

# Archived Correspondence Surprises Office Staff

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The Office of Public Information and Education (PIE) recently became aware of a number of boxes of Copyright Office material found mixed in with other collections at the off-site facility in Landover, Maryland. The uncovered collection comprises approximately thirty boxes, and while the material was not what was expected, its contents were a pleasant surprise.

What the Office initially thought was a collection of personal papers from the first Registers of Copyright turned out to be a large collection of correspondence written to and from Ainsworth Rand Spofford, the sixth Librarian of Congress, who served from 1864 until 1897. Spofford not only was the Librarian of Congress but also served as the de facto Register of Copyrights until 1897, when the position of Register was established. With the help of Cheryl Fox from the Manuscript Division, PIE is working on creating a collection-level inventory documenting what this collection holds.

The collection came to the Office with some preliminary archiving, including labeled boxes and subfolders organized by dates. Through the efforts of PIE and their continued processing of the collection, the material housed in the archive can be used to contribute to a deeper understanding of copyright history, the innovation and intellectual history of America, and the growth of the Library of Congress. Comprising forms, receipts, registrations, and a number of small deposits mixed in, the collection has a great deal to offer the Copyright Office, the public, and potentially the Library of Congress's other collections.

One particularly surprising finding in the collection was a number of 40" x 54" photographs taken of the Court of Appeals of the State of New York in 1873 submitted for copyright registration (photographs became works protected by copyright only eight years earlier on March 3, 1865.) For most of the collection,

the only records of deposits are letters explaining what has been submitted without the inclusion of the deposit material itself. Labels and small prints were the exception, and both are plentiful throughout all boxes of the collection. From cigar labels to printed perfume advertisements, these letters and their corresponding material capture consumerism and the culture of nineteenth-century America in their pages.

The collection boasts a number of other gems—one particular favorite has been a letter to the Librarian of Congress regarding the now famous Arm and Hammer brand of household products. It discusses the most familiar Arm and Hammer product: baking soda. The correspondence preserved in this collection reveals that the first time Church and Co. attempted to register an engraving advertising Arm and Hammer baking soda with the Copyright Office, the registration was not accepted. The letter suggests that the subject matter of the engraving, the arm and hammer, was concluded be an illustration of an article of manufacture, thus lacking the originality and artistic requirements for copyright registration. In response, Church and Co. appears to have sought legal counsel to fight for their copyright, resubmitting the fees to register works with this letter. With the help of attorney Charles Gill, Church and Co. attempted to make clear to Spofford that the product had nothing to do with the tools of manufacture. Instead, they insisted that the engraving should be considered a work of artistic merit and therefore worthy of copyright.

“I get slightly obsessive about working in archives because you don’t know what you’re going to find. In fact, you don’t know what you’re looking for until you find it.”

— **Antony Beevor**  
**Historian**



A photograph taken of the Court of Appeals of the State of New York in 1873, sent with a letter of correspondence with intent to register for copyright.

The collection, while not what was anticipated, has shocked and amazed the PIE staff. It has been an adventure to work with, and it has provided surprises, enjoyment, and a great deal of context to those who have been fortunate enough to work with it. As the collection continues to be processed there is no telling what other stories, material, and history will be uncovered. ©