

The Potomac Pontil

The Potomac Bottle Collectors – Serving the National Capital

December 2010 – January 2011

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Meeting January 25th

New meeting location: St. Mark's Orthodox Church
7124 River Road, Bethesda, MD 20817

We will continue to meet at 8 PM on the last Tuesday of the month, but we are trying a new meeting location due to limited available space at our old location. St. Mark's is not far from our previous meeting place. To reach it, follow River Road inside the Beltway, turn right at the third traffic light onto Nevis Road, and then turn right after a block into the church parking lot. Enter through the lower level door on the side of the church. We will meet in the first classroom on the right.

Our January Meeting will feature the club's **annual contest**. Members are encouraged to bring in their favorite dug bottle, shard, go-with, and bottle collected during 2010. We will vote on our favorites, and winners will be announced at our February meeting.

Collector of the Year will be awarded for the most impressive bottle entered.

Digger of the Year will be awarded for the best bottle dug by a club member.

Shard of the Year is traditionally awarded for the best broken bottle acquired during the year, but we will allow pottery shards in this category as well.

Go-with of the Year entries are collectibles that complement a bottle collection. Most go-withs are advertising materials for bottled products. If you have the bottle that your entry goes with, please bring it along.

Dues are due

For those who have not yet paid the 2011 dues of \$10 per individual or family, we will be collecting at the January meeting. Alternatively, you can send payment to Potomac Bottle Collectors, care of Jim Sears, PO Box 370, Garrett Park, MD 20896.

Phil Townsend displays a Virginia lard can at the November meeting



Meetings: 8:00 PM on the last Tuesday of each month January-June, October-November; picnic in September.

President: Andy Goldfrank

Vice President: Al Miller

Secretary: Jim Sears

Treasurer: Lee Shipman

Pontil: Jim Sears (email: searsjim@usa.net, PH: 609/472-5473) & Andy Goldfrank (email: amg_sticky@yahoo.com, PH: 202/588-0543)

Web Site: www.potomacbottlecollectors.org

Maintained by Al Miller: www.potomacbottlecollectors.org/contact.php

Brown's Iron Bitters: A Saga in Suing

By Jack Sullivan
[Special to the Potomac Pontil]

On April 8, 1891, the United States Supreme Court handed down its decision in a landmark case entitled *Brown Chemical Co. vs. Meyer*. It marked the end of long and strenuous litigation by a Baltimore patent medicine purveyor to protect from competition the nostrum that bore his surname: Brown's Iron Bitters.

William H. Brown, an early Baltimore druggist, came to notice before the Civil War as one of the founders of the Maryland College of Pharmacy. City directories of 1853 list William H. Brown and Bro. as operating an apothecary shop at 4 S. Liberty Street. An early bottle carries the name of the firm (Fig. 1). During this era, the company grew to be one of the largest wholesale drug firms in Baltimore. By 1856 Brown's company, reflecting this growth, had moved to larger quarters on Sharp Street.

Fig. 1: William H. Brown & Bro. bottle

Success came to a fiery halt in 1875 when a blaze destroyed Brown's building and damaged eight other nearby structures. Press accounts estimated damage at \$225,000 – the equivalent of several millions today.

I could find no evidence that Brown and Bro. ever returned to wholesale drug sales. Instead, the proprietor began to manufacture patent medicines. He called his new venture the Brown Chemical Company. His flagship brand was Brown's Iron Bitters. William himself designed a fancy label for his remedy, one that included a lion, a standing woman and intersecting lines over the text (Fig. 2). The amber bottles were embossed with the words "Iron Bitters" (Fig. 3). Brown also is credited with designing the box in which the medicine was sold (Figs. 4, 5).



Fig. 2: Bottle, Brown's Iron Bitters (bottom of column 1)

Fig. 3 Amber embossed bottle (right)

Fig. 4: Brown's box – front (below left)

Fig. 5: Brown's box – back (below right)



The use of iron in medicine had begun about 1831 when a French physician named Dr. P. Blaud de Beaucaire introduced iron pills as a remedy for patients suffering from anemia. Brown did not stop with claims of curing anemia. In ads and trade cards he trumpeted his Iron Bitters as a cure for dyspepsia, indigestion, liver and kidney complaints as well as "a healing and restoring medicine for diseases peculiar to ladies."

Perhaps because he was catering to women, Brown's trade cards frequently featured them, including the famous actress Lilly Langtry (Fig. 6). He also was enthusiastic about his

home town, issuing a trade card for the Baltimore Sesquicentennial (Fig. 7). It implied that the future of the city would be built on the rocks of his iron bitters.



Fig. 6: Lillie Langtry trade card



Fig. 7: Baltimore Sesquicentennial trade card

Brown merchandised his quack medicine to mothers with trade cards stressing its value for babies and toddlers (Fig. 8,9). An analysis of Brown's Iron Bitters in 1883 indicated that it contained cocaine and 39 percent alcohol – almost the 80 proof of some whiskey. The potion also contained phosphorus, calisaya bark and, yes, even some iron. Just the thing for baby.



Fig. 8: Brown's Stork trade card

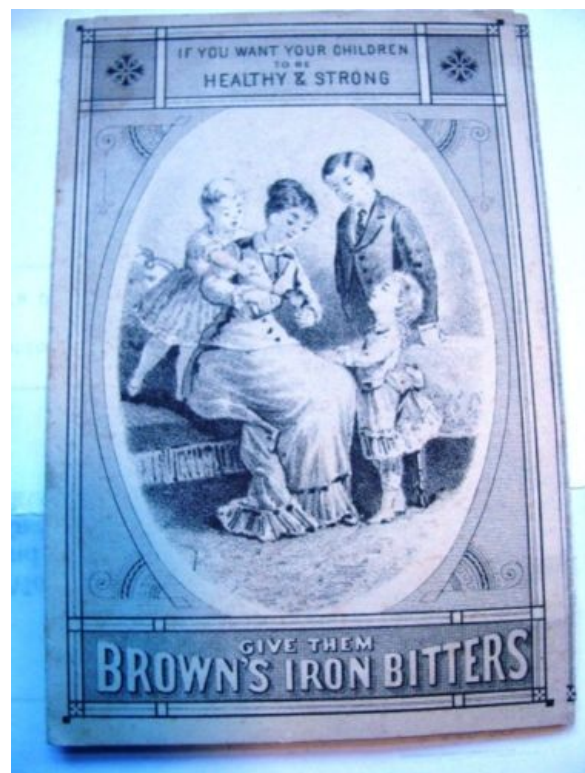


Fig. 9: Brown's kiddies trade card

Although Brown's Iron Bitters sold well, it was not until the proprietor claimed that the medicine also cured malaria that sales soared (Fig. 10). Malaria had become a major health scourge in the late 1870s when the number of cases peaked in the United States. Victims ran close to a million annually. In some localities malaria was the cause of one death in seven. Little was known about how the disease originated or was spread. That did not deter Brown from declaring in his merchandising that his Iron Bitters was "a sure antidote again malarial poison, fever, and ague and other intermittent fevers."



Fig. 10: Brown's malaria trade card

So affluent had he become through the sales of this quack medicine that Brown branched out and took over a fertilizer factory (Fig. 11). He also began prospecting for gold, in of all places, Great Falls, Maryland. In 1881 he became president of the Montgomery Mining Company, hunting for the yellow stuff along the Potomac River.

Meanwhile out in Little Rock, Arkansas, a traveling drug salesman named E.L. Brown went to work briefly for C.L. Lincoln, one of the city's earliest druggists and subsequent founder of Lincoln & Co. Wholesale Drugs (Fig. 12). In 1881, so the story went, E.L. Brown turned inventor. He had a notion for an iron-based remedy, gave the recipe to Lincoln, and then disappeared from the scene.

An advertisement for Powell's Prepared Chemicals. At the top, it says "W.M. H. BROWN, Pres't" and "W. S. POWELL, Treas'r." The main heading is "THE BROWN CHEMICAL CO. OF BALTIMORE." Below that, it lists the office address and "Sole Manufacturers of POWELL'S PREPARED CHEMICALS." The ad describes the benefits of their fertilizers and lists various products like "Powell's Pure Dissolved Bone," "Powell's Pure Bone Meal," etc. It also includes a detailed analysis for "200 lbs. POWELL'S 'TIP TOP' BONE FERTILIZER" with guaranteed percentages for Ammonia, Avail. Phos. Acid, Total Bone Phos., and Potash. The price is listed as \$30.00 a ton cash. The ad concludes with "GIVE IT A TRIAL." and the name of the treasurer, W. S. POWELL, in Baltimore.

Fig. 11: Powell's fertilizer ad



Fig. 12: Lincoln drug headquarters

Lincoln initially marketed the nostrum himself calling it “Brown’s Iron Tonic” but very soon sold the rights to the Meyer Brothers Drug Company of St. Louis. Founded in 1865 Meyers Bros. had become one of the America’s largest distributors of drugs, chemicals and pharmaceutical products, as well as a manufacturer of patent medicines. Its logo showed the company sitting on top of the world (Fig. 13).

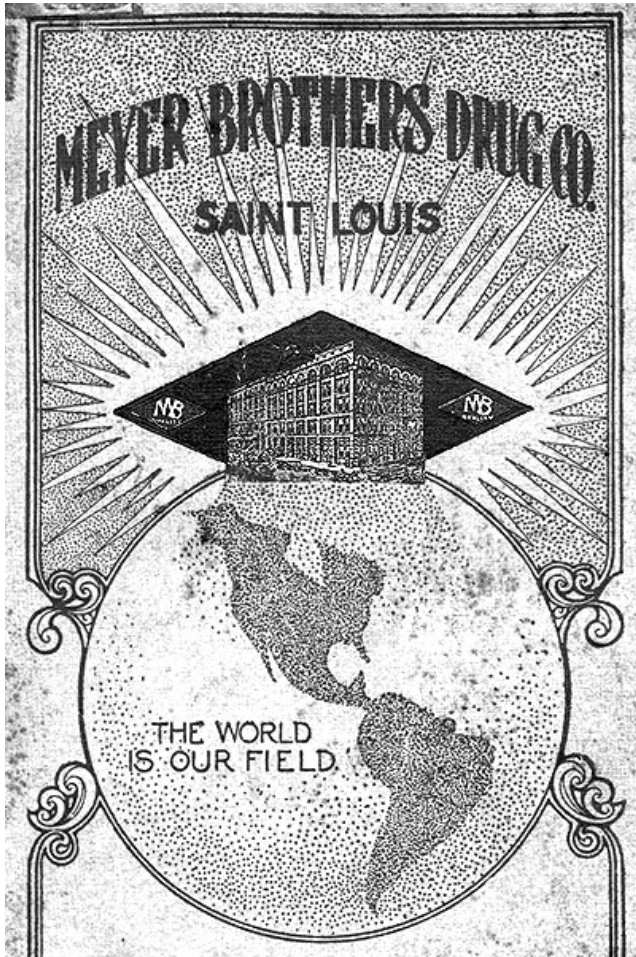


Fig. 13: Meyers Bros. logo

William H. Brown was very conscious of imitators, often warning again them in his advertising. For example, Brown’s Iron Remedy from a Memphis outfit drew his ire (Fig. 14). Moreover, he was very quick to sue copycats and often won. With the emergence of Brown’s Iron Tonic, however, the Baltimore tycoon took a different stance. Apparently because the packaging of that product was different from his own, he sent a letter to Meyers Bros. in 1882, saying that he had no objection to the product.

Perhaps embolden by this gesture, Meyer Bros. subsequently issued ads comparing the Brown’s Iron Bitters unfavorably to their Brown’s Iron Tonic. Theirs was “a superior remedy,” they said, and moreover it was less expensive. William H. Brown was furious, declared a rupture in relations and sued, claiming violation of trademark. Representing him in the Missouri Federal District Court was an influential St. Louis barrister, Benjamin F. Rex. It did no good. In 1887 Myers Bros., the local firm, won.



Fig. 14: Box, Brown's Iron Remedy

Brown next appealed to the U.S. Supreme Court, whose Chief Justice was Melville Fuller (Fig. 15). Following a hearing, the high court determined that that the bottles and wraps of Brown’s Iron Tonic were very different in form, shape and color from the Baltimore product. It also cited the earlier “no objection” letter from Brown to Meyers. Like the Missouri judges, the Supremes ruled in favor of Meyers Bros. Henceforth both quack medicines could be found side-by-side on drug store shelves.



Fig. 15: Chief Justice Melville Fuller

In 1906 the Congress passed the Pure Food and Drug Act. It meant that the heyday of the patent medicine racket was over in America. In time both Brown's Iron Bitters and Brown's Ironic Tonic disappeared. Living on are the precedents set by *Brown Chemical Company vs. Meyer*. The Supreme Court decision frequently is cited by defense lawyers in contemporary cases involving alleged trademark violation.

Notes: The information for this article was taken from a variety of Internet sources. For example the full text of the Supreme Court decision is online. The majority of the Brown Iron Bitters illustrations are through the courtesy of Reggie Lynch of North Carolina. Reggie's website, www.antiquebottles.com, is a rich source of information and images.

Upcoming Area Bottle Shows

February 6 – South River, NJ
New Jersey Antique Bottle Club (NJABC) 16th annual show Sun 9am-2pm at the Knight's of Columbus Hall, 88 Jackson St, South River, NJ. Info: Joe Butewicz, NJABC, 24 Charles St, South River, NJ 08882, (732) 236-9945, Email: botlman@msn.com



February 16-20 – Fredricksburg, VA
Breweriana: 32nd Annual Blue and Gray Show, Ramada Inn, 5324 Jefferson Davis Highway, US Rt 1 off I-95, exit 126. Info: Ray Johnson (703) 971-3549, email raynerj@cox.net.

March 6, 2011 – Baltimore, MD
Baltimore Antique Bottle Club's 31st Annual Show & Sale (8am - 3pm) at Essex Campus of the Community College of Baltimore County, 7201 Rossville Blvd, Baltimore, MD. Info: Eric Ewen, ph: (410) 265-5745, email: Teresaanderic@comcast.net

April 17 – Harrisonburg, VA
Historical Bottle Diggers of Virginia 40th Annual Show & Sale, 9am-3pm Sun at the Rockingham County Fairgrounds, US Route 11 (Exit 243 off I-81), South of Harrisonburg, VA. Normally have 60-70 tables. Info: Sonny Smiley phone: (540) 434-1129, 1025 Greendale Rd., Harrisonburg, VA 22801, Email: lithiaman1@yahoo.com

May 15 – Millville, NJ
New Jersey Antique Bottle Club's Annual Millville Show & Sale (9am - 3pm) at the Elks Lodge of Millville, 1815 E Broad St, Millville, NJ. Info: Joe Butewicz, 24 Charles St, South River, NJ 08882, ph: (732) 345-3653, email: botlman@msn.com.

June 2-4 – Grantville (Hershey), PA
Milks: National Association of Milk Bottle Collectors 31st Annual Convention. Info: Penny Gottlieb, 18 Pond Pl, Cos Cob, CT 06807, ph: (203) 869-8411.

June 25 - 26, 2011 – Memphis, TN
Federation of Historical Bottle Collectors' Annual National Show & Sale at the Cook Convention Center, Memphis, TN. Info: R. Wayne Lowry, FOHBC Conventions Director, ph: (816) 318-0161, email: JarDoctor@aol.com.

2010 Bottle Statistics

By Mike Cianciosi

For the past year, I've been keeping track of all the beer & soda bottles from Washington DC and Alexandria VA that have sold on eBay®. I started doing this to help determine the prices for the bottles listed in the next edition of our club book. I figured that the most subjective way to determine the prices was to have some actual data to back it up.

Now that 2010 is over, I started looking over the data, and I thought I'd share some of the statistics. Keep in mind that this is only for local beer & soda bottles, and the prices do not include postage.

There were 177 bottles sold on eBay in 2010 for a total of \$3701, which averages \$20.91 per bottle. Looking at the different categories of beer/soda bottles that I separated out, there were:

- 19 Hutchinsons averaging \$12.63 each,
- 11 Squat / short blobs averaging \$30.09 each,
- 25 Tall blobs averaging \$51.48 each,
- 93 Straight-sided crown tops averaging \$14.90 each,
- 18 Deco crown tops averaging \$14.22 each,
- 9 ACL crown tops averaging \$21.33 each, and
- 2 Picnic sized crown tops averaging \$4.50 each.

The high price for Applied Color Label (ACL) crown tops appears to have been heavily influenced by the one that I bought for \$135 (Confederate Beverages, bottle #219 in the book), which brought the average way up. Without that one bottle, the average would have been \$7.13 per bottle.

The fact that straight-sided crown tops averaged a higher price than hutchinsons seems odd to me. Coke bottles seemed to raise the average a bit for straight-sided crown tops though (7 of the 93 SS crowns were cokes, averaging \$41 each).

The most common bottle was the crown top Robert Portner Tivoli beer bottle with the embossing on the shoulder (listed as #465 in our club's book). There were 8 of them sold this year, 2 amber ones for \$10 each and 6 aqua ones for \$35 total.

Four of the bottles sold on eBay in 2010 were not listed in our book. All were crown tops, and they went for an average of \$20 each.

Only 15 of the 177 bottles were bought by me. That's only about 8%, so there seem to be a lot of DC beer/soda bottle collectors out there besides me.

Happy bottle hunting in 2011 everybody.



Jim Sears discusses some of his recently acquired Mason jars at the November meeting.



Here is a close-up view of the lard pail shown by phil Townsend