

**ROBERTS' PETROLEUM TORPEDO.**  
**TORPEDOES.**  
**THE ROBERTS**  
**TORPEDO CO.**  
 Office at the  
**WOOD PLANING MILL,**  
 Corner of First and Second Streets,  
 (Near the Railroad.)  
**TITUSVILLE, 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. Hood a patent, and the decision of Judge Grier sustaining 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 September, 1888, 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 N. A. Purdum of Philadelphia, for defendants, and George Harding of Philadelphia, and George H. Christy, of Pittsburgh, for plaintiffs.

**OPINION OF JUDGE GRIER.**

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

The complainant has exhibited a patent dated 20th of April, 1866. 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 the case of Good-year vs. Day (21 Wall, C. C. Rep. 329,) but 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, 1866.

"It was after speculation had been reduced to practice," and after repeated experiments, that the complainant succeeded in overcoming his prejudice and ignorance of the people on the 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 success and scoffs," were completely successful, that Hood, who had before made experiments on the same subject, and was unsuccessful, imagined that he had the best right to the invention, and after purchasing one or more complainant's torpedoes, he applied on the 1st of November, 1866, for a patent for substantially the same combination of devices and machine contained in complainant's patent. On the 15th of the same month the respondents formed themselves into a company or corporation called "The Hood Torpedo Company," for the purpose of practicing the complainant's invention, and supporting the expense of litigation, and thus defrauding 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 perpetual injunction, and a Master appointed to take an account according to the tenor of the bill.

H. C. GRIER, Judge.

**NOTE.**—The passage referred to by Judge Grier in his former decision, 3 Wallace, p. 390, adopted as applicable to this case was as follows:

It is usually the case, when any valuable discovery is made, or any new machine or process is 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 mechanics may have in some measure anticipated in their speculations the possibility or probability of such discovery or invention; many of them have been successfully tried, coming very near, yet falling short of the desired result. They have produced nothing beneficial. The invention when perfected 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 unsuccessful experiments and failures of others, but it gives them no right to claim a share of the honor of the profit of the successful inventor. It is when speculation has been reduced to practice, when experiment has resulted in discovery, and when that discovery has been perfected by patient and continuing 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 success and scoffs, some valuable invention or discovery, how seldom is it followed by reward! Envy 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, claims a right to pirate the original discovery. We need not sum up more, or Blanchard, or Woodworth, to prove that this is the usual history of every valuable discovery or invention.

"The present case adds another chapter to this lamentable uniform history."—3 Wallace, C. C. Reports p. 390.

**CAUTION.**

The public is cautioned against employing any of the regularly authorized Agents of the Company, whose names are given below, for the use of the Torpedo and all explosive materials for oil wells, and the use of such materials by other parties is a direct infringement of their rights. Any parties infringing any of the ROBERTS' PATENTS will be dealt with according to law, and as acting willfully and knowingly in defiance of law and the decisions of the Courts.

The Company have re-organized 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 labeled with date of patent, together with the price of the Torpedo, and signed by an officer of the Company, so every Operator wishing a Torpedo may know its price and whether it came from our office.

Operators 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—E. F. HARRIS, Agent, Hamilton's Agent Store, address Titusville, Pa. Assistant John Van der Veer.
- TITUSVILLE, CHURCH RUN AND VICINITY—H. H. THOMAS, Office and address, Mansion House, Titusville, Pa.
- SHAMHURG AND VICINITY—GEORGE IRVIN, Office, Shamhurg; residence, Titusville, Pa. Assistant, A. A. West.
- PLEASANTVILLE, BRAN PARM AND PITHOLE W. GHO. VAN YLIET, Office and address, Canal House, Pleasantville, Assistant, H. C. Huntington.
- TIDIQUET AND WEST HICKORY—CHAS. CLARK, Office and address, Exp. Office, Tidiquet, Pa. Assistant, E. C. Beardsley.
- PETROLEUM CENTRE AND VICINITY—LEVI MARSH, Office and address, Petroleum Centre, Pa. Assistant, Charles Blackford.
- HARR AND BLOOD FARMS and District lying on Oil Creek and Cherry Run, from Story Farm to McClintockville—JAMES SAUNDERS, Address, Harr Farm, Pa. Assistants, Luther B. Saunders, Charles E. Cochran and William Hoyt.
- McCLINTOCKVILLE, OIL CITY AND HENO—A. S. WEST, Address, Oil City or Heno, Pa. Assistant, J. M. Bond.
- FRANKLIN, ALONG THE ALLEGHENY RIVER—E. WILBER, Office and address, Franklin, Pa.
- SCHUBERTS, WINTER FARM & PARKER'S LANDS—RICHARD W. REDFIELD, Office and address, 3 1/2 miles, Pa. Assistant, B. W. Fort-ford, address, Franklin, Pa.
- WEST VIRGINIA—C. D. ANGEL, and T. F. COOK, Address, Parkersburg, West Virginia.
- Roberts' Petroleum Torpedo Co.



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 AND IT IS A FACT THAT

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 Of the purest brands and free from adulteration.

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 The largest stock of genuine Labin's perfumeries  
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**ICE COOL SODA WATER FRESH**  
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 Port and Sherry warranted pure for medicinal use.

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 and LAKE SHORE WINE.

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 Cliquot,  
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 Numerous other brands.

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 A large stock constantly on  
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