49546-1

January 9, 1990

BUFFALO BILL
HISTORICAL
CENTER

BUFFALO BILL MUSEUM
WINCHESTER ARMS MUSEUM
PLAINS INDIAN MUSEUM
WHITNEY GALLERY OF
WESTERN ART

P.O. BOX 1000 CODY, WYOMING 82414
(307) 587-4771

With respect to your recent letter, the Henry in your possession is a prototype fitted with a sliding magazine cover designed by George W. Briggs in early 1866. The patent covering this design was issued on October 16, 1866 (Number 58937) and assigned to Oliver F. Winchester. Based upon the design of the sliding magazine aperture cover your example is of a fairly early design.

While the museum has a later example we do not have one of the early type. Consequently, may we keep the photographs you sent for our files.

I hope this information will be of assistance to you.

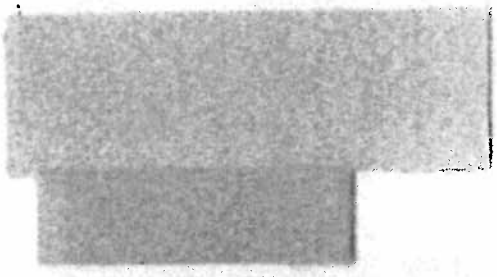
Sincerely,

Herbert G. Houze

Herbert G. Houze
Curator
Winchester Arms Museum

HGH:glo

P. O. Box 1207,
Cody,
Wyoming 82414.
July 10, 1999.



It was a pleasure to finally meet you the other day and to see your Winchester Patent Carbine serial number 3.

As I mentioned several times during our visit, I am of the professional opinion that your carbine is correct in all respects save for the rear sight and, as you mentioned, the forward barrel band. The carbine exhibits little evidence of use and is in very fine condition considering its age.

Among the other Winchester Patent Carbines presently known to exist are serial numbers 5 (formerly in the Flayderman Collection), 18 (Swiss private collection), 46 (formerly in the Bender Collection), 279 (excavated recovery piece in the possession of the Mexican Federal Army) and an unnumbered example (formerly in the Flayderman Collection). In common with your carbine, all of the preceding with the exception of serial number 279 are fitted with 19" barrels. The original barrel length of number 279 is now unknown due to corrosion damage. In addition, the receiver for another example bearing the serial number 691 is in the Winchester Arms Collection of the Cody Firearms Museum.

With regard to your request, I am attaching a copy of the Winchester Arms Company's March 1866 sales register page which is preserved in the Winchester Arms Collection Archives at the Buffalo Bill Historical Center.

Wishing you all the very best and thank you again for allowing me the opportunity to examine your carbine.

Yours sincerely,

Herbert G. Houze

Herbert G. Houze

P. O. Box 1207,
Cody,
Wyoming 82414.
June 28, 2000.

Thanks again for lunch yesterday. I truly enjoyed our varied discussions about the "gun world" and collecting in general.

When I returned home I began looking for the references to Lafayette Baker which I had mentioned. It turned out to be one of those proverbial "Where did I put that?" searches. Happily they were found and enclosed are photocopies of the primary source (Veader & Earle), as well as a mention of Baker's role in promoting the Henry Rifle during the Civil War.

Given the somewhat close proximity of Baker's activities in Michigan to where your carbine was found, it could be argued that the piece was sent to him. Indeed, the low serial number suggests that it was probably intended as a salesman's sample rather than an arm destined immediately for the retail market.

Whatever the case, now you have another avenue of research to pursue. Wishing you all the best of luck and hoping that you had a very pleasant (i.e.,low humidity) vacation, I remain

Yours sincerely,

Herbert G. Houze

The First Winchester Contract

The full text of the agreement is as follows:

Paris
6e, Novr 1865
Mr. Oliver F. Winchester of New Haven, Connecticut, United States of America, agrees to make One Thousand Henry rifles having the approved improvements for [Blank] at the price of Thirty Four U.S. Dollars Gold per rifle with Sundry parts and implements delivered to New York City. Deliveries to commence Two Months forward from this date. In receipt and acceptance whereof, Mr. Winchester acknowledges payment this day of Seventeen Thousand U.S. Dollars Gold.

Witnessed — F. deSuzanne
Georges Chasteau — O.F. Winchester
(de Suzanne Letter Press Book, op. cit., pages 211-212.)

The specification that these arms were to be shipped to Havana, Cuba was probably due to apprehensions on the part of the French goverment that the United States might place an export embargo on arms being shipped directly to Mexico. Since Cuba was not involved in the Mexican conflict, arms shipped there would not have aroused any suspicion on the part of American port authorities.

Sales.

Mar 5th

Philip Wilson Esq To Mder

1 improved Carbine	40,00
1 " Rifle	50,00
	90,00
Disct 20 p c	18,00
	£ 72,00

Mr Gilchrist To Mder

1 improved Carbine	40,00
1 " Rifle	50,00
	90,00
Disct 20 p c	18,00
	£ 72,00

Mch 6th

J. C. Gibbs To Mder -

1 improved Rifle -	50,00
20 p c	10,00
	£ 40,00

5924

331

THE STORY
of the
WINCHESTER REPEATING ARMS COMPANY

This includes its predecessors, the Volcanic Repeating Arms Company and the New Haven Arms Company

by

D. H. Veader and A. W. Earle

1918

D. H. Veader entered the employ of the Winchester Repeating Arms Company on May 16, 1869.

A. W. Earle entered the employ of the Winchester Repeating Arms Company on August 11, 1883.

sides of the cases burned the cartridges exploded and the city firemen fled. George Stetson, the foreman of the cartridge shop, and two other Company men took a hose and going behind a protecting shed turned the stream of water on the fire and extinguished it. All of the glass in the windows on the side of the main building towards the fire were broken by the explosions of the cartridges, but it was found that the glass had not been broken by bullets; it was broken by the copper shells. The bullets had been thrown only a few feet. The absence of danger from bullets when not discharged through a barrel was further demonstrated in the series of experiments made in the year 1904, when legislation in regard to the transportation and storage of fixed ammunition was contemplated. These experiments are detailed in a pamphlet[1] which was issued by the Company and of which there is a copy on file in the library, and further by experiments which are described under the year 1904.

In the later days of the New Haven Arms Company and the early days of the Winchester Repeating Arms Company, Lafayette C. Baker of Lansing, Michigan, General Baker as he was known, who had been Chief of the Federal Detective Service during the Civil War and had highly recommended the Henry rifle for service, undertook to build up a business for Winchester goods in the Northwest. He became indebted

1. "Tests showing the safety of cartridges and loaded shot-gun shells when subjected to careless handling, falls, shock and fire." Circular issued in November, 1904.

NATIONAL FIREARMS MUSEUM

11250 WAPLES MILL ROAD
FAIRFAX, VA 22030

(703) 267-1600
FAX: (703) 267-3913

NATIONAL FIREARMS MUSEUM EXHIBITION LOAN CONTRACT

CONTRACT DATE: 17 MARCH 2003

LENDER NAME/COMPANY/CONTACT PERSON: [redacted]

ADDRESS: 1132 Quwear Rd, Ypsilanti, Michigan 48198

PHONE/FAX/E-MAIL: 734-483-8660

In accordance with the conditions and terms as listed on the reverse of this contract and as agreed upon by both the lender and the National Firearms Museum (NFM), the objects listed below are borrowed for the exhibit program at the NRA Headquarters, National Firearms Museum from: 17 MARCH 2003 – 17 MARCH 2004

DESCRIPTION OF OBJECTS: Winchester lever action carbine, patent serial number 3, with brass forearm and tube mag loaded from breech. Produced ~~12~~ December 1865. Winchester Arms. Company.

INSURANCE VALUE: $150,000.00

[redacted]

17 March 2003
Date

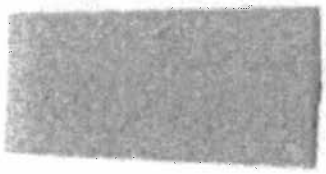
E. Philip Schreier Jr
Curator, NFM Signature

Philip Schreier
Curator, NFM Name (Print)

17 March 2003
Date

By their signature, the above attest to their acceptance and understanding of the provisions and conditions of this contract and that they are the authorized agents to agree thereto.

August 5, 2002



Subject: Winchester Patent Carbine S/N 3

Dear Sir :

It was a pleasure to talk with you Monday . I would like very much for you to review the enclosed collection of documentation and opinions from gentlemen I respect very much for their historical research work.

Mr. Herb Houze's extensive research into the early history of Winchester, thanks to his good fortune of locating John Davies' Diary. This Diary allowed Herb to glean the missing early history from the man who lived it with Oliver Winchester. Herb has generously provided copies of patents, sales register entries, contracts and personal opinions.

Mr. George Madis of Brownsboro Texas inspected this carbine in 1997 when it was disassembled for his opinion on its authenticity as a Winchester produced arm. At that time George was not aware of the Davies Diary and these arms were known generally as being in the Briggs Patent group of prototypes. His great letter reflects this long standing view but it is only the terminology of these two designs that differs from our knowledge today. The Winchester Patent that covers this arm was not known to George but his expertise in evaluating this Carbine was invaluable and greatly appreciated.

I hope you find this new information and this carbine as historically exciting as I do.
The research continues; there is circumstantial evidence that Col. Lafayette Baker, (known as Gen.) the Chief of Government Detectives in 1865 was given this carbine when he became a salesman for the new Winchester Arms Company in late 1865. He was from Lansing , Michigan. This carbine surfaced in 1989 from a closet near Lansing. It has not been cleaned, only dusted. It does not appear to have been fired!

Please feel free to call. Your opinion is important to me, we believe this arm is an historically significant artifact. At this moment it is the earliest,documented,Winchester production firearm, the earliest known carbine, (likely the 1st carbine due to the burled stock) and the 1st Winchester Trapper (19" barrel)

Regards,

Lyle.c.mcdermott@gm.com

George Madis
Brownsboro, Texas 75756

Briggs Patent Winchester Serial Number 3

I have carefully examined this rare gun, inside and outside, and have determined it is all original as made by Winchester.

According to remaining records, Briggs patent number 58937, was granted on October 6 of 1866.

Briggs patent arms are regarded as transitional arms, clearly showing the Henry rifle influence as well as the form of the first Winchester, the Model 1866.

Because they were made early in the history of Winchester, we find that many Briggs patent guns differ from each other.

Henry rifles were made in New Haven; in 1866 the plant was moved to Bridgeport and by 1867 production was well under way. This was a busy and hectic period for the company.

We find the serial number 3 on the lower tang inside under the stock, on the inside toe of the buttplate and on the stock under the upper tang. These numbers are all correct and original. All inletting cuts are of correct early style and are original and unaltered.

Various early features are seen on this

gun; the checking on the hammer and lack of a half cock safety on the hammer, the small lever loop and the additional wood screw in the upper stock.

The receiver is of the style found on earliest 1866 models but without a loading port. No flare for the feed is seen, and internally the receiver has no provision for the loading port.

On the barrel the rear sight is of a unique style and the front sight is located on the replaced front barrel band.

As seen on some other rare and very special early Winchesters, a close inspection of all the steel parts indicates these parts were never blued and remained "in the white" when they left the factory.

Much of the original finish remains on the stock.

A nineteen inch barrel of carbine style was factory fitted to this Winchester, and it is correct and original.

Brunge of the receiver, elevator, buttplate and forend have a pleasing old and original patina and remain in excellent condition. In operation, the magazine was loaded by depressing the button release and sliding the forend, exposing the loading port.

We have here one of the earliest

Serial Number 3

1866 Winchester, clearly showing the transition between the Henry rifle and the first Winchester.

Number 3 is one of the rarest of Winchesters and is a one-of-a kind gun.

This is a unique and rare Winchester, and because of this great rarity, condition and historical importance, number 3 will be a star in any collection or museum.

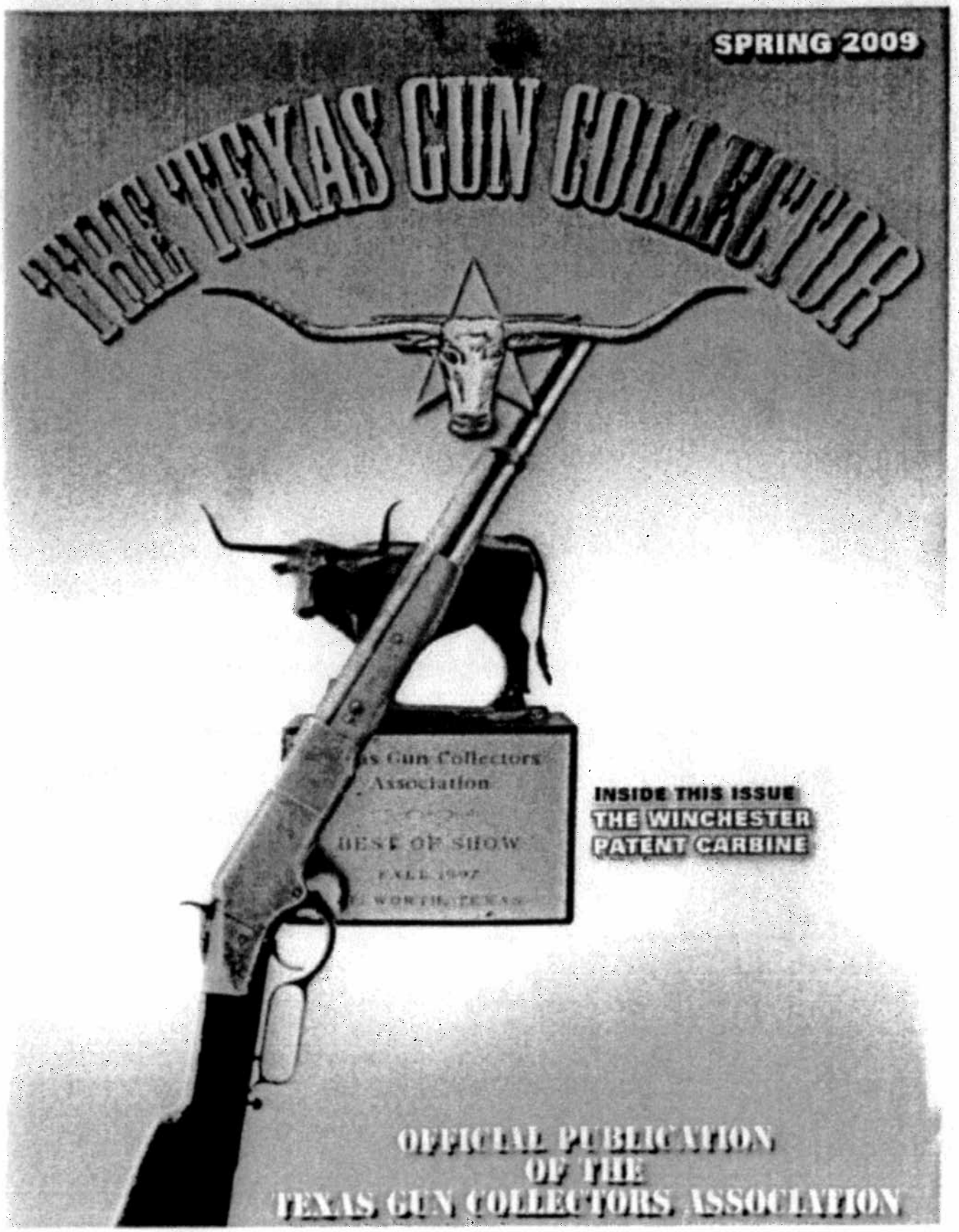
George Eppler

TEN BEST ARMS
AWARD

NRA 2009 NRA

SPRING 2009

THE TEXAS GUN COLLECTOR



INSIDE THIS ISSUE
THE WINCHESTER PATENT CARBINE

OFFICIAL PUBLICATION
OF THE
TEXAS GUN COLLECTORS ASSOCIATION

The Winchester Patent Carbine

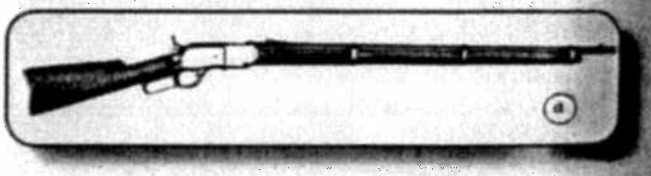
By Tom Power

In my last article for *The Collector* entitled "New Light on an Old Subject," I discussed how recent research had increased collector knowledge regarding a very important Colt revolver, the 2nd Contract Dragoon (Power 2007). The Winchester Patent Carbine pictured in this article warrants the same discussion and takes the same place in the evolution of the Winchester as the 2nd Contract Dragoon does in the evolution of the Colt, being the first model of firearm manufactured by Oliver Winchester.

Recent research by Herbert G. Houze ,which is published in his excellent book *Winchester Repeating Arms Company Its History and Development 1865 to 1981* (1994), sheds a great deal of new light on the subject of the early manufacture of Winchester firearms, especially for the years 1865 and 1866.

In 1865 Oliver Winchester and his partner, John M. Davies, were in the process of taking over the business of the New Haven Arms Company, which produced the Henry rifle from 1862 to 1865.

On July 1st, 1865, Winchester signed the articles of association that established the Winchester Arms Company in Bridgeport, Connecticut, and hired Nelson King to be its supervisor. The goal of the company was to develop an improved version of the Henry rifle, which was sufficiently different in design as to preclude any claims launched against it by B. Tyler Henry. There were two replacement designs proposed by Winchester's engineers. The first was offered by James D. Smith. It called for a closed magazine housed in a wooden fore stock, which could be charged through a hinged loading port located in the bottom of the receiver immediately below the cartridge carrier (Figure 1).



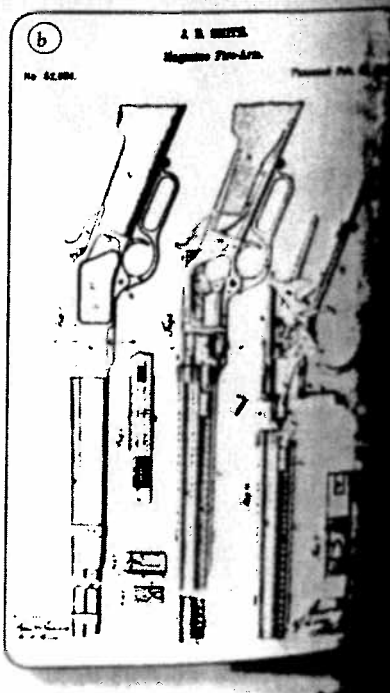


Figure 1 – a) James D. Smith's sample .50 caliber musket made in August or September 1865. Winchester Arms Collection (Inv. No. W 253). Cody Firearms Museum. Olin Corp. Photo. b) Specification drawings enrolled with James D. Smith's U.S. Patent Number 52934 issued Feb. 27, 1866. Winchester Arms Collection Archives, Cody Firearms Museum.

The second and simplest modification of the Henry rifle to be developed was that designed by George W. Briggs in September 1865. Briggs simply recommended that a sliding magazine tube that could be moved forward for loading be used (Figure 2).

The third improvement to be developed in the early autumn of 1865 closely paralleled Brigg's work, and was proposed by Oliver Winchester himself. In place of the sliding magazine tube, a fixed magazine tube would be used. The tube would have an open slot at its rear which could be exposed for loading by sliding a metal fore end forward. The carbine that is the subject of this article is of this type, the Winchester Patent Carbine (Figures 3 & 4). Though the exact date of this design development cannot be fixed with the same degree of certainty as its predecessors, it was prior to the middle of October 1865, as Winchester took samples of it, together with those of the Smith and Briggs designs, with him to Europe at that time. While in England, he had his London patent agent, William Clark, apply for a British patent for these three designs. They were granted English Patent Number 3284, issued Dec. 19, 1865 (Figure 5). The lack of any application for American patent protection strongly suggests that Winchester never intended to market arms of this design in the United States.

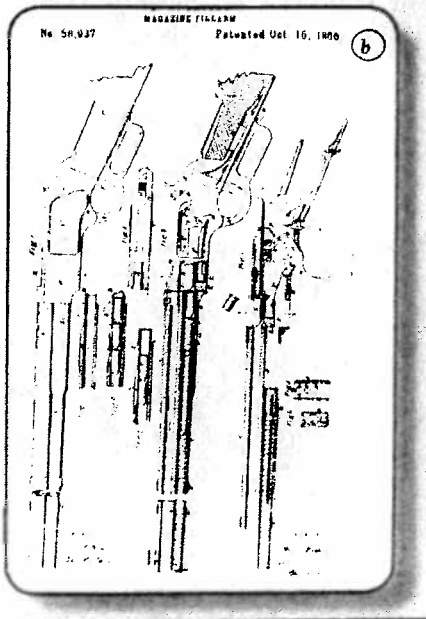


Figure 2 – a) George W. Briggs' sample .44 caliber rifle made in September 1865. Winchester Arms Collection (Inv. No. W 243), Cody Firearms Museum. Olin Corp. Photo. b) Specification drawings enrolled with George W. Briggs' U.S. Patent Number 58937 issued October 13th, 1866. Winchester Arms Collection Archives, Cody Firearms Museum.

Figure 3 – Winchester Patent .44 caliber carbine of the type manufactured by the Winchester Arms Company from December 1865 through the early spring of 1866, for Maximilian I of Mexico. Winchester Arms Collection (Inv. No. W 242), Cody Firearms Museum. Olin Corp. Photo.

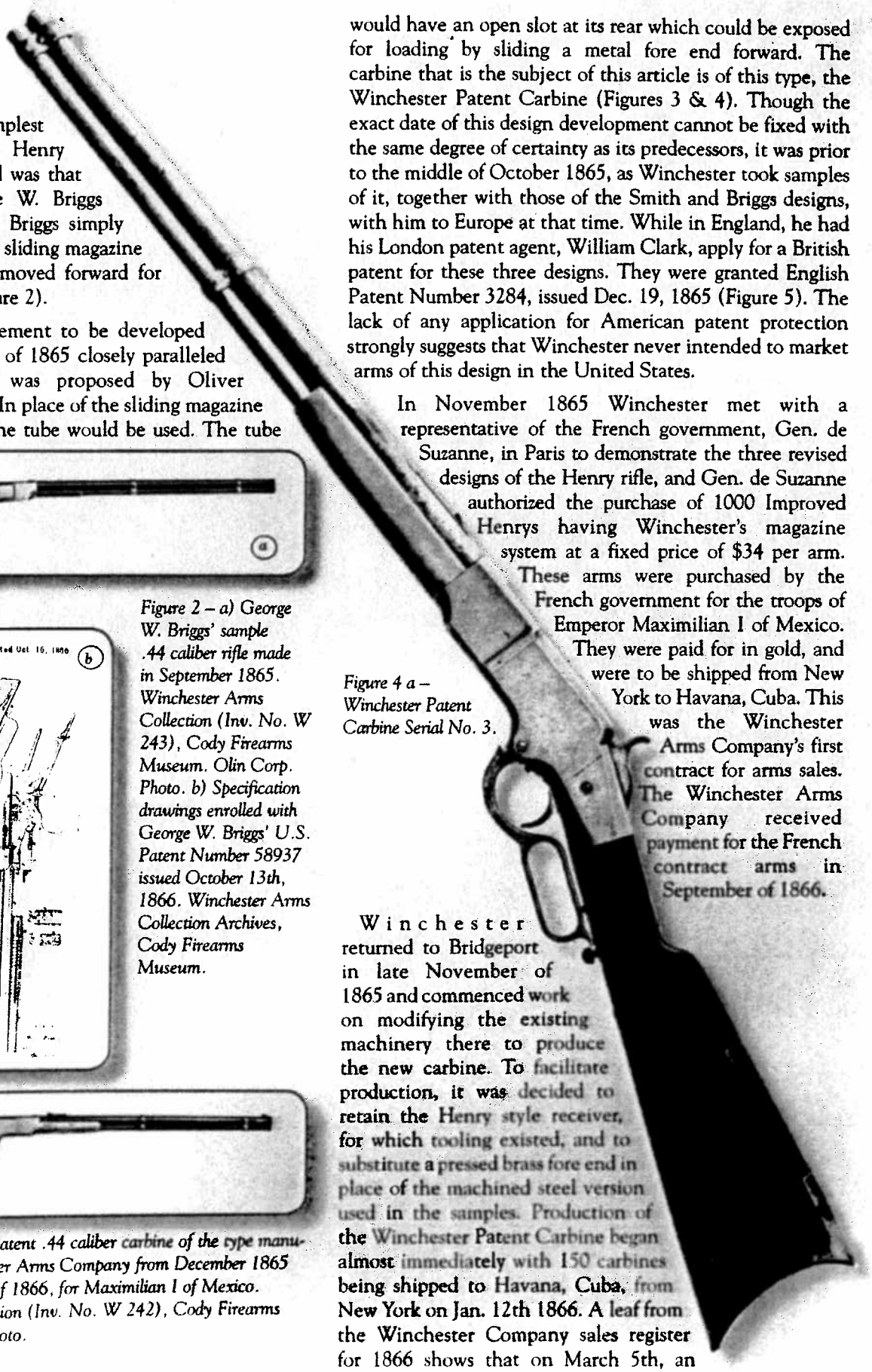


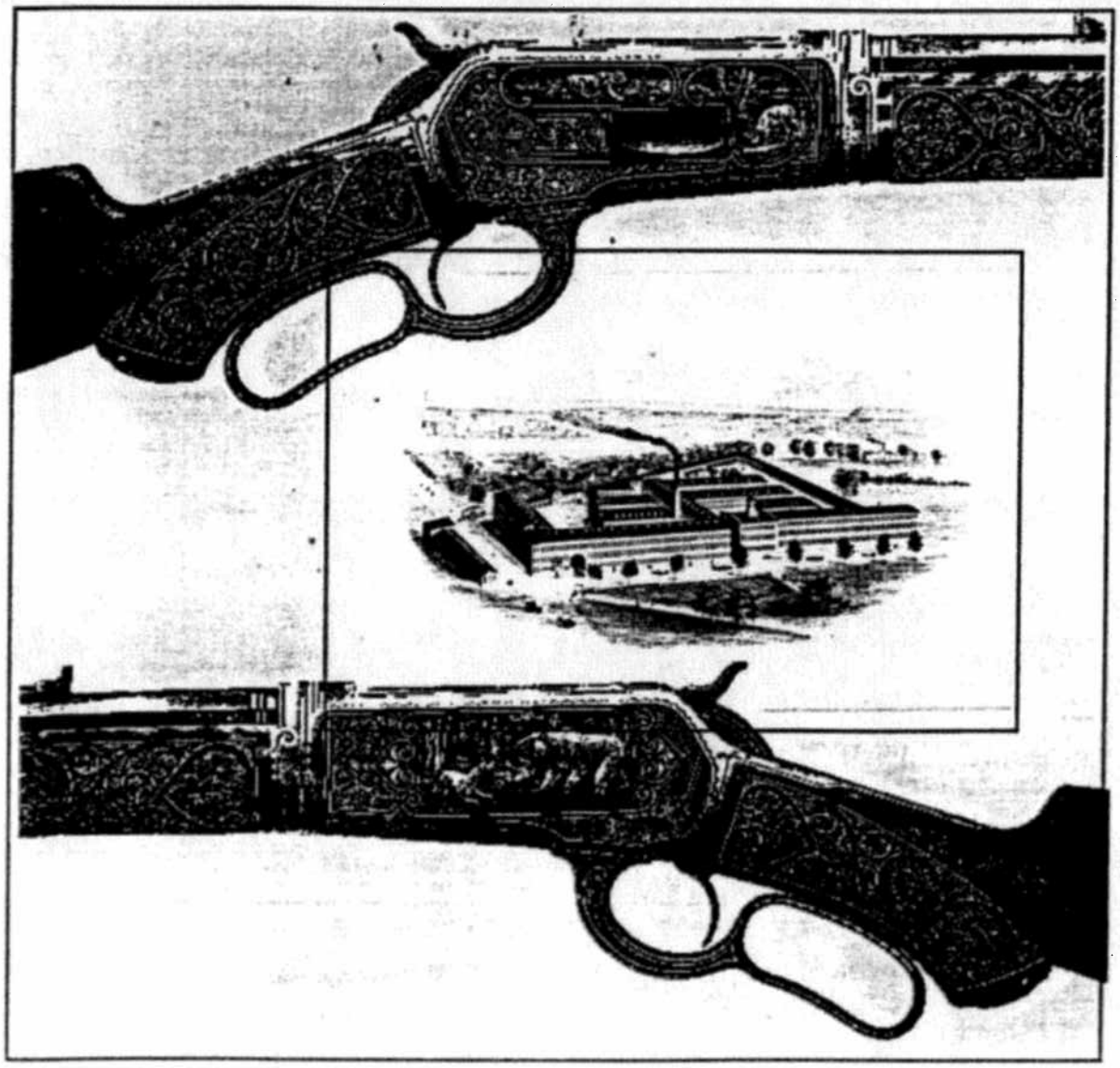
Figure 4 a – Winchester Patent Carbine Serial No. 3.

In November 1865 Winchester met with a representative of the French government, Gen. de Suzanne, in Paris to demonstrate the three revised designs of the Henry rifle, and Gen. de Suzanne authorized the purchase of 1000 Improved Henrys having Winchester's magazine system at a fixed price of $34 per arm. These arms were purchased by the French government for the troops of Emperor Maximilian I of Mexico. They were paid for in gold, and were to be shipped from New York to Havana, Cuba. This was the Winchester Arms Company's first contract for arms sales. The Winchester Arms Company received payment for the French contract arms in September of 1866.

Winchester returned to Bridgeport in late November of 1865 and commenced work on modifying the existing machinery there to produce the new carbine. To facilitate production, it was decided to retain the Henry style receiver, for which tooling existed, and to substitute a pressed brass fore end in place of the machined steel version used in the samples. Production of the Winchester Patent Carbine began almost immediately with 150 carbines being shipped to Havana, Cuba, from New York on Jan. 12th 1866. A leaf from the Winchester Company sales register for 1866 shows that on March 5th, an

WINCHESTER REPEATING ARMS COMPANY

Its History & Development from 1865 to 1981



by HERBERT G. HOUZE

After the end of the Civil War, virtually all the major American firearms manufacturers realized that their survival depended upon the cultivation of foreign markets for their products as the rapidly diminishing domestic sales threatened to idle the factories they had built or enlarged to satisfy wartime needs. Among the first to actively seek out foreign customers was Oliver F. Winchester, who traveled extensively to Europe in 1865 and 1866. The novelty and usefulness of his repeating rifles were immediately recognized there, and his endeavors were rewarded with a number of contracts issued by a variety of foreign states. These purchases not only ensured the survival of the Winchester Arms Company, but also allowed it to expand and flourish in an era when many other companies failed.

"Although those carbines and rifles having Oliver F. Winchester's magazine system, which were primarily produced for the French government in early 1866, must be regarded as the first, true production Winchester firearms, the ultimate prosperity of the Winchester Arms Company and its later successor, the Winchester Repeating Arms Company, was not to be the result of their manufacture. Rather, it was to be due to the introduction of a fifth modification of the Henry rifle designed by Nelson King, the superintendent of the Bridgeport factory."

Ref. Winchester Repeating Arms Company
It's History & Development from 1865 - 1981

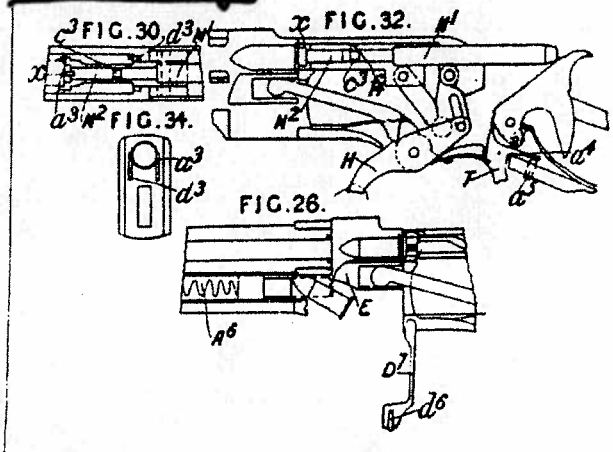
C 1994 by Herbert Houze

during the filling of the magazine. In another form of magazine shown in Fig. 26, the end of the tube A^6 is opposite the chamber of the carrier E when that is in its lowest position and the cartridges are introduced through the opening between the end of the tube A and the frame. The opening is closed by the hinged lid D^7 having a spring catch d^6. When it is desired to use this arm as a single breech-loader the lever H, Fig. 3, may be prevented from moving sufficiently far to lift the carrier E by means of the hinged stop S^1. Or the magazine-feed may be put out of action, or the carrier prevented from rising by means of a screw. Instead of the spring extractor hook *m*, Fig. 3, the breech-bolt may be provided with solid extractor hooks a^3, shown in plan, in Fig. 30 and elevation in Fig. 34, the cartridge-flange being brought into engagement with the hooks by vertical guides d^3. The rod or piston M^1, which is struck by the hammer, is retained in the breech-bolt by the pin f^4 working in an annular groove c^3 in the piston M^1, to the forward end of which is attached the piston M^2 carrying the chisel-edged projections *x*.

Muzzle-loading; converting. — A steel case, shown in Fig. 10 provided with a nipple, is fitted into the chamber like a cartridge case in order to enable the arm to be used as a muzzle-loader.

Firing-appliances generally applicable.—In order to regulate the pull-off, the distance to which the

Smiths Design

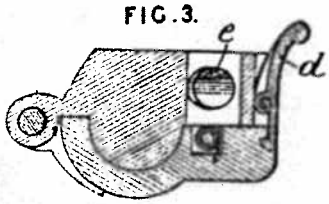


sear enters the tumbler vent is limited by providing an arm a^4, Fig. 32, on the trigger T bearing against an adjustable screw a^5.

3337. Reeves, C. Dec. 26.

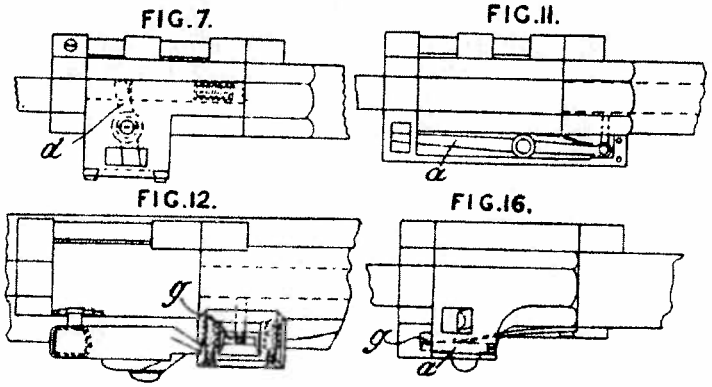
Breech actions; hinged breech-block. The hinged and laterally-moving breech-block *e*, Fig. 3, is fastened in the closed position by a spring catch *d*, or by a spring-operated lever *a*, Fig. 16, snapping into an undercut recess in a vertical slot *g* in the fixed breech. The cartridge-extractor is carried by a hand-operated longitudinally-sliding rod returned to its normal position by a spiral spring. The block *e* may be provided with an inclined spring firing-pin, or with a longitudinal spring firing-pin acted upon by a cranked hammer, or by a hammer, which operates through a horizontal lever *d*, Fig. 7, or through a transverse rod having a wedge-shaped inner end, or through a cranked lever or a wedge carrying the firing-pin at its inner end. In modifications, a transversely-sliding firing-pin, passing through the side of the breech-chamber, is carried by a lever *a*, Fig. 11, on the outside of the gun, or by a slide *g*, Fig. 12, upon which the hammer acts. The nose of the hammer and the corresponding co-acting surface are inclined in each side.

FIG.3.



Barrels. — The breech-chamber is conical, trumpet-shaped, or hemispherical.

Converting.—Muzzle-loaders are converted into breech-loaders by screwing a shoe, forming the breech-chamber, on the breech end of the barrel.



3178. Wilson, T. Dec. 9. [*Provisional protection only.*]

Breech actions, sliding breech-block.—A lug on a longitudinally sliding breech-block is caused to enter a transverse slot in the breech-frame by a partial rotation of the block when driven home; the block is guided by a pin in the frame taking into a bayonet groove in the block.

Breech actions, hinged breech-block. — The breech-block turns on a lateral hinge above the breech and is locked by a spring catch, released by a lever. A cartridge-extractor is caused to slide in a groove in the side of the barrel by a pinion on the hinge of the breech-block, engaging a rack on the extractor.

3249. Aston, J. Dec. 15. [*Provisional protection only.*]

Breech actions, hinged breech-block. — The breech-block, which can be raised about a hinge at its forward end, is locked in the closed position by a bolt engaging in a recess formed in the rear of the breech-block. The locking-bolt is connected to a vertical rod, which is pressed forward by a spring and is provided with a trigger for withdrawing the locking-bolt. The breech-block rests upon a vertical spring bolt, which throws up the breech-block when the locking-bolt is withdrawn. A firing-pin passes through the breech-block and projects outside to receive the blow of the hammer.

3258. Newton, A. V., [*Crispin, S.*]. Dec. 16.

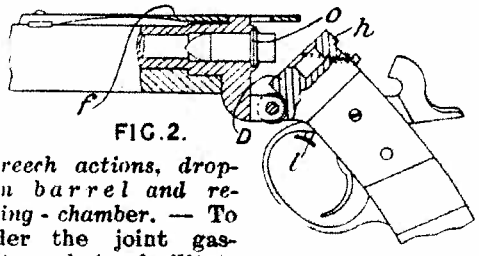


FIG. 2.

Breech actions, drop-down barrel and revolving-chamber. — To render the joint gas-tight, and to facilitate the extraction of the cartridge cases, the cartridges are made with a rim *o* containing the fulminate; the back-plate D is recessed to accommodate the rear end of the cartridge and when closed is locked to the barrel by a spring plate *f* engaging the lug *h* on the breech-plate. Chambers for revolvers are similarly divided, and the rim of the cartridge is struck either by a prolongation of the hammer, or through a pin similar to that shown in the Figure. The pin *l* is used to disengage the plate *f* from the lug *h*.

3284. Clark, W., [*Winchester, O. F.*]. Dec. 19.

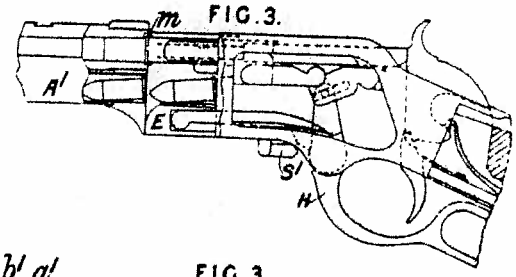


FIG. 3.

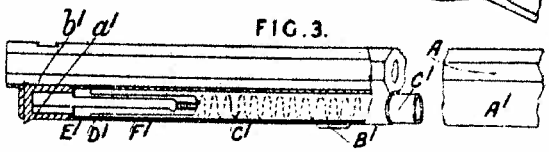


FIG. 3.

Breech actions, sliding breech-block; magazines. — Relates to improvements in the small-arm described in Specification No. 1223, A.D. 1863. The magazine consists of a tube A^1, Fig. 3, extending under the barrel A to the band B^1 and having within it the sliding tube C^1, which carries the spring plunger for feeding the cartridges. Beyond the band B^1 the tube C^1 is made of the same diameter as the tube A^1. A spindle F^1, terminating in a head or cap E^1, is fixed into a tubular plug D^1 at the end of the tube A^1, which is fixed in position by the rim a^1 of the head E^1 engaging in a notch b^1 of the barrel, the spindle being bent down when it is desired to unlock the

FIG. 10.

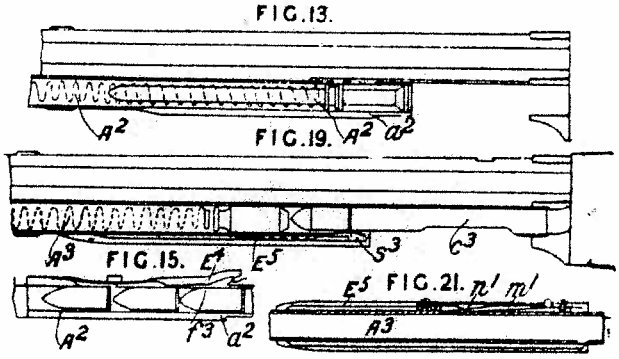


FIG. 13. FIG. 19. FIG. 15. FIG. 21.

tube A^1. Another form of magazine, shown in Figs. 13 and 15, consists of a sliding tube A^2, having an enlarged rear portion with a shoulder a^2 bearing against the frame, when the tube is locked in the closed position by the hook of the spring catch E^4, which is provided with a tooth f^3 for retaining the cartridges during the filling of the magazine. In another form, shown in Figs. 19 and 21, the tubular magazine A^3 is formed with an opening C^3 underneath at the rear end for introducing the cartridges. The opening C^3 is closed by the sliding cover E^5, which is locked in position by the forward end of the lever n^1 pivoted at *m* taking into a notch in the tube. A spring s^3 serves to retain the cartridges

Briggs Design

Winchester Design

The First Winchester Contract

The full text of the agreement is as follows:

Paris
6e, Novr 1865
Mr. Oliver F. Winchester of New Haven, Connecticut, United States of America, agrees to make One Thousand Henry rifles having the approved improvements for [Blank] at the price of Thirty Four U.S. Dollars Gold per rifle with Sundry parts and implements delivered to New York City. Deliveries to commence Two Months forward from this date. In receipt and acceptance whereof, Mr. Winchester acknowledges payment this day of Seventeen Thousand U.S. Dollars Gold.

Witnessed	F. deSuzanne
Georges Chasteau	O.F. Winchester

(de Suzanne Letter Press Book, op. cit., pages 211-212.)

The specification that these arms were to be shipped to Havana, Cuba was probably due to apprehensions on the part of the French goverment that the United States might place an export embargo on arms being shipped directly to Mexico. Since Cuba was not involved in the Mexican conflict, arms shipped there would not have aroused any suspicion on the part of American port authorities.

Winchester Arms Company

1865

History of the first production Winchester Firearm

On July 1, 1865, Oliver F. Winchester, William Wirt Winchester and John M. Davies signed the articles of association which established the Winchester Arms Company in Bridgeport, Connecticut[1], and hired Nelson King (Plate 17) to be its superintendent[2].

To prevent any meddlesome interference by Benjamin Tyler Henry, it was decided that the immediate goal of the company was to develop an improved version of the Henry rifle, which was sufficiently different in design as to preclude any claims being lodged against it by Henry. This decision also prevented any appearance of impropriety on Winchester's part with respect to his continued association with the New Haven Arms Company, or accusations of unfair competition. The Henry rifle and the company that produced it were to succeed or fail on their own merits.

Based upon surviving engineering drawings and sample arms, the first replacement design to be developed in Bridgeport was that created by James D. Smith, the factory's assistant superintendent[3]. In place of the magazine design used in the Henry rifle and its antecedent Volcanic arms, Smith proposed a closed magazine, housed within a wood forestock, which could be charged through a hinged loading port located in the bottom of the receivers and Smith's improved lockwork[9].

While the exact number of samples made of Smith's design is unknown, it probably did not exceed six or eight, given the number needed for development work and subsequent patent applications.

Despite the fact that the sample arms based upon Smith's design were substantial improvements over the Henry rifle and corrected all its deficiencies, the pattern was never adopted for production. Although a number of factors probably influenced this decision[10], the major reason may have been the extensive retooling its manufacture would have required.

The second and simplest modification of the Henry rifle to be developed was that designed by George W. Briggs in September 1865, while on leave from the New Haven Arms Company[11]. In many respects, his design represented a synthesis of the loading port he had previously incorporated in the Bavarian-contract Henry rifles and Oliver F. Winchester's removable magazine tube. However, unlike both of the latter, which had either a fixed magazine or fixed outer housing for one, Briggs simply recommended that a sliding magazine tube that could be moved forward for loading be used.

Ref. Winchester Repeating Arms Company
It's History & Development from 1865 - 1981

C 1994 by Herbert Houze

The third improvement to be developed in the early autumn of 1865 closely paralleled Briggs' work. In place of the sliding magazine tube, though, Oliver F. Winchester proposed that the tube have an open slot at its rear which could be exposed by a sliding metal fore end[14]. To load the magazine, the catch that secured the fore end to the magazine tube was released and the fore end moved forward to expose the loading aperture. As in Briggs' design, a stud on the inner surface of the fore end catch extended into the magazine tube to serve as a cartridge detent when the fore end was in its forward loading position.

The earliest sample of this design is a .44 rimfire caliber musket (Winchester Arms Collection, Inv. No. W255, Plates 29-31)[15] having a 34-inch barrel and an overall length of 54 inches. Similar to the Smith sample discussed above, Winchester's has detachable sideplates, a pivoted finger lever catch, trigger safety and an improved bolt, firing pin as well as extractor. To allow its use as a single-shot weapon, a hinged lug is attached to the lower surface of the receiver immediately forward of the finger. When this lug is moved into its forward position, it does not interfere with the movement of the finger lever. However, when the lug is moved rearward, the travel of the lever is restricted to the extent that the cartridge carrier is raised just sufficiently to eject a spent cartridge, but not so far as to bring a new round from the magazine into position for chambering. Based upon a surviving elevation drawing of this musket (Plate 32), it was specifically designed to conform in length to the Swiss Model 1863 rifle[16].

The carbine version of this design (Plates 33-35) differs from the musket only in the reduced size of the receiver, shorter barrel length, butt form, the use of a Henry-style finger lever catch and the deletion of the cartridge cutoff device.

Though the exact date of this design's development cannot be fixed with the same degree of certainty as its predecessors, it was prior to the middle of October 1865, as Winchester took samples of it, together with those of the Smith and Briggs designs, with him to Europe at the time[17].

After a brief stop in England, where he gave his London patent agent, William Clark, a full set of drawings and a sample of each design so that an application for British patents could be filed[18], Winchester proceeded directly to Switzerland. There he submitted samples of the designs together with a standard Henry rifle for comparison, to the Swiss Federal Rifle Commission meeting in Aarau, prior to Nov. 1[19]. Winchester then went to Paris, where he met with M. de Suzanne to demonstrate the three revised designs of the Henry rifle, the development of which had been discussed the previous April[20]. Upon completion of a variety of tests, de Suzanne authorized the purchase of 1,000 carbines having Winchester's improvements to the magazine at a fixed price of $34 per arm with fifty percent of the price to be paid immediately and the balance upon their shipment from New York to Havana, Cuba[21].

Ref. Winchester Repeating Arms Company
It's History & Development from 1865 - 1981

C 1994 by Herbert Houze

By the close of November, Winchester was again in New Haven, and at that time or shortly thereafter, the Bridgeport factory began work on modifying the existing machinery there to produce the new carbine. To facilitate production, it was decided to retain the Henry-style receiver, for which tooling existed, and to substitute a pressed brass fore end (Plate 36 and 37) in place of the machined steel version used in the samples.

Although this design was never patented in the United States, it was protected by the English patent that William Clark had applied for on Winchester's behalf, which was granted on Dec. 19, 1865 (Number 3284, Plate 38)[22]. The lack of any application for American patent protection strongly suggests that Winchester never intended to market arms of this design in the United States.

Actual production of the improved carbine evidently began almost immediately, as an export receipt from J.P. Moore & Son indicate that 150 carbines were shipped by Winchester from New York to Cuba on Jan. 12, 1866[23]. While the majority of the arms of this pattern were produced for the French contract, some apparently were sold commercially, despite the lack of patent protection. A leaf from the Winchester company's sales register for 1866 indicates that on March 5, an "improved Carbine" and an "improved Rifle" were both sold to Philip Wilson & Company and William Golcher for a total of $72 ($40 for the carbine plus $50 for the rifle less a twenty percent discount)[24].

The total production of this model, including both military and civilian examples, is estimated to be in excess of 700 units, based upon the serial numbers of surviving arms and the fact that the balance due on the French contract after the fall of Maximilian I of Mexico was satisfied by a shipment of 300 Model 1866 carbines sent to France in 1867[25].

As the fortunes of the Winchester Arms Company improved, those of the New Haven Arms Company declined. During the autumn of 1865, the company witnessed a substantial reduction in orders and, as a result, a radical loss in income. In consequence, its work force was systematically reduced from a peak of fifty-five persons as of July 8, 1865, to 25 as of Nov. 25[26].

Recognizing that the time had arrived to take over the New Haven Arms Company, Winchester and John M. Davies called an extraordinary meeting of the company's stock holders for Dec. 31[27]. At that meeting, Winchester offered to assume all the credits and liabilities of the firm either by the outright purchase of its existing stock or through an exchange of such stock for that to be issued by a new corporation he would form. The terms of the offer also stipulated that it had to be accepted or rejected "35 days hence"[28], that being one day after the next regularly scheduled meeting of the company's officers and stock holders[29].

Ref. Winchester Repeating Arms Company
It's History & Development from 1865 - 1981

C 1994 by Herbert Houze

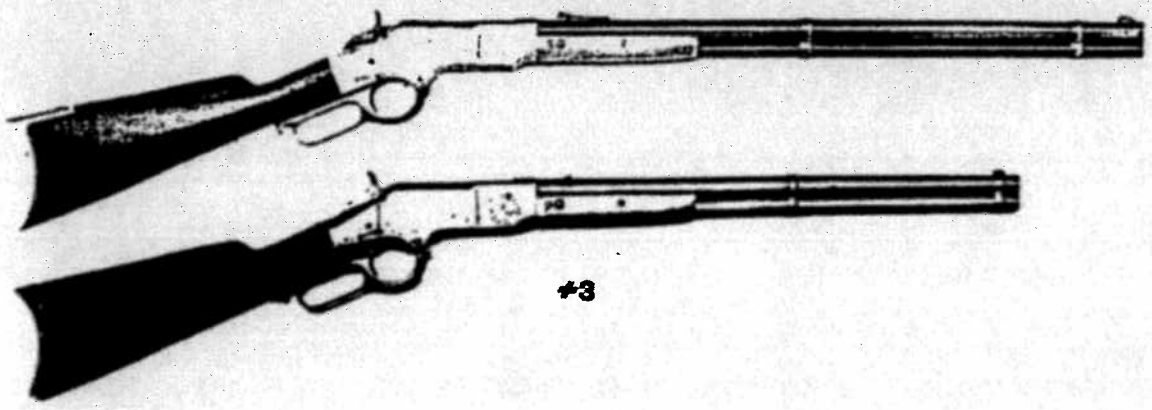
Perhaps realizing that any influence he might have had with respect to the New Haven Arms Company's future operations was rapidly disappearing, Benjamin Tyler Henry attempted to forestall the takeover by filing suit against the company in January 1866, alleging that it had not fully honored his 1859 contract and that he was due further compensation for his 1860 invention[30].

While Henry's suit was intended to delay adoption of Winchester's offer, in all likelihood it probably had quite the opposite effect. Faced with the reality that the New Haven Arms Company was failing, and that any investment in it might not be recoverable, especially if Henry's claims proved valid, the majority of its stock holders voted to accept Winchester's offer at their meeting held on Feb. 3, 1866[31]. Having secured their approval, Winchester then petitioned the Connecticut State Legislature to modify the firm's 1865 charter to reflect the change of ownership[32].

Work then began in New Haven on the completion of all outstanding orders for both arms and ammunition, and the gradual dismantling of the factory's machinery so that it could be shipped to Bridgeport[33]. The transfer was completed by the beginning of July, and on July 7, 1866, the New Haven Arms Company's payroll book was formally closed[34].

Although those carbines and rifles having Oliver F. Winchester's magazine system, which were primarily produced for the French government in early 1866, must be regarded as the first, true production Winchester firearms, the ultimate prosperity of the Winchester Arms Company and its later successor, the Winchester Repeating Arms Company, was not to be the result of their manufacture. Rather, it was to be due to the introduction of a fifth modification of the Henry rifle designed by Nelson King, the superintendent of the Bridgeport factory.

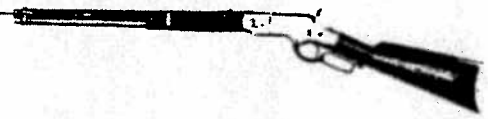
Winchester's Improvement .44 caliber carbine of the type manufactured by the Winchester Arms Company from December 1865 through the early spring of 1866, for Maximilian I of Mexico. Winchester Arms Collection (Inv. No. W242), Cody Firearms Museum. Olin Corporation photograph.



#3

Ref. Winchester Repeating Arms Company
It's History & Development from 1865 – 1981

C 1994 by Herbert Houze

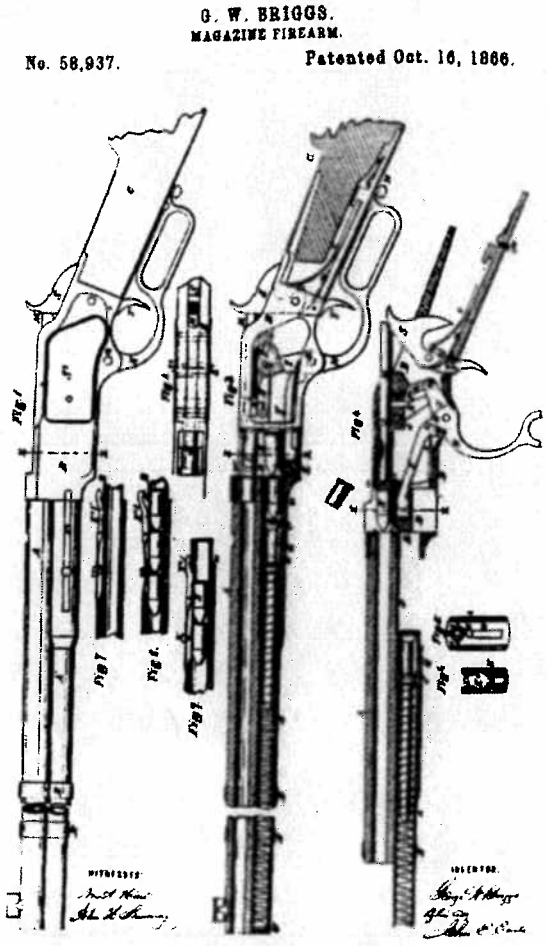


when the fore end was in its forward loading position.

The earliest sample of this design is a .44 rimfire caliber musket (Winchester Arms Collection, Inv. No. W255, Plates 29-31)[15] having a 34-inch barrel and an overall length of 54 inches. Similar to the Smith sample discussed above, Winchester's has detachable sideplates, a pivoted finger lever catch, trigger safety and an improved bolt, firing pin as well as extractor. To allow its use as a single-shot weapon, a hinged lug is attached to the lower surface of the receiver immediately forward of the finger. When this lug is moved into its forward position, it does not interfere with the movement of the finger lever. However, when the lug is moved rearward, the travel of the lever is restricted to the extent that the cartridge carrier is raised just sufficiently to eject a spent cartridge, but not so far as to bring a new round from the magazine into position for chambering. Based upon a surviving elevation drawing of this musket (Plate 32), it was specifically designed to conform in length to the Swiss Model 1863 rifle[16].

The carbine version of this design (Plates 33-35) differs from the musket only in the reduced size of the receiver, shorter barrel length, butt form, the use of a Henry-style finger lever catch and the deletion of the cartridge cutoff device.

Though the exact date of this design's development cannot be fixed with the same degree of certainty as its



Top: Plate 28

Specification drawings enrolled with George W. Briggs' U.S. Patent Number 58937 issued Oct. 16, 1866. Winchester Arms Collection Archives, Cody Firearms Museum.

Bottom: Plate 29

Oliver F. Winchester's sample .44 caliber musket, made in September or early October 1865, and submitted to the Swiss Federal Rifle Trials prior to Nov. 1, 1865. Winchester Arms Collection (Inv. No. W255), Cody Firearms Museum. Olin Corporation photograph.

After the end of the Civil War, virtually all the major American firearms manufacturers realized that their survival depended upon the cultivation of foreign markets for their products as the rapidly diminishing domestic sales threatened to idle the factories they had built or enlarged to satisfy wartime needs. Among the first to actively seek out foreign customers was Oliver F. Winchester, who traveled extensively to Europe in 1865 and 1866. The novelty and usefulness of his repeating rifles were immediately recognized there, and his endeavors were rewarded with a number of contracts issued by a variety of foreign states. These purchases not only ensured the survival of the Winchester Arms Company, but also allowed it to expand and flourish in an era when many other companies failed.

predecessors, it was prior to the middle of October 1865, as Winchester took samples of it, together with those of the Smith and Briggs designs, with him to Europe at the time[17].

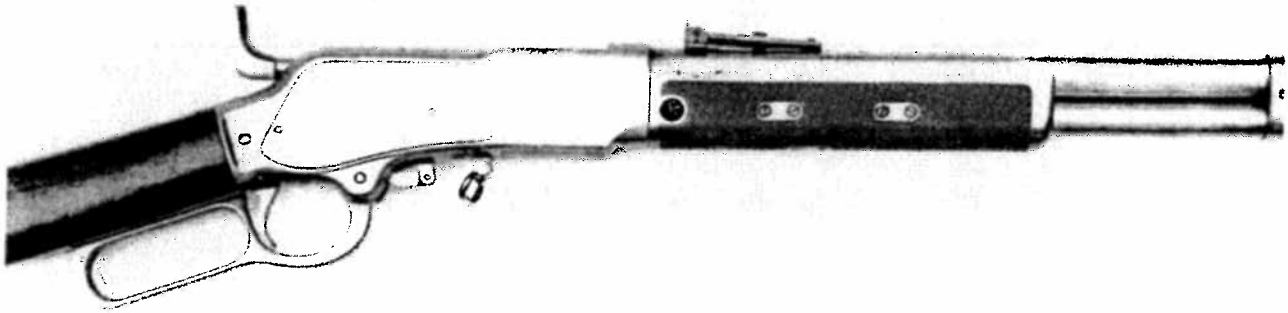
After a brief stop in England, where he gave his London patent agent, William Clark, a full set of drawings and a sample of each design so that an application for British patents could be filed[18], Winchester proceeded directly to Switzerland. There he submitted samples of the designs together with a standard Henry rifle for comparison, to the Swiss Federal Rifle Commission meeting in Aarau, prior to Nov. 1[19]. Winchester then went to Paris, where he met with M. de Suzanne to demonstrate the three revised designs of the Henry rifle, the development of which had been discussed the previous April[20]. Upon completion of a variety of tests, de Suzanne authorized the purchase of 1,000 carbines having Winchester's improvements to the magazine at a fixed price of $34 per arm with fifty percent of the price to be paid immediately and the balance upon their shipment from New York to Havana, Cuba[21].

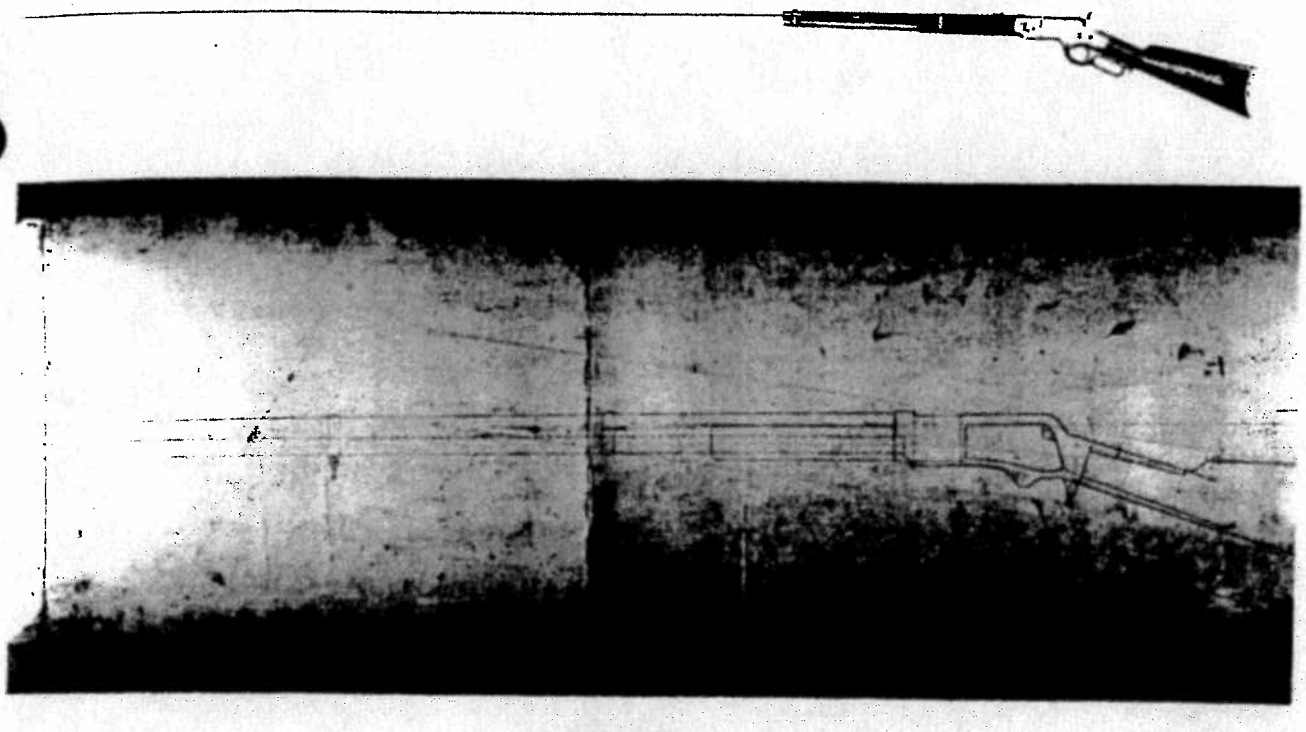
Top: Plate 30

Detail of the Winchester musket illustrated in Plate 29. Olin Corporation photograph.

Bottom: Plate 31

Detail of the Winchester musket illustrated in Plate 29 with the fore end moved forward for loading. Olin Corporation photograph.



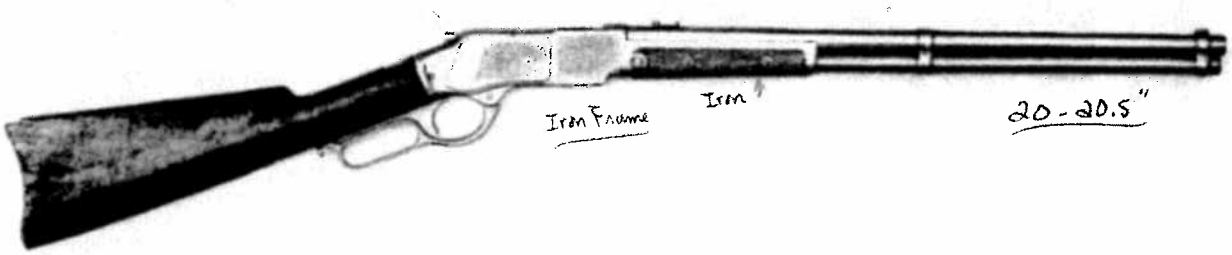


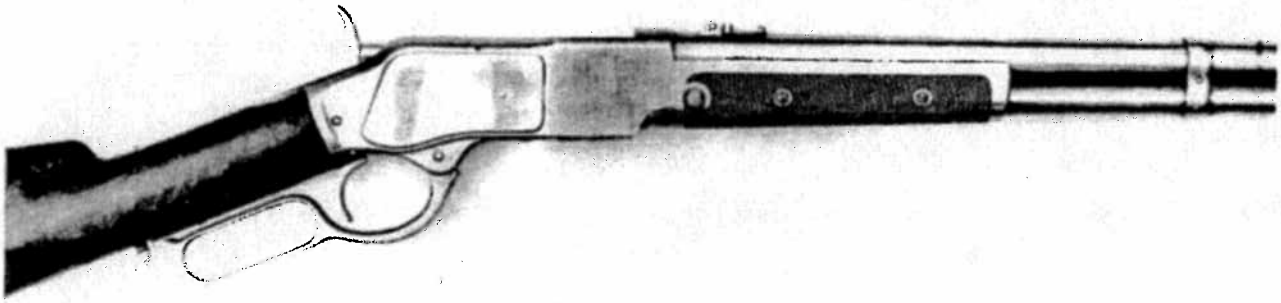
Top: Plate 32

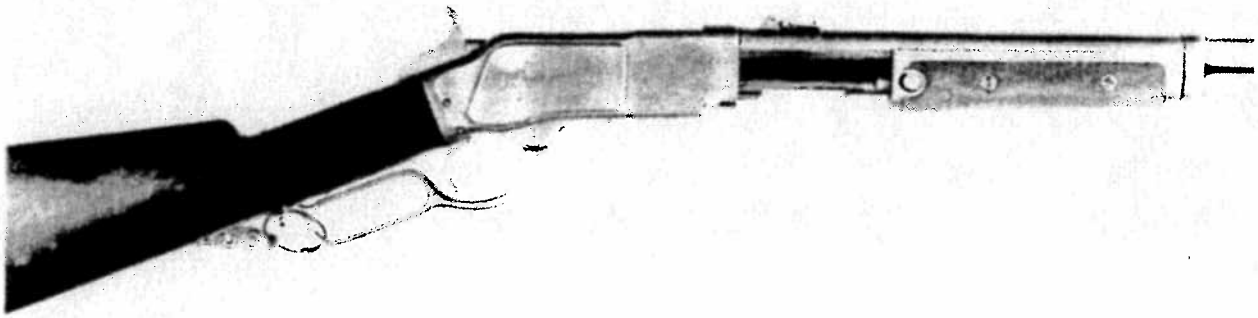
Full length design drawing of the Winchester musket illustrated in Plate 29. The reverse of this drawing illustrates a Swiss Model 1863 Sharpshooter's rifle. Winchester Arms Collection Archives, Cody Firearms Museum.

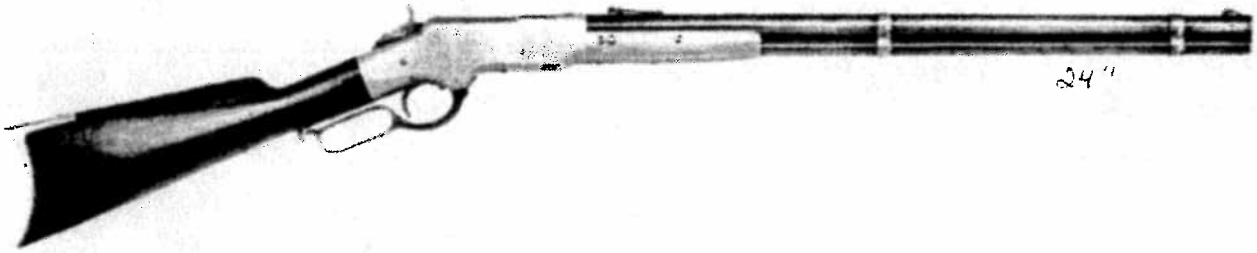
Bottom: Plate 33

Oliver F. Winchester's sample .44 caliber carbine, made in September or early October 1865, and submitted to the Swiss Federal Rifle Trials prior to Nov. 1, 1865. Winchester Arms Collection (Inv. No. W256), Cody Firearms Museum.









Top: Plate 34

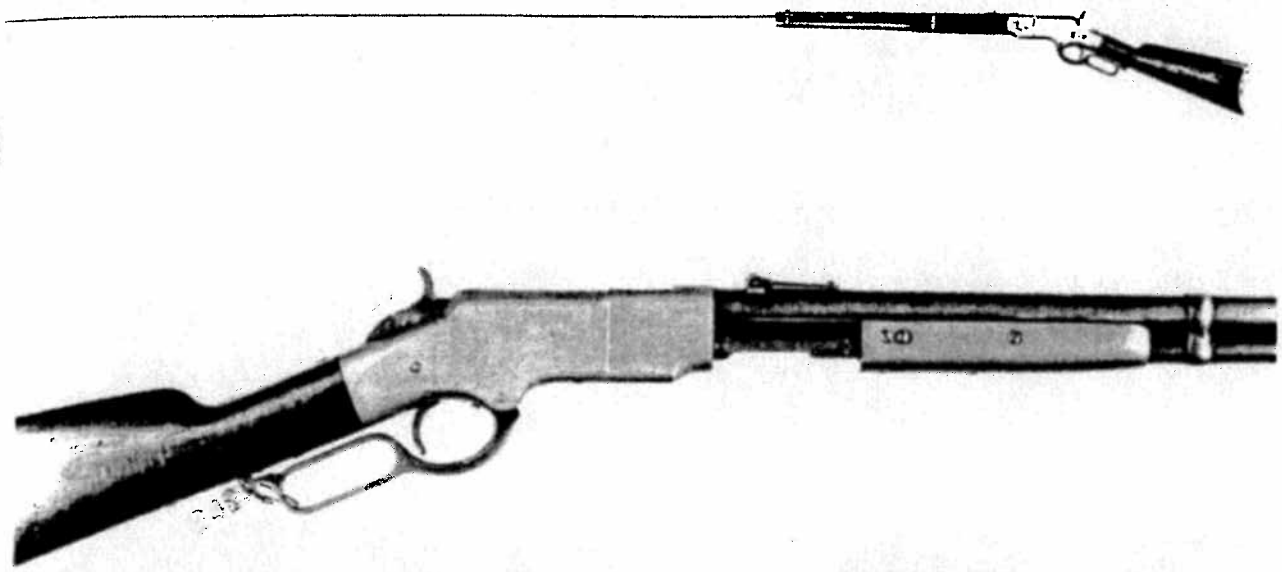
Detail of the Winchester carbine illustrated in Plate 33. Olin Corporation photograph.

Middle: Plate 35

Detail of the Winchester carbine illustrated in Plate 33 with the fore end moved forward for loading. Olin Corporation photograph.

Bottom: Plate 36 Rifle 24" barrel

Winchester's Improvement .44 caliber carbine of the type manufactured by the Winchester Arms Company from December 1865 through the early spring of 1866, for Maximilian I of Mexico. Winchester Arms Collection (Inv. No. W242), Cody Firearms Museum. Olin Corporation photograph.

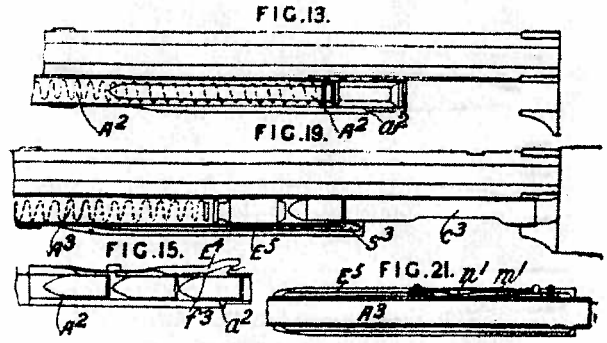


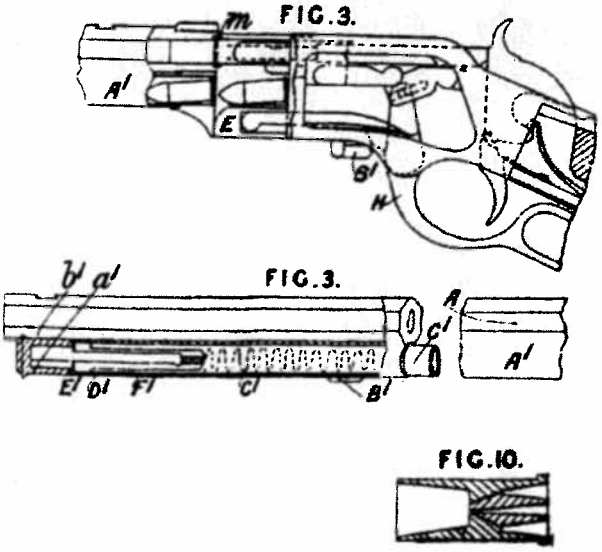
Top: Plate 37

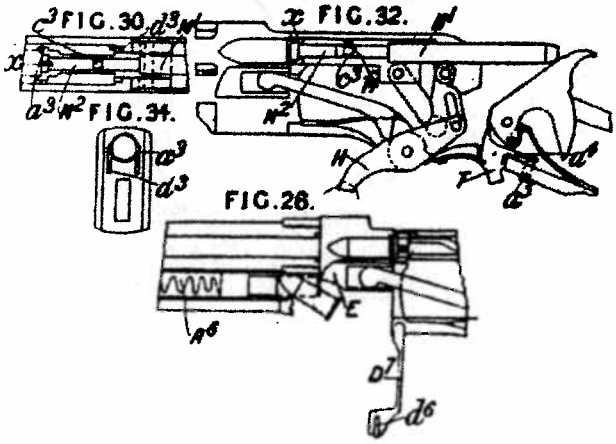
Detail of the Winchester's Improvement carbine illustrated in Plate 36 with the fore end moved forward for loading. Olin Corporation.

Middle/Below: Plate 38

Specification drawings illustrating Smith's, Briggs' and Winchester's Improvements published with the abridged patent specifications for William Clark's (on behalf of O.F. Winchester) English Patent Number 3284, issued Dec. 19, 1865.







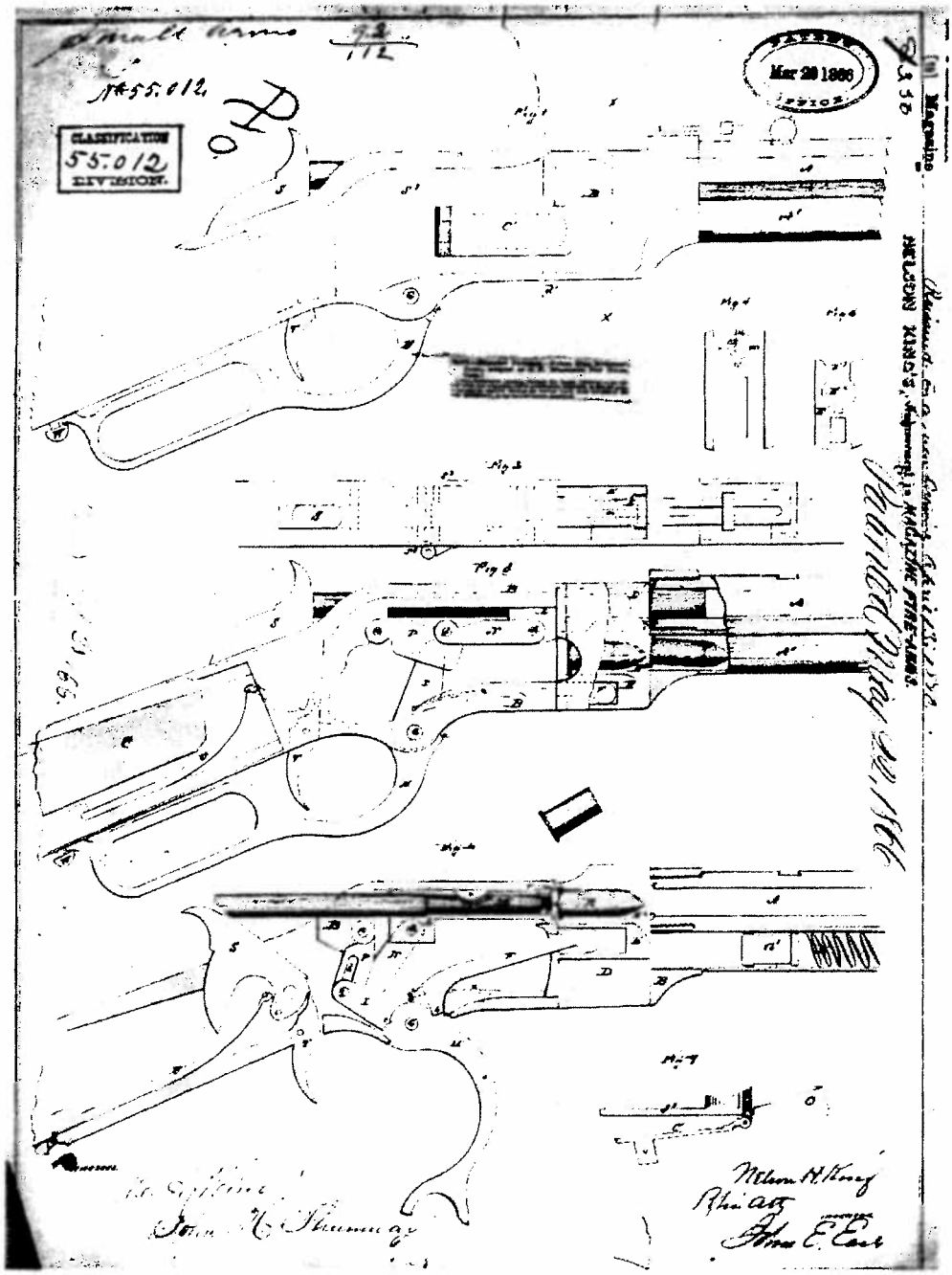


Plate 39

Original specification drawing for Nelson King's U.S. Patent Number 55012 issued May 22, 1866. Record Group 241, National Archives of the United States, Washington, D.C. Photograph courtesy of the National Archives.

By the close of November, Winchester was again in New Haven, and at that time or shortly thereafter, the Bridgeport factory began work on modifying the existing machinery there to produce the new carbine. To facilitate production, it was decided to retain the Henry-style receiver, for which tooling existed, and to substitute a pressed brass fore end (Plate 36 and 37) in place of the machined steel version used in the samples.

Although this design was never patented in the United States, it was protected by the English patent that William Clark had applied for on Winchester's behalf, which was granted on Dec. 19, 1865 (Number 3284, Plate 38)[22]. The lack of any application for American patent protection strongly suggests that Winchester never intended to market arms of this design in the United States.

Actual production of the improved carbine evidently began almost immediately, as an export receipt from J.P. Moore & Son indicate that 150 carbines were shipped by Winchester from New York to Cuba on Jan. 12, 1866[23]. While the majority of the arms of this pattern were produced for the French contract, some apparently were sold commercially, despite the lack of patent protection. A leaf from the Winchester company's sales register for 1866 indicates that on March 5, an "improved Carbine" and an "improved Rifle" were both sold to Philip Wilson & Company and William Golcher for a total of $72 ($40 for the carbine plus $50 for the rifle less a twenty percent discount)[24].

The total production of this model, including both military and civilian examples, is estimated to be in excess of 700 units, based upon the serial numbers of surviving arms and the fact that the balance due on the French contract after the fall of Maximilian I of Mexico was satisfied by a shipment of 300 Model 1866 carbines sent to France in 1867[25].

original contract was for 1,000 Rifles

As the fortunes of the Winchester Arms Company improved, those of the New Haven Arms Company declined. During the autumn of 1865, the company witnessed a substantial reduction in orders and, as a result, a radical loss in income. In consequence, its work force was systematically reduced from a peak of fifty-five persons as of July 8, 1865, to 25 as of Nov. 25[26].

Recognizing that the time had arrived to take over the New Haven Arms Company, Winchester and John M. Davies called an extraordinary meeting of the company's stock holders for Dec. 31[27].

Plate 40

Nelson King sample .44 caliber demonstration model made in early 1866. Winchester Arms Collection (Inv. No. W1257), Cody Firearms Museum. Olin Corporation photograph.

At that meeting, Winchester offered to assume all the credits and liabilities of the firm either by the outright purchase of its existing stock or through an exchange of such stock for that to be issued by a new corporation he would form. The terms of the offer also stipulated that it had to be accepted or rejected "35 days hence"[28], that being one day after the next regularly scheduled meeting of the company's officers and stock holders[29].

Perhaps realizing that any influence he might have had with respect to the New Haven Arms Company's future operations was rapidly disappearing, Benjamin Tyler Henry attempted to forestall the takeover by filing suit against the company in January 1866, alleging that it had not fully honored his 1859 contract and that he was due further compensation for his 1860 invention[30].

While Henry's suit was intended to delay adoption of Winchester's offer, in all likelihood it probably had quite the opposite effect. Faced with the reality that the New Haven Arms Company was failing, and that any investment in it might not be recoverable, especially if Henry's claims proved valid, the majority of its stock holders voted to accept Winchester's offer at their meeting held on Feb. 3, 1866[31]. Having secured their approval, Winchester then petitioned the Connecticut State Legislature to modify the firm's 1865 charter to reflect the change of ownership[32].

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Although those carbines and rifles having Oliver F. Winchester's magazine system, which were primarily produced for the French government in early 1866, must be regarded as the first, true production Winchester firearms, the ultimate prosperity of the Winchester Arms Company and its later successor, the Winchester Repeating Arms Company, was not to be the result of their manufacture. Rather, it was to be due to the introduction of a fifth modification of the Henry rifle designed by Nelson King, the superintendent of the Bridgeport factory.

By altering the construction of the cartridge carrier so that a cartridge could pass through its lower section directly into the magazine when the action was closed, King demonstrated that loading could be accomplished through an aperture located in either the right or left side of the receiver. The major benefits of this arrangement were that it reduced the number of movements necessary for loading in comparison with either the Briggs or Winchester systems, and did not render an arm unusable for any protracted

Plate 41
Nelson King sample .45 caliber musket made in early 1866. Winchester Arms Collection (Inv. No. W252), Cody Firearms Museum. Olin Corporation photograph.

Endnotes

1. Davies Diary, op. cit., entry dated July 1, 1865.

2. Ibid. (Same location) Davies Diary

3. James D. Smith's appointment as assistant superintendent at the Bridgeport factory is recorded in Davies Diary, op. cit., entry for July 1, 1865.

4. See Figure 26 of the specification drawings enrolled with William Clark's (for O.F. Winchester) English Patent Number 3284 issued Dec. 19, 1865, and Figures 3 and 4 of the specification drawings enrolled with Smith's United States Patent Number 52934 issued Feb. 27, 1866.

5. For the construction of the lower tang, see Plate 52.

6. James D. Smith, United States Patent Number 52934, issued Feb. 27, 1866, specifications, pages 1-3.

7. Winchester Firearms Reference Collection, op. cit., page 49.

8. Hank Wieand Bowman, **Famous Guns From the Smithsonian Collection** (Fawcett Publications, Inc.; Greenwich, CT: 1966), pages 108-109.

9. See Note 6 above.

10. Specifically, the major concern voiced about this design was the manner in which it was loaded (i.e., with the action open) and that this arrangement necessitated the cycling of the action twice before a cartridge could be chambered if one were not manually put in the chamber.

11. Briggs' leave from the New Haven Arms Company during September 1865 is confirmed by his absence from the firm's payroll (New Haven Arms Company Payroll Book, op. cit., August, September and October 1865). The September design date is confirmed by a dated design drawing preserved in a private collection. As Oliver F. Winchester was president of the New Haven Arms Company, the matter of releasing Briggs from his duties with that company so that he could work for the Winchester Arms Company in Bridgeport was in all likelihood authorized by Winchester himself.

12. See Inventory Number W243, Winchester Firearms Reference Collection, op. cit., page 47.

13. Ibid, page 50.

14. Winchester's authorship of this design is confirmed in Weber-Ruesch op. cit., pages 4 and 5.

15. Winchester Firearms Reference Collection, op. cit., page 50.

16. Undated design drawing, Winchester Arms Collection Archives, Cody Firearms Museum, loc. cit.

17. The exact of O.F. Winchester's departure for Europe is unknown. A letter from Winchester dated Oct. 21, 1865, postmarked London, is preserved in the Davies Family Papers.

18. William Clark (for Oliver F. Winchester), Patent Number 3284, issued Dec. 19, 1865. **Patents For Inventions. Abridgements of Specifications. Class 119, Small-Arms. Period-A.D. 1855-1866** (H.M.S.O.; London: 1905), pages 195 and 196.

19. For a complete account of the Swiss Federal Rifle Trials, see Franz von Erlach, "Der Henry-Stutzen," **Allgemeine Schweizerische Militar-Zeitung** (Basel, Switzerland), Volume 11, Number 45 (Nov. 9, 1866), pages 373-385, 409-412 and 415-420 (pages 415-420 translated and published verbatim

in Winchester catalogs from 1867 forward); and Wilhelm von Ploennies, **Neue Hinterladungs-Gewehre** (Edward Zernin; Darmstadt and Leipzig: 1867), pages 137-168. Confirmation that the Winchester Improvement was submitted to the Trials is found on pages 144 of Ploennies.

20. See Introduction.

21. The full text of the agreement is as follows:

Paris
6e, Novr 1865
Mr. Oliver F. Winchester of New Haven, Connecticut, United States of America, agrees to make One Thousand Henry rifles having the approved improvements for [Blank] at the price of Thirty Four U.S. Dollars Gold per rifle with Sundry parts and implements delivered to New York City. Deliveries to commence Two Months forward from this date. In receipt and acceptance whereof, Mr. Winchester acknowledges payment this day of Seventeen Thousand U.S. Dollars Gold.

Witnessed	F. deSuzanne
Georges Chasteau	O.F. Winchester

(de Suzanne Letter Press Book, op. cit., pages 211-212.)

The specification that these arms were to be shipped to Havana, Cuba was probably due to apprehensions on the part of the French goverment that the United States might place an export embargo on arms being shipped directly to Mexico. Since Cuba was not involved in the Mexican conflict, arms shipped there would not have aroused any suspicion on the part of American port authorities.

22. English Patent Abridgements, op. cit., page 195 (Figures 13, 15, 19 and 21).

23. Receipt from J.P. Moore & Son, New York, dated Jan. 12, 1865. Photocopy in New Haven Arms Company File, Winchester Arms Collection Archives, Cody Firearms Museum.

24. Verso of Item 13, File 2, Documents Relating to the Volcanic Repeating Arms Company, etc., Winchester Arms Collection Archives, Cody Firearms Museum.

25. George Walker's Production Notes for the Model 1866. Winchester Arms Collection Archives, Cody Firearms Museum.

26. New Haven Arms Company Payroll Book, op. cit., July 8, 1865 to Nov. 25, 1865.

27. Davies Diary, op. cit., entry dated Dec. 31, 1865.

28. Ibid.

29. The date of the meeting being Feb. 3, 1866.

30. References to a suit being filed "In Equity" are to be found in both Walker's Model 1866 Production Notes, op. cit., and Davies Diary under various dates. A manuscript title page, evidently for this action, reads "Benjamin Tyler Henry vs The Henry Repeating Rifle Company In Equity, Southern District of Connecticut. January, 1866." Winchester Repeating Arms Company Legal Documents, Winchester Arms Collection Archives, Cody Firearms Museum.

31. Davies Diary, op. cit., entry dated Dec. 3, 1866.

32. Application for special legislation to accomplish the modification of the Henry Repeating Rifle Company's 1865 Charter was apparently filed in February 1866.

33. Walker's Model 1866 Production Notes, op. cit.

34. New Haven Arms Company Payroll Book, op. cit., July 7, 1866.

35. Pen and ink design drawing of the loading aperture cover (vertical and horizontal elevations) dated at the lower left edge Jan 14. 1866. Private Collection.

36. The original specification drawing enrolled with Nelson King's United States Patent Number 55012, issued May 22, 1866, is stamped with the Patent Office's receipt mark bearing the date March 29, 1866. National Archives, Record Group 241, Washington, D.C.

37. Winchester Firearms Reference Collection, op. cit., page 49.

38. Ibid, page 50.

39. Walker's Model 1866 Production Notes, op. cit.

IMPROVED HENRY CARBINE,

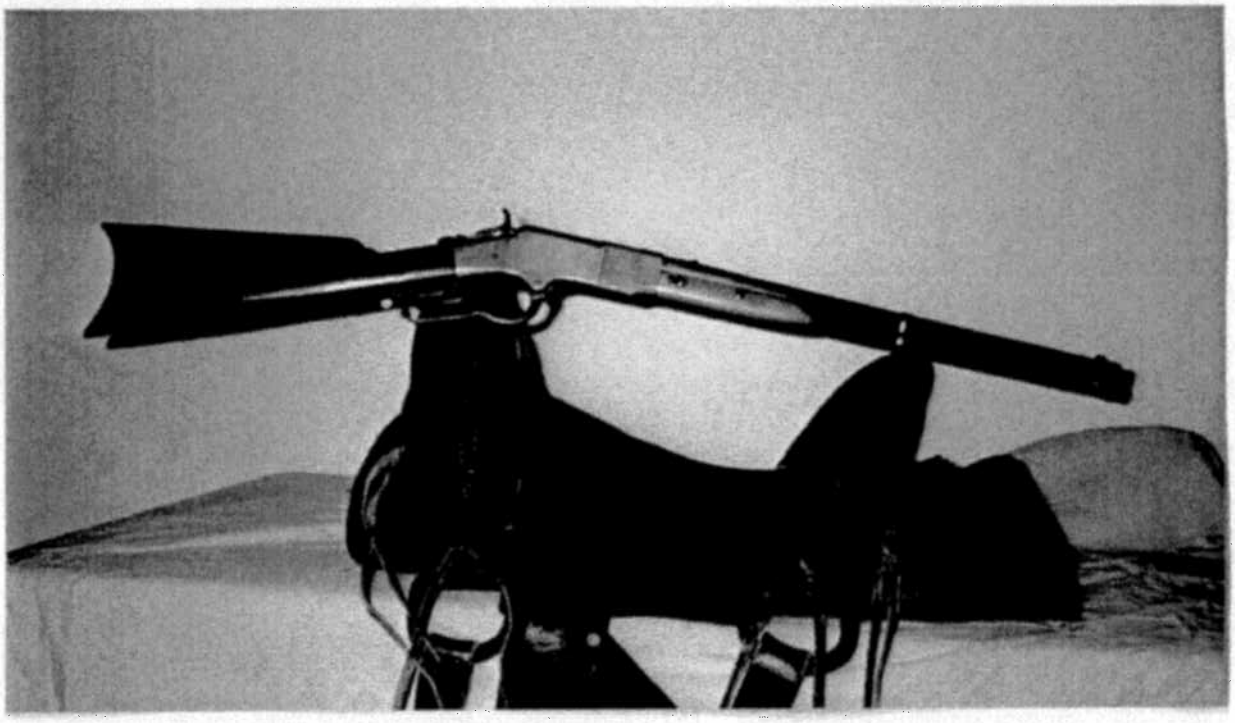
SER: #3

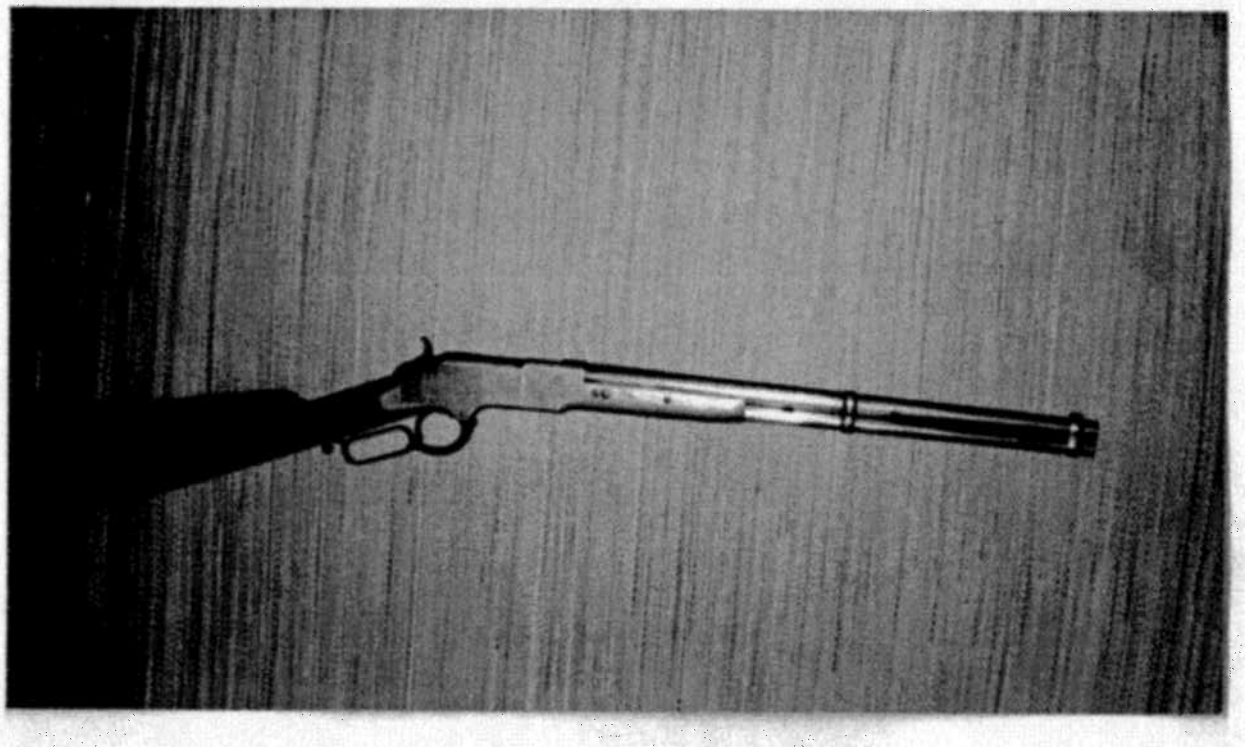
BARREL: 19 inch round
CALIBER: .44 Henry R.F.

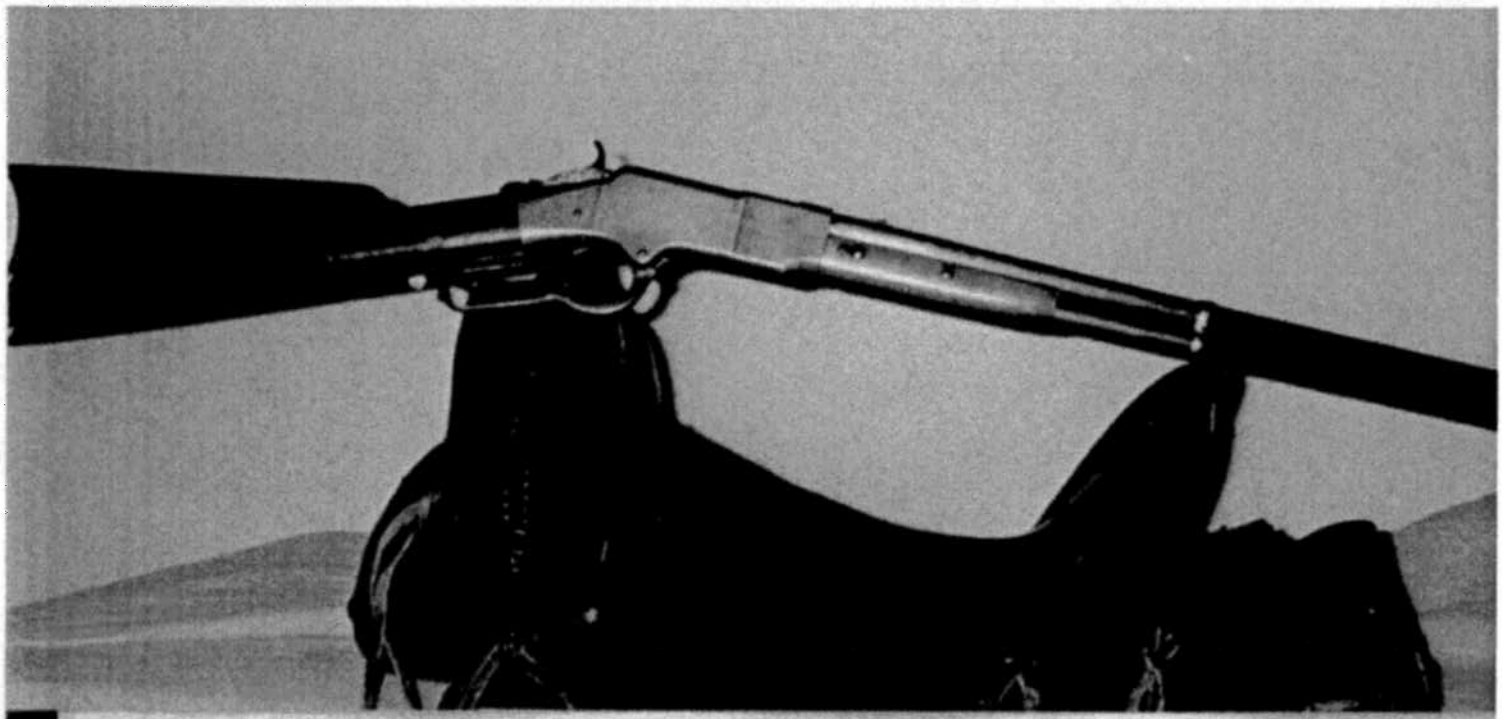
Manufactured: Nov./Dec. 1865
British Patent # 3284, Dec. 19, 1865

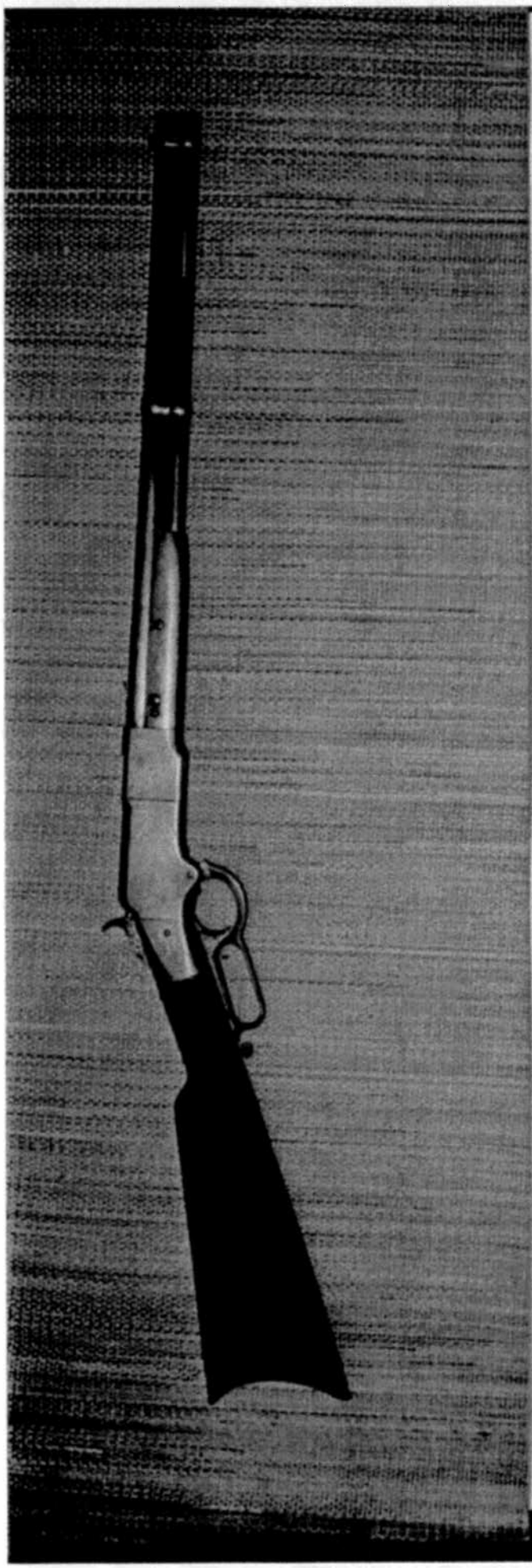
By: WINCHESTER ARMS COMPANY
Bridgeport, Connecticut,
est. July 1, 1865
(Predecessor to WINCHESTER REPEATING ARMS CO.)

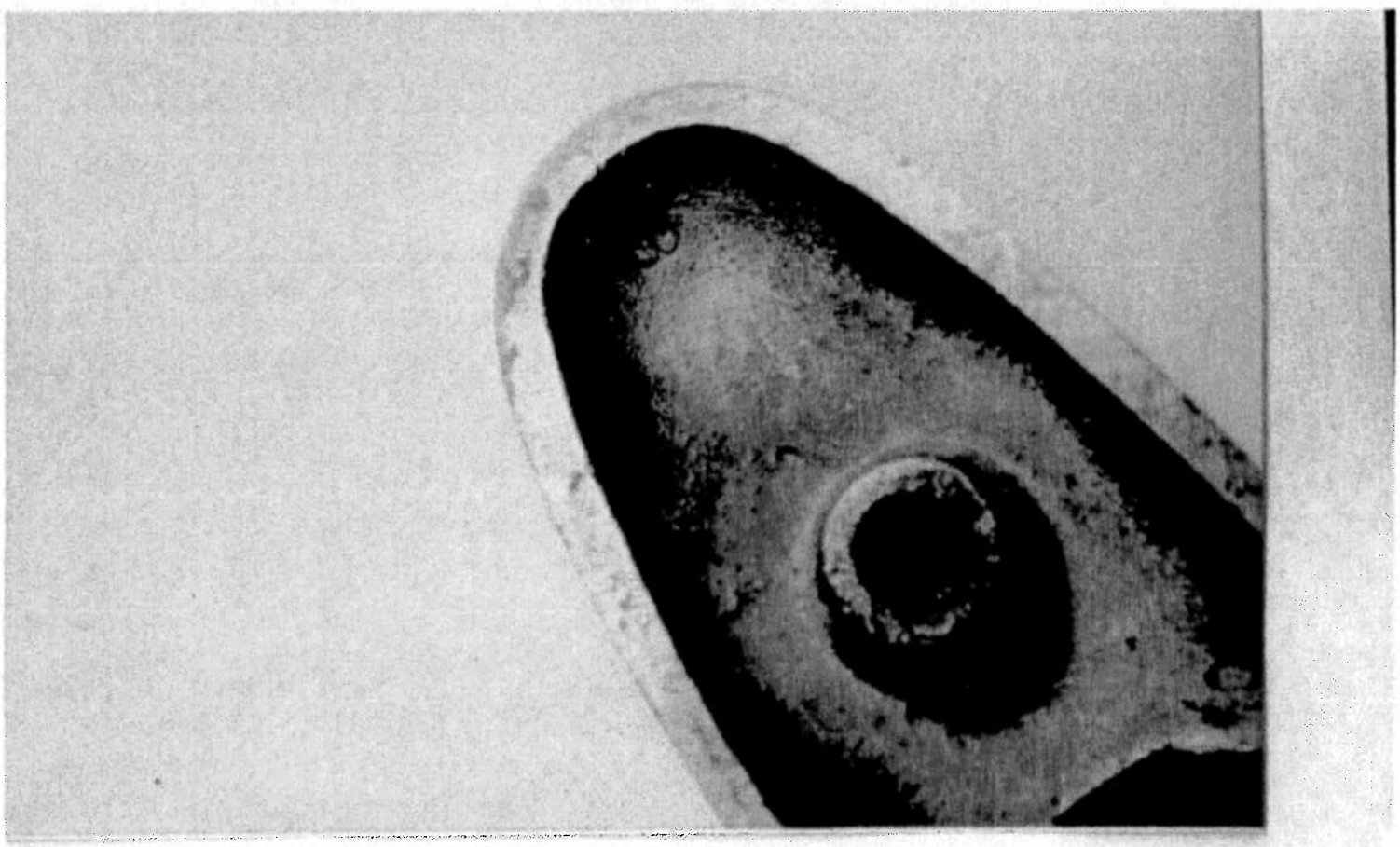
July 10, 1999
Herbert L. Stange











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Winchester Patent Carbine

Serial Number 3

Produced Dec. 1865

By The

Winchester Arms Company

Over 700 of this design were produced in late 1865 and early 1866

Oliver Winchesters first production firearms !

This is the earliest known Carbine !