



The “No Patent” Colt Model 1860 Army Revolvers

By Charles Pate

No-patent NMA number 5. (Paul Davies Photo. Connecticut State Museum Collection)

The Colt Model 1860 Army revolver was the most popular handgun of the Civil War. During that conflict, the U.S. Army and Navy together purchased approximately 130,000 Model 1860 Colts, a number that, had he still been alive, probably would have far exceeded Sam Colt's wildest dreams. From the first day he began manufacturing arms in the 1830s until his death on January 10, 1862, Sam Colt had recognized how important adoption of his arms by the U.S. military would be to the success of his firm. From the start he had done nearly everything humanly possible to gain that acceptance. In fact, some of the things he did he perhaps should not have been done and others that he allegedly attempted were illegal. Those acts, or alleged acts, are not the subject of this article, but Sam Colt's desire to gain government adoption of his pistol clearly played a part in bringing about development of the revolvers that are the article's subject.

At least two magazine articles and several books have addressed the development of the Model 1860 Colt, including the prototypes that still exist. So much has been



NMA prototype marked “M.” Note the Navy-size grip, small trigger guard, creeping loading lever and rounded Dragoon-like front sight. (Paul Davies Photo. Connecticut State Museum Collection).

written that the reader might ask what else there is to say. But in reviewing what has been previously written, some things that have been said about some of the “prototype” arms didn't make sense to me. This article presents what I believe is a more plausible explanation for the odd revolver illustrated here. But this explanation first requires at least a brief discussion of the history leading up to the Model 1860 revolver's introduction.

Why was the Model 1860 developed in the first place? Colt already had in production both a .44 caliber “holster size” revolver (the Dragoon model) as well as a .36 caliber “belt size” (the Model 1851 Navy or “Old Model Navy”) and by mid-1857 the Army had purchased approximately 12,000 of the two sizes. Of the alternative arms available to the soldier, either Colt was clearly preferred to any other make. But many military officers complained about the Dragoon revolver's excessive weight and others considered the Navy caliber too small.

Mr. Colt was clearly aware of these problems and prototype arms from the factory's museum show that he investigated at least two alternatives in addressing them – making the existing holster revolver lighter and increasing the caliber of the belt pistol. The latter proved to be the best solution. By January 1860 he had at least one pre-production example of a “New Model Army” revolver (the Model 1860, hereafter referred to as the NMA) and by May he had two others ready for test by the Army. A test of the two revolvers was held in mid-May 1860 and the test board's officers were so impressed with the design that they recommended its adoption for issue to all mounted forces of the Regular Army after some minor modifications were made to the pistol. One of those modifications is relevant to this article, that being to



*The prototype NMA tested by the U.S. Army in May 1860. Note the Navy-size grip.
(Photo courtesy Ken Meek, Director, Woolaroc Museum.)*

increase the length of the stock to that of the Dragoon pistol. One of the two test revolvers still exists and, as can be seen in the accompanying photo, it has a Navy size grip and an attachable shoulder stock made for that size grip. The Army had tested a Colt Dragoon with an attachable shoulder stock in 1858 and some of the service's most prominent officers were enthusiastic about its potential to serve as both a revolver and a carbine. The Army bought 462 pairs of Dragoons with a stock for each pair, which were delivered at the end of 1858 and were given a limited field trial in 1859. The results were promising and at the time the NMA revolver was introduced it appeared that the trial would lead to a large contract for Colt. The much superior NMA enhanced that possibility.

Sam Colt left nothing to chance in his efforts to obtain government orders for his arms. He established an inappropriately close relationship with the Army Chief of Ordnance's Principal Assistant, Captain William Maynadier, which gave him a ready source of information and assistance.¹ He also aggressively lobbied Secretary of War John B. Floyd to obtain orders and members of Congress to pass appropriation acts to provide the necessary funding. As a result, in late 1859 Secretary Floyd promised Colt the large order he desired and, at least initially, it appeared that the funds would be approved as well.

On March 28, 1860 Capt. Maynadier had written Colt a "private and confidential" letter saying he had seen Secretary Floyd on Colt's behalf regarding the promised pistol order and Floyd had told him the order had been written and he was about to sign it when he received information that caused him to postpone giving the order. He had learned that Congressman Vallandigham of Ohio was trying to increase the appropriation for the Militia Act² from \$200,000 to \$500,000. Captain Maynadier said, "All the furnishers of arms (and they are



Left: U.S. Army Ordnance Department Captain William Maynadier (USAMHC) and Secretary of War John B. Floyd (Library of Congress)

legion) are giving their aid to have the increase passed and it is likely they will succeed. Now, if at this particular time, an order goes out for so large an amount as will be required for 5000 of your holster pistol, or if a disposition is now shown to favor any one manufacturer, it will be seized on as an argument against the increase of the appropriation, and will set most, if not all the gun-men against the measure, and probably defeat it." He added that Secretary Floyd was not retracting his promise but that the time was not right. He added that he thought the question of the increase would be answered soon, and an even larger order might be possible.³

By the time of the Army trial of the Colt NMA this Militia Act matter had not been resolved. Since the Board of Officers testing the Colt had recommended all the mounted forces of the Regular Army be armed with the pistol, Colt pushed to obtain an order for that purpose. After some extended communications between Colt and

Captain Maynadier they agreed that the order should be for 10,200 pistols. This figure was equal to approximately a third of Colt's total sales to the U.S. up to this date. In addition, this purchase would help Colt in countering the firm he considered his greatest competition, the Sharps Rifle Company. Writing to Captain Maynadier on the June 9, Colt said he would make a revolver with the improvements recommended by the Board and bring or send it to Washington soon. He added he thought the men on the frontier would, "confirm your recommendations ... & that will I trust so establish & fix these new arms as the only arms for mounted men that those of Sharps & other less notorious new fangled breech-loaders will be consigned to eternal oblivion."⁴

But Captain Maynadier's response on June 12 included some disappointing news about the possible order and an interesting question as well: "Nothing will be done in the way of buying arms until the question of the militia appropriation is settled. Mr. Vallandigham, of Ohio, has a bill before the House increasing the appropriation to \$600,000 per annum. Someone has put an amendment to it that the arms to be supplied to the states, except revolvers, sabers & swords, shall be made at the U.S. Armories or Arsenals. I have heard some talk as to who got the amendment put there, and some suggestions (growing I suppose from the exception) that it was your work. Did you do it? I think it probable that an increase of the militia appropriation will be made in some shape, as the Secretary of War has so decidedly recommended it. But until the question is settled one way or another there will be (as I said before) no orders given out. If anything of interest to you turns up, I will let you know at once."⁵

Sam Colt's answer to this is not in the files, but regardless of who put the amendment in the bill, the final appropriation act, dated June 23, 1860 proved to be decidedly against Colt's interests. It prohibited the purchase of **any** arms of a patented invention.

At this date it is probably impossible to determine whether or not Samuel Colt was behind the failed amendment, but both he and William Hartley later attributed the provision in the law that prohibited purchases of patented arms to Senator, and former Secretary of War, Jefferson Davis. Some researchers have held that Samuel Colt was specifically the target of the provision and that it was brought about due to Colt's business practices, including a bribery scandal associated with his efforts to get his basic patent extended. But it is also possible that the law was a more general and comprehensive reaction to the profits being realized by patented arms manufacturers who had significantly benefited from innovations made at the national armories, and at great public expense.⁶ Some

men in Washington, including the chiefs of the Army Ordnance Department and the Navy Bureau of Ordnance, thought Colt's prices to the government, and his profits, were excessive.

However, Samuel Colt was no quitter. In spite of the fact that the law prohibited the purchase of patented arms and the appropriation did not provide the funds necessary for such a purchase, the records of his company indicate he still hoped to get a contract for the NMA and he soon had an approach to getting around both the new law and the lack of funding. His first step was to offer to trade for 100,000 Model 1822 muskets, altered to percussion, that the Army was considering selling.⁷

Writing to Captain Maynadier on July 28, Colt said he had heard that some other "application" had been made for the altered muskets and asked if there was any truth to it. Part of the letter is unreadable, but Colt was concerned that there might be a problem with his getting the muskets in exchange for the 10,200 NMA pistols and said he would go to Washington, if needed, on the contract.⁸ There was no immediate response from Captain Maynadier in the file, but it appears that Secretary Floyd's schedule was a problem.

On August 11 Captain Maynadier wrote Colt that "Genl." Floyd had returned to Washington and he had just seen him and learned that Secretary Floyd would leave the next day for Virginia. In support of Colt's attempt to arrange a trade, Captain Maynadier provided some history on past arms sales for Colt's benefit by including a statement showing a purchase by George Law in 1849 of 144,353 muskets at an average of \$2.18 per musket.⁹

At the end of June, Secretary Floyd had asked the Chief of Ordnance to send him a copy of the board's report on the Colt NMA and "a Model of the Dragoon Colt's Pistol, with the modifications recommended by Board of Officers." There is no information in the files showing what the Chief of Ordnance did in response, but Colt would have been advised of the requirement through some means.¹⁰ The June 23 law complicated the matter and undoubtedly contributed to some delay in providing the requested pistol. Colt records show he did provide a pistol but unfortunately both the rough and final draft letters to Secretary Floyd that are in the Colt records at the Connecticut Historical Society are undated. The author believes the letter was from mid-November and that William Hartley, former Colt Secretary and manager of Colt's New York City office, personally delivered the letter to Secretary Floyd. It reads as follows:

“I have forwarded to your address a cavalry pistol, which is substantially of the model recommended by the Board of Officers in February 1858 and May 1860, and which I think will be found, on examination, the best arm for the mounted service, which it is now possible for the government to obtain. In preparing this model, I have retained every improvement (that has been made in my pistol) **which is not patented**, and have excluded every part of it which is; so that the arm now offered is not, in any part, of a patented invention. I must frankly state that, in my opinion, the omission of the few patented parts of the adopted model (my main patents having long since expired) is disadvantageous to the service qualities of the arm; although it is, even without those parts, a superior weapon to any that can be made elsewhere than at my armory. Its superiority consists in a great measure in the kind and quality of the material used in its manufacture, whereby I have been enabled to reduce the weight nearly one half without a reduction of the caliber or length of barrel, and with no diminution whatever of strength or durability. That material, a peculiar preparation of spring steel, is made by me alone, specially for the fabrication of cavalry pistols. It is unknown to the trade and cannot be had elsewhere.

“I respectfully request that the pistol, now forwarded, may be examined in any way you may think proper, and if it [is] found satisfactory, I make the following proposition for supplying the ten thousand two hundred pistols required for the mounted troops, according to the estimate of the Colonel of Ordnance of Nov. 19, 1858 (printed in Executive Doc. No. 35, 2nd Session, 35th Congress), but not then or since procured. I offer to take one hundred thousand (or the whole, if more than that number) of the old muskets altered to percussion, which are for sale boxed in the usual way with their appendages, at the price of two dollars each, and to pay for them in pistols of the model sent, or of such other model, as you may be authorized to purchase, at \$28 per pistol including the usual appendages, which was the price paid by Secretary Marcy in 1847 for my heavy Dragoon pistol of the same caliber, but of inferior material, and model.

“As there are none of these pistols in possession of the government, and the exigencies of the service require their delivery as soon as possible, I will agree to begin the delivery of them in six months, or less, and to

supply them as fast as the government can make their inspection with five inspectors, & will add the patented improvements without charge as soon as I can legally do so. Any difference between the amount which may be due to me for the pistols is to be paid from the appropriation applicable to their purchase. If the foregoing proposition should be acceptable in its general features, but not in the particulars of price, or in other respects, I should like to be informed of the terms and conditions on which the department would accept it, and inasmuch as it is of importance to make speedy arrangements for receiving, and disposing of the muskets, if I take them, will you be so good as to let me know what number and kinds there are of the muskets not for sale, and at what places, whether all of them or how many are now in boxes, and how long it would take to deliver them boxed with their accompanying appendages at the place they are now stored.”¹¹

On November 22, 1860 William Hartley wrote Samuel Colt saying:

“... I called on the Secretary of War with New Model Army Pistol, .56 & .44 caliber Rifles & .56 caliber Carbine. He said he had wanted the pistol as the one left with him had been transferred to the Ordnance Department under seal; that he had [word not readable] and would urge the immediate repeal of the Law introduced by Genl. Davis, and stated that were it not for that law he would guarantee an order for the pistols at once. There were two officers in his room at the time, to whom he said, holding out the pistol for them to examine, ‘here you see the effect of hasty & inconsiderate legislation. There is an arm which every man in the Army wants just now, and we are prohibited from buying them because they are with patenting...’”¹²

The author has not found a response to Colt’s letter and believes there was no response. Unfortunately for Colt, Secretary Floyd’s past improprieties and disregard for the legal constraints to his authority were catching up with him. For the previous two years he had been accepting bills from freight contractors Russell, Majors & Waddell in advance of their performance on their contract with the War Department. Due to Russell’s financial difficulties, which Secretary Floyd at first believed were only temporary, he had begun accepting bills from Mr. Russell well before they were due to be paid. The latter then used them to obtain loans to, supposedly, keep his company in



Left: *Bottom view of no-patent NMA Number 5. Right, top:* *Note the pieced-together trigger guard on Number 5. Right, bottom:* *The hinged loading levers of these no-patent NMA revolvers appear to be unique to this variation.*
(Paul Davies Photos. Connecticut State Museum Collection)

business. Instead of improving, the company's debt increased, requiring ever more assistance from the Secretary. Eventually President Buchanan learned of the practice and warned Secretary Floyd to stop. But President Buchanan appears not to have known the magnitude of the problem or how deeply Floyd had become entrenched and as Russell's problems worsened so did Floyd's. On December 22, 1860 President Buchanan learned that \$870,000 in negotiable bonds held by the Interior Department in trust for Indian tribes had been given to Russell in exchange for Russell, Majors & Waddell bills totaling the same amount, dated as early as September 13, 1860 and endorsed by Secretary Floyd, as collateral. President Buchanan asked for Floyd's resignation, which was tendered on December 29.¹³ Postmaster General Joseph Holt replaced Mr. Floyd as Secretary of War.

But what of the pistol in Colt's letter? The letter stated: (1) that it was substantially the model recommended by the board — in other words, much like the pistol tested but with the recommended modifications — an extended

grip and larger bow for the trigger guard and (2) that it used none of Colt's active patents. The relevant Colt patents then in force provided for the creeping loading lever, safety pins on the back of the cylinder and grooves leading to the stop notches on the cylinder.

For many years collectors have known of a small group of Colt pistols that fit this description. These pistols have a hinged lever-rammer design that appears to be unique to the group. The cylinders were drilled for safety pins but the pins are absent. Likewise, the cylinder stop notches are the regular rectangular shape but do not have the grooves leading to the notches. In addition to not having the patented features, these pistols are not marked with Colt's patent marks or barrel address. All have eight inch barrels, frames with capping grooves in the recoil shield cutout, and NMA-size grips using an extended/brazed OMN trigger guard. It is interesting to note that while the brass trigger guard was pieced together, the iron back strap appears to be identical to those used with production pistols. Only two of the seven known examples —



Left: While the cylinders of the no-patent pistols were drilled for safety pins, the pins, which were covered by a Colt patent, were not installed. **Right:** The cylinder stop slots of the no-patent pistols do not have the patented grooves leading to the slots that are on production pistols. (Paul Davis Photos. Connecticut State Museum Collection.)

numbers “4” and “7” — have a four-screw, cut-for-stock frame. All of the examples examined by the author have their serial numbers marked on the upper rear surface of the lever, as was done with OMN revolvers made in 1860. One of the pistols, number “5,” is still in the factory collection at the Connecticut State Museum while most of the others can be traced back to the either the Colt factory collection or the arms given to the Wadsworth Atheneum by Mrs. Samuel Colt. Serial number “1” has not been found and may well have been the pistol Colt referred to in his letter to Secretary Floyd. Those that are known to now exist include an unnumbered example and six others numbered “2” through “7,” each of which is described below.

The unnumbered example was illustrated in William Edwards’ book, *The Story of Colt’s Revolver*, and was previously in the Colt factory collection at the Connecticut

State Museum as catalog number TG1212. This pistol was traded out of the collection. The author was not able to identify this revolver in the 1887 inventory of the Colt factory museum, but the following information was found in those records:

- Number “2” museum inventory number 252
- Number “3” museum inventory number 253
- Number “5” museum inventory number 254
- Number “7” museum inventory number 255
- Number “8” museum inventory number 256

Numbers “2,” “3” and “5” are as described above but Numbers “2” and “5” do not have a visible serial number on the rammer while number “3” does. It is likely that all of the rammers were numbered but may have been marked or assembled with the numbers hidden from view.



Except for the hinged lever, this right side view of number 5 shows the great similarity of the no-patent pistols to the production version, including the capping groove in the recoil shield cut. (Paul Davis Photo. Connecticut State Museum Collection)



Apparently numbered in the same serial number series as the no-patent pistols, number 10 is like them in that it has no Colt markings and the trigger guard was made from a Navy-size part. However, number 10 has all three of the patented features. (Fred Barton Photo and Collection)



Note that some of the serial numbers on number 10 have the "0" struck over a "1." (Fred Barton Photo and Collection)



The two-piece trigger guard of number 10. (Fred Barton Photo and Collection)



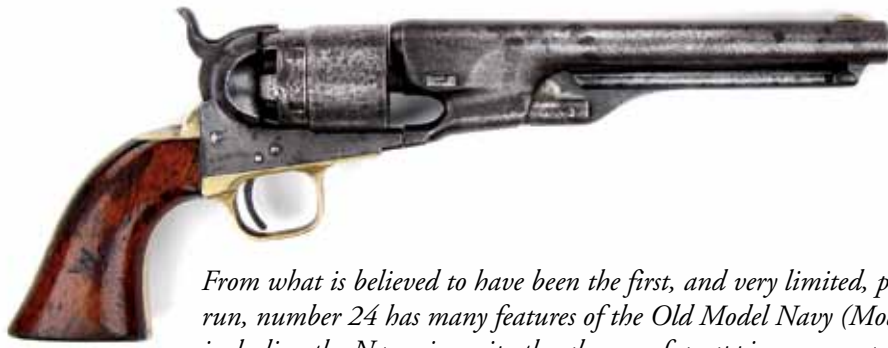
Note the lever serial number is on the side. One other early NMA with the patented features has been noted marked in this manner. (Fred Barton Photo and Collection)



The cylinder of number 10 has the patented safety pins. (Fred Barton Photo and Collection)



Note the odd rear sight and the absence of both barrel markings and the patented grooves leading to the cylinder stop slots. (Fred Barton Photo and Collection)



From what is believed to have been the first, and very limited, production run, number 24 has many features of the Old Model Navy (Model 1851) including the Navy-size grip, the absence of a capping groove and a numbered loading lever. (James D. Julia Auctioneers Photo)



The author has not examined number “4” but based on the limited photos available it appears to be like those above except that it has a four-screw, cut-for-stock frame. Other than being traced to prominent collections, the author has not seen provenance linking this pistol to the original Colt factory collection but that is believed to be its source. It is now in the Gene Autry National Center Museum, (object 87.118.21), previously in the Albert Foster, Jr. collection. The museum acquired it from Colt Industries.

Based on photos of Number “6,” which was at one time in the Wadsworth Atheneum Colt collection, it is not cut for stock. This pistol was stolen from the Wadsworth and its current location is unknown.

Number “7” was once in the Colt factory collection but was traded in 1980 and, unfortunately, no photograph of it is available. The museum catalog card for the pistol states it was cut for stock and that it had a “round” trigger guard and “straight” lever/rammer. Cylinder pins were missing and the stop slots were listed as “rectangular on side.”

Number “8” was listed with the others in the 1887 inventory with no indication it was different from them. This pistol has not been found to the author’s knowledge.

The author found no reference to a “no-patent” pistol numbered “9” in the records and has no information on an existing pistol with that number. If one existed it may have been like, or nearly like, pistol number “10,” which cannot be included with the above group since it has the three patented features. It is nonetheless a very interesting revolver. Number “10” is fully serial numbered; however, the number on the lever is on the left side rather than on the top rear. But like the no-patent pistols it has no other markings and has the extended OMN trigger guard. Author Edwards reported one of these no-patent pistols having a: “rear sight raised in a lump on the barrel rear.”¹⁴

The author believes Edwards was referring to pistol number “10” but his description of the sight does not appear to be completely accurate. The author was unable to find any documentation of number “10” in the Colt business ledgers, museum inventory or shipping records.

Apparently nothing more came of Colt’s attempt to circumvent the law prohibiting purchase of patented arms and the U.S. didn’t purchase any more Colts until early April 1861. So there was no need to produce more of the no-patent NMA revolvers. On February 21, 1861 an Act was passed to repeal the June 23, 1860 Act except for that portion prohibiting the purchase of firearms.¹⁵ The later prohibition was not repealed until a joint resolution of Congress in July 1861, apparently done just to update the statutes to reflect war-time reality.¹⁶

While the no-patent pistols cannot be considered prototypes of the NMA proper, given production had already begun when they were made, they perhaps can be considered to be prototypes of the NMA grip. Based on surviving examples, it appears Colt made a small production run of approximately 100 revolvers before these no-patent pistols were made since the revolvers in that small lot have the OMN grip, serial numbered loading levers and no capping groove in the recoil shield cut-out. We do not know exactly when that production lot was begun or when the pistols were completed, but they probably were started in about June 1860 and were not completed much, if any, before November of that year. Most of the 100 or so stayed in inventory until July 1861. The first standard NMA revolvers were probably put into production shortly after the new grip was designed, for the first shipment occurred on November 30. Since the U.S. military was unable to receive this first shipment of NMA revolvers, they were shipped instead to someone who could – C. A. Lamar of Georgia.



These early production NMA revolvers with a round cylinder do not have the "PAT SEPT 10 1850" marking on the cylinder. (James D. Julia Auctioneers Photo)

The author would like to express his appreciation to Messrs. Paul Davies, Max Gunthert, Dean Nelson (Connecticut State Museum), Ken Meek (Museum Director, Woolaroc Museum), Fred Barton, James D. Julia Auctioneers, and Jeffrey Richardson (Curator of Western, Popular Culture and Firearms, Autry National Center).

Endnotes

1. The Chief of Ordnance (COO), Colonel Henry K. Craig, apparently became aware of the relationship after he was replaced as COO in mid-1862 by Col. James W. Ripley and made it known to Colonel Ripley and the Secretary of War (at that time Mr. Simon Cameron). Captain Maynadier was placed on other duty, although his reputation was later rehabilitated and he was restored to duty in the Chief of Ordnance office late in the Civil War.

2. The yearly Militia Act appropriation was the source of funds for the arms provided to the states by the Army Ordnance Department.

3. Samuel Colt Papers, CT Historical Society, Box 8.

4. Samuel Colt Papers, CT Historical Society, Box 8.

5. Samuel Colt Papers, CT Historical Society, Box 8.

6. See Hounshell, "From the American System to Mass Production" and Deyrup, "Arms Making in the Connecticut Valley" for discussions of the technological contributions of the national armories at Springfield and Harpers Ferry to the arms-making industry.

7. In July of the previous year Colt had asked for two boxes of rifles as samples of those then for sale. The Secretary approved the sale. When Colt got them he complained that the appendages were not included. Craig replied that he had been sent exactly what Colt asked for (muskets "packed in the usual way"). The Secretary sup-

ported Craig. [RG156, E21, Box 242 and RG156, E6, Vol. 19.]

8. Samuel Colt Papers, CT Historical Society, Box 8.

9. Samuel Colt Papers, CT Historical Society, Box 8.

10. National Archives, RG156, E20, Vol. 30, WD379 and WD 383, letters dated 6/30/60.

11. Samuel Colt Papers, CT Historical Society, Box 8. The letter is not noted in RG107's register of letters received at the National Archives.

12. Bourne Auction catalog, 3/17-18/1982, lot 686 (a collection of original Colt documents). The back of the illustrated page of this letter is not included in the catalog but the lot description states that Mr. Hartley had delivered, in addition to the Floyd pistol, other pistols and rifles to General Johnson and Captain Dahlgren at the Washington Navy Yard.

13. Curtis, George T., *Life of James Buchanan*, Volume II, Harper & Brothers, New York, 1883, pages 406 – 411. There is no evidence that Floyd gained financially in any way from these transactions. In fact, Floyd reportedly left his position "financially embarrassed."

14. Edwards, William B., *Civil War Guns*, The Stackpole Company, Harrisburg, PA, 1962, page 321.

15. "U.S. Statutes At Large," Volume 12, page 150.

16. "Journal of the Senate," pages 97-98 of 7/26/1861.