

ROBERTS' PETROLEUM TORPEDO.

TORPEDOES.
THE ROBERTS
PETROLEUM TORPEDO CO.
Office at the

RED PLANING MILL.

Corner of Pine and Second Streets,
(Near the Railroads)

ITUSVILLE, PA.

Owing to the large and increasing demand for the Roberts' Torpedoes and the late decision of the Commissioner of Patents in refusing to Wm. Reed a patent, and the decision of Judge R. C. Grier suspending the Roberts' patent they have LOWERED the price of their Torpedoes

TWENTY PER CENT.

so that every Operator can afford to try a Torpedo before abandoning a Well.

The following is the decision rendered by Judge Grier on the twenty-second (22) day of February, 1866, in the United States Circuit Court at Philadelphia. The case was argued three days by Charles M. Keller of New York, B. F. Lucas and S. A. Parvin of Pittsburgh, for defendants, and George Hardin of Philadelphia, and George H. Christy, of Pittsburgh, for plaintiff.

OPINION OF JUDGE GRIER:

As I write with difficulty I can only state the conclusions to which my mind has come after a careful examination of this case.

The complainant has exhibited a patent dated 25th of April, 1865. This is prima facie evidence of a good title, and puts on the respondents the burden of proof that the patent is void or worthless.

I need not repeat my remarks in this case of Goodwin vs. Day (2 Wall. U. S. 222) but will now adopt them as affording a rule of decision which applies clearly to the present case.

As the infringement of the patent is admitted, the only question will be as to the validity of complainant's patent of April 25, 1865.

"It was after speculation had been reduced to practice," and after repeated experiments, that the complainant succeeded in overcoming the prejudice and ignorance of the people on this subject, and persuading the public that his invention was useful after he had established its great utility and value, and "when his genius and patient perseverance, in spite of sneers and scoffs," were completely successful, that Reed, who had before made experiments on the same subject, and was unsuccessful, imagined that he had the best right to the invention, and after making one or more complainant's specifications he applied for one on the 1st of November, 1865, for a patent for substantially the same combinations of devices and a machine contained in complainant's patent. On the 15th of the same month the respondents formed themselves into a company, or corporation called "The Reed Petroleum Company," for the purpose of placing this respondent's invention, and supporting the expense of litigation, and thus defend him of the fruits. They have persevered, even after the preliminary injunction very properly granted by the District Judge.

Let a decree be entered for complainant for a permanent injunction, and a Master appointed to take an account according to the prayer of the bill.

R. C. GRIER, Judge.

Note.—The passage referred to by Judge Grier in his former decision, 2 Wallace, p. 229, adopted as applicable to this case was as follows:

"It is usually the case, when any valuable discovery is made, or any new machine of great utility invented, that the attention of the public has been turned to that subject previously, and that many persons have been making researches and experiments. Philosophers and mechanicians may have some measure anticipated in their speculations the possibility or probability of such discovery or invention; many experiments have been successfully made, causing a general failing short of the desired result. They have produced nothing beneficial. The invention which effected may truly be said to be the culminating point of many experiments, not only by the inventor, but by many others. He may have profited indirectly by the successful experiments and failures of others, but it gives them no right to claim a share of the honor of the successful inventor. It is when speculation has resulted in discovery, and when that discovery has been perfected by patient and continued experiments, when some new compound, art, manufacture, or machine has been thus produced which is useful to the public, that the party making it becomes a public benefactor and entitled to a patent."

"And yet when genius and patient perseverance have at length succeeded, in spite of sneers and scoffs, some valuable invention or discovery, how seldom is it followed by reward? Every robs him of the honor, while speculators, swindlers, and pirates rob him of the profits. Every unsuccessful experimenter who did or did not come very near making a discovery now claims it. Every one who can invent an improvement or vary its form, gains a right upon the original discovery. We need no submarine Mine, or Blanchard, or Woodward, to prove that this is the usual history of every discovery or invention."

"The present case adds another chapter to this long and uniform history."—2 Wallace, C. C. Reports p. 222.

CAUTION.

The public is cautioned against employing any but the regularly authorized Agents of the Company, since the Losses Patent covers the use of the Torpedo and explosive materials for oil wells, and the use of such materials by other parties is strict infringement of their rights. Any parties in fitting any of the ROBERTS' PATENTS will be dealt with according to law, and as acting wilfully and knowingly in defiance of law and the decisions of the Courts.

The Company have reorganized their business with a view to accommodate Oil Men in every part of the Oil Region. They have employed the most efficient Agents and Assistants that can be procured for the business. Each Torpedo is labelled with date of patent, together with the price of the Torpedo, and signed by an officer of the Company, so every Operator using a Torpedo may know its price and whether it came from our office.

Operator will confer a favor by reporting to this Office any negligence of Agents.

The following named persons have been appointed Agents and Assistant Agents for the Oil Regions of Pennsylvania and West Virginia.

LIST OF AGENTS.

TITUSVILLE, CHURCH RUN AND VICINITY—STEPHEN COOK, Office, Hamilton's Cigar Store, address Titusville, Pa. Assistant, John Van Sciver.

TITUSVILLE, CHURCH RUN AND VICINITY—H. H. THOMAS, Office and address, Marion House, Titusville, Pa.

SHAMBURG AND VICINITY—GEORGE IRVING, Office, Shamburgh residence, Titusville, Pa. Assistant, A. A. Weston.

ENTERPRISE, PLEASANTVILLE, BEAN FARM AND PITTSBURGH—GEORGE W. VAN VLIET, Office and address, Chase House, Pleasantville, Assistant, H. C. Huntington.

TILDETON AND WEST HICKORY—CHAS. CLARK, Office and address, Exp. no. Office, Tildeton, Pa. Assistant, E. C. Beardsley.

PETROLEUM CENTRE AND VICINITY—LEV. MASON, Office and address, Petroleum Centre, Pa. Assistant, Charles Blackford.

TAKE AND BLOOR FARMS and District lying on Oil Creek and Cherry Run, from Story Farm to McClintockville—JAMES SAUNDERS, Address, Take Farm, Pa. Assistant, Luther B. Saunders.

CHARLES E. COCHRAN and W. L. HORN.

MCCLOUDVILLE, OIL CITY AND RENO—A. W. WEST, Address, Oil City or Reno, Pa. Assistant, S. Mead.

F. ANGLIN, ALONG THE ALLEGHENY RIV.

BIG SPRINGS, Office and address, Franklin's Springhouse, Bean Farm & Parson's Landing—RICHARD W. REYNOLD, Office and address, Springhouse, Pa. Assistant, R. W. Reynolds.

WEST VIRGINIA—C. D. ANGEL, and T. E. COOK, Address, Parkersburg, West Virginia.

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may 2d.

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JOB PRINTING

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H. LONGWELL, Proprietor

on New York, Philadelphia, and Pittsburgh, together with Editorial and Local matters, make it the most desirable newspaper published in the Oil Region. As to

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The RECORD has no superior, as it circulates wherever an Oil Operator or Dealer can be found.

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We have a large and well selected Jobbing Material, emulsions, the very latest styles. We are therefore enabled to execute Job Work of every variety in a satisfactory manner when desired, jobs will be neatly printed in Colors

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MERCHANTS, LAWYERS, JUSTICES OF THE PEACE, LAND AGENTS, OIL DEALERS AND AGENTS, INSURANCE AGENTS, EXPRESSIONS AND OTHER PARTIES IN WANT, ARE INFORMED THAT ALL KINDS OF BUSINESS OR LEGAL, REQUIRED IN THIS COMMUNITY.

WEST VIRGINIA—C. D. ANGEL, and T. E. COOK.

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NO. 1 REFINED OIL.

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SMOKE STACKS,

Repairs of all kinds done with neatness and dis-

patch. Special attention given to

Steam and Gas Fittings

Purchasing with cash only, our facilities for pur-

chasing everything in our line are superior to

any other establishment in this com-

munity.

JOHN W. LONGWELL,

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OIL CREEK PIPE WORKS.

CHARLES ROBSON & CO.,

Corner of Seneca & Centre Sts., East

side Oil Creek, OIL CITY, PA.

Dealers in Morris, Tasker & Co's

OIL WELL TUBING AND CASING;

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Machinery for Oil Wells & Refineries

BORING TOOLS, DRIVING PIPE,

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Every description of

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Also, STOVES, TINWARE,

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HARDWARE, HOUSE TRIMMINGS,

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Nails, Axes, Coffee Mills,

Table & Pocket Cutlery;

A Full Ass