

The U.S. Government Versus Alexander Graham Bell: An Important Acknowledgment for Antonio Meucci

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The important trial between the U.S. government and Alexander Graham Bell began in June 1885 and ended in November 1897 with neither a winner nor a loser. The proceedings contain a large and authoritative body of evidence in the case for the priority of Antonio Meucci's invention of the telephone. They are, however, difficult to retrieve, because they were never printed and distributed and because the typewritten or handwritten papers, which are located at the National Archives and Records Administration in the United States are to this day unorganized and scattered in various files. The author presents some of the evidence of fundamental importance to illustrate how the history of the invention of the telephone is very faulty on this point and demands, therefore, a congruent revision

Key words: Antonio Meucci, Bell, telephone, invention, monopoly, U.S. government, patent

In a previous article (Catania, 1998), it was demonstrated how some documents, proofs of Antonio Meucci's priority in the invention of the telephone, are retrievable nowadays, with much difficulty, only at the National Archives and Records Administration in College Park, Maryland. They are in the disorganized files of the lawsuit brought by the U.S. government against Alexander Graham Bell and against the American Bell Telephone Company (hereafter referred to

as U.S. Bell). This lawsuit aimed at invalidating Bell's two original patents (U.S. Patent No. 174,465, 1876; U.S.

Patent No. 186,787, 1877) on the telephone. Within those files is found, in particular, the sworn affidavit of Michael Lemmi (1885), which contains an English translation of Meucci's notes on the telephone experiments as he recorded them in his lab notebook (also known as his memorandum book). Included in this notebook are Meucci's drawings, which, equally as important as the notes, have had so much bearing on the recent international acknowledgment of Meucci's merit (Catania, 1995, 1996a, 1996b, 1998), as well as in Resolution 269 voted by the U.S. Congress on June 11, 2002

In this article, I reconstruct the little-known history¹ of those important proceedings and highlight the role that the U.S. government had in favor of Antonio Meucci (Figure 1). This is not, as the reader will see, a scientific article, nor does it have any legal pretense, but it illustrates how all the people involved perceived the importance of the discovery of the telephone and the role that Meucci had in it. Indeed, what the U.S. government set out to prove was that the electromagnetic telephone was discovered by Antonio Meucci, and the carbon microphone was discovered by the German Johann Philipp Reis.²

AUTHOR'S NOTE: This article is based on a translation by Professor Filomena Ricciardi of the Italian-language article published in 1999 by Basilio Catania entitled "Il Governo Degli Stati Uniti Contro Alexander Graham Bell—Un Importante Riconoscimento per Antonio Meucci," in *Automazione, Energia, Informazione*, 86 (10), Supplement pages 1 to 12

The author wishes to express his gratitude to AT&T Bell Laboratories, Archives Records Management Service, Warren, New Jersey, for permission to access its archives in 1990 and to quote and/or include in this article some of the documents retrieved in said archives. References made in this article to American Bell (also referred to as Bell Co.), Western Union Telegraph Company, American District Telegraph Company, and so on are merely in regard to companies that were active during the time with which this article deals, namely, the 19th century.



Figure 1. Antonio Meucci at the Time of the Trial

The Monopoly Syndrome

Contrary to what we may think today, it was not the likes of Antonio Meucci, Johann Philipp Reis, and others claiming precedence on the invention of the telephone who moved public opinion and later the government of the United States against U.S. Bell but U.S. Bell himself, because of the effect of what can be called “the monopoly syndrome.” In the 19th century, there were no limitations to monopolies, because U.S. patent laws granted the owner of a patent, for 17 years, the exclusive right to profit commercially in whatever way and at whatever price wished, preventing anyone from entering the market other than as a licensee. Consequently, because of the dominance of patent owners within the market, the negative aspects of monopolies that today we know all too well began to take place: exorbitant prices, a lack of attention to the complaints and/or the needs of customers, arrogance, and an ever increasing abuse of power.

The problem of how to curb and limit the abuses of power of monopolies has been a constant concern for the government of the United States (*Microsoft Bookshelf*, 1994; Mueller & Rogers, 1998) since the last decades of the 19th century. The consensual closing of the proceedings of U.S. Bell in 1897 was but the first step in a long battle between the United States and U.S. Bell that culminated in the well-known divestiture of AT&T (heir to U.S. Bell), which was decreed in 1982 and carried out in 1984, almost a century from the beginning of the trial in question. Similar measures were later adopted in other

European countries, with the goal of gradually limiting the monopoly status of the national telephone companies in each particular country.

As reported at the time (“All About Meucci,” 1884; *Globe Telephone Company*, 1885a), subscribers’ complaints about U.S. Bell became quite pressing in 1880, so much so that in August 1882, about 1,200 people gathered together at the Continental Hotel in Philadelphia for a meeting. There, they discussed and condemned the poor quality of telephone service in the presence of executives from the company. Because these executives maintained that the service was to be considered “average,” the president of the assembly, William W. Goodwin, proposed the establishment of a committee, called the Phil’a Committee, whose task would be to prepare a draft for a resolution asking the company for a clear commitment on the quality of service that it would guarantee to deliver in the future. Toward the end of 1882, the Phil’a Committee met again and realized that no reasonable answer had been provided by U.S. Bell, and therefore, a syndicate was formed to look into telephone systems other than that provided by U.S. Bell. At the time, a young electrical engineer who worked for U.S. Bell of New York reported that in that city, “there was an old Italian who could furnish conclusive evidence that he was the original inventor of the telephone.” The news (following other similar rumors about alleged inventors of the telephone) was initially not taken seriously, but just as a precaution, it was thought wise to ask a subcommittee of experts to make a thorough investigation of that “elderly Italian man,” who was none other than Antonio Meucci.

After a few months, in the spring of 1883, the subcommittee concluded its investigation with astonishing results (“All About Meucci,” 1884), confirming the validity of Meucci’s invention. The findings were sent to wealthy businessman Robert Garrett, president of Baltimore & Ohio Railroad Company, who sent them to his lawyers for legal scrutiny. In the meantime, on April 2, 1883, and independent of the Philadelphia events, the *Globe Telephone Company* was established in New York with the purpose “to manufacture, sell, license and lease or rent telegraphic, telephonic and electrical instruments and supplies therefor . . . to acquire by purchase or license . . . patents and patent rights” as an alternative to U.S. Bell products (Meucci, 1885-1886, part 2, pp. 43-46). A few weeks later, the aforementioned syndicate of Philadelphia, having learned of the initiative, took over of the new company and in the subsequent reorganization nominated William W.

Goodwin as its president (Globe Telephone Company, 1885a; Goodwin, 1886b).

Antonio Meucci's Protest

As the reader can gather from the events described, Meucci found himself involved in a situation that would have exploded even without his intervention or that of his supporters.

Going back a little in respect to those events, one must consider that on his part and in spite of the his dire economic conditions, Meucci had immediately reacted to Bell's two patents of 1876 and 1877, which he considered to have been "usurped" from his own invention. Initially (1877 to 1879) (Meucci, 1885a; Stetson, 1885-1886), Meucci had relied on his lawyer, Thomas D. Stetson, who had filed his caveat "Sound Telegraph" (Meucci, 1871). Later on, in 1880, Meucci sought the help of Professor Parmelee, Colonel William Bennett, and others, who promised to uphold his priority, but without any direct commitment on their part (Cunningham, 1885; Meucci, 1885a). Nevertheless, with the money provided by Colonel Bennett, Meucci was able to rebuild the principal models of the telephone that he had created between 1853 and 1871, which were similar to those that his wife had sold during the serious illness that he suffered following the explosion of the Westfield ferry (C. Bertolino, 1885; Meucci, 1885).

Furthermore, from the beginning of 1879, Meucci gathered as many affidavits as possible for his case, drawing up 24 of them between January and July 1880. Of these, I have found 15 (Barbette, 1880; Bendelari, 1880; Bowen, 1880; Corradi, 1880; DeLuca, 1880; Lewis, 1880; Lorini, 1880; A. Meucci, 1880; E. Meucci, 1880; Negretti, 1880; Secchi de Casali, 1880; Sidell, 1880; Stetson, 1880; Tartarini, 1880; Ullo, 1880). Of three more (A. Bertolino, 1885; Cunningham, 1885; Egloff, 1885) (probably drawn up in Italian), I found the English versions, translated in 1885. These affidavits were mentioned and described in two editorials published in 1884 ("The Philadelphia Electrical Exhibition," 1884; "The Telephone Claimed," 1884), in which six more were mentioned (drawn up by Henry King, Patrick Kehoe, Reuben Lord, Giuseppe De Gregorio, Antonio Lazzari and L. Meriance), which I was not able to retrieve.

Because of limited space, I cannot comment on the details of each of the affidavits. I can say, however, that they contain valid testimony on the following topics:

- the experiment that Meucci performed in Havana in 1849;

- his later experiments in Clifton from 1852 on;
- the drawing executed for Meucci by the painter Nestore Corradi in 1858 (see Figure 3 in Catania, 1998);
- the publication of Meucci's invention in the newspaper *L'Eco d'Italia* in 1861;
- his friend Bendelari's mission to identify venture capitalists interested in the telephone for Italy in 1860 and 1861;
- the disaster of the Westfield ferry of July 30, 1871, in which Meucci was seriously wounded, laying between life and death for many months;
- the establishment of the Teletrofono Company with three Italian partners to promote his invention on the December 12, 1871;
- the caveat "Sound Telegraph" filed at the U.S.
- Patent and Trademark Office on the December 28, 1871;
- Meucci's poverty from 1871 on; and
- his request to Mr. Grant, vice president of the American District Telegraph Company of New York, to test his telephone in 1872 and the latter's statement in 1874 that he had lost all documents and prototypes received from Meucci.

Meucci, furthermore, after getting a certified copy of his caveat from the U.S. Patent and Trademark Office in November 1879 (Stetson, 1885-1886) turned many times to the press. He gave an interview to the *New York World* (Eaton, 1885; Meucci, 1885a; Pratt, 1885) and wrote to the *Messenger Franco-Americain* and to *L'Eco d'Italia* ("Il Vero Inventore," 1880) (Figure 2). *L'Eco d'Italia* went back on the topic in an editorial ("La Proprietà," 1882) published on February 9, 1882, which, in addition to stating that "we will recognize Mr. Antonio Meucci as the first, the one and only inventor," recounted the history of Meucci's invention and implied the possibility that, for their patents, Bell and Gray used the information that Meucci gave to Mr. Grant. The editorial concluded with an invitation to all Italian businessmen residing in New York to give financial support to the legal battle for Meucci's priority.

In the spring of 1881, Adolfo Rossi, who only a few months before had become director of the *Progresso Italo-Americano*, joining the old and well-established *L'Eco d'Italia* in New York, interviewed Meucci many times and printed a detailed history of his invention in a series of

newspaper articles that were later summarized in

his book (Rossi, 1899, pp. 156-163).

L' ECO D' ITALIA.

GIORNALE SEMI-SETTIMANALE.

SI PUBBLICA IL MERGOLEDÌ ED IL SABATO.

NEW YORK, SABATO, 6 MARZO 1880.

REFERRED AS SECOND
CLASS MAIL MATTER.

Il vero Inventore del Telefono.

Pubblichiamo di buon grado la seguente lettera del nostro amico, Sig. Antonio Meucci, al quale a giusto titolo spetta la invenzione del telefono:

Clifton, Staten Island, N. Y., }
4 marzo 1880. }

Signor Redattore dell' *Eco d' Italia*,

Prego la di lei gentilezza a volere pubblicare nel suo pregiato giornale quanto qui le faccio noto in riguardo al come si usurpino le invenzioni, e fatiche degli Italiani in questa parte di America.

Ella si ricorderà come nell'anno 1860, annunciando nell' *Eco d' Italia* la partenza del Signor Bendelari per l'Europa, si parlasse della procura che rilasciai al medesimo, onde proponessero alle Compagnie Telegrafiche la mia invenzione del Telefono, o Telegrafo-parlante. Adesso sono in dovere di esporre quanto segue:

Nel giornale francese, il *Messenger Franco-Americain*, fu pubblicato, nel mese di gennaio scorso, un articolo del Professore M. du Moncel, nel quale fa osservare che la invenzione del Telefono non appartiene ad Edison, ma bensì ad uno straniero. Mi feci allora sollecito di risponderlo nello stesso *Messenger* il 28 di gennaio quanto segue:

"Antonio Meucci, vecchio compagno e socio di Garibaldi, quando il patriotta italiano abitava Staten Island, presso Nuova York, riavvenne nel vostro giornale del 20 gennaio un articolo del Signor di Moncel, relativo alla scoperta del Signor Edison, circa la luce elettrica ed il Telefono. Quello che si riferisce al Telefono mi interessa particolarmente, siccome io sono il primo inventore di questo istru-

mento agli Stati Uniti, e la mia invenzione rimonta fino dall'anno 1852.

Nel 1860, come il mio amico Sig. Bendelari partiva per l'Europa, gli diedi il potere di proporlo alle compagnie telegrafiche, affinché mi fornissero i mezzi necessari alla esecuzione della mia scoperta, ma fu dichiarata da quelle Compagnie una invenzione irrealizzabile—tuttavia, e malgrado ciò, io proseguì a perfezionare il mio trovato.

Nell'anno 1871 costituì una Società di tre persone e domandai all'Ufficio delle Patenti il *Caveat*, affine di fare gli esperimenti in pubblico; ma la Società non mi fornì mai i fondi necessari per l'esecuzione della mia scoperta.

Nel 1872 fui presentato al Sig. Alberto Grant, Presidente del Dipartimento Telegrafico, il quale mi promise tutto quello che io abbisognassi. Trascorsero due anni senza che io potessi ottenere alcuna assistenza; allora gli chiesi la restituzione de' miei documenti, che gli avevo dati, e mi rispose che erano andati tutti perduti!

Nel 1876 fui molto sorpreso nel vedere pubblicato nei giornali un articolo relativo alla Patente ottenuta da Edison, Bell e Co. per la invenzione del Telefono, invenzione identica alla mia.—Tutti i giornali di America o di Europa ne hanno parlato—si costituirono a tal uopo molti Consorzi, ai quali l'invenzione produsse tesori—mentre che io non ho mai trovato persona, che mi incoraggiasse a condurre a fine il mio trovato dopo tanti anni di lavoro.

Con tutta stima di V. S.

ANTONIO MEUCCI.

Clifton, P. O. Box 105, Staten Island,
N. Y.

Figure 2. Antonio Meucci's Letter of March 4, 1880, Published in *L'Eco d'Italia* on March 6, 1880 (the banner of the newspaper has been placed over the letter)

At the end of this long period of preparation, on April 25, 1883, Meucci gave power of attorney to the law firm of Michael Lemmi and Carlo Bertolino to protect his rights over the invention of the telephone and consequently put in their custody all the affidavits in his hands, a copy of his caveat and its renewals, and the 26 prototypes of the telephone that he had rebuilt (Lemmi, 1883). The first occasion for Lemmi and Bertolino's firm to promote Meucci's cause was when on July 21, 1883, the newspapers published the U.S. Patent and Trademark Office's decision, largely favorable to Bell, after examination of the various patents and applications for patents "interfering" with Bell's patents.³

Three days later, on July 24, the Lemmi and Bertolino's firm sent to all the major newspapers of New York a letter signed by Meucci (1883) in which he claimed priority in the invention of the telephone, citing his caveat "Sound Telegraph," filed on December 28, 1871, its renewals up to the end of 1874, and concluding as follows:

I shall not abandon my rights, and I shall call myself, by valid documents, the first American citizen who has obtained from said Patent Office of Washington, a caveat which entitles me to the priority of invention of the great contended telephone. (p. 128)

This letter was published in, among others, the *New York Herald* and the *Telegraphic Journal and Electrical Review* ("The invention," 1883). It produced an immediate positive reaction that attracted the attention of U.S. Bell as well. As will be seen in more detail later, Lemmi and Bertolino's firm, in August 1883, received some important proposals, among them those of E. B. Welch of Boston and Alfred P. Willoughby of Chicago.

The negotiations with Mr. Welch (who was connected with U.S. Bell, as shown by Schiavo, 1958), as well as the following direct contacts with U.S. Bell, are described in detail in affidavits (Goodwin, 1885b; Lemmi, 1883) and amply illustrated in an editorial published in the *Chicago Evening Journal* ("The Telephone Case," 1887). It is sufficient to say here that they were but maneuvers aiming at finding out as much as possible about Meucci's claims so as to dismantle them. However, the Lemmi and Bertolino's firm was quick to identify them and avert them at their very beginning. Recall that representatives of U.S. Bell, during a meeting with members of the syndicate, hinted at an estimate for Meucci's invention of about \$1 million (Goodwin, 1885b).

A few weeks later, Meucci's lawyer, Carlo Bertolino, relinquished to the syndicate all the

telephone prototypes created by Meucci and all the affidavits sworn in his favor up to that time.

On December 4, 1883, Meucci signed another deed of transfer to the same syndicate for his patent application, "Marine Telegraph", filed on July 8, 1880 (Meucci, 1885-1886, part 1, p. 70) and a (ready to be made) patent application entitled "Method of and Apparatus for Transmitting Sound Telegraphically" derived from his caveat "Sound Telegraph."⁴ Finally, on December 7, 1883, Meucci notified the U.S. Patent and Trademark Office that the lawyers O. E. Duffy, of Washington, D.C., and Howard Munnickhuysen, of Baltimore (both legal representatives of the syndicate), were going to represent him in relation to the caveat "Sound Telegraph" and its future development (Meucci, 1885-1886, part 2, p. 5).

In the meantime, something was happening in Baltimore, where the aforementioned Robert Garrett, after receiving from his lawyers in the fall of 1883 the final report on Antonio Meucci, decided to intervene against the gigantic monopoly of U.S. Bell "in order to break the powerful grip that allowed this company to maintain its isolation in the market." In fact, on January 31, 1884, the Globe Telephone Company of Baltimore was established with capital of \$1 million. The newspapers reported that the founding members were capitalists well known in the financial world (one of them was from London) and that they were connected with the Globe Telephone Company of New York ("All About Meucci," 1884; "The First Inventor," 1884; Goodwin, 1886a; Rogers, 1886).

The following March 31, 1884, the corporate capital of \$10 million of the Globe Telephone Company of New York was deposited. The headquarters of the company were at the Mills Building, 15 Broad Street. The nameplate at the entrance of the offices, as well as the letterhead and the newsletter (Globe Telephone Company, 1885a; Meucci, 1885-1886) released by the company, bore the name of Antonio Meucci as "electrician," meaning the technical expert of the company.

Meucci's "magic moment" continued in September with the publication of an article in the *Electrical World* ("All About Meucci," 1884) that recalled the entire story of his invention of the telephone and the events that led to the creation of the Globe Telephone Company in New York. The article was published on September 6, 1884, a few days before the inauguration of the Philadelphia Electrical Exhibition, open to the public from September 14 to October 18, 1884, at which the two principal prototypes of Meucci's telephone were shown.

Also, the *Telegraphic Journal and Electrical Review* of October 11, 1884 ("The Philadelphia Electrical Exhibition," 1884), recalled the story of Meucci's invention and reported that Meucci's telephone devices were shown at the exhibit. Another quite similar article entitled "The Telephone Claimed by Meucci" (1884), referring to the same exhibit, was published shortly afterward in the prestigious *Scientific American*.

In both, it was reported that

the Globe Telephone Company (New York) exhibit is one that at present attracts (amongst telephone men) considerable notice. This company was formed to work the Shaw patents. . . . But it is in the Meucci invention, shown here, that the greatest interest lies.

The articles continued with detailed descriptions of 18 affidavits, among those mentioned previously in support of Meucci's priority in the invention of the telephone, and concluded with "a drawing of one of Meucci's telephones (1857) exhibited here, together with a copy of the caveat filed in 1871 and a reproduction of the drawing said to be the original on which the caveat was based."

It is not possible to quote here the contents of the numerous other articles on and/or interviews of Meucci published or referred to in the period from 1883 to 1885; therefore, I give only their bibliographic references ("The Claims to the Telephone," 1885; "The First Inventor," 1884; "Globe Telephone Company," 1884; "Meucci's Claims," 1885; "The Meucci Telephone Claims," 1885; Morris, 1885; "Telephone Patents," 1885; Roversi, 1942; Tyrrell, 1907).

In the spring of 1885, as shall be seen later on, some industrial companies started an action attempting to involve the government in hindering U.S. Bell's monopoly. The Globe Telephone Company, in view of joining the initiative, began to prepare a body of evidence in favor of Meucci. The person who took on the task was Dr. Seth R. Beckwith, a surgeon from Elizabeth, New Jersey, who also had a degree in law and who in 1883 was general manager of the Overland Telephone Company of New York. There, he had acquired a substantial knowledge in the telephonic field and had become an admirer of Meucci. Beginning on June 1, 1885, and following his request, Beckwith was hosted at the offices of the Globe Telephone Company in New York, where he talked with many people who had seen Meucci's telephones before 1875, had used them, and were able to describe them. He had them draw up 36 affidavits, most of them new and some rewritten

or translated into English from previous ones, already mentioned, given in 1880.

On August 20, Beckwith was appointed general manager of the Globe Telephone Company (Beckwith, 1886; Moncada, 1933). The following September 12, he made the company publish and distribute a newsletter (Globe Telephone Company, 1885a) that carried the history of Meucci's invention, in which he enumerated the proofs of Meucci's priority with respect to Bell, stating that the Globe Telephone Company had in its possession a total of 50 affidavits supporting the statements.

I have been able to trace 27 affidavits (sworn after 1880), adding to the 24 mentioned before to total 51 affidavits, close to what was mentioned in the newsletter. Those affidavits were listed and/or commented on in a letter of lawyer David Humphreys (1885a), legal counsel to the Globe Telephone Company, addressed to the acting attorney general of the United States, the Honorable John Goode and/or in a letter of the Honorable Lucius Q. C. Lamar (1886), secretary of the interior of the United States, also to Goode. Some of these 27 affidavits (C. Bertolino, 1885; Eaton, 1885; Goodwin, 1885b, 1886a; Lemmi, 1883, 1885; Meucci, 1885a; Pratt, 1885) have already been recalled in this work in different instances; I traced the others (Bachmann, 1885; Barili, 1885; Biggio, 1885; Ciucci, 1885; Conti, 1885; DeMartini, 1885; Dendi, 1885; Fleming, 1885; Goodwin, 1885a; Gregory, 1885; Kassan, 1885; Mariani, 1885; A. Meucci, 1885b; E. Meucci, 1883; Panizzi, 1885; Vanni, 1885; Wilber, 1885a, 1885b) at the National Archives and Records Administration, except for one drawn up by R. Benedetti and cited in Humphreys's (1885a) letter, which was not retrieved.

Again, I do not have the space here to comment on these additional affidavits. I cite, however, the long affidavit sworn by John Fleming (1885), the secondhand dealer who bought from Meucci's wife all the telephone prototypes and other pieces and electrical components, which filled "a box 3 x 3 feet, so heavy that I could not move it." In his affidavit, Fleming gave a detailed description of the things he bought, with precise reference to some of the prototypes reconstructed by Meucci in 1880.

Powerless Against U.S. Bell: The Government Is Asked to Intervene

From 1878 to 1885, when the American government finally intervened, U.S. Bell had been able to gain in local courts a substantial series of victories against those who tried to attack its monopoly. The word, however, was that they were

obtained thanks to the ability of U.S. Bell's lawyers, as well as the connivance of some judges and people from the U.S. Patent and Trademark Office rather than the objective superiority of Bell's patents with respect to the inventions boosted by other inventors. The lawyers for U.S. Bell were even able to obtain from the judges, in a very short time (a few weeks from the beginning of the lawsuit), a preliminary injunction that, *pendente lite*, forced the plaintiff to suspend all business activities. This in turn, by preventing the company to generate income, forced it to exhaust its capital in legal expenses.

It is impossible to summarize all the court proceedings mentioned; however, it is important to point out that the first and most important court case that saw the confrontation of U.S. Bell with the giant Western Union Telegraph Company (which controlled the telephone inventions of Thomas Edison, Amos Dolbear, and Elisha Gray and owned much of the U.S. telegraph network) was resolved with an out-of-court settlement signed on November 10, 1879. The settlement provided for the division of the market between the two companies: the telephone market for U.S. Bell and the telegraph market for Western Union, plus the official acknowledgment by Western Union of A. G. Bell's priority in the invention of the telephone. U.S. Bell, for its part, agreed to pay 20% of the profits derived from any telephone subscribers for a period of 17 years and to buy the 56,000 telephones and exchanges that Western Union had already installed in 55 cities (Schiavo, 1958, p. 175).

This agreement was heavily laden with suspicions of collusion. In particular, there were well-founded suspicions (Beckwith, 1885; Humphreys, 1885b; Jenks, 1885; Schiavo, 1958) that it was reached in part to prevent Antonio Meucci's invention from becoming public. Western Union, it seems, had obtained complete documentation of it from its affiliate, the American District Telegraph Company, or more precisely from its aforementioned vice president, Edward B.

Grant, as well as its superintendent, Henry W. Pope, brother of the chief technical expert of Western Union, Frank L. Pope.⁵ Its disclosure, in fact, would have annulled or raised questions about the telephone patents of both sides because the then current patent law (the Patent Act of 1871) ruled in § 24 that to be valid, a patent had to describe an invention "not known or used by others in this country" and in § 30 that "the applicant shall make oath or affirmation . . . that he does not know and does not believe that the same [invention] was ever before known or used" (Chisum, 1990).

The maneuvers to involve the government against the monopoly of U.S. Bell began in the second half of 1885 in the southern United States and were facilitated by the rise to power of the Democratic Party (which was very strong in the South). In the administration of the new president, Grover Cleveland⁶ were, among others, General Augustus H. Garland, attorney general, and Lucius Q. C. Lamar, secretary of the interior, whose names will come up often later on.

The person who started the fire was Watson Van Benthuisen of New Orleans, Louisiana, president of the National Improved Telephone Company.⁷ On July 12, 1885—a few days after one of the many preliminary injunctions that U.S. Bell obtained against National Improved—Van Benthuisen wrote a letter to Attorney General Garland inviting him to start a lawsuit on behalf of the government with the purpose of annulling the two main patents of A. G. Bell on the telephone. Later, he drew up an affidavit in which he accused the presiding court of collusion with U.S. Bell (Swan, 1903). Moreover, on August 24, 1885, from Memphis, Tennessee, Van Benthuisen sent a memorial (Van Benthuisen, Huntington, Beckwith, & Gantt, 1885) to the Honorable Henry W. McCorry, U.S. district attorney for western Tennessee "on behalf of the citizens of Memphis," underwritten by Charles P. Huntington (of Mississippi), J. R. Beckwith⁸ (a well known lawyer of New Orleans, Louisiana, and legal counsel to the National Improved Telephone Company), and Colonel George B. Gantt, of Memphis (a director of National Improved). In the memorial, they extensively outlined the reasons why the two principal patents of Bell should be annulled and again invited the government to bring a lawsuit for the annulment, suggesting that the trial should preferably take place in Memphis on behalf of the government of the United States.

On August 31, 1885, the Honorable H.W. McCorry forwarded the memorial to the attorney general with an accompanying letter stating that after examining the evidence and the affidavits enclosed with the memorial, McCorry believed that Bell's patents had been "improvidently and irregularly issued" and therefore that he favored the initiation of a trial "wholly under the control of the government, so that it should be a suit of the government, in fact as well as in name" (U.S. House of Representatives, 1886; Young, 1885). In absence of General Garland, the letter was read, as per norm, by his second in command, General John Goode. He signed the authorization requested by McCorry, who on September 9, 1885, filed the bill of complaint of the U.S. government against U.S. Bell ("Bell's Right Dis-

puted," 1885; U.S. House of Representatives, 1886).

Obviously, U.S. Bell was not about to take lightly an attack so violent and dangerous. First of all, it unleashed a furious press campaign with articles in the *New York World* and the *New York Times* condemning the Justice Department and its decision to proceed against U.S. Bell and accusing Attorney General Garland of wanting to promote the interests of the Pan- Electric Telephone Company, of which he was a stockholder (U.S. House of Representatives, 1886). The administration issued a press release denying the accusations ("Gen. Garland Explains," 1885)⁹ but at the same time, on October 9, 1885, ordered McCorry to suspend the legal action against U.S. Bell and turn over the entire documentation in his possession to the Department of the Interior, in charge of awarding and controlling patents, for preliminary examination and recommendation. Although on October 14, McCorry reiterated his request to be authorized to proceed, 3 days later, the Honorable John Goode denied the request (Swan, 1903; U.S. House of Representatives, 1886; Young, 1885).

At this point, other opponents of U.S. Bell, such as the Globe Telephone Company (1885b), the Washington Telephone Company, the North American Telephone Company, and others, came to the aid of the National Improved Telephone Company, filing with the Department of Justice petitions asking the government to intervene for annulling Bell's patents. The New York Chamber of Commerce as well approved a resolution in favor of the trial (Young, 1885). Later on, the Pan-Electric Telephone Company sent many affidavits signed by eminent scientific personalities— among them Thomas Edison (1885)—who denied A. G. Bell's priority in the invention of the telephone ("The Telephone Hearing," 1885).

For its part, U.S. Bell began to prepare itself for the inevitable confrontation with the government and its new opponents. In particular, to face the Globe Telephone Company, it hired Pinkerton's National Detective Agency (1885) to follow Meucci and gather as much information as possible to use in its own defense and/or to start a legal action against the Globe Company.

The secretary of the interior, the Honorable Lucius Q. C. Lamar (Figure 3),¹⁰ did not waste time in bureaucratic examinations and announced hearings, open to the public and the press (this also to avert another campaign against the administration), from November 9 to November 14, 1885, to elucidate *erga omnes* the parties' positions. The Honorable Lamar had two assistant secretaries sitting with him, Henry L. Muldrow and George A. Jenks, as well as the commis-

sioner of patents, Martin V. B. Montgomery. The *Evening Post* of November 10 ("The Telephone Hearing," 1885) reported that the parties in the lawsuit were three: U.S. Bell, a group of companies "which base their claims in considerable measure upon the patents of Reis and Meucci", and an "unknown interest which is represented by Professor Elisha Gray."



Figure 3. Lucius Q. C. Lamar, Secretary of the Interior (1885 to 1888) and Justice of the Supreme Court (1888 to 1893)

On the opening day of the trial, November 9, counsel David Humphreys was the first to speak, saying that he had proof of Meucci's priority and that Meucci had had a telephone since 1849 ("Attacking Bell's Patent," 1885; Globe Telephone Company, 1885b). Humphreys also read a sensational affidavit, sworn by Major Zenas Fisk Wilber (1885a),¹¹ former chief examiner of the U.S. Patent and Trademark Office, only a month before the beginning of the hearings. In his affidavit, Wilber denounced the irregularities committed by the U.S. Patent and Trademark Office in favor of A. G. Bell, stating in particular,

At the time, in December, 1871, Antonio Meucci filed a caveat for "Sound Telegraphs,"

I was an assistant under Prof. B. S. Hedrick, principal examiner, and engaged under him in the examination of cases relating to electrical inventions; hence the Meucci caveat came under my charge at that time. At the time of the last renewal thereof, in Dec., 1873, I was in charge of applications involving or relating to electricity as principal examiner myself; and the Meucci caveat was still in my charge.

During 1876 the electrical department was under my charge as principal examiner, and I received as such examiner, from the proper division of the office, the Bell application which became U. S. Patent No. 174465 of March 7th, 1876, and the caveat of Elisha Gray. . . . If this case had the usual course of suspension of the application been followed Bell would never have received a patent, and had Mr. Meucci's caveat been renewed in 1875, no patent could have been issued to Bell.

From my experience in examining a vast number of electrical specifications, I have become familiar with the terms and nomenclature used and have found that the terms used by Reiss and Meucci are expressed or meant by different later inventions under different names. I have noticed [for instance, that] the "closed circuit" of Bell is the "continuous metallic conductor" of Meucci.

Note that in a later affidavit drawn up only 2 days before the beginning of the hearings, Wilber (1885b) described Reis's and Meucci's telephones as "the prototypes of all speaking telephones" (referring, probably, to the loose-contact transmitter of Reis and to the electromagnetic transmitter and receiver of Meucci).

After counsel Humphreys, Dr. Seth R. Beckwith spoke, read Meucci's (1885a) affidavit, and showed the telephone models built by him, his memorandum book, and the many affidavits signed in his favor ("Telephone Talk," 1885). Thereafter, George Gantt, Casey Young, and J. R. Beckwith illustrated the already mentioned memorial on behalf of the citizens of Memphis. Although the position of these latter speakers was essentially in support of Reis, they did not hesitate to express appreciation for Meucci. George Gantt (1885), in particular, stated,

If human testimony is worth anything then Meucci anticipated Bell. I refer to the large volume of proof offered in support of his claim . . . but leave to others more familiar with it to prove it, at such length as its importance deserves.

It was clear from the beginning of the hearing that things were not going well for U.S. Bell. In a preemptive move, the day after the beginning of the aforementioned hearing, November 10, 1885, in the southern district court of New York, U.S. Bell brought suit against the Globe Telephone Company, Antonio Meucci, Dr. Seth R. Beckwith, and Amos Rogers (secretary of Globe), reiterating its tactic of gaining local victories to create a situation of *res adjudicata* in an eventual trial with the government and to create an obstacle to Globe's efforts in Washington in favor of Meucci (Bill of Complaint, 1885).

In addition, the New York district court was presided over by the same judge, William J. Wallace, who had ruled four times in favor of U.S. Bell. This move allowed the lawyers of U.S. Bell to announce triumphantly, during their concluding arguments on November 14, before the Honorable Lamar, that "a suit is pending under the Bell patents in New York against Meucci and the Globe company" (Dickerson & Storrow, 1885). In the concluding session of the same day, all parties summarized their arguments in support of their positions. Dr. Seth R. Beckwith in particular gave a long dissertation on Meucci's priority (Beckwith, 1885; "Telephone Talk," 1885), describing the move of U.S. Bell as follows: "During this hearing it [U.S. Bell] has shown disrespect to your Honors, for on the 3d day of your sitting a suit has been entered against Antonio Meucci."

Once the hearings were completed, the assistants to the Honorable Lamar each prepared a report. Mr. Montgomery sent his report on December 12 (Swan, 1903). On December 22 followed the reports from assistant secretaries Muldrow (1885) and Jenks (1885). They all agreed in recommending to proceed against U.S. Bell. In his report, Assistant Secretary Jenks wrote, among other things,

There is also evidence that as early as 1849, Antonio Meucci began experiments with electricity, with reference to the invention of a speaking telephone. . . . Up to 1871 . . . although much of the time very poor, he constructed several different instruments with which in his own house, he conversed with his wife, and others. . . . His testimony is corroborated by his wife, and by affidavits of a very large number of witnesses. He claims that in 1872, he went to Mr. Grant, Vice President of the New York District Telegraph Company, explained his invention, and tried repeatedly to have it tried on the wires of the Company. This, it is claimed, was used by the telegraph company, and was the basis of the contract

between the Western Union Telegraph Company and the Bell Telephone Company, dated November 10, 1879.

It should be noted that in the long report of the Honorable Jenks, only Philipp Reis and Antonio Meucci were mentioned as the inventors of the telephone that preceded Bell's.

In his report, Assistant Secretary Muldrow (1885) commented in detail on the affidavits in favor of Meucci, concluding,

So many witnesses having sworn that the inventions of Meucci, Reis, and others antedated those of Bell in the speaking telephone . . . I therefore believe it to be the duty of the Government to judicially inquire whether these facts do not warrant the institution of a suit to cancel the patent of March 7, 1876, which bears the seal of the Government, and which confers upon him a monopoly of the use of one of the forces of nature at the expense of whole communities.

And so, once again, the names of Reis and Meucci came up, the same ones that would fill the numerous articles that appeared during those days in the major American newspapers.

Encouraged by the unanimous opinions of his assistants, on January 14, 1886, the Honorable Lucius Lamar wrote a letter to the Honorable John Goode (acting attorney general), enclosing the three aforementioned reports and the 60 documents exhibited during the hearings, recommending in particular that

the proceeding should be in the name of and wholly by the Government, not on the relation or for the benefit of all or any of the petitioners, but in the interest of the Government and the people, and wholly at the expense and under the conduct and control of the Government.

The Honorable Lamar's letter raised Meucci's and his supporters' enthusiasm (not to mention that of Reis's supporters) to the sky; with the open support of the government of the United States, this enthusiasm became so extreme that a legal victory was taken for granted even before the trial began.¹² Meucci himself, in an affidavit signed on July 23, 1886, stated that "the Interior Department of the United States has practically decided in his favor, giving him priority of invention of telephony over all others. (See decisions of Assts. Secretaries, Muldrow and Jenks.)"

Soon after the conclusions of the Honorable Lamar were sent to the Department of Justice,

U.S. Bell launched a harsh attack against the government at the House of Representatives, through the representatives of Massachusetts (who were close to it). They managed to have a resolution passed, on February 26, 1886, to establish a federal investigation committee made up of nine members with the purpose of investigating "charges against certain public officers¹³ relating to the Pan-Electric Telephone Company and to suits by the United States to annul the Bell telephone patents" (Swan, 1903).

The ad hoc committee gathered depositions, documents, and sworn testimony from March 12 to May 27, 1886. The material was printed in a volume of almost 1,300 pages, which is in my possession. At the end of the investigation, two reports were prepared: one from the majority party (Democrats) and one from the minority party (Republicans). Both were presented to the House of Representatives on June 30, 1886. The majority report concluded that the government officials implicated had done nothing wrong, whereas the minority report stated the contrary, and thus, things remained unchanged.

However, also on the Globe-Meucci front, the Honorable Lamar's letter produced some impressive effects. With surprising swiftness, on February 27, 1886 (deed recorded on March 1), Dr. S. R. Beckwith founded, with the approval of the Globe Telephone Company and Meucci, the Meucci Telephone Company in Elizabeth, New Jersey, with its headquarters in the Herald Building, 109 Broad Street (Adee, 1886a; Incorporation of the Meucci Telephone Company of New Jersey, 1886; Moncada, 1933). It should be noted that none of Globe's stockholders were part of the new company. S. B. Ryder was its president and S. R. Beckwith its general manager. As a matter of fact, Beckwith offered \$25,000 to Globe to purchase its rights on Antonio Meucci for the newly established company in New Jersey.

A detailed account of this company is given in the valuable manuscript by Francesco Moncada (1933), who did research in the United States in 1932. He notes that on April 26, 1886, Dr. Beckwith issued a short circular, in which he stated (Adee, 1886a, Ans. No. 139),

The company uses the Meucci telephone that was patented in the Patent Office in 1871, five years before the Bell patent was granted. The American Bell Company has been ordered by the government to appear forthwith in the United States Court on a charge that Bell obtained his patent by fraud, collusion, and his untruthful oath that he was the original inventor. The government demands an "injunc-

tion to perpetually prohibit and enjoin the Bell Company from again setting up any pretence of right or claim under and by virtue of Bell's supposed Letters Patent." The Bell Company or its agents will be liable for every telephone used, rented, or sold as a patented article, as soon as the patents of Bell are cancelled and made void by the government.

Each and every subscriber using our telephone will be protected in its use against any damages annoyances or suits instituted by any person or company.

These words are a clear indication of the euphoria that the Honorable Lamar's conclusions produced. Works to build the telephone exchange in Elizabeth and connect the subscribers proceeded quite rapidly. Thanks to the courtesy of AT&T Archives of Warren, New Jersey, I was able to retrieve the first list of subscribers of the Meucci Telephone Company (Figure 4), which lists a total of 116 subscribers, 49 of whom were already connected on May 21, 1886, the others to be connected by August 1st (Adee, 1886b). Even the lawyer Charles Swan (1903), of U.S. Bell, had to admit, "In April, 1886, Beckwith had made such progress with his exchange in Elizabeth that the Bell Company thought best to apply immediately for a preliminary injunction."

The injunction was requested on April 20, 1886, in the Bell-Globe trial in New York, alleging ties between the two companies. Nevertheless, the following May 28, Judge Wallace refused to grant the injunction against the Globe Telephone Company, because no significant ties had emerged between Globe and the Meucci Telephone Company. For this reason, on June 8, 1886, U.S. Bell sued the Meucci Telephone Company. The trial went on until January 9, 1892, when it was officially closed, many years after U.S. Bell had won the lawsuit against Globe (1887) and the Meucci Telephone Company had stopped all activities (November 1888).

Going back to the events that followed the decision of the Honorable Lamar, the Globe Telephone Company, seeing the brilliant success of Beckwith's initiative in New Jersey and fearing losing the opportunity afforded by the prestige suddenly acquired by Meucci's name, opened a second Meucci Telephone Company in Nashville, Tennessee, on April 15, 1886. This company also had offices in Philadelphia, where it planned to hold its meetings, given that Goodwin and other members of the syndicate ran their business there (Incorporation of the Meucci Telephone Company of Tennessee, 1886). Thomas Bowen was appointed general manager of the new company. The stockholders were for the most part the same

as Globe's. The Meucci Telephone Company of Tennessee did little if nothing at all (Beckwith, 1886, Ans. No. 160), essentially because it was waiting "to bring the Meucci matter before the Patent Office" (Bowen, 1886b, Ans. No. 79).

Tennessee (the state where U.S. district attorney McCorry had repeatedly tried to bring U.S. Bell to trial) was chosen by Globe officers as the seat of the new company on the grounds that it would not have been easy for U.S. Bell to get an injunction against it, nor to win a possible trial with the same ease as in the states of the North. For the same reasons, on August 28, 1886, Globe and the Philadelphia syndicate relinquished all rights on Meucci's inventions to the Meucci Telephone Company of Tennessee (Bowen, 1886a) as a safeguard against the (probable) legal defeat of Globe in New York.

The hesitancy and prudence of the Globe Telephone Company, particularly of Mr. Goodwin and Mr. Humphreys, were in stark contrast with the swiftness and boldness of Dr. S. R. Beckwith. Beckwith even made precise plans to expand the activity of Meucci Telephone Company of New Jersey to Washington, D.C., and Alexandria, Virginia, as shown by a contract signed with a W. H. McDonald of Washington, D.C., on May 28, 1886 (Article of Agreement, 1886). The contract provided that the telephones, complete with accessories, were to be supplied by the factory in Elizabeth.

These opposite approaches caused some quarrels between Beckwith and Humphreys, which initially were just antagonistic but eventually degenerated into a vulgar fight, with reciprocal accusations even before the court in New Jersey. Meucci found himself caught in between, but ultimately, he was to side with Globe, which was the formal owner of his rights.

The U.S. Government Versus U.S. Bell: The Lawyers Win

On March 17, 1886, the government issued an order to sue U.S. Bell, and the relative bill of complaint was filed at the district court of southern Ohio on March 23, 1886. The solicitor general, John Goode, assisted by a staff of lawyers, represented the government of the United States (Swan, 1903). The lawyers for U.S. Bell raised an objection concerning the court's jurisdiction and asked for a motion, which was granted on December 7, 1886, obtaining at the same time that the case be closed. Because of this, almost all of 1886 was wasted.

The venue for the trial was then moved to Boston, where U.S. Bell had its headquarters.

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RECEIVED
MAY 12 1886
AMERICAN BELL TELEPHONE CO. BOSTON

D.M.
15.

**Subscriber List of the "Meucci Telephone Company",
Elizabeth, N. J. — To August 1st, 1886.**

N A M E.		No.	ADDRESS.	N A M E.		No.	ADDRESS:
A.				L.			
ADAMS, J. E.,			Broadway, cor. 1st St.	LYDECKER, G. P.,		2	281 Morris Ave.
B.				LEAHY, HENRY,		17	1231 East Broad St.
BECKWITH, S. R.,	33	1156	East Jersey St.	LAWRENCE BROS.,		3	227 Broad St.
BRANT, E. W.,	41	92	Broad St.	LINDABURY, R. V.,			80 Broad St.
BENEDICT, JOS.,	18-2	254	Morris Ave.	M.			
BLAKELY, WELLINGTON,	11	87	Broad St.	MRAVLAK, M. D.,		34	East Jersey St.
BROWN, L. R., DR.,		23	West Jersey St.	MULFORD, M. W.,		19	214 Union St.
BAILEY, G. W.,		1166	East Jersey St.	McCORMACK, WM.,		30	60 Jefferson Ave.
BREIDT, PETER,	24-3	600	Pearl St.	MILLER, L. B.,		28	East Jersey St.
BECKWITH, TIFFT., DR.,	33	1156	East Jersey St.	MILLER, J. J.,		43	435 Broad St.
BRADY, JOHN T.,		128	Court St.	McCANDLESS, JOHN,			82 Broad St.
BENDER, BROS.,		848	Elizabeth Ave.	McCABE & FAULKS,		23	1213 East Broad St.
C.				McCANDLESS, JOHN,			Madison Ave. and Mary St.
CORBET, J. H.,	8	100	Broad St.	MOORE, SAMUEL S.,			Residence: 1163 Anna St.
CARROLL, JAMES,	6	1186	Chestnut St.	MOORE, SAMUEL S.,			Office: Market, Elizabeth A
CARSTON, PETER,		102	Trumbull St.	MEEKER, WM. H.,			1173 East Jersey St.
CHAMBERLAIN, JOHN,			West Grand St. & P. R. R.	MOHR, PHILIP,			80 First St.
CLARK, AMOS, JR.,			Arcade.	MILLER, W. H., DR.,			186 First St.
CORDAGE CO.,		120 to 140	Elizabeth Ave.	MILLER, DAVID, DR.,			East Jersey St.
D.				McLEAN, T. N., DR.,			4144 East Broad St.
DOMESTIC BAKING CO.,	7	58	Broad St.	MAYER, JACOB,			149 First St.
DEHNE, L. F.,				N.			
E.				NORTON, PAUL, T.,		35	94 Broad St.
ENGLISH, J. R.,	9	109	Broad St.	O.			
ENGLISH, N. C. J.,		109	Broad St.	OLIVER & DRAKE,			132 Broad St.
ELECTRIC WORKS,				OAKS, JAMES, DR.,			142 First St.
F.				OLIVER, ALLEN H., DR.,			Madison Ave., cor. Julia St
FREIE PRESSE,	46	37	Broad St.	P.			
FULTON, E. M.,			Cordage Co.	PROVOST, D. B.,		16	210 Broad St.
FINKS, LEWIS, JR.,			First St.	PUTNAM, N. G.,		38	23 Broad St.
FROHWEIN, RICHARD,		122	First St.	PINNEO, J. C., DR.,			1129 East Jersey St.
FAY, J. LOGAN,		168	First St.	PAINE, J. C.,			
FAY, J. AUGUSTUS,		70	Broad St.	P. & R. R. R.		1 to 10	
FORD, GEO. A.,		624	First St.	POPE, RALPH			370 Cherry St.
FINLEY, LEWIS,				R.			
G.				RODEMANN, A. G.,		45	33 Broad St.
GROSOH, A. F.,	4	201	Broad St.	RYDER, SETH B.,			655 Salem Ave.,
GLASER, J. & G.,	18-3	246	Morris Ave.	RYAN, P. J.,			130 Broad St.
GEDNEY, GEO.	42	16	Washington Ave.	REINGARDT, CHAS.,			Elizabeth Ave.,
GILHOOLY & MARSH,	20	225	Broad St.	RISLER, A. R.,			219 Broad St.,
GLAZBROOK, REV.,		1147	East Jersey St.	S.			
GREEN, JAMES S. DR.,			Westminster Ave.	SPITTLEHOUSE, C.,		26	1199 East Broad St.
GRADY, JOHN F.,				SWIFT, C. A.,		14	142 Broad St.
GLASER, JACOB,				STAATS, JNO, A.,		40	Sheridan House.
H.				SAUER, J. S.,		36	97 Broad St.
HOOKE & SON, R. B.,	13	103	Broad St.	SENTON, A.,			123 Broad St.
HERSCH & CO., L. F.,	31	1167	East Jersey St.	SCHMIDT, H. J.,		37	7 Broad St.
HALESY, M. W.,	27		East Jersey St.	SAWYER, JOHN S.,			137 Chaterine St.
HILDEBRANDT, W. H. & CO.	47	8	West Jersey St.	SAYRE, THOMAS F. & H. C.,			21 S. Reid St.
HOUGH & MACK, DR.,		36	Third St.	SCHMIDT, CHAS. H.,			306 Williamson St.,
HOSPITAL,			Jaques St.	SPENCER, SARAH J.,			East Broad St.,
HOERNING, GEO.,			Elizabeth Ave.	STEARNS, W. W.,			84 East Jersey St.,
HERSH & SON,		83 and 90	First St.	SCHLEIMER, DAVID, DR.,			North Broad St.,
HILDEBRANDT, J. W. & CO.,		8 and 10	West Jersey St.	SANFORD, R. G. R.,			333 to 337 Trumbull St.,
I.				SCHAUBLE, PHILIP,			
ISAAC & KAUFMANN,			Spring St.	T.			
J.				TRAHON, W. M.,		12	219 Broad St.
				THOMPSON, S. S.,		24-2	Lumber Yard.
				TURNER, F.,			
				THOMPSON, S. S.,			Coal Yard: 208 Madison Ave

Figure 4. Subscriber List of the Meucci Telephone Company of New Jersey, as of August 1, 1886

Source: Courtesy of AT&T Archives, Warren, New Jersey.

The new bill of complaint was filed on January 13, 1887. The prosecuting attorney was the Honorable George M. Stearns, under the direction of the solicitor general, George A. Jenks. The lawyers for U.S. Bell, however, raised another objection, sustained by judges LeBaron Colt and Thomas L. Nelson on November 26, 1887 (another year wasted!). This time, however, the government appealed to the Supreme Court, which on November 12, 1888, reversed the verdict of judges Colt and Nelson and forced them to reject U.S. Bell's objection and to resume the trial (nevertheless, yet another year was lost). This last sentence lifted Meucci's spirits and was considered by many as a victory for him, even if only interlocutory. Unfortunately, though, Meucci died on October 18, 1889, before he could find out the final outcome of the government action.

After many other legal squabbles, finally, on December 6, 1889, the depositions began. The government counsel was headed by the intelligent and persevering jurist Charles S. Whitman of Washington, D.C.

On January 30, 1893, when Bell's second patent expired and the depositions were still going on, Bell's lawyers maintained that it did not make sense to continue a trial to cancel patents that had already expired. However, the Honorable Whitman replied that in any case, a sentence would have provided a reference point for issues of fundamental importance for the country and continued to go ahead with the government action. Unfortunately, though, he died in September 1896, and with his death, the effort of the government quickly lost its impetus. The attorney general, the Honorable Judson Harmon, made a recommendation to Congress that the case be closed with the minimum cost possible because he had made an agreement with the other party (U.S. Bell) that the latter would not have in any way taken advantage of government inaction (Swan, 1903).

In the meantime, at the end of 1897, President Cleveland was concluding his second term, and William McKinley, a Republican, was elected president. On November 30, 1897, the new attorney general, Joseph McKenna, announced that for all intents and purposes, the lawsuit between the government and U.S. Bell was to be considered closed. So in the end, there were neither winner nor losers: The only ones who had gained from this long and complex trial were the lawyers from both sides, who had charged their clients stratospheric fees.

Conclusions

I believe that I have amply demonstrated in this article that the government of the United States of America for many years extensively honored the name of Antonio Meucci as the inventor of the telephone, upholding that he, together with the German Johann Philipp Reis (for the loose-contact transmitter), preceded Alexander Graham Bell. I have also amply illustrated how long and fiercely Meucci fought to defend his priority, until death took him, while the Globe Telephone Company was still defending his memory by appealing to the Supreme Court (Appeal, 1888), and the government of the United States was aiming at the same goal with its trial against U.S. Bell.

Meucci's memory was honored by many and for many years after the end of both trials. Among the many, we must remember Guglielmo Marconi, who fought strenuously to have the merits of his unlucky fellow countryman recognized internationally (Catania, 1990, 1992). Still, in 1976, a Smithsonian Institution publication celebrating the centennial of the invention of the telephone featured only eight portraits, chosen among the many dozens of known inventors in the telegraph and telephone fields: one of them was that of Antonio Meucci (p. 19). The others were Gray, Blake, Hughes, Edison, Morse, Thompson, and Reis (see Figure 1, Catania, 1992).

Since then, the name of Antonio Meucci has been gradually fading, risking becoming relegated at best to science trivia. I sincerely hope that such will never happen, because if we were to deny or obliterate our roots or forget those who with their hearts and minds so honored Italy and the United States, we would be the first ones to bear the consequences.

Notes

1. For example, Giovanni Schiavo (1958), one of the most accurate and competent historiographers of Meucci, included in his book a minute analysis of the *Bell v. Globe* trial but substantially ignored the U.S. Bell trial.

2. In 1861, Reis conceived a make-and-break transmitter and a magnetostriction receiver, with which he could transmit musical tones and, with some difficulty, the vowels of human speech. Reis died in 1874, but his supporters in the United States maintained that the carbon microphones of Edison, Blake, Berliner, and others were all derived from Reis's make-and-break transmitter but adjusted for loose contact.

3. Meucci's caveat was not considered among the interfering patents or caveats because it was not renewed in December 1874, Meucci being in need of the \$10 renewal fee.

4. This patent application was filed on December 8, 1883 (Bowen, 1886a; Langdon, 1933). After 7 years of various discussions, it was definitively rejected by the U.S. Patent and Trademark Office on March 21, 1890, 5 months after Meucci's death.

5. Giovanni Schiavo (1958, chap. 15) maintained that Bell and Gray, on the occasion of their respective experiments performed at Western Union in 1875, got precious information on Meucci's invention and that their subsequent patent or caveat was inspired by that information.

6. Grover Cleveland, a Democrat, was elected president of the United States in November 1884 and took power in March 1885. He was known as a fierce opponent of the decadence of values because, in his previous public charges, he had firmly fought corruption and cut expenses.

7. The National Improved Telephone Company owned part of the telephone patents of J. Harris Rogers, the remaining part being owned by the Pan-Electric Telephone Company (another competitor of U.S. Bell), which was founded in 1883 and mostly rooted in the South. Therefore, the two companies had common interests. The Honorable Augustus H. Garland had been a shareholder as well as counsel of the Pan-Electric Telephone Company since its foundation (i.e., before being called to the cabinet of President Cleveland).

8. Not to be confused with Dr. Seth R. Beckwith, general manager of the Globe Telephone Company and founder of the Meucci Telephone Company in New Jersey, as shall be seen later on.

9. In the same article, under the subtitle "The Telephone Monopoly —How It Is Proposed to Break Down the Bell System," it was reported that "five years before Gray and Bell made their applications for patents, Antonio Meucci, of Staten Island, filed a caveat for a speaking telegraph."

10. Lucius Q. C. Lamar was a respected political leader of Mississippi. He served in the House of Representatives from 1873 to 1877, as a senator from 1877 to 1885, as the secretary of the interior from 1885 to 1888, and as a justice of the Supreme Court from 1888 to 1893.

11. It may be noted that in quoting important persons, their military rank was highlighted.

12. The Honorable Lamar's letter gave rise, in some Italian papers, books, and encyclopedias, to gratuitous amplifications and misinterpretations, as pointed out in the introductory chapter of Schiavo's (1958) book.

13. The allusion to General Garland is evident.

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