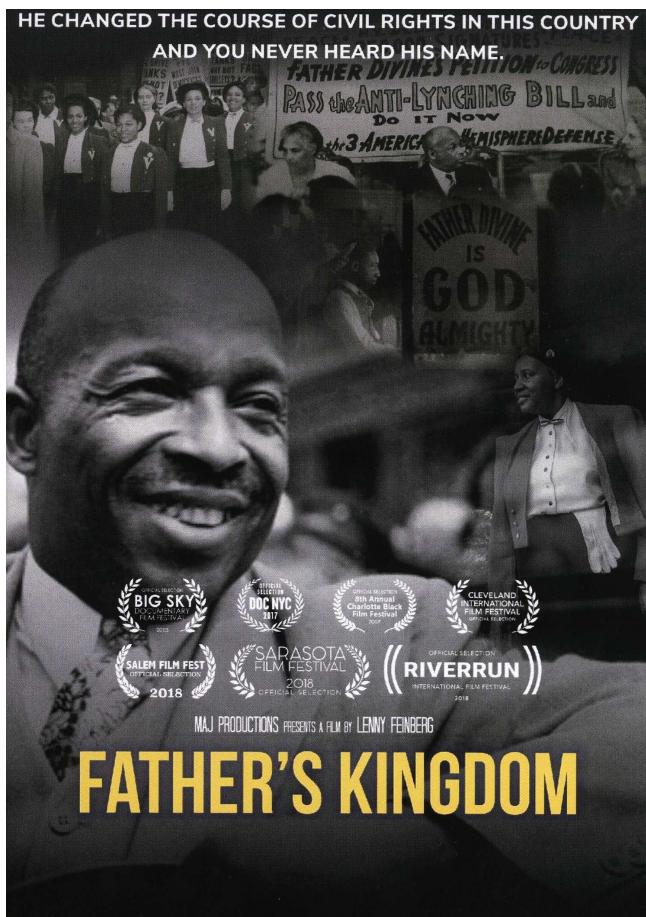




# National Archives at Kansas City Newsletter

## Film Screening of *Father's Kingdom* at Watkins Cultural Center

On **Tuesday, December 3 at 6:00 p.m.**, the National Archives, in partnership with the Greater Kansas City Black History Study Group, American Jazz Museum, and Bruce R. Watkins Cultural Center, will host a screening of *Father's Kingdom*. Post-film discussion will be led by **Dr. Robert (Bob) Hill**, reverend emeritus of Community Christian Church. This program will take place at the Bruce R. Watkins Cultural Center, 3700 Blue Parkway, Kansas City, MO. [Reservations](#) are requested for this **free program**.



Father Divine (Reverend M.J. Divine, a.k.a. George Baker) was born in poverty, the son of emancipated slaves. At his peak, he was one of America's most controversial religious leaders. He preached that he himself was an incarnation of God, and that by following his rules of purity and celibacy, you can live forever in "heaven on earth." His movement, dedicated to integration and communal living, was an innovator in desegregating neighborhoods, schools, businesses, and the ballot box in the 1930s and 1940s, through his program of empowerment. He commanded hundreds of properties and businesses, all funded by the work of his thousands of followers - however scandal, suspicion, and racism lead to clashes with the law. Though he was once a celebrity, and was decades ahead of his time fighting for civil rights, he has largely been written out of history due to the audacity of his religious claims, and doubt about his motives. Today, Divine's few remaining followers live as

a communal family on an estate outside Philadelphia. As time and mortality confront the followers, they struggle to preserve Divine's legacy. The film explores the line between faith and fanaticism and between a religion and a cult.

## National Archives Facility Reminders

Below are upcoming holiday reminders for the National Archives at Kansas City.

- Tuesday, December 24 - facility closes at Noon.
- Wednesday, December 25 - facility closed all day for Christmas holiday.
- Tuesday, December 31 - facility closes at Noon.
- Wednesday, January 1 - facility closed all day for New Year's Day holiday.

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## Upcoming Events

Unless noted, all events are held at the National Archives  
400 W. Pershing Road  
Kansas City, MO 64108

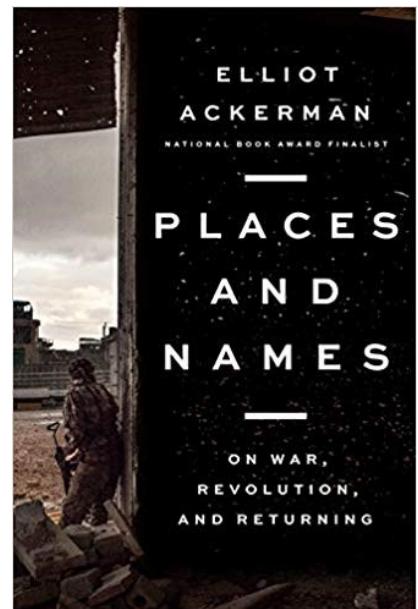
- **DEC. 3 - 6:00 P.M.**  
FILM SCREENING:  
*FATHER'S KINGDOM*\*
  - **DEC. 5 - 6:30 P.M.**  
EVENING  
CONVERSATION: *PLACES AND NAMES: ON WAR, REVOLUTION, AND RETURNING*\*
  - **DEC. 24 - FACILITY CLOSES AT NOON**
  - **DEC. 25 - FACILITY CLOSED FOR CHRISTMAS HOLIDAY**
  - **DEC. 31 - FACILITY CLOSES AT NOON**
- \*DENOTES ACTIVITY IS OFFSITE.

## Evening Conversation with Elliot Ackerman at the National World War I Museum and Memorial

On Thursday, December 5 at 6:30 p.m. the National Archives, in partnership with the National World War I Museum and Memorial and Rainy Day Books, will offer an evening conversation with author **Elliot Ackerman and Dr. Matt Naylor** on Ackerman's new book, *Places and Names: On War, Revolution, and Returning*. This program will take place at the National World War I Museum and Memorial, 2 Memorial Drive, Kansas City, MO. **Note: a book purchase is required to attend, purchases can be made at:**

<https://www.rainydaybooks.com/ElliottAckerman>

Hailed by Kirkus Reviews as "a profoundly human narrative that transcends nationality and ideology," Ackerman's memoir poignantly addresses the nature of combat and the human costs of the wars in Iraq, Afghanistan and Syria, while considering their connections to previous conflicts including Vietnam and World War I. This program is offered in conjunction with the exhibition, *The Vietnam War: 1945-1975*, a traveling exhibition from the New-York Historical Society. Book sales will be available before and after the program with author signing.



## Free Professional Development Opportunities for Educators

### **Teaching the Bill of Rights**

**Thursday, December 12 at 7:00 p.m. - Eastern Standard Time**

Get ready for Bill of Rights Day (December 15) by exploring resources from the National Archives for teaching the Bill of Rights in your classroom. Discover primary sources that show the Bill of Rights in action on DocsTeach.org, check out lesson plans and the Congress Creates the Bill of Rights app from the Center for Legislative Archives, and learn about our free distance learning programs on the Bill of Rights. This webinar is suitable for all educators. [Registration](#) is required.

### **Presidential Primary Sources Project**

**January - March, 2020**

The National Archives and Presidential Libraries, National Park Service, Internet2 community, and cultural and historic organizations nationwide are proud to offer the annual Presidential Primary Sources Project, a series of free, standards-aligned, 45-minute interactive videoconferencing programs aimed at students in grades 4-12. The series will run from January through March 2020.

Through the use of primary source documents and interactive videoconferencing, the 2020 program series will take students on a journey through the historical legacies of our presidents. By the conclusion of each session, students will have gained a greater understanding of our nation's presidents and how they shaped the past and present of our country. For more information and to register visit the [Presidential Primary Sources Project](#). The January programs are as follows:

### **Presidential Powers with Documents from the National Archives**

**Thursday, January 16, 11:00 a.m. and 2:00 p.m. - Eastern Standard Time**

Presented by: Jenny Sweeney, Education Specialist at the National Archives

### **Andrew Jackson and the Trail of Tears**

**January 23, 11:00 a.m. and 2:00 p.m. Eastern Standard Time**

Presented by: Erin Adams, Director of Education and Patrick Martin, Schools Coordinator at Andrew Jackson's Hermitage

### **Forging Greatness: Lincoln in Indiana**

**January 30, 11:00 a.m. and 2:00 p.m. Eastern Standard Time**

Presented by: Mike Capps, Chief of Interpretation at the Lincoln Boyhood National Memorial

## Hidden Treasures from the Stack

### Protecting the Crown

During the nineteenth century, consumers were faced with a multitude of choices when it came to purchasing foodstuffs, especially flour. Millers, whose products basically looked alike to consumers, relied on establishing name recognition and earning brand loyalty. Obtaining a trademark helped to protect their market share. The court records in the holdings of the National Archives at Kansas City are filled with hundreds of trademark disputes. One such dispute was filed in the United States Circuit Court in St. Louis in 1889.

The case involved two companies in the St. Louis area, both engaged in wheat flour milling, which at this time was big business. According to Charles B. Kuhlmann's book *The Development of the Flour-Milling Industry in the United States*, prior to the Civil War, St. Louis was the leading manufacturing center in soft winter wheat flour. Following a decline due to the Civil War, "by 1869 the city mills were producing a million barrels of flour and country mills tributary to the city (at Alton, Belleville, and other towns in southern Illinois) were sending in 1,200,000 more." Over the next decade, production doubled. At issue in the case of *Crown Mills Company v. Camp Spring Mills Company*, was the use of both the word and symbol of a crown by both companies on the labeling of their flour.

During the nineteenth century, flour was transported in large wooden barrels that usually held 196 pounds. The end of the barrel was stenciled with a company's name or logo, later replaced by the use of printed, paper labels. Either way, the association of a brand name with a particular flour was essential to a company's success.

The plaintiff in the case, the Crown Mills Company, was based in Belleville, Illinois, but conducted a significant amount of business across the river in St. Louis, Missouri. The Crown Mills Company alleged in their complaint that since 1866 their company had marked their barrels of flour with both the symbol and word "crown." It alleged that the Camp Spring Mills Company's use of a virtually identical design was a "clear infringement" of their "trade-mark for their first-class flour," noting "A well-known brand commands a ready sale, whilst unknown brands in order to introduce themselves to the trade are sold at lower prices. The property in an established brand of flour is one of great value."

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Above: Examples of the two labels used by the plaintiff and defendant. The label for the Crown Mills Company (on the left) compared to the label for the Camp Spring Mills Company (on the right). Judge Thayer ruled that the two labels were so similar in appearance as to cause confusion and could be mistaken for each other. Flour barrel labels filed as exhibits in Equity Case 2986, *Crown Mills Company v. Camp Springs Mills Company*; Law, Equity, and Criminal Case Files, 1828 – 1912 (National Archives Identifier: 572482); U.S. Circuit Court for the Eastern (St. Louis) Division of the Eastern District of Missouri; Records of the District Courts of the United States, RG 21; National Archives at Kansas City.

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The defendant, the Camp Spring Mills Company, claimed that they had used the crown on flour it had produced prior to 1866 and had continued doing so, stating “The two marks are so dissimilar in appearance as not to lead the most careless buyer to mistake the goods of defendant for those of complainant.” The defendant also mentioned that Charles L. Tucker, another St. Louis flour miller, had also used the symbol and word “crown” on the flour he produced from 1863 to 1867. Furthermore, the company noted that Pillsbury & Company of Minneapolis, Minnesota, had “also been using a crown brand extensively since they acquired their mill in 1873.” Finally, the defendant pointed out that the complainant took 25 years to file suit in Federal court.

The case proceeded with depositions of numerous witnesses. Not surprisingly, many witnesses in the 1890s struggled to recall specific events from the 1860s and 1870s. Crown Mills Company President Joseph F. Imbs testified, “Our Crown brand of flour was sold all of the United States, also in Europe and the West Indies.” The company sold between 50,000 to 75,000 barrels of flour annually and its “Crown” brand of flour enjoyed “an established reputation extending over the whole territory where it’s been sold.”

Interestingly, Imbs recalled that the Crown Mills Company itself had been the subject of an earlier trademark dispute, where it was accused of trademark infringement. Introduced into evidence was a Certificate of Registration of trademark issued by the U.S. Patent Office to Farber, McPike, and Co., dated July 16, 1872. Farber, McPike, and Co., a competitor milling company from Alton, Illinois, launched its own infringement complaint against the Crown Mills Company. However, following discussions, Imbs recounted that “they conceded our right to the brand and that they had no claim to it.” Farber, McPike, and Co. ultimately assigned their trademark right to the Crown Mills Company voluntarily. With this assignment, Crown Mills added the words “Registered No. 895, July 16, 1872” in their brand. Imbs testified, “We claim both the word and symbol in our trade-mark, and I believe we consider them of equal importance.”

Charles L. Kraft also provided critical testimony. Kraft became involved in the flour milling business by virtue of his acquaintance with Frederick Eickermann (sometimes spelled Eickerman), who operated the milling business known as Camp Spring Mills. Eventually, Kraft became a partner in the firm and became a director, secretary, and treasurer of the company until 1882. Kraft testified that when he was first involved with the company, there was no “Crown” brand or any use of the image or figure of a crown. However, in 1868 or 1869 he “changed all the brands and introduced brands so that we had about a dozen different brands.” For one of their brands of flour known as “Eickermann’s Best,” they created a stencil to label the barrels of flour that incorporated a small crown. Eventually, they created a “Golden Crown” flour in 1873 or 1874.

Kraft did not fare well on cross-examination, though, as he struggled to recollect specifics. Most of his answers started with the phrases “I don’t know” or “I don’t recollect.” He also blamed the stencil cutter for incorporating the crown into the design. He testified, “I suggested merely a crown as an ornament to fill up the space. The stencil cutter made it. I did not see it before it was adopted.”

In the end, it fell to Judge Amos Madden Thayer to sort through the numerous, complicated issues of the case. He issued his opinion on February 5, 1891, and first determined that the plaintiff Crown Mills Company had created a brand of flour consisting mainly of the word “Crown” since November or December 1866. Judge Thayer also stated the facts that this flour was “sold in various parts of the United States, and that the flour produced by said mill and so branded, has become widely known in the market as ‘Crown Flour,’ and is bought and sold by such name, and that there is a large demand therefor.” He further determined that the defendant company had used a symbol of a crown on its “F. Eicherman’s Best” brand of flour beginning sometime in 1868 or 1869, noting that “the symbol in question was at first small, crude in design, and not calculated to attract much attention.” Eventually, the branding evolved and in 1880 was changed to “Camp Spring Mills Company’s Best,” with the use of the crown still in effect. In addition, between 1870 and 1875 the defendant company produced another brand “for an inferior grade of wheat flour, which consisted of the words ‘Golden Crown’ printed in large and conspicuous letters, and underneath the symbol of a crown, and underneath that the words ‘Camp Spring Mills St. Louis, Mo’ in large type.

Judge Thayer went on to note that in 1884 “it became general practice among Millers to paste paper labels on the heads of flour barrels, instead of stenciling the brands thereon as formerly.” The plaintiff Crown Mill company created a label which was “red, on which was printed in large conspicuous blue letters with white marginal lines, the word

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'Crown,' and underneath the word, the symbol of a Crown in bronze, and underneath that, in smaller and less conspicuous letters, the words 'Crown Mills Company Belleville, Ills.'" Not long after this, sometime in 1885, the defendant company also adopted a paper label for use on barrels containing flour. Their label also "had a red ground and the word 'Crown' printed thereon in large conspicuous white letters, and above, the symbol of a Crown, and around the margin of the label, the words, 'Camp Spring Mill Co' in somewhat smaller letters than the word 'Crown.'" The judge noted that the word "Crown" on the defendant's label "is the most prominent object thereon and is the first to catch the eye of the observer." Ultimately, the judge concluded that the two labels were so similar in appearance "as to lead to confusion, and render one label to be mistaken for the other." The defendant was "perpetually enjoined and restrained from making or using the label known and introduced in evidence in this cause as 'Complainant's Exhibit F', or any colorable imitation thereof, as a label, mark or designation upon any barrels, bags, boxes or other packages of flour, and from further using the word 'crown' in conjunction with the symbol of a 'crown' upon any barrels, boxes, bags or other packages of flour..."

Nearly 21 years after Judge Thayer's ruling, on October 12, 1912, an attorney for the Crown Mills Company filed a request to the Court requesting the release of one of the exhibits used in the case. He requested that "Exhibit K," the certificate and registration of trademark of the United States to Farber, McPike & Co., dated July 16, 1872, with the assignment of said trademark to the Crown Mills Company, be released so it could be used in "interference proceedings in the United States Patent Office." The Court agreed, and it was removed from the case file. Apparently, the fight to protect the "Crown" was not yet over.



Above: Examples of the stencils used by the plaintiff and defendant. The stencil for the Crown Mills Company (on the left) featured a crown prominently in its design. The crown in the stencil for the Camp Spring Mills Company's Eichermann's Best flour (on the right) was "small, crude in design, and not calculated to attract much attention," according to Judge Thayer. Flour barrel stencils filed as exhibits in Equity Case 2986, *Crown Mills Company v. Camp Springs Mills Company*; Law, Equity, and Criminal Case Files, 1828 – 1912 (National Archives Identifier: 572482); U.S. Circuit Court for the Eastern (St. Louis) Division of the Eastern District of Missouri; Records of the District Courts of the United States, RG 21; National Archives at Kansas City.



**GENERAL INFORMATION:** The National Archives is open Monday through Friday 8:00 a.m. to 4:00 p.m. Closed on weekends and Federal holidays. Hours are subject to change due to special programs and weather.

The National Archives is located at 400 West Pershing Road, Kansas City, Missouri, 64108, and is home to historical records dating from the 1820s to the 1990s created or received by Federal agencies in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota. For more information, call 816-268-8000, email [kansascity.educate@nara.gov](mailto:kansascity.educate@nara.gov) or visit [www.archives.gov/kansas-city](http://www.archives.gov/kansas-city). Tweet us @KCArchives or #KCArchives. Follow us on Instagram at: [kansascity.archives](#). Find us on Facebook [www.facebook.com/nationalarchiveskansascity](http://www.facebook.com/nationalarchiveskansascity).