sickens even a strong

stomach,” the predecessor of Smith’s Bile Beans Co., J. F. Smith & Co. wrote: “it was chosen for the purpose of bringing a plain article in a plain way before a plain people. Bile is a good English word, and beans is a word that even culture-loving Boston dotes on. ‘Bile Beans’ are pills, originally bean shaped and their action is the nearest approach to that of bile of any remedy known to medical science.” The company strongly advised the critic to try a bottle of the pills to cure his nerves and his stomach. The pills themselves were widely advertised to cure “Bilious Attacks, Sick Headache, La Grippe, Colds, Liver Complaint and Constipation.” In other words, virtually anything that ailed a body.



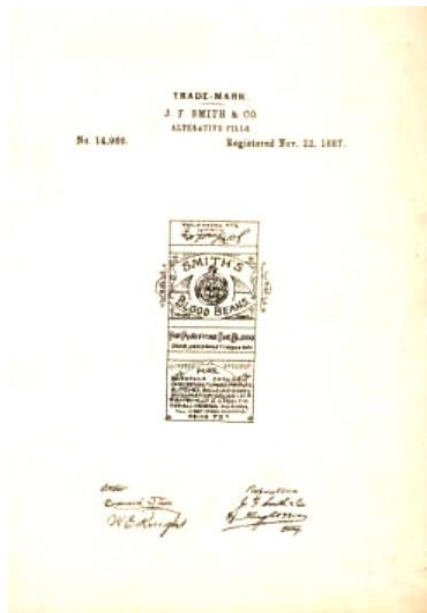
Iron-Malt Chemical Co. Trade Card

Bile Beans were originated by a druggist from Texarkana, AR named James F. Smith (1846-1896). He began to sell them locally in his drug store and about 1880 set up a company in St. Louis to manufacture them. Ultimately he entrusted its running to his two younger brothers, Jesse W. (1857-1929?) and Gustav S. (1863-1931?), who moved the main office of the business to New York City and during most of the 1890s also manufactured and sold a tonic called Magic Iron Tone through a New York City company called Iron Malt Chemical Co. James F. retired from the business in 1890 and died of an apparent accidental morphine overdose in a St. Louis hotel in 1896. For a while the Beans sold spectacularly well. They were actually manufactured by the William R. Warner & Co. of Philadelphia (yet another canceller of battleship revenues)¹⁰ and dispensed by Charles N. Crittenton Co. of New York City (already profiled in this column) as its wholesaler and general agent for distribution.



J. F. Smith & Co. Bile Bean Trade Card

However, by the late 1890s, the company was in need of funds to operate. To replenish its coffers, in 1899, the company took various loans from Dr. Martin Woodruff (1866-1934), a St. Louis physician whose sister had married Jesse W. Smith, and offered its trademarks and a formula for one of its nostrums as collateral for these loans. Woodruff, who claimed to have no real involvement with the company other than trying to help his in-laws, accepted them, stating that he regarded them as essentially worthless, since he believed that the Smiths had been trying unsuccessfully to sell them to others. Among the creditors the company needed to pay was the manufacturer of its Beans and other goods, W. R. Warner & Co. At first, Woodruff allowed the company to assign the trademarks to Warner as security for the debt. Warner then exchanged them for a series of notes made by the Smith Co. payable in small monthly installments. At first, the company paid the debt from the money it apparently managed to eke out of on-going sales, and then Woodruff took over the payments on its behalf. When it took the notes, Warner signed the trademarks back to Woodruff. However, the transfers of the trademarks from the Smith Co. to Woodruff and later to Warner and back again were not publically acknowledged or registered.



Smith Co. Trademark Registration Acknowledgment

In the same period, the Smith Co. embarked upon a new advertising campaign. When it could not pay for the campaign, the advertising agent in 1900 insisted on instituting an involuntary bankruptcy proceeding against it and having a Receiver appointed to deal with its affairs. Since none of the changes in the ownership of the trademarks had been publicized or registered, the Receiver believed they were a corporate asset and sold them to a broker who re-sold them to a newly formed New York company called J. F. Smith & Co. Incorporated 1901.

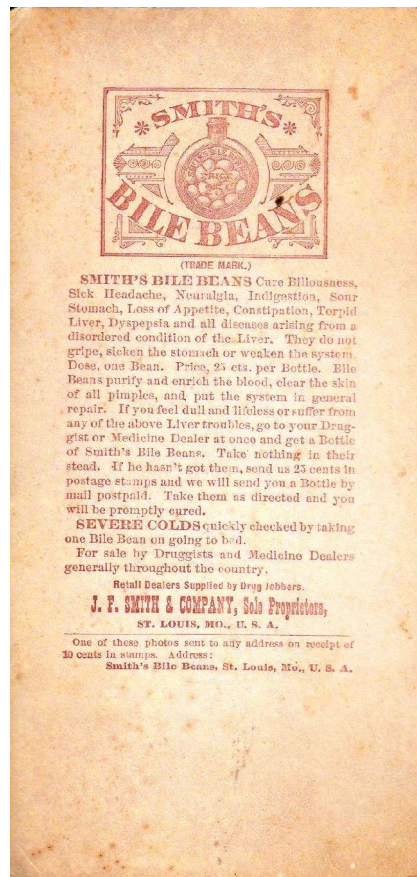
"The Kind You Have Always Sold."

The Smith's Bile Bean Co., with offices at St. Louis and New York, have an advertisement in this issue to which they ask the especial attention of the trade. They set forth in this advertisement that a concern in New York, calling itself the "J. F. Smith & Co., incorporated 1901," have sent out letters to the trade, claiming that they have a right to the trademarks under which Smith's Bile Beans are made. The Smith's Bile Bean Co. dispute that claim, and give as proof that it is without foundation; that the Supreme Court of New York has decided against it, saying, while rendering the decision, that the J. F. Smith & Co.'s pretensions were absurd. The Smith's Bile Bean Co. also point to the fact that a large number of the most reputable jobbers in the country, who have investigated the facts, are handling their goods, which they think ought to be sufficient evidence of their own reliability and of their exclusive right to make these goods. The Smith's Bile Beans Co. have many friends in the drug trade and they ask these friends not to be deluded by any assertions which the "J. F. Smith Co., incorporated 1901," may make. The Smith's Bile Beans Co. say they alone are in possession of the formula by which bile beans have always been made, and druggists must buy from them if they want the genuine Smith's Bile Beans.

For further information, address Smith's Bile Beans Co., St. Louis or New York.

Old J. F. Smith & Co. Trade Journal Announcement Warning Against the "1901" Company

When the new company sent out letters to the trade claiming that it owned the rights to Bile Beans, the St. Louis office of the original Smith Co., now operating under the name Smith's Bile Bean Co., responded with an trade announcement denying the 1901 Company's claim, basing its statement apparently on Woodruff's ownership of the Bile Beans trademarks. In 1902, the new 1901 Company sued Woodruff claiming that the original company's transfer of the trademarks to Woodruff was void. While the Court ruled that the new company really wasn't the appropriate party to contest with Woodruff the legality of his ownership (but rather suggested the right belonged to the Receiver), it found the actions of the original Smith Co. in transferring the rights to Woodruff separate and discrete enough from Woodruff himself, crediting Woodruff's claim that he had no role in managing the company. It therefore ruled in 1904 that the transfer to Woodruff appeared to be valid enough to give him title as against the 1901 Company's use of the trademarks and enjoined the 1901 Company from using them.



Common Back For Next 2 Illustrated Trade Cards

Taking his cue from the above decision issued by the Court in the case of the 1901 Company against Woodruff and realizing that the trademarks were the only other

assets the original Smith Co. might have that he could use to pay its debts, the Receiver instituted a suit in 1905 against the Warner Co. claiming that back in the 1899 period when the Smith Co. had paid off the debt to the Warner Co. at the same time as it was arranging the advertising campaign, it knew both that it was insolvent, and that it was improperly favoring Warner's debt over the rights of other creditors, namely the advertising agent. The Receiver expanded the lawsuit to include Dr. Woodruff and Ballard, as Woodruff's successor, in the lawsuit as defendants along with Warner, claiming that since the trademarks had been privately swapped around as collateral for the Warner debt, which itself was an illegal transfer, that transfer of the trademarks was also illegal, and they properly were assets of the company.



Front of Another Smith Trade Card

Ballard testified as a witness for the defense at the hearing held in 1905 concerning the ownership of the Bile Beans trademarks. He stated that he knew the Smith brothers casually and had been offered the opportunity to purchase the trademarks years earlier, but had declined. He asserted that he made the contract with Woodward to buy the trademarks for \$10,500 in January, 1905, and gave a \$500 binder. At that time, he claimed he was vaguely aware of litigation concerning the Bile Beans trademarks, but understood that Woodward had at least a lower court decision supporting Woodward's ownership of the trademarks, although Ballard neither asked for, nor received, a guarantee against an adverse decision on appeal.



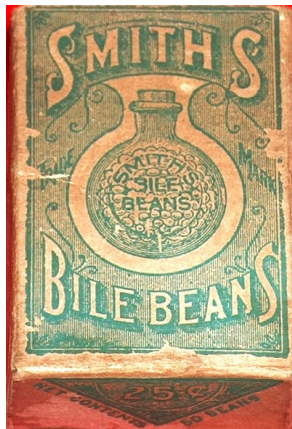
Front of a Third Smith Trade Card

Thereafter, Ballard conducted his own investigation about the ownership of the trademarks. He said he looked at the trademark registrations in Washington at the same time as he checked the Brown's Iron Bitters trademark registrations (which actually appears to have occurred in 1903, or before, since, as shown above, he bought Brown Iron Bitters in 1903, although no one in this proceeding appears to have been aware of the actual timing of his trip to Washington to question his ordering of the events). He further alleged that he also traveled from Washington to Philadelphia and New York City to speak personally with the heads of both the Warner Co. and the Crittenton Co. to assure that neither of them claimed title to the trademarks. When he had completed these inquiries, he testified, he completed the purchase, although he noted that \$1000 was temporarily held in escrow pending the outcome of any appeal concerning Woodruff's ownership of the trademarks, but that too had been paid by the time he testified.



Ballard Era Smith's Bile Beans Bottle Still Full

Surprisingly, in 1906, the New York trial court issued its ruling upholding the position of the Smith Co. Receiver's that both the payment to Warner and the temporary transfer of the trademarks as collateral were improper preferences given by the Smith Co. to Warner's debt and holding Warner, Woodruff and Ballard liable to the Receiver. Yet neither the tentativeness of the Court's ruling in the 1901 Case before Ballard's purchase nor the trial court's ruling against him in favor of the Receiver seems to have either fazed Ballard or interrupted his continuing the original Smith Co.'s arrangement with Warner for production of the Bile Beans or Crittenton for their distribution and accepting such profits as that arrangement yielded to him.



Ballard Era Bile Bean Box and Insert Advertising Other Ballard Products

Ballard's icy calm seems to have been warranted. On appeal, in 1907, the appellate court reversed all the trial court's ruling, stating it saw no evidence that the Smith's Co.'s dealings with Warner were outside of the course of its normal business or deliberately in contemplation of insolvency. It apparently accepted at face value Woodruff's representations that he was a completely disinterested party and also attached no significance to there being no public record of the swapping of the trademarks among the original Smith Co., Warner and Woodruff. It further found that Ballard had no notice of the Receiver's claim when he investigated Woodruff's title to the trademarks and that his check of the records, (now referred to in law as doing "due diligence)," was appropriate and adequate. The Court of Appeals later affirmed the reversal in 1908.



The Competition: English Bile Bean Ad and Package

While Smith's Bile Beans appear to have been the first and earliest Bile Beans, there was a completely separate network of English, Canadian and worldwide companies that also dealt in a product called Bile Beans. Because both of those terms - bile and bean - are so broad and generic, readers of this column will by now understand that no one could have trademarked them for their exclusive use, so there was no litigation concerning whether two companies could sell Bile Beans. The English and Canadian companies, and their related American counterparts, will receive due consideration from this column in the fullness of time. For now it must suffice to speculate that perhaps because the English and Canadian medical authorities chased so hard their brand of Bile Beans as being quackery, the AMA never seems to have tackled Smith's Bile Beans head on, although Ballard's ownership of them is set forth in the AMA's withering denunciation of Campho-Phenique mentioned above. Whether Ballard earned his \$10,500 investment back on Bile Beans is hard to say now, but he always seems to have been willing to accept any challenge.

B6) Dr. Swayne & Son



Dr. Swayne & Son Cancel on First Government Proprietary Issue



**Dr. Swayne & Son Cancel on Second Government Proprietary Issue
Printed on Various Papers**



Dr. Swayne & Son Cancel Types Recognized by BDR2

Pennsylvania seems to have been home to many Quakers with the last name of Swayne. One family seems to have produced three generations of patent medicine makers beginning with Huson Swayne (1793-1863), continuing with his son William Phillips Swayne (1825-1906), and ending with his grandson William Ambrose Swayne (1862-1946). Each, in turn, as head of the family business, Dr. Swayne & Son, took the honorific title “Dr.” According to the most complete and authoritative account concerning the operation of this business, the *Peachridge Glass* website, Huson Swayne began selling his medicines around 1838 and advertising in German publications around the city of Philadelphia around 1847.

Ein werthvolles vegetabilisches Heilmittel,
Doctor Swayne's
 Zusammengesetzter Wildkirschen-Syrup
 ist angenehm für den Geschmack, sicher u. harm-
 los in seiner Wirkung, und doch eins der kräf-
 tigsten Mittel gegen Lungen-Ausdehnung, Hus-
 ten, Erkältung, Asthma, Brustwehen, Leberbe-
 schwerden etc.—Beschleunigungen von den wun-
 derbaren Kuren dieser Arznei werden von al-
 len Gegenden erhalten. Daß viele Leiden das
 dadurch vermieden worden, kann man sich nicht
 denken. Die genannten Krankheiten werden durch
 den Gebrauch von Doctor Swayne's Wildkir-
 schen-Syrup gänzlich verhilft. Wenn die vielen
 Leidenden, die mit der Ausdehnung behaftet
 sind, Dr. Swayne's Wildkirschen-Syrup pro-
 biren, würden sie weit besser thun, als daß sie
 die vielen untauglichen Medicinen einschmei-
 den die in den öffentlichen Blättern bekannt gemacht
 werden. Diese Kräuter-Medicin heilt die we-
 chen Lungen, vertreibt den Nachschweiß und ku-
 rirt den Kranken.
 Der einzig ächte Kettel wird von Dr. Sway-
 ne, einem regelmäßig practicirenden Arzte, der
 seit langen Jahren in Lungen- und Brustkran-
 kheiten Erfahrung gesammelt, zubereitet. Sie
 sind mit einem schönen Stahlstich umhüllt, auf
 dem sich seine Signatur befindet. Zu haben in
 der Office des Dr. Swayne, Nord-west-Ecke der
 5ten und Race-Strasse, Philadelphia.
 Zum Verkauf bei John Ritter und Comp-
 England und W. W. W. und Dr. J.
 Marshall, Agenten für Reading,
 Geo. S. Miller, Weinsdorf; Dr. Keller,
 Pottstown.

Swayne Ad in German in 1847 Reading, PA Newspaper

Albeit the Swaynes ultimately offered their own “Panacea,” there appears never to have been any confusion between the Swayne’s medicines and the Swaim Panacea (and other medicines) offered at the very same time in the very same city by the Swaim family discussed above in this article. Considering how long both of these companies stayed in business and how well both seem to have prospered over the more than 50 years that they competed against one another, it is remarkable how little conflict there was between them. Moreover, unlike other families whose stories are chronicled in these pages, in general, the Swayne’s seemed to have conducted themselves so modestly as to attract little attention over the years even from the various trade journals that reported on the doings in the pharmaceutical industry from the 1850s on. There appear to be no articles describing the various wonders of their manufacturing plant nor praising the wisdom and industry of the company leader.

TO PLANTERS OF THE SOUTH & WEST.

**SWAIM'S CELEBRATED PANACEA,
FOR THE CURE OF**

**INCIPIENT CONSUMPTION,
Scrophula, General Debility, White Swelling,
Rheumatism, Diseases of the Liver and
Skin, and all Diseases arising
from Impurities of the Blood,
and the effects of Mercury.**

SWAIM'S PANACEA has been for more than thirty years celebrated in this country and in Europe for its extraordinary cures—for the certitudes of which reference is made to the directions and books (which may be had gratis) accompanying the Panacea, some of which give the particulars of cases too frightful for publication, where the patients had been almost eaten up with Scrophula, and were deemed incurable by physicians.

Negroes who are confined in large numbers on plantations in hot climates, are peculiarly liable to such forms of disease, arising from a vitiated state of the blood and want of cleanliness and a variety of food. These diseases so frequently set regular practice at defiance, and render their miserable victims both useless and expensive to their masters, that planters would study their own interest as well as that of humanity, by keeping always a supply of Swaim's Panacea, which appears to be the only thing which can be relied on in such cases.

W. Gibson, M. D., Prof. of Surgery, Pennsylvania University.

Valentine Mott, M.D., Prof. of Surgery, New-York University.

W. P. Dewees, M. D., Prof. of Mid., Pennsylvania University.

N. Chapman, M. D., Prof. of Physic, Pa. University.

T. Parke, M. D., Pres't College of Physicians, Phila.

Dr. Del Vallo, Professor of Medicine, Havana.

Jose Loureiro de Luz, Prof. of Surgery, Lisbon.

J. Chippman, Member Royal College Surgeons, London.

G. W. Irving, late Minister to Spain.

Sir Thomas Pearson, Maj. General British Army.

Gilbert Robertson, British Consul, &c.

And also, the wonderful cures effected by Swaim's Panacea have for many years made it an invaluable remedy. The Panacea does not contain mercury in any form, and being an innocent preparation, it may be given to the most tender infant. The retail price has been reduced to \$1.50 per bottle, (containing three half pints) or three bottles for \$4.

Beware of Imitations.—Swaim's Panacea is in round bottles, dated longitudinally, with the following letters blown on the glass:

"SWAIM'S—PANACEA—PHILADA."

and having the name of JAMES SWAIM stamped on the sealing wax, and written on the label covering the cork, and a splendid engraving for the side of the bottle, composed of geometric lath work, comprising nine different dies, which have been turned for the exclusive use of the proprietor, by Draper & Co., bank-note engravers, of Philadelphia.

ALSO, SWAIM'S VERMIFUGE,

A valuable Family Medicine, being a highly approved remedy for all diseases arising from debility of the digestive organs, such as Worms, Cholera

Morbus, Dysentery, Fever and Ague, Bleeding Piles, Sick Headache, &c. See the pamphlet (which may be had gratis) accompanying the Vermifuge.

Prepared only at SWAIM'S LABORATORY, THE OLD STAND, Seventh-street, below Chestnut, Philadelphia, and sold by all the respectable Druggists in the United States.

CAUTION TO THE PUBLIC.—Persons wishing to obtain the genuine SWAIM'S PANACEA AND SWAIM'S VERMIFUGE, should be careful to observe that the name SWAIM is spelled correctly on the bottles and labels, or they may be imposed on by medicines made in imitation of them by a person bearing a somewhat similar name, well calculated to deceive.

General agents for the United States,
SCHEFFELIN BROTHERS & CO.,
104 and 106 John-street, New-York.

*To Planters, Southern & Western
Merchants, and the Sick and
Afflicted Everywhere.*

**DR. SWAYNE'S COMPOUND SYRUP OF WILD
CHERRY, VERMIFUGE AND PILLS.**

*Still another remarkable cure of Consumption,
and its dangerous attendants after having been
given up to die by physicians and friends. The
annals of history cannot furnish a parallel.*

READ THIS EXTRAORDINARY CASE.

POINT OF ROCKS, Frederick Co., Md., }
June 9th, 1852. }

DR. SWAYNE:—Dear Sir,—Believing it a duty I owe to the public, and in justice to you, I have thought proper to make known one of the most extraordinary cures in my own case, that has ever been truly recorded. In the month of October last, I was afflicted with a severe gathering in my breast, which formed a large abscess, and also communicated to my lungs, and discharged large quantities of corruption, external and internal. My breath could also pass through my lungs and out through the cavity of my breast with apparent ease, attended with a violent cough, day and night, loss of appetite, and extreme debility, so that my physician thought my case entirely hopeless, and beyond the power of medicine. I remained in this wretched condition for a long time, until I was wasted to a mere skeleton, and there seemed to be no hope for me; but having read in the public papers of the many wonderful cures performed by your COMPOUND SYRUP OF WILD CHERRY, I immediately sent to Baltimore for five bottles, and commenced its use, and to my great satisfaction and the joy of my anxious family, the abscess or opening in my lungs began to heal, and the cough to subside, and on using ten bottles, I was restored to perfect health. I feel very grateful, and firmly believe that to your valuable medicine, under the blessing of Divine Providence, I am indebted for this great change, and am happy to say that I am now enjoying as good health as I ever have.

Yours, very respectfully,

THOMAS DIXON.

Be careful in purchasing to obtain the original and only genuine preparation of WILD CHERRY, which must have the portrait and signature of DR. SWAYNE on each wrapper around the bottle. Until you obtain this compound you will never know the real virtues of WILD CHERRY.

The above valuable medicines are prepared only by DR. SWAYNE, at his laboratory, No. 4 North 7th-street, (late Eighth and Race,) Philadelphia.

For sale by Hu-Kennedy & Stickles & Co., New-Orleans; J. S. Frazier, Thibodaux; A. Fisher, Village P. O.; D. Mac Entry, Marksville; J. Tucker, and I. C. Dubose & Co., Mobile; Dr. P. M. Cohen & Co., Charleston, and by dealers everywhere.

Swaim & Swayne Ads Appearing Together on Same Page of 1852 Magazine

The *Peachridge Glass* website suggests that the William A. Swayne, Huson's grandson, had relinquished control of the business to others by 1904, but does not know whether the change meant an outright sale of the business or simply a takeover by a newer and fresher management. However, in June 1905, Ballard announced to the industry his purchase of Dr. Swayne & Son (which he dated as being in business since 1830), and listed his selling price per dozen of its seven Swayne's medicines and one hair restorer. The announcement did not give details as to either the seller or the purchase price, but, having studied Ballard's behavior, he undoubtedly thought it was a good deal for him.



"STANLEY IN AFRICA"

Is the subject portrayed by this, the first of a series of album cards, seemingly of little merit at present, it may in time prove of value by way of reference. He, who by his daring spirit has penetrated the densest jungles of Africa where disease reigns as the arch-enemy of man, opening his life to the dangers of the country for the cause of science, is justly entitled to the distinction of "America's Greatest Explorer." The story of his adventures is so well known, both to child and man, that comment on this picture is unnecessary, further than to state he is here shown at rest in sweet repose, his life endangered in every conceivable manner, by a coterie of meddlesome monkeys. And now gentle reader let us ask a question concerning yourself. Have you ever, or do you now experience distressing symptoms, such as itches, itching, particularly at night, as though pin worms were crawling in and about the rectum, the private parts frequently affected? If you recognize these peculiarities, you may rest assured you have the *Itching Piles*, and if not relieved, very serious results may follow. We therefore take pleasure in recommending an infallible remedy that will cure the worst case of *piles, itching or other ills, SWAYNE'S OINTMENT* by name. It stops the itching at once, it starts sweet repose, and speedily effects a permanent and lasting cure. By its cooling, healing and conquering powers, it relieves the most distressing symptoms and cases, and acts as a soothing and healing balm. It is an absolute specific for *Tetter, Itch, Scall, Rheum, Scald Head, Erysipelas, Barbers Itch, Blisters, Pimples and all Scaly, Crusty, Itchy Skin Eruptions.* It may not be inappropriate to mention that Dr. Swayne, the discoverer of *Swayne's Ointment and other valuable remedies* was a graduate of the University of Pennsylvania, and enjoyed an active practice of over 40 years. He was connected with the Philadelphia Dispensary, where under his special care and attention came some of the most aggravating cases of skin diseases, both acute and chronic it is possible to describe. By his medical men and professional insight all were brought under his jurisdiction. To those who may be affected with any of the above diseases, especially the tormenting piles, we urge you to buy *Swayne's Ointment*, and be convinced of its value, healing and great curative properties.

Swayne "Stanley In Africa" Trade Card

The coincidence of the Philadelphia families of Swayne and Swaim both selling Panaceas that were later purchased by Ballard seems to have attracted no particular notice from anyone except perhaps the federal government, which in 1915 did charge Ballard with misbranding violations under the federal Food & Drug Act in connection with the label of each Panacea as a part of the same indictment brought against Collins Ague Remedy discussed above. While the label of each of the products was set out in detail together with the chemical analysis performed on it, the nub of the complaint against each medicine was that although each claimed contains substances to cure a list of various ailments, "it was not, in whole or in part, composed of, and did not contain such ingredients or medical agents." As already discussed above in connection with Collins Ague Remedy, Ballard simply pleaded guilty and paid the \$30 fine, apparently \$10 for each of the three product violations charged.

C) Companies Virtually Indistinguishable From Ballard's Own Despite Their Names

C1) Dr. William Hall Medicine Co.

HOG CHOLERA

Can be prevented, and a large per cent of the sick hogs cured by using
WM. HALL'S HOG CHOLERA CURE.

Note what L. W. Marks says.
VINITA, I. T., Feb. 20, 1896.

The Wm. Hall Medicine Co., St. Louis, Mo.:
The medicine sent me has cured hog cholera in all stages after giving it a fair test. I find it to be the only sure cure I ever had and have tried nearly everything heard of before. Being in a liquid form renders it easy to administer. It goes farther thereby making it cheaper than any other preventive I ever used. The four bottles sent me has cured about 43 head that were infected in the herd. Still have some left on hand that I use as a preventive.
L. W. MARKS.

For Sale by druggists or the Wm. Hall Medicine Co
Jan 4 \$1.00 A BOTTLE or SIX FOR \$5.00.

1896 Dr. William Hall Medicine Co. Ad in Indian Territory (Oklahoma) Newspaper

Probably the most significant fact to mention about this company is that it appears to have had no connection whatsoever with the William Halls mentioned in connection with the earlier discussion in this article of Hall & Ruckel. This company, whose product was Hall's Hog Cholera Cure, seems to have been located in St. Louis and appears to have been mentioned first within the pharmaceutical industry in 1892 when one Francis T. Grishaber (1860-1900) bought out the interest of one C. F. Spray to become its sole proprietor. Further investigation of purely genealogical records shows that Christopher F. Spray (1838-1909) was Grishaber's father-in-law, but reveals nothing concerning the derivation of the company or its product. A stray insurance record shows that the company apparently owned a warehouse in New Orleans in 1897. Grishaber drew one more notice from a trade journal in the form of an chatty blurb as being the most skillful of a fishing party that traveled to Arkansas that year. Sadly, Grishaber's next mention was his obituary. Thereafter, Ballard, who was located in the same place, quickly became owner of the company and seems to have folded everything but its name directly into his own Ballard's Snow Liniment Co. In 1918 - as with virtually all of Ballard's products - the government seized a shipment of Hall's Hog Cholera Cure as misbranded for its claiming on the packaging to cure hog diseases that the ingredients as analyzed by the government simply could not effectuate. The company never appeared in the proceedings and the court ordered the seized product destroyed. Ballard never even flinched.

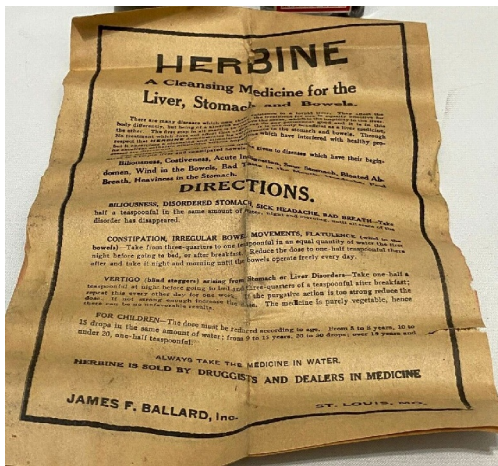
C2) Herbine Co.



1885c Herbine Co. Cover & Return Envelope

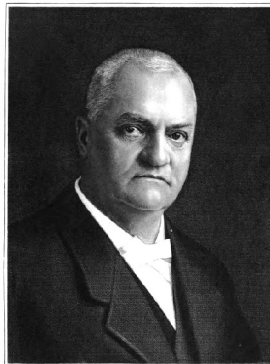
Herbine Co. was an early acquisition by Ballard in 1891, which appears to explain why everything about it except its name was rolled directly into his own company. Its product was Herbine which had been registered as a trademark for a liver medicine in 1878 by one William Condell (1849-?) and produced by him thereafter at his factory in St. Louis. A ruling late in 1878 by the Internal Revenue Office of the Treasury Department explicitly classified it as a patent medicine, subject to the patent medicine tax rate rather than to liquor's higher rates. Years later Ballard still offered it as a balm for liver ailments.





**Ballard Era Herbine Box & Bottle
With Instruction Sheet Which Includes Advertising
for Other Ballard Products**

C3) Sylvan Remedy Co.



Eugene F. Baldwin

Portrait of Eugene F. Baldwin

In 1890, the Sylvan Remedy Co. of Peoria, IL received a trademark for Reid's German Cough & Kidney Cure, and in 1892, the company was incorporated by three men also from Peoria, IL. The most notable of these three was Eugene F. Baldwin (1840-1914), a Civil War veteran, who, save for a brief sojourn in the patent medicine business as a part of the Sylvan Remedy Co., was otherwise acclaimed, and ultimately profiled in the *American Biography: A New Cyclopaedia*, as the founder and editor of the *Peoria Star* newspaper which contained his nationally read column "The Philosopher," his musings on life. Like George Rowell (1838-1908), of Ripans Tabules, and others whose lives have been touched upon in this column, he must have experienced a moment in his life when he saw an opportunity to make more money as the owner of a patent medicine than one who wrote advertising copy about it or published its ads. More like Charles Austin Bates (1866-1936), of Laxacola fame, than Rowell, he appears to have realized that these opportunities did not always materialize and returned to the calling he had trained to follow.

THE LAXATIVE GUM DROP.

This new cathartic is the most delightful form of a laxative that has ever been offered to the public. It is in the form of an ordinary gum drop, but it has no medicinal taste, and it can be eaten like a piece of confectionery. The results, too, are pleasant. It is the most complete remedy for dyspepsia, summer troubles, biliousness, headache, and all those maladies for which the ordinary cathartic is prescribed. It acts as a gentle stimulant, not violent, but perfectly safe, and certain. In this respect it is far superior to the ordinary pill, with the additional merit of not being disagreeable to take. It is just the thing for children on this account and for people with weak stomachs. These gum drops are put out in packages, the small ones selling for ten cents and large ones for twenty-five cents. If your druggist does not have them we will send them to you by mail on receipt of the price. But we would prefer to have you get them of your druggist.

SYLVAN REMEDY CO.

PEORIA, - ILLINOIS.

1892 Sylvan Remedy Co. Trade Journal Ad

The second of the Sylvan Remedy Co.'s incorporators was the man whom Baldwin's biography states briefly lured Baldwin away from the newspaper business, Charles H. Powell (1853-1902). Powell was an investor with Baldwin in the local Peoria evening newspaper. That he was also the patent medicine originator among the three incorporators can be imputed from references to his name contained in the opinions of the courts who later adjudicated the validity of claims made against his estate as the guarantor of notes drawn on the Sylvan Remedy Co. given to its creditors. The third man was Walter S. Horton (1857-1944), the attorney who drew the incorporation papers.



REID'S
German Cough & Kidney Cure

The best remedy in the world for children for it contains no poison. It is the only cough cure in the market of which it can be truthfully said, it is impossible to take an overdose. It never fails in pneumonia, it is unrivalled for bronchitis, it will cure the hardest cold or any malady that arises from a cold, while for sore throat, catarrh, pleurisy, asthma and kindred maladies it has no equal. The small bottles are 25 cents; the large ones 50 cents. Get them of any dealer.

SYLVAN REMEDY CO.,
 PEORIA, ILL.

The Laxative Gum Drops.

The Laxative Gum Drops are a mild and gentle cathartic, but so absolutely certain that they will cure the worst case of constipation, if their use be persisted in. In order to derive the greatest benefit from them they should be taken every night before retiring. An ordinary dose is from two to five of the drops, but more can be taken if the system seems to require it. The effect is at first mild and gentle but they will prove sufficient if they are taken regularly. For dyspepsia or any form of indigestion, they are unrivalled. Small boxes 10 cents, large boxes 25 cents. Get them of any dealer.

SYLVAN REMEDY CO.,
 PEORIA, ILL.



The Laxative Gum Drop

An Agreeable substitute for Pills.
 Does away with a spoon.
 Mild, gentle, pleasant, easy to take.
 Take from 3 to 5.
 With no medicinal taste.
 No nauseating liquid.

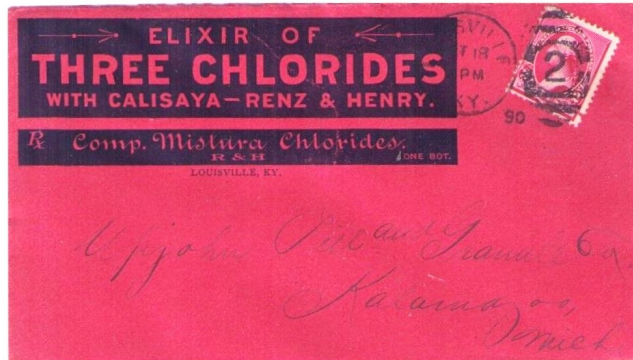
For sale by all druggists, 10 and 25 cents a box,
 or by mail on receipt of amount.

SYLVAN REMEDY CO., PEORIA, ILL

Sylvan Remedy Co. Trade Cards

The history of the Sylvan Remedy Co. was brief. Baldwin's biography states that it "made a failure of its plans after three years." Baldwin and Powell returned to the newspaper business by creating the *Peoria Star* in 1897 after the failure of the medicine business. Baldwin reached even greater heights of fame with this newspaper. Ballard seems to have done well with Reid's German Cough & Kidney Cure. As a relatively early acquisition of Ballard's in the first half of the 1890s, the Sylvan Remedy Co's operations were entirely subsumed into Ballard's own company, save for its name which Ballard chalked up as one he owned and controlled.

C4) Henry Pharmacal Co.



ELIXIR OF THE THREE CHLORIDES WITH CALISAYA-RENZ & HENRY.

Malaria, so-called Struma, latent or unrecognized Syphilis may all operate in the same individual to bring about pro found impoverishment of the red blood corpuscles. To meet this frequent multiple causation of Anemia, we have resorted to prepare from old and well tried remedies a tonic which we believe will immediately appeal to the judgment, and meet the approbation of physicians.

At first glance, many physicians will think the dosage too small; however, we believe on closer thought, they will agree that to get the best results from either of the agents employed, viz—the tonic and alterative effect—they should be given in small doses, long continued.

Formula—Each fluid drachm contains one-eighth (1/8) grain Potassium Chloride from one hundred and twenty-eight (128) grain Bichloride Mercury; one-two hundred and eightieth (1/280) grain Chloride Arsenic with true Calisaya and Aromatic.

Indications—Anemia from any cause, Struma, Latent syphilis, General Debility, Tuberculosis, Malaria, loss of Appetite, etc.

Dose—One or two fluid drachms three or more times a day, as directed by the physician.

In 12 oz. Bottles. Price \$1.

Masses, Renz & Henry: LOUISVILLE, Ky., March 12, 1889.
Your request for judgment upon the therapeutic value of your preparation known as "Elixir of Three Chlorides" furnishes me to say you have struck the right spot upon which Alterative Medication rests. The composition is judicious and effective; the dose small, thereby avoiding the harmful effect of drugs, and enabling it to be continued for a long period of time. The class of cases which will be successfully met by this preparation is exceedingly numerous, and will readily suggest themselves to the mind of the busy practitioner for whose convenience it has been prepared.

Very truly yours,
J. A. LARBADEE, M. D.

Masses, Renz & Henry: LOUISVILLE, Ky., March 12, 1889.
I have been prescribing quite extensively your "Elixir of Three Chlorides." It is certainly an ideal preparation, and meets the indications in Anemia more effectually than any compound I am acquainted with.

A. MORRISAN CARLISLE, M. D.

A sample bottle sent to my reputable physician, agreeing to pay express charges. To be had of Fuller & Fuller, Chicago; W. H. Shafer & Co., New York; Smith, Kline & Co., Philadelphia; Potter Drug & Chem. Co., Boston; Winkelman, Brown & Co., Baltimore; Mayer Drug Co., St. Louis; Moffitt-Went Drug Co., St. Louis; Waller Drug Co., St. Louis; Meyer Bros. Drug Co., Kansas City; A. Kiefer & Co., Indianapolis, and by all the druggists in the country.

LOUISVILLE, KY.
RENZ & HENRY, DRUG IMPORTERS,
264-266 E. Market.

1890 Renz & Henry Cover & Ad

The Henry Pharmacal Co. was brought into being by Frank A. Henry (1855-1909) of Louisville, KY. Around 1890, he and Fred J. Renz (1856-1908), another druggist from Louisville, had formed two partnerships, the retail drug store, Renz & Henry and the manufacturing company, Renz & Henry Pharmacal Co. In 1895, the two men mutually divided the assets between them. Renz took the retail drug store and Henry obtained complete control of the manufacturing company, which he named the Henry Pharmacal Co. Concerning the work Henry had done to establish the manufacturing company, one trade journal wrote at that time:

The
medical profession of the United
States is thoroughly familiar with the

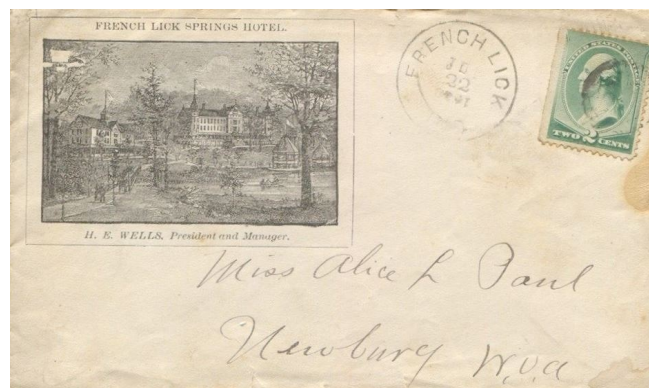
products which have been presented to them for some years known as Elixir of Three Chlorides and Henry's Tri-Iodides, and the knowledge of this product has come largely through Mr. Henry, who has visited a large part of the medical profession in the United States; indeed it is probable that he has come more closely and directly in contact with a larger number of the leading members of the medical profession than any pharmaceutical purveyor in the



FRANK A. HENRY, JR.

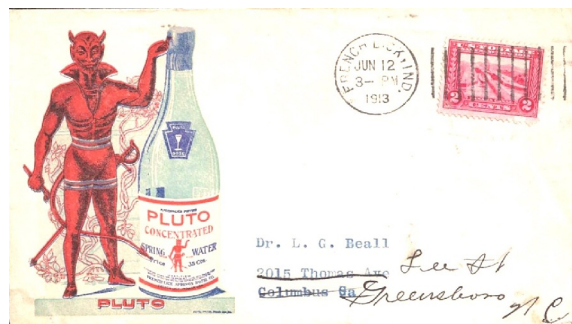
United States. He has not during the past years sent representatives to the profession to any great degree but has made the visits himself, and assuredly to his advantage as well as the advantage of the profession, for his personality as a purveyor is closely identified with his product. His expert knowledge as a chemist has enabled him to furnish products that are uniformly good and reliable. There can be no doubt that the Elixir of Three Chlorides and the Tri-Iodides introduced by Mr. Henry rank among the best pharmaceutical combinations ever given to the profession.

Henry's drive fostered his products over the years and enabled him to add another, Maizo-Lithium.



1890c French Lick Springs Hotel Cover

In 1897, Henry appears to have participated in a group of Louisville businessmen who purchased the French Lick Springs in French Lick, IN, approximately 75 miles west and slightly north of Louisville after a disastrous fire destroyed one of the major two competing existing hotels. In 1899, the pharmaceutical trade journals all stated that Henry had taken charge of the Springs directly, vowing with his expertise in the patent medicine industry to fully exploit the potential of French Lick's Pluto mineral water. Curiously, there is no further mention of Henry's involvement in the French Lick project in any of those trade journals. A 1920s hotel journal article mentions that in 1901 the Louisville syndicate sold out to a former Indianapolis mayor Thomas Taggart (1856-1929), and all of the modern histories of the resort and its constituent hotels date from 1902, after yet more fires destroyed not only the re-built French Lick Springs Hotel but also, by chance, its major rival hotel in French Lick as well, which also re-built and re-opened in 1902. The modern resort therefore dates itself from 1902, and seems to rapidly gloss over its earlier history. To the extent that the Louisville syndicate is even mentioned, it is represented only by the names Capt. John C. Howard (1829-1914) and his son, Dr. John L. Howard (1866-1909) who are credited with acting on its behalf.



1913 Pluto Water Cover

The right to develop and market Pluto Water as a cure remained with the French Lick property, and, while Henry may have lost that opportunity (and the accompanying profit), he also avoided the AMA's denunciation of Pluto Water as quackery and the whopping misbranding fine of \$50 imposed by the government after a proceeding in 1909. As with Ballard's family of medicines, neither the AMA's scolding nor the government proceeding seems to have diminished the public's appetite for Pluto Water which remained on sale until 1971 when lithium, one of its ingredients, was deemed a "controlled substance" under schedules added to the narcotics law that year.

<p>"It is a standard in my armamentarium." CHARLES A. L. REED, M.D.</p> <p>MAIZO-LITHIUM LITHIC SOLVENT DIURETIC <i>Genito-Urinary Solutes.</i></p> <p>Subdues Inflammation of Mucous Surfaces of Urinary Passages. Indicated in Cystitis and Urethritis, Acute or Chronic. Impedes Development of Gonococci.</p> <p>The chemical union of Malzeu's Acid—<i>from Green Corn Silk</i>—with Lithium, resulting in MAIZENATE LITHIUM. 2 grs. to drachm. Dose—1 to 2 drachms.</p>	<p>"Three Chlorides (HENRY) is my favorite formula." G. FRANK LYDSTON, M.D.</p> <p>HENRY'S THREE CHLORIDES. <i>(Liq. Ferrisic Henry)</i></p> <p>A Potent Stimulant to the Glandular System. Promptly Reconstructive in Local or General Disturbances of Hard or Soft Tissue.</p> <p>TONIC, ALTERATIVE, STOMACHIC. Indicated in Anemia, Chlorosis, Specific Invasions, and Convalescence.</p> <p>Each fluidrachm contains:— 1-8 gr. Protochlor. Iron. 1-128 gr. Bichlor. Mercury. 1-280 gr. Chlor. Arsenic. Calisey's Alkaloid Cordial.</p>	<p>"The formula of HENRY'S Tri-Iodides commends itself to the profession." A. M. OWEN, M.D.</p> <p>HENRY'S TRI-IODIDES <i>(Liq. Sali-Iodide Henry)</i></p> <p>Resolvent, Regenerant, Anti-arthritis, Antirheumatic, Antisyphilitic. Excites Normal Lymphatic Energy, Hastens Waste Elimination, Encourages Resolution, Energizes Iodides and Salicylates.</p> <p>Colchicine, 1-20 gr.; Decandrin, 1-10 gr.; Solanin, 1-3 gr.; Sodium Salicylate, 10 gr.; Iodic Acid (equal to 7-32 gr. of Iodine), in 2 fluidrachms of Aromatic Cordial.</p> <p>HENRY PHARMACAL CO., LOUISVILLE, KY.</p>
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1903 Henry Pharmacal Co. Ad

Ballard took control of Henry Pharmacal approximately in 1903 and seems to have continued sale of three of its products: 1) Henry's Three Chlorides; 2) Henry's Tri-Iodides; and 3) Maizo-Lithium. In 1915, the AMA issued its report condemning all three products. It found Henry's Three Chlorides to be simply "a nostrum whose ingredients apparently were selected at random." It dismissed Henry's Tri-Iodides on the grounds that it contained without disclosure poisonous mercury compounds. It found Maizo-Lithium to be predicated on the false scientific theory that "lithium dissolves uric acid deposits in the body." Moreover, it criticized the product's advertising for claiming that the substance "maizo-lithium" was could be derived from corn silk and, in fact, found no support for the proposition that there even existed such a compound as "maizenate of lithium." The AMA's testing committee even wrote to Ballard asking him to provide proof concerning the existence of such a chemical. Ballard never answered, and continued to sell the products.

<p>Stepping Up After Syphilis</p> <p>regenerating the blood current—increasing the thickness of its conspurcous elements—putting tone and strength into the nervous tissues—adding to the body weight—in other words restoring the patient to his pre-syphilitic state of health, may be effected with</p> <p>THREE CHLORIDES <small>(HENRY'S, LIQUOR FERRISIC)</small></p> <p><small>POWELL—Has filed death sentence. Prescribed for the patient. Blood analysis, 15 years. Chloride, Arsenic, 1-100 grs. in a bottle of Chloride. Blood, 1-100 drachms. After one, two, or three 1000, 1000, 1000.</small></p> <p>For this purpose, the formula of THREE CHLORIDES (HENRY) is ideally adapted.</p> <p>Containing a tonic dose of Bichloride of mercury, backed up by the proportion of iron, chloride of arsenic and calasey cordial, THREE CHLORIDES (HENRY) may be said to possess the greatest merit as a reconstructive for the broken-down state following syphilis.</p>	<p>IF YOU BUT REMEMBER</p> <p>The Individual Merit OF THE CONSTITUENTS OF MAIZO-LITHIUM</p> <p>In disorders of the urogenital system—you will be impressed with the possibilities of their combined power. AS A URO-GENITAL SENSITIVE AND ANTISEPTIC MAIZO-LITHIUM has long maintained a high place in the professional mind.</p> <p>It reduces inflammation, inhibits germ growth and renders the urinary stream bland and unirritating.</p> <p>In catarrhal and suppurative conditions of the higher urogenital tract, Maizo-Lithium reaches its maximum of therapeutic efficiency.</p>
<p>HENRY PHARMACAL COMPANY 211 Vine Street ST. LOUIS, MO.</p>	

<p>HENRY'S TRI-IODIDES <small>(LIQUOR-SALI-IOIDES)</small></p> <p>A combination of the iodides with vegetable alkaloids in accordance with the use of iodides of potassium or sodium. Powerful as an eliminant of uric acid. Chiefly and successfully employed in cases of rheumatism, gout, syphilis and scrofulous taint, acute or chronic, disease of the bowels, which there is an underlying blood taint. Valuable also as a tonic, stimulant and to increase the quantity and quality of the bile.</p> <p>SPECIAL NOTICE TO PHYSICIANS We will send an Original \$1.00 Bottle of Tri-Iodides to any Physician who will send us 25 cents Express Charge on return. Send Name, Club, Name or Express Order.</p> <p>HENRY PHARMACAL CO. 121 Vine Street, St. Louis Mo., U. S. A.</p>	
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**Ballard Era Henry Pharmacal Co. Ads:
1915 for Three Chlorides & Maizo-Lithium & 1919 For Tri-Iodides**

In condemning the three products, the AMA's testing committee added a special note reminding medical readers that this was the same James Ballard whom it had condemned in connection with Campho-Phenique years earlier and once again restated its conclusion that it could establish no category of "ethical proprietaries" - that is, proprietary medicines that doctors could safely and suitably use or recommend to their patients - separate from the shady and barely regulated "proprietary medicines" themselves, which were otherwise readily available to the public, whose ingredients, if no longer secret after 1906, were too often either misrepresented outright or vested with unproven curative powers. The AMA blasted both the newspapers who carried ads to the public at large for patent medicines and equally the medical journals who allowed the manufacturers like Ballard to advertise their "ethical proprietaries" to doctors. It stated that the problem would never end until newspapers stopped advertising such products to the public and the medical profession itself renounced the erring medical journals. It summarized its views by saying: "[s]ome day our profession will awake to the disgrace of it all."

C5) Littell's Liquid Sulphur Co.



Littell Liquid Sulphur Co. Cancel Type Recognized in BDR2

ECZEMA

LITTELL'S LIQUID SULPHUR
 And all eruptive diseases of Skin and Scalp are quickly and permanently cured with **Littell's Liquid Sulphur Remedy**. No long-draw-out course of treatment is necessary. From the first application the results are apparent, the itching and irritation is relieved instantly, and, contrary to the usual mode of treatment, water can be used freely. A reliable, safe and inexpensive home treatment that cures.

LITTELL'S LIQUID SULPHUR
 Relieves **Prickly Heat** instantly, destroys Disease Germs, cures Ulcerated and Inflamed conditions, Diphtheria, Sore Throat, Burns and Scalds. Sulphur baths regulate excessive perspiration and prevent Heat Irritation. Remove all secretions and odors from the body. Price, \$1.00.

LITTELL'S LIQUID SULPHUR OINTMENT.
 Antiseptic and Healing. Beautifies the Complexion. Price, 50c.

LITTELL'S LIQUID SULPHUR SOAP.
 For the Toilet, Bath and Complexion it is without an equal. Price, 25c per box (3 cakes).

LITTELL'S LIQUID SULPHUR REMEDIES.
 Three convenient forms.
Will Cure Any skin Disease on Earth.
 Where our goods can not be obtained of your druggist, assorted orders amounting to \$1.75 will be shipped prepaid to any address in the United States. No goods shipped C. O. D.; money must accompany the order.
 Ointment—Sent prepaid on receipt of advertised price.

LITTELL LIQUID SULPHUR CO., 1428 OLIVE ST., ST. LOUIS, MO.

1899 Littell's Liquid Sulphur Trade Journal Ad

Littell's Liquid Sulphur Co. was a patent medicine company in Dallas, TX in the 1890s, but moved to St Louis in 1898. Whether this was the moment when Ballard bought the company is difficult to determine because there is scant evidence in the currently available records linking Ballard's name directly with the Littell name, although secondary sources list this company as part of Ballard's empire. By 1902, the company's name was the Rhuma-Sulphur Co., and the only time that Ballard's name is directly connected to this company's product is an Acknowledgment in 1927 that, upon renewal, the Rhuma-Sulphur Co. transferred its trademark to Ballard.



STOP!
 Don't scratch. LITTELL'S LIQUID SULPHUR stops itching instantly. IT POSITIVELY CURES ANY SKIN DISEASE
ON EARTH
 QUICKLY AND PERMANENTLY. In order to prove its merits we will ship postpaid to any address in the United States or Canada on receipt of fifteen 2c stamps, a package of Littell's Liquid Sulphur, Littell's Liquid Sulphur Ointment and Littell's Liquid Sulphur Soap. Descriptive pamphlet and testimonials mailed free on request.

The Rhuma-Sulphur Co.
 723 E. Austin St., Waco, Tex.

1902 Rhuma-Sulphur Co. Trade Journal Ad

C6) Mayfield Medicine Manufacturing Co.

McGEE'S WINE OF COD LIVER OIL WITH HYPOPHOSPHITES

Contains a quantity of the Comp. Hypophosphites, equal in strength to the most reliable syrup. Also 25 per cent. of Cod Liver Oil as represented by its extractives. It also contains our concentrated extract of fresh Saw Palmetto Berries and Wild Cherry Bark, prepared according to our own special formula.

THE THERAPEUTIC VALUE OF COD LIVER OIL IS IN ITS EXTRACTIVES,

the administration of which promotes digestion, arrests the waste of tissue and causes none of the disturbances of the digestive functions frequently following the use of the plain oil.

Saw Palmetto is a nutrient tonic, diuretic and sedative to the mucous surfaces, a valuable reconstructive agent, vitaliser and expectorant.

McGEE'S WINE OF COD LIVER OIL WITH HYPOPHOSPHITES, combining the strength of these powerful agents, is especially effective in debility, faulty nutrition, anemia, nervous prostration, consumption and all scrofulous and tubercular affections. Its influence over cough is marked. It increases the red corpuscles in the blood and invigorates the whole nutritive function.

McGee's Wine of Cod Liver Oil with Hypophosphites is free from the fishy taste of the crude oil and agrees well with the stomach.

Manufactured only by
THE MAYFIELD MEDICINE MANUFACTURING CO.,
 108 WALNUT ST., ST. LOUIS, MO.

When writing to us for special literature and samples, please mention this JOURNAL.

THE MAYFIELD MEDICINE MANUFACTURING CO.
 ST. LOUIS, MO.
 Manufacturers of
DR. McGEE'S RELIABLE ...FAMILY MEDICINES...

McGEE'S BABY ELIXIR - 25 and 50c.
 McGEE'S BACKACHE AND KIDNEY CURE - 50c. and \$1.00
 McGEE'S FEMALE TONIC AND COMBINED TREATMENT - \$1.00
 McGEE'S 25c. CHILL CURE - 25c.
 (Guaranteed)

Any dealer can procure our goods from his jobber. Should you order from your jobber and fail to get them please write us. We solicit your inquiries.

1900 & 1902 Mayfield Medicine Manufacturing Co. Ads

The Mayfield Medicine Manufacturing Co was founded by James J. McGee (1845-1908) of Mayfield, KY, a practicing physician and druggist, about 1890. By 1898, it had issued its own fifty page catalogue detailing an extensive line of remedies

that it was producing. By 1900, it had moved the approximately 200 miles from southwestern Kentucky to relocate its operations to St. Louis. Whether this indicates that McGee had already sold it to Ballard is unclear, but by 1906 the company was listed as being owned by Ballard.

**C7 & 8) Stephens Medicine Co.
& Comet Medicine Co.**



**W. T. Blow Civil War Private Die Proprietary Stamp
Printed on Different Types of Paper**

Ballard's relationship with Dr. T. L. Stephens' Chemical Eye Salve and its owners dated all the way back to his days with Richardson & Co. when that organization acted as general agent for the product. But the product has its own complicated history. A Thomas Leachman Stephens (1820-1872) seems to have existed at one time in Calloway County, MO in Central Missouri outside of Fulton, MO, and to have even owned a shop in the 1840s and 1850s once known as Stephens' Store, where some say he formulated the Eye Salve. A spot can be located for the place where it once existed on a website called anyplaceamerica.com.



Facsimile Seal Used by W. T. Blow After the Civil War Tax Repealed

In the same 1859 petition seeking a city charter for Fulton, MO that lists T. L. Stephens as a physician and druggist, there is listed an Edwin Curd (1829-1914), merchant. Holcombe lists Curd as a sometimes partner of one William Thomas Blow (1822-1877) of St. Louis, the person who actually filed the trademark registration for Eye Salve in 1873 and whose family actually had a private die proprietary stamp created to place on it. In an unusual gesture, Holcombe did not illustrate the stamp

(which may have indicated its rarity), and the stamp neither mentions the full name of the product itself nor the company that manufactured it. The stamp merely reads: “Dr. T. L. Stephens, W. T. Blow, proprietor.”



JOSEPH CHARLESS, JR.

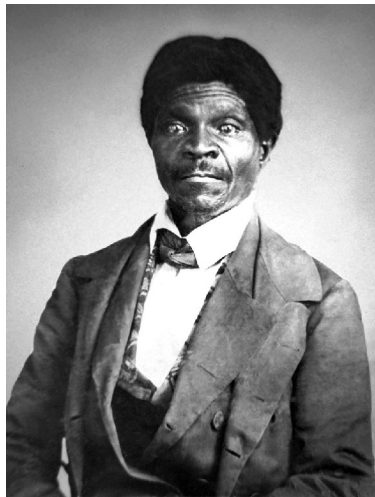
Portraits of Joseph Charless Sr. & Jr.

William T. Blow was a lesser figure in a St. Louis family that dated back nearly to the beginning of the city’s history. It also was allied with an even earlier pioneer St. Louis family, the Charless family. The Charless family came first to prominence. Joseph Charless Sr. (1772-1834) was an Irish rebel who supported Robert Emmet (1778-1803) in the freedom movement that led to the abortive Irish rebellion of 1803 that cost Emmet his life. A printer by trade, early accounts suggest (although questioned by more modern retellings) that Charless was forced to flee Ireland in 1795 because of his political leanings, landing in Philadelphia before moving west ultimately to St. Louis where he established the first newspaper in St. Louis, the *Missouri Gazette*, in 1808. Because he was the publisher of this newspaper, he became extremely well known throughout the community. While he came from a family named Charles, he added the second “s” apparently to ensure that the name would be pronounced as two syllables in the Irish fashion. In the late 1820s, Joseph Sr. sold the newspaper and went into the drug business where his son, Joseph Jr. (1804-1859) joined him.



Portraits of Peter Blow & Elizabeth Taylor Blow

In 1831, Joseph Jr. married Charlotte Blow (1810-1905), one of the 12 children of Peter Blow (1777-1832) and Elizabeth Taylor (1785-1831) which subsequently led to a number of partnerships between the Charless family and the Blow family. However, the Blow family's historical significance derives from one other event in which they played a crucial role, a detour away from the pharmaceutical business.



1857c Photo of Dred Scott

The Blows owned the slave Dred Scott for many years before the famous lawsuit that became one of the causes of the Civil War. The family sold him to Dr. Emerson, an army doctor, who took Scott to the free states of Illinois and Wisconsin because of his army postings before returning to St. Louis. Once Scott was back in St. Louis, W. T.'s brother Henry Taylor Blow (1817-1875) both encouraged Scott to seek his freedom and helped to finance the litigation. A daughter of the Blow's was also

married to one of Scott's attorneys. After many years of litigation, the case was determined in 1857 against Scott by the Supreme Court of the United States. Eventually Emerson's widow gave Scott back to the Blows who freed him a few months before his death.



1842 St. Louis City Directory Ad for Joseph Charless & Co.

Returning to the less cataclysmic history of Dr. T.L. Stephens Chemical Eye Salve, according to some commentaries, the first Blow to associate with the Charless family was Henry, who it is claimed became a member of the drug firm of Charless & Blow as early as 1835 or 1836, after the death of Joseph Sr. However, in an 1842 St. Louis business directory, the Charless drug firm was still listed as a separate entity from any Blow family business, while W. T. Blow was listed as a clerk in the drug firm of Blow, Owings & Gillespie, presumably run by his brothers, Henry, and Taylor Blow (1820–1869), who are also listed as being part that firm. Another brother, Peter E. (1814-1866) was listed as a dry goods merchant.

CHARLESS & BLOW,
IMPORTERS AND WHOLESALE DEALERS IN
DRUGS, MEDICINES, PAINTS,
Oils, Window Glass, Dye-Stuffs, Perfumeries, &c.
Nos. 70 and 72 North Main Street.

1850 St. Louis City Directory Ad for Charless & Blow

By 1850, the drug business was listed in the name Charless & Blow, although at least one source indicates that Henry T. Blow had left the drug business to successfully pursue the lead mining business in 1844. Recognized widely enough to merit a contemporary profile, Henry subsequently went back and forth between that business and a political career that saw him serve as U.S. Minister to Venezuela, then in the House of Representatives during the Civil War, as U.S. Minister to Brazil and finally as a Commissioner of the District of Columbia. Joseph Charless Jr. was assassinated in the streets of St. Louis in 1859, after giving testimony in a criminal trial involving embezzlement. The accused embezzler felt Charless had blackened his name, and the assassination sparked a riot that came close to turning into a lynching. The story of the assassination was important enough to be covered by the *New York Times* a thousand miles away. Charless died very much a beloved public figure, remembered as a bank president, leader of his church, and general public benefactor.

EYE SALVE.

EDITOR MEDICAL BRIEF:—The following is the formula of Dr. Stephens' celebrated eye salve:

R. Hyd. ammonia.....10 grains.
 Triturate well and add:
 Adipis.....1 drachm.
 Cerat. al.....5 grains.
 Ol. sassafras.....1 drop.
 Mix.

I find it much too strong for ordinary ophthalmia. The prescription I have employed for years with excellent results, is the following, in any ordinary sore eyes confined to mucous irritation:

R. Stephens' eye salve.....8 grains.
 Adipis prep.....2 drachms.
 Mix. Sig. Apply to inner surface of upper or lower lid twice a day.
 St. Joseph, Mo. A. V. BANES, M. D.

Supposed Formula for Stephens' Eye Salve Published in 1879 Trade Journal

Charless & Blow continued after the death of Joseph Jr., and other Blow brothers must have been involved, because Holcombe says that Peter E. Blow - formerly in business for himself - ordered and owned the dies for the Blow private die proprietary stamp before signing them over to W. T. just before his death in 1866, which means that W. T. might not have even been responsible for creating the formula for the Eye Salve. Holcombe says that its formula was much like other eye salves being marketed at the same time, and that W. T. was in various partnership between 1866 and 1877, including some with Edwin Curd. The tie between Blow and Curd was familial: Curd married Harriet Webster, the sister of Blow's wife, and perhaps he was the one who carried the word of Dr. Stephens' Eye Salve from Fulton County MO to the Blows in St. Louis. In any event, for reasons never quite adequately explained, W. T.'s name is on the stamp.

RICHARDSON & CO.'S DRUG DEPARTMENT.

FOR HOLIDAY TRADE.

SOMETHING GOOD.

**SCHUBBLE'S
PURE MEDICATED
CONFECTIONS.**

In six-pound glass front boxes, except those
Drops and Macaroni-like, which are in one-pound
tin boxes. Orders noticed.

Every Drop,	10 lb boxes, glass-front	50
Flax Seed Drops,	10 lb "	50
French Chocolate Drops,	10 lb "	50
Horseshoe Drops,	10 lb "	50
Large Juice Tablets,	10 lb "	50
Poppyseed Tablets,	10 lb "	50
Wintergreen	10 lb "	50
The Drops,	10 lb "	50
Troches,	10 lb "	50
Aromatic Choclate,	10 lb "	50
Peppermint Choclate,	10 lb "	50
Vanilla Flakes,	10 lb "	50
Macaroni-like, 1 lb tin	100	50

RICHARDSON & CO., Agents.

TRADE NOTES.

FRANKLIN'S compound now in stock.
We never omit an item if it can be obtained.
We have powdered tree Cayenne, cinnamon, and
Sage seeds.
We get our good quinine than any other house
in St. Louis.
Also orders sent us are filled complete if it is
possible to do so.
Cocoa butter. We have both American and
German.
Ker's hair dye should command the attention
of every druggist.
Write for a list of Richardson & Co.'s pharma-
ceutical preparations.
Orders by mail receive lowest possible prices,
and are shipped with dispatch.
Custom out. Has advanced again, and we refer
you to the next page for today's prices.
We make a specialty of heavy drugs and chemi-
cals, such as soap-makers' materials, etc.
MERRILL'S eye pain. It is the most fragrant
and delicate. Runs also over proof.
Write certain vermouths in enjoying a large
sale. Add one dozen to your next order.
STEPHENS'S eye salve yields the retailer 100 per
cent profit. A very reasonable margin.

RICHARDSON & Co.'s brand of bicarbonate soda
is strictly pure. Equal to any foreign brand.
SEND us your orders for Bruner's hair lotion,
Perfume, etc., per dozen, etc., and the per cent.
Save your orders for winter lubricating oil
Richardson & Co., and you will receive bottom
prices.
We invite correspondence, and will make lower
prices on mail orders than any other house in the
country.
We have Jumbo mustard in quarter-pound
cans and six-pound cans, and guarantee it abso-
lutely pure.
The Richardson & Co.'s pure concentrated tea
and coffee, and be convinced that they are the
best and cheapest.
Write for our price manual. They contain
valuable information, and will be mailed promptly
upon application.
RICHARDSON & Co.'s pure cod-liver oil pur-
sues the pure cod fish. Push it in preference to
brands yielding less profit.
The Parvovirus solution still-working machine is
making a revolution in the pill business. No
druggist can afford to be without it.
We are prepared to furnish our friends Warner's
safe rheumatic cure and Warner's Rheumatic
Four orders selected.
We have an elegant article of white Newfound-
land cod-liver oil in trade. Higher prices are
not given. We invite your orders.
We keep a full line of variety pure powdered
spices, produced from selected goods, specially
for the drug trade. Very difficult goods to find
elsewhere.
Farrington's Prussian Bitters are favored by
the best people in the country, and only the high-
est quality of material is used in their manufac-
ture.
Do not forget that we handle roots, exotics,
and soap-makers' supplies in large quan-
tities, and can make it to your interest to deal
with us.
In making your purchases your object is to
secure the highest standard of quality and at most
favorable prices, Richardson & Co. are in condi-
tion to please you.
Brewers are forming up. Good qualities quite
scarce. Recent values were too low. They are
still comparatively cheap, and will probably go
considerably higher.
WHEN purchasing whisky always purchase the
"Pepper" and be sure that the name of the dis-
tiller on the name is James E. Pepper & Co. It
is the original and genuine then.
WHEN you buy window glass cut to order from
us you get strictly a glass and no inferior or
second grade. Remember this when you have
any glass to buy.
The genuine C. McLean's pills, made by Flem-
ing Bros., of Pittsburgh, now pay the retailer a
profit of 125 per cent. Per dozen, \$1.38. How is
this for the "Belgian Brand"?
Dr. T. L. STEPHENS'S chemical eye salve has
stood the test for forty years, and its sale is

larger to-day than ever, solely on its merit. Per
dozen, \$1.50. Twenty dozen lots, five per cent
discount.

THIS is the season that farmers are painting
their horses, and nothing answers the purpose
better than Richardson & Co.'s agricultural
paints. Send for sample cards and price list.

As the packing season is now in hand the com-
plaints of shippers will be very large, and the
probabilities strongly favor an advance in price.
Send to us for prices if you are in want.

Always be careful to specify with every order
by which the you wish your goods shipped, as it
is impossible for our shipping clerk to remember
in all cases the route you have been shipping by.

We carry a very fine selection of the choicest
strains of imported wine and liquors, some of
them dating back to 1765. These wines and li-
quors are mature with old age, and are the choicest
the world has produced.

We invite correspondence, and same will be
promptly attended to. Ask us for quantities,
our enormous business enables us to purchase in
great quantities, and often we have genuine bar-
gains to offer.

It is almost impossible to prevent obsolescence
from working their way through potatoes here,
and when you are ready to replace your old ones,
we can furnish you with very handsome (speci-
ally glass ones which will prevent it, and will send
prices on application.

Every man's olive oil is well and favorably known
throughout the country. The Italian brand is
his choicest grade; has brilliant color, delicate
flavor, and is very popular with first-class trade.
We are sole agents for this brand through the
West.

Our reputation for pure goods is second to
none in the world. Upon this course we have
built an enormous trade on essential oils.
Many parties will send their order to no other
house, for the reason that they can not obtain the
same high standard of quality and exclusive man-
ufacture.

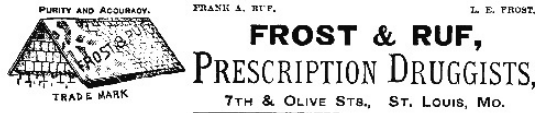
In domestic liquors, including rye and sour
mash whiskies, California wine and brandies,
Tennessee apple brandy, Maryland peach brandy,
gin, etc., we have made it our aim not to in-
deavour to compete with some of our competitors
by selling how cheap we can get these goods, but
rather to obtain those from distillers and other
growers who have reached the highest state of
perfection in their manufacture. The class of
trade in whom we sell these goods fully attest our
wisdom in adhering to this course, and those who
desire liquor for medicinal purposes of the old
age and undoubted purity always favor us with
their orders. Use marked on application.

CASSELL'S Liver Pills.
We direct the attention of our patrons to these
valuable pills. You obtain them at 87 1/2 per
gross by making up an order for Cassell's medi-
cines amounting to \$33.00. Your orders invited.

Wutemag.
We direct the attention of the drug trade to
our stock of selected extra long nutmegs. In
quantity and appearance they are superior to any
ever brought to this market. Your orders in-
vited.

1884 Richardson & Co. Trade Ad Featuring Stephens Eye Salve

However, by 1873, when he filed the trademark registration, W. T. was the only surviving brother other than Henry, by then otherwise occupied successfully both in politics and in the lead mining business. W. T. was able to make the Eye Salve lucrative during his lifetime. His widow, Julia Webster Blow (1833-1915), was less successful at keeping the business profitable. Eventually she needed loans to keep the company afloat which she secured with a mortgage given to her brother-in-law Edwin Curd that contained the right to manufacture the nostrum, including its formula and trademark. However, by the mid-1890s, when the widow Blow was unable to repay the loans, litigation ensued that resulted in the appointment of a receiver to control the business and, although that litigation stretched on to 1903, resulted in the transfer of the ownership of the trademark and formula to the mortgage holders.



FROST & RUF'S LIQUID PEPsin from Pure Scale Pepsin.
 Comparative analysis proves this to be the most desirable digestive preparation known to Pharmacy. Sample on application.

FROST & RUF'S AROMATIC SYRUP LICORICE.
 This preparation perfectly disguises quinine and all bitter medicines. Made from Pure Cortiglaus Licorice and Aromatics. Sample on application.

We make no proprietary claim for our Pharmaceutical Preparations, claiming only improvement in quality of ingredients and process of manufacture.

—SPECIAL ATTENTION GIVEN TO—

DERMATOLOGICAL PRESCRIPTIONS.

A FULL LINE OF

Myron E. Meyers', and Am. Ende's Antiseptics.

Squibbs', Merks', and L. & F.'s Chemicals.

P. D. & Co.'s, Wyeth's, and O. W. L.'s Fluid Extracts, Elixirs and Syrups.

McK. & R.'s, W. H. S. & Co.'s, Upjohn's, and P. D. & Co.'s Pills.

TELEPHONE AND VERBAL MESSAGES RECEIVED AND DELIVERED FREE.
 F. & R.'S TELEPHONE NO. 497.

1890 Frost & Ruf Ad

In 1893, a trade journal announced that the Stephens Medicine Co. was incorporated. Its president was L. E. Foster (1862-1953?), a restless figure who wandered through the pharmaceutical industry in and around St. Louis in the 1880s and 1890s in several different capacities until he seems to have settled into ownership of his own chemical company. In the late 1880s, Foster and his partner had begun marketing his partner's headache remedy called Antikammia in their retail drug store. Thereafter, they had made the same kind of division of their business as Renz and Henry above, with Foster (unlike Henry) retaining the retail drug store.¹¹

COMET PILE REMEDY!

PRICE \$1.



—An external liquid application.—
 Cures pain and itching at once.
 Cures bleeding in a few days. Gradually absorbs pile tumors and cures all kinds of piles.

COMET LINIMENT, PRICE 50c.—An internal and external remedy. Cures Rheumatism, Neuralgia, Sprains, Bruises, Ulcerated mouth and teeth. Injury by frost. Colic, Diarrhea and Dysentery.

—COMET CATARRH CURE.—

PRICE \$1.00.

An oily liquid easily applied. Cures Catarrh, Cold in the Head, Hay Fever and Offensive Breath. Cures the pain and disagreeable sensations of nose and head caused by Catarrh.

Send address for recommends and description of cases cured. Special cheap rates to railroad and telegraph men who will act as agents. Until such time as these remedies are advertised and introduced into the drug trade in your locality we will send them by express, charges paid by us on receipt of price. Address, 3-6

COMET MEDICINE CO.,

2201 CHOTEAU AVE.,
 St. Louis, Mo.

1886 Comet Medicine Co. Ad

No sooner had Foster taken full control of the retail store, than he elaborately refurbished it, and then immediately sold it. The trade journal announcement soon followed, which also noted that the new company's secretary was J. [John?] E. [Eugene?] Weber (1860s?-1930s?), who left another pharmaceutical position to

accept this job and at the same time, himself, became president of the Comet Medicine Co,¹² possibly an adjunct to the Stephens Medicine Co. Possibly Curd was the inspiration behind the formation of the Stephens Medicine Co.

Look Out For Counterfeits!

TO THE RETAIL DRUG TRADE.

We desire to advise the Retail Drug Trade that there has been a large amount of counterfeit **Stephens' Eye Salve** placed on the market, and we have received nearly 100 letters from various druggists complaining that the labels on the boxes of Stephens' Eye Salve which they had received from wholesale houses had the appearance of being old, clumsy and poorly printed and that the Eye Salve was frequently returned to them with serious complaints that the boxes were not full and that they contained gritty substances. If you will take the trouble of comparing a genuine package with a spurious one, you will readily see the difference in the printing; the printed matter on the spurious one being very poorly executed. We would advise you as far as possible to purchase in one dozen boxes, seeing that the article is put up in a red box with the name Wm. T. Blow, Sole Proprietor, J. W. Blow, Successor. The sides and bottom of boxes bearing the yellow lithographed label of the Ballard Snow Liniment Co. There has been no Stephens' Eye Salve put up for the past 3½ years which did not bear the imprint of Wm. T. Blow, Sole Proprietor, J. W. Blow, Successor, and the name of Mr. James F. Ballard of the Ballard Snow Liniment Co., St. Louis, Mo., as sole general distributing agent for the sale of Stephens' Eye Salve. We trust we may have your co-operation in sustaining the genuine article which has been on the market for over 50 years.

Thanking you for your kind patronage in the past and inviting the same for the future, we are,

Sincerely yours,

J. W. BLOW & SONS.

1897 "Look Out For Counterfeits" Ad in Trade Journal Run by Litigation Defendants in Support of Ballard's Agency

Ballard's part in the story of these companies and their products derives initially from his prior employer's relationship as the distribution agent for the remedy in the 1880s. That right was reconfirmed to the Ballard Snow Liniment Co. in an ad that appeared in an 1897 catalogue of Meyer Bros. (the enormous St. Louis pharmaceutical wholesaler and manufacturer, already partially profiled in this column). The ad, run by a company called J. W. Blow & Sons (presumably named for W.T.'s widow, making its sole appearance in the currently extant historical record) even contained a specific warning to the industry to beware of counterfeit Eye Salve packages.

BALLARD-SNOW LINIMENT CO.

310 NORTH MAIN ST.,
ST. LOUIS, MO.

Patent Medicines Bought and Sold.

CORRESPONDENCE SOLICITED.

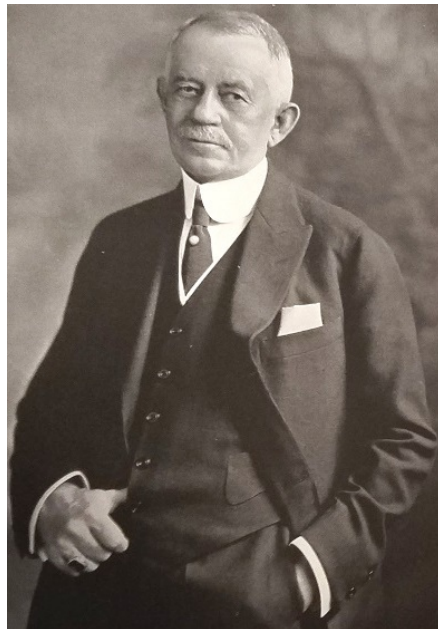
General agents for the United
States and South America
for Swaim's Panacea.

General agents for the sale of the
genuine Dr. T. L. Stephens'
Chemical Eye Salve.

1900 Ballard Agency Ad for Eye Salve

In light of the litigation then pending between the Blows and their creditors, it is unclear what the relationship was between the Stephens Medicine Co. and J. W. Blow & Sons, or who properly controlled the rights to manufacture the Eye Salve at the time the 1897 ad appeared, although it seems the two companies would have been rivals. The ad appears to have been intended by the Blow interests to warn potential customers not to buy from the Stephens Medicine Co. Whatever its designed import, its appearance does not really seem to have mattered in the long run. Although the ad showed that Ballard had a longstanding relationship with Stephens' Eye Salve, by 1900, Foster had moved on through several different positions with several different companies, finally starting his own chemical company, and Ballard's own ad listed Comet Pile Remedy, the premier product of the Comet Medicine Co., as a direct offering of Ballard's company, while still acting as the distributing agent for the Eye Salve. Later articles about Ballard place him in control of the Stephens company and, in another small shift, some even later ads list Ballard as Stephens' agent for distributing Comet Pile Remedy. However the situation had arisen, Ballard wound up with the rights to all the products in the end.

2. James Ballard



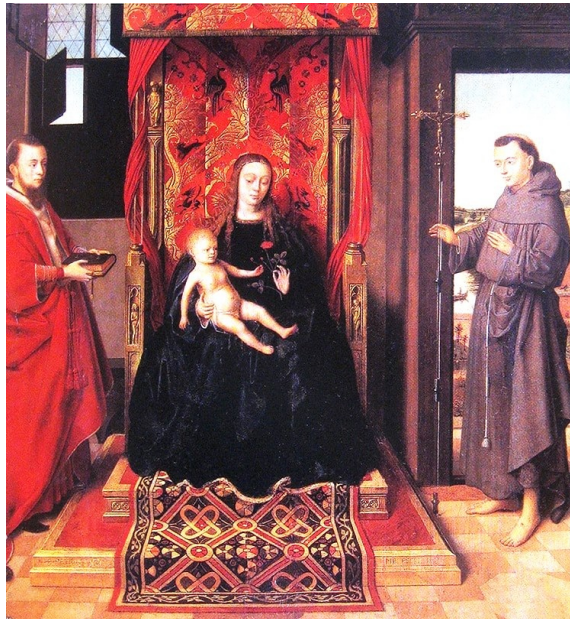
**Ballard Photo from Catalogue of Rugs
He Gifted to the Metropolitan Museum of Art in New York City**

So what was the face James Ballard displayed to the public?

To Mr W. J. Lincoln Adams
in memory of a very pleasant
trip across the Atlantic,
with my best regards.
James S. Ballard
St Louis April 12th 1924.

Ballard Signature in Gift Copy of Rug Catalogue

Once Ballard began to realize the enormous profits the Gilded Era permitted, he seems, at first, like others who similarly possessed such outsized riches, to have begun collecting all the symbols and trappings of wealth such as paintings, and likewise, to demonstrate his public-spiritedness, by loaning or giving them to local institutions, particularly in his own home town, St. Louis, where his generosity is noted in several museum bulletins in the 1910s.



Oriental Rugs In Background of Renaissance Painting Petrus Christus Virgin & Child with Saints 1457

Just at the turn of the Twentieth Century, Oriental rugs were first drawing critical attention from art scholars as separate significant works of art because they appeared as background decoration in the paintings of the great European Masters so then highly prized as the epitome of good taste and refinement. Ballard soon settled into collecting rugs as his principal pursuit, and used his yearly business excursions as

the pretext for indulging his hobby. Estimates of the number of miles he traveled in pursuit of his obsession ranged from 250,000 to 500,000 miles, and he was said to have taken no less than three complete times ocean voyages around the world as he searched for specific masterpieces. He brought his rug finds to his home in St. Louis, where he built a fire-proof room 22 feet by 44 feet from stone, brick and steel especially to protect the rugs he amassed, displayed together with suitable porcelains and pictures, such as a painting by Sir Joshua Reynolds, which he ultimately gave to a St. Louis museum.



Ballard's Rug Room in his St. Louis Home

Ballard's obsession with rugs may now be hard to understand. Late in life, in an interview given to a weekly magazine with national circulation, he asserted that his romance with these rugs was kindled in 1905 when he became entranced by one in particular he spied in the window of an otherwise nondescript store on Fourth Avenue near Thirty-Third Street in New York City. He made inquiry and was disappointed to learn that its selling price was \$500, too expensive for him he claimed. Business appointments kept him in New York City and, although he knew nothing about oriental rugs, he found himself inextricably drawn back to look at that rug in the shop window. Finally, on his last day, he burst into the store, plunked down the \$375 in cash he could muster and offered the merchant an on the spot take-it or leave-it deal. Naturally, while initially skeptical and hesitant, the merchant ultimately accepted, and, as the article recounted, Ballard departed with that rug as well as "several others." Thus in a single burst was Ballard's new hobby launched. However, one must remember that

his new pursuit was not for either the poor or the faint of heart. In 1905, \$500 was a great deal of money. According to a current inflation calculator, that amount represents approximately \$16,200.00 in today's currency.¹³



**Portrait of Sir Robert Hay Drummond,
Archbishop of York, by Joshua Reynolds
Later Gifted by Ballard to the St Louis Art Museum**

Oddly enough, a reporter for Henry Ford's vitriolic *Dearborn Independent* summarized the same incident in Ballard's life in a much more prosaic manner:

He passed a shop in New York one day and an auction was going on. He went in. He bought several rugs. The germ went to work.

While that account may ring truer than the version set forth above, the reporter also stated flatly that: "Ballard made his money manufacturing rugs[.]" with no further inquiry into his business affairs. Such was the magic of Ballard's collection that the writer did not need to delve into the source of his wealth.



**Rugs Given by Ballard To The
St. Louis Art Museum¹⁴**

Not only did Ballard bestow loans of his oriental rugs on the art institutions of St. Louis but also on museums in other cities, such as Philadelphia, Chicago, San Francisco, Minneapolis, Indianapolis, Boston, Rochester, and Albany. Beyond those institutions, he also extended loans to colleges and even retail department stores. Often special catalogues were prepared and published for these exhibitions, and Ballard could even supply a lecturer, Austin U. Dilly (1873-1959), whom an institution could pay to explain the exhibit to the public. Dilly was an academic at heart whom Ballard lured for a time into becoming an oriental rug dealer. A New Yorker biographical sketch of the slightly priggish Dilly from 1939 summarized the relationship between Ballard and Dilly in this way:

Mr. Ballard was equally mystified by Mr. Dilly. He could never resist hazing him. When they rode on the streetcar, the patent-medicine man would pretend that the stiff, professorial Dilly was a child and haggle with the conductor in an effort to pay half-fare. Mr. Ballard liked the Wilkes-Barre New Englander and felt that he knew more about rugs than anyone else in the country. In 1914 he persuaded Mr. Dilly to move to New York, and two or three years later, when he began

lending his collection to art museums and colleges all over the country, he arranged for Mr. Dilley to troupe with it, explaining its glories in lectures. The various institutions to which Mr. Ballard lent his collection paid Mr. Dilley to speak. Though he was grateful, Mr. Dilley could not quite understand his Middle Western benefactor. "At the dinner given us by Dr. MacCracken, president of Vassar College," he writes, "on the occasion of my lecture before the student body, which for weeks had been luxuriating in Mr. Ballard's col-

lection, on loan to the fine arts department, Mr. Ballard must simulate confusion of mind as to which knife, fork, or spoon to employ, although he himself on occasion set as heavy a silver service. During the World War, when sugar was rationed, he must pocket, in some restaurant, a handful of cubes, because the supplies of his friends were running short. He must introduce me as his son to every money-changer in the subway, and instruct him to give me a nickel."

In 1921, Ballard made a loan of 69 rugs from his private collection to the Met. A brief biography accompanying the description of that exhibit ¹⁵ adds to his career one additional "fact" not previously mentioned: Ballard's family owned enough timber land to supply the family amply with money. Yet, that biography insists, Ballard, nevertheless ran away to join the circus to travel the world. It then adds its gloss to more conventional records by rounding off his history as follows: he first became involved with drug stores, then with the wholesale drug business working for Richardson & Co, and finally he set up his own company and sold his own proprietary medicine. While this biography does not quite square with the more bare knuckles, work-a-day Ballard already described above who apprenticed to a druggist at age 14, it is close enough to seem true and adds a dash of adventure at the beginning of his career to his very tumultuous later exploits. Ballard never seemed to mind if the stories about him were heightened to emphasize the dramatic moments or the

“closeness of the calls” in his adventures.

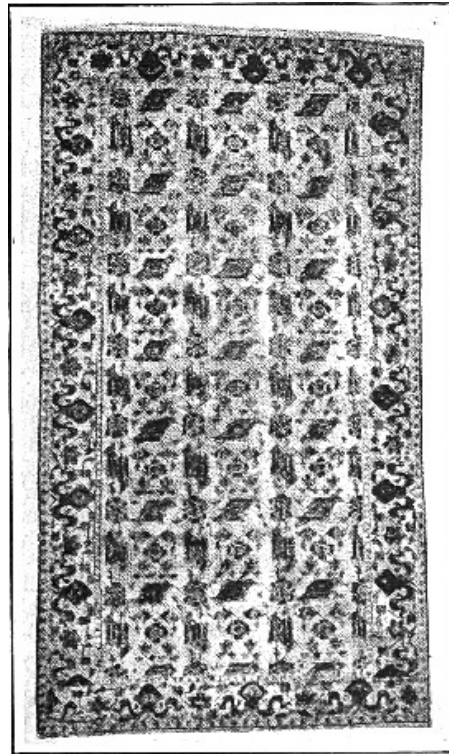


**1923 Ad for Newly Published Catalogue
of Ballard’s Rug Gift to the Metropolitan Museum of Art
in New York City**

In 1922, Ballard became a donor for the ages - whose name is still linked with his gift today - when he converted his exhibition at the Met into a breathtaking gift of 126 rugs that had cost him roughly \$500,000, or over \$7.5 million in today’s dollars (although Ballard never liked to discuss the cost of any of his prizes). The Museum immediately conferred its highest honorary title, “Benefactor,” upon him. When asked why Ballard chose to make this astounding gift to a museum in New York City rather than St. Louis, Ballard responded that for every one person who would see the rugs in St. Louis, 5,000 would view them in New York City. Although St. Louis protested the gift to New York, he also promised that it would not be forgotten. It was not.



The stories that circulated about Ballard were legion and memorable. One told the tale of how in an unnamed far off city located in what would now be regarded as the Middle East, he spotted a rare and valuable rug being utilized by an “Armenian rug merchant” as a blanket to cover his busily scratching dog. Rather than negotiating with the rug merchant about the rug itself, he simply bought the dog. The merchant threw in the dog blanket gratis. Back in the United States, after cleaning and fumigation, the rug was acclaimed a rare masterpiece.



No finer example of the Turkish “bird” rug is known than this specimen in the Metropolitan collection. Mr. Ballard obtained it only after an adventurous search that nearly culminated in the loss of his life. The rug is of wool. On a cream-white background, the pattern is worked out in tan, red-brown, blue and olive green.

**“Bird Rug” Illustration from
1925 Magazine Sketch of Ballard**

Among the most oft repeated group of tales that particularly stressed his sophistication under pressure centered on Ballard’s search for the legendary Seljuk Turkish “Bird Rug.” Having tried without success to locate the rug in London and then Paris, Ballard was traveling across the Balkan Peninsula in Thrace in the company of an Englishman when they were detained by Greek irregulars then at war with the Turks as part of an attempted Greek expansion during the partition of the Ottoman

Empire after World War I. While the Englishman was blustery and outraged by the interruption of their train trip, Ballard kept calm and, by his cool demeanor, won over the Greek commander who found the captives a bed rather than throwing them in prison, released them the next day, then lent Ballard a guide from his command to aid him both to complete his troubled journey through the disputed territory and to help him locate the rug he was seeking. Miraculously, the young officer did help Ballard to find the rug in a dingy shop in Adrianople (now Edirne). Ballard did note that no sooner had Ballard secured it, than he asked Ballard for a job in the United States.



Nor were the adventures in the Balkans the end of the excitement and peril of this journey. Still clutching his precious treasure, Ballard traveled on to Constantinople (now Istanbul) where fighting was taking place not only in the streets but even within the very hotel where he was staying. Four people were killed during the night Ballard spent there. The next day he traveled to Smyrna (now Izmir) to catch his ship home. He arrived just after the Turks captured the city and just as the Great Fire of September, 1922 was erupting. He counted 19 bodies that floated past his ship as he was boarding and described the water below him as “black with refugees.” Ultimately, according to the article, one third of Smyrna’s population of 450,000 were killed during this incident. The massacre was so traumatic that it finally led Greece to sign a peace treaty with the Turks returning to its previously recognized border and recognizing the new nation of Turkey as the successor to the Ottoman Empire. No sooner did Ballard arrive back in New York from that adventure than he augmented his gift to the Met with this very “Bird Rug,” and another rug said to bear the coat of arms of the great Turco-Mongol conqueror Tamerlane. Another gift, as reported by the *New*

York Times in 1924, was the very finest Imperial Chinese carpet that Ballard had rushed to Beijing to purchase directly from the Emperor of China, after receiving a tip from a friend that the Emperor would sell it because he needed the money to maintain the Imperial City which he continued to occupy in reduced circumstances after being deposed from power in 1911. Eventually, Ballard presented the Met with 133 rugs in total.



**Fellows Medical Manufacturing Co. Battleship Revenue Cancel Types
Recognized in BDR2**

In 1926, Ballard retired from the active management of his empire, retaining only the ownership of the Henry B. Platt Co., and the title of director of the First Nation Bank of St. Louis and the St. Louis Union Trust Co. as well as director of the Fellow's Medical Manufacturing Co. (yet another canceller of battleship revenue stamps). In 1929, he made a major donation of rugs to the St. Louis Art Museum, followed by his Reynolds painting the following year. According to the *New York Times*, he died in New York City on April 23, 1931 "of filiria, a rare tropical disease he had contracted in Egypt in 1927 when an insect bit him on the nose. Although he had been in poor health ever since he was bitten, he did not become seriously ill until two days ago."



The Ballards fondness for rugs did not end with James's death. In 1941, one of his daughters, Bernice (1883-1947), who had accompanied him on a number of his rug buying adventures, drew a mention in the *New York Times* by purchasing a Persian carpet at Parke Bernet for \$16,000 (approximately \$350,000 in today's dollars) which the gallery owner pronounced to be "unique." In 1972, his other daughter Helen (Nellie) (1890-1972) made a bequest of her rug holdings to supplement her father's gift to the St. Louis Art Museum.¹⁶



It is a shame that there is not much room in today's memory and imagination for the likes of James F. Ballard. Part huckster, part mid-Western jokester, part plain, simple, hard-nose businessman, part romantic adventurer, in an age of looser ethical standards and more of a "caveat emptor" belief in self-reliance and self-responsibility, he fought his way to the top of his trade and then used his enormous wealth to make beauty available to everyone. In his time, he was much admired and respected.

No other collector of rugs who ever lived has been so widely interviewed. Newspapers of every continent, except Australia, have carried stories about this connoisseur. Tokio hailed him as the dean of loom experts. Petrograd knows him as well as St. Louis or Detroit. Dailies along the Nile never fail to send reporters to his ship. Newspapers in Singapore, Indo-China, Manila, Rangoon, Delhi, Madras, Alexandria, Cairo, Naples, Rome, Constantinople and Smyrna have told their readers of these magic carpets which have carried him to such distant corners.

X-----X

1. All of the records for this product, which appeared on the market as early as 1878, including advertisements and trademark registrations are in the name of Charles, Charles B., or Charles Bellemey Carpenter of Waverly MO. The only private genealogical listing for a Charles Bellemey Carpenter born in Waverly MO is for one who lived between 1888 and 1957. However, this B.'s father is listed as a Charles Casey Carpenter, who married his mother, a Bellemey, in Missouri in 1878. Since the trademark registration was not made until 1911, either Charles B. had already inherited from his father and was moving to properly secure the legal rights to the product by registering its trademark, or the adult Charles Carpenter who formulated the product conducted the business, including registering its trademark, in his son's name.
2. Sample James S. Merrell Drug Co. Battleship Revenue Cancel Types



3. A. Q. Simmons appears to have fathered no less than 12 children, at least 6 sons and 6 daughters, from all the names that appear in court records. By the time all the various lawsuits over the right to manufacture Simmons Liver Medicine or Regulator ended about 25 years after A. Q.'s death, virtually every son or son-in-law, and not a few of A. Q.'s grandsons had been involved in, or mentioned in, one litigation or another. At the same time as the litigation described in this article was unfolding, a separate lawsuit was transpiring in the federal courts in Georgia over whether M. [Miles] A. Thedford (1849-1903), one of A. Q.'s son-in-laws, could manufacture Simmons' Liver Medicine through his own company, the M. A. Thedford Medicine Co. Under the name "M. A. Thedford's Original & Only Genuine Liver Medicine or Black Draught" after he had conveyed his interest in A. Q.'s formula to others, who in turn had sold their formula rights to the Chattanooga Medicine Co. (a battleship revenue canceller), plaintiff in the lawsuit against Thedford. The federal district court found no bar to Thedford's new medicine construing Thedford's sale only to cover the use of the name "Simmons Liver Medicine." On appeal, however, the Fifth Circuit Court held that the nature of the terms of M. A.'s sale prohibited him for competing even using a different name and remanded the case to the District Court to enter the appropriate injunction and order an accounting for damages for improperly trading on the name. Oddly enough, not long after that federal court's decision in December, 1894, in April, 1895 in the Supreme Court of Georgia, Thedford himself won the right to a trail to bar yet another competitor from blatantly copying his Black Draught. Since the Chattanooga Medicine Co. remained in business well into the 1960s and offered Black Draught as one of its principal products throughout that time, this matter will have to be explored more fully in a subsequent column on the Chattanooga Medicine Co. Other litigation involved A. Q.'s grandson, M.A.'s son, C. F. Simmons successfully suing his own younger brother, another M. [Miles] A. [Alexander] Simmons (1866-1935), in federal district court in Arkansas to prohibit him from selling his own "Simmons' Stomach Compound."



Sample Chattanooga Medicine Co. Battleship Revenue Cancel Types

4. Live Oak, Texas Historical Commission Website
5. Rowell - it will be remembered by those readers who have had the tenacity to stick with this column - was the advertising genius behind Ripans Tabules, previous profiled about six years ago. Bates is also known to readers as the sad storyteller featured in the story of Laxacola published in this column some eight years ago.

6. Sample E. T. Brown Battleship Revenue Cancel Type & 1906 Ad For New Brown Chemical Co.



Dr. Brown's Magic Liniment

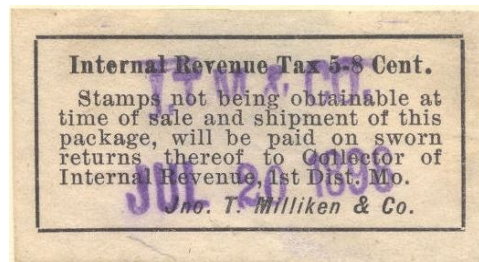
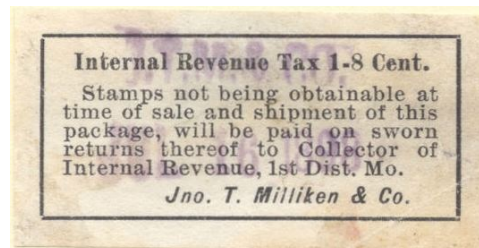
This bottle for you---FREE

Those who seek relief from rheumatism, sciatica, neuralgia, headache, backache, lumbago, sprains, sore muscles, and other pains—Read carefully. We want to help you. We know the marvellous curative power of Dr. Brown's Magic Liniment; how wonderful it is! that when it is poured on a piece of cloth and pressed closely to the place where the pain exists the pain instantly vanishes. It is different from other liniments which need rubbing. You simply smother the cloth under your hands and the liniment penetrates to the source of the pain and instantly relieves it. It soothes the nerves, produces warmth, and starts up the circulation. We know it does all these things—AND WE WANT YOU TO KNOW IT. Send for the sample bottle and try it. Write to

BROWN CHEMICAL CO., Dept. 7. Nashville, Tenn.



7. Sample J. Milliken & Co. Provisional & Battleship Revenue Cancel Types



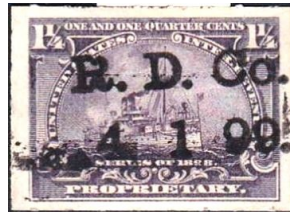
Rare Provisional Stamps Used by Certain Companies in St. Louis Region When Battleship Revenue Stamps Were First Being Issued and Not Yet Available There





Sample J. Milliken & Co. Battleship Revenue Cancel Types

8. However, to partially preview one of the promised subsequent column in this series, the battleship revenue stamps cancelled by the Richardson Drug Co. were actually cancelled by that firm from another location in Omaha NE by the surviving operation of what had originally begun as a subsidiary branch of the St. Louis drug wholesaler after the St. Louis location ceased to exist in 1897.



Sample Richardson Drug Co. Battleship Revenue Cancel Types

9. Ballard's takeover of Richardson's product was most likely complete, although an odd report pops up about a different stray Coussens & Tabler product in a 1907 report by the Kansas Board of Health. Quoted here in its entirety for sake of completeness, it does nothing to disturb that thesis, since the product was a leftover that must have been sitting on a store shelf for several years when it was taken for examination since it still bore the battleship revenue stamp from no later than 1901 on its box, and the cancel on the battleship revenue - which might have been either the local drug store's or Ballard's - was not identified.

No. 1593. A. H. Coussen's Lightning Liniment, Coussen & Tabler Medical Company, St. Louis, Mo. A creamy emulsion-like fluid, contained in a 4-oz. wide-mouth bottle. Statement is made that it cures rheumatism and thirteen other complaints, including salt-rheum and tetter. The circular around the bottle contains misleading statements, such as "most penetrating of all liniments," "gives instant relief in case of croup," "its curative properties are never failing." It has the guarantee stamp, serial number 664, pasted upon the bottle; has also the 1898 war stamp on carton. Upon examination of distillate from the preparation the presence of oil of turpentine and acetic acid are shown. The residue left behind gives evidence of (nitrogen) protein material. We therefore conclude that this preparation is an acetic turpentine liniment similar to that of Stokes liniment, or St. John Long's liniment, composed of acetic acid, oil of turpentine, and yolk of egg.

10. Sample W. R. Warner & Co. Battleship Revenue Cancel Types



Sample Printed Cancel Types Recognized in BDR2

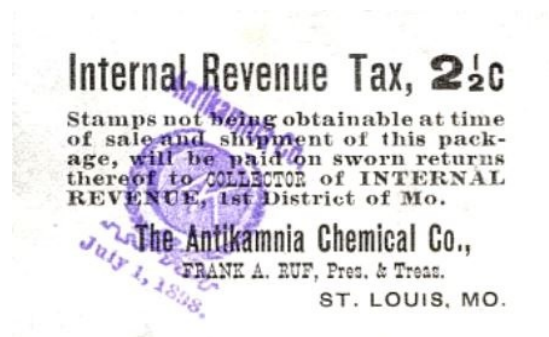
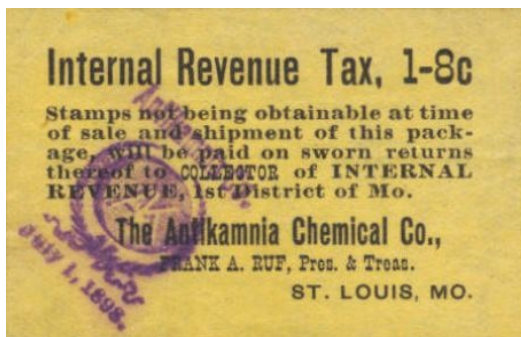




Sample Handstamped Cancel Types Recognized in BDR2

- Foster may well have retained some small, but very profitable stake in his partner's new venture as the manufacturer of Antikamnia. That company very quickly emerged as the wildly successful Antikamnia Co. of St. Louis, which probably accounts for the appearance of Foster's name in the records of so many journals as the owner of champion livestock of many different varieties, including horses, chickens, pigs and possibly even carp. Antikamnia Co.'s distinctive printed cancel on battleship revenues is among the most abundant, lies at the heart of every printed battleship revenue collection, and which will receive its own separate column in due course.

Sample Antikamnia Co. Provisional & Battleship Revenue Cancel Types



Rare Provisional Stamps Used by Certain Companies in St. Louis Region
When Battleship Revenue Stamps Were First Being Issued and Not Yet Available There



Printed Cancel Types Recognized in BDR2



Handstamped Cancel Types Recognized in BDR2

12. There are many J. E. Webers, even multiple listing for John E., in St. Louis in the mid-1890s, but after 1893 no John E.s, or J. E.s, are associated with the pharmaceutical business, so it becomes impossible to discern absolute dates for this person's existence
13. A catalogue of the 1917 San Francisco rug exhibition of the holdings of Phoebe Heart (1842-1919) (widow of copper baron George Hearst (1820-1891) and mother of newspaper magnet William Randolph Hearst (1863-1951)) listed roughly twenty other rich American collectors of oriental rugs, including Ballard.
14. Rug illustrations taken from HALI Publications Website Coverage of Ballard Rug Collection Exhibit at the St. Louis Art Museum in 2016.
15. That website, however, mistakenly dating his loan to 1910-1, conflates it with an earlier rug exhibit in which Ballard did not participate
16. Considering how dynamic a man Ballard was, there is remarkably little to say about his family. He was married to Emma Hill Hadley (1856-1925) in Vincennes, IN in 1878. She seems to have led a quiet, conventional life and never jostled with her husband for the spotlight, for she is nowhere mentioned in his travels or adventures. They had one son, William J., born in 1879, but he seems to have died in childhood, for he also receives no mention in any account about him other than a note in an economic profile of Ballard done late in his life that his son is deceased. While not mentioned in contemporary accounts during his lifetime, as noted, his daughters shared some of his adventures because of their involvement with oriental rugs after his death.

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