THE ROBERTS PETROLEUM TORPEDO CO.

Office at the RED PLANING MILL

Corner of Pine and Second Streets, (Near the Railroad,) TITUSVILLE, PA. :

Owing to the large and increasing demand for the oberse Torpesbes, and the late decision of the numberoner of Patents in refusing to Win. Reed patent, and the decision of Judge R. C. Grier susping the Roberts' patent they have LOWERED a price of their Torpesbese. TWENTY PER CENT.

that every Operator can afford so try a Torpede

The following is the decision rendered by Judge Orier on the twenty-second (22) day of September, 1800, in the United States Circuit Court at Philadel-phia. The case was argued three days by Charles M. Keller of Kew York, B. F. Lucas and S. A. Pur-viance of Philadelphia, and George H. Christy, of Philadelphia, and George H. Christy, of Pittsburgh, for plaintiff.

OPINION OF JUDGE GRIER.

OPINION OF JUDGE GRIER.

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

The complainant has exhibited a patent dated 28th of April, 1895. 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 Goodyer ve. Day (2 Wal), C. C. Rept. 29.) 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 us to the validity of complainants patent of April 25,1886.

"It was after speculation had been reduced to practice," and siter repeated experiments, that the complainant succeeded in overcoming the projudic and generated the public that his invention was useful; after he had established its great utility and value, and "when his gonius and patient perseverance, in spite of sneares and sooft," were completely sneeessful, that Reed, who had been read 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 tor pedoes, he ambiled on the 1st of November, 1867, for a patent for substantially the same combinations of devices and succline contained in company, or corporation called "The Reed Torpedo Company," for the purpose of pirating the campisinant's invention, and supporting the expense of lingation, and thus defraud him of the fruits. They have persevered, even ster the preliminary injunction very properly granted by the District Judge.

Korz.—The passage referred to by Judge Grier in his former decision, 8 Wallnes, p. 206, adopted as

an account according to the prayer of the bill.

ROTE.—The passage referred to by Judge Grier in his former decision, 8 Wallace, p. 209, alopted 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 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. Philosopiers and mechanicians may have in some measure anticipated in their speculations the possibility or proubility of such discovery or invention; many experiments have been ancessfully tried, coming very near, yet failing short of the desired result. They have produced nothing beneficial. The lavention when perfected may truly be said to be the culminating point of many experiments, not only by the inventor, but by many others, but the may have profited indirectly by the unauccessful experiments and sailures of others, but it gives them no right to offer a short 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 continued experiments, when some new compound, art, manufacture, or machine has been thus produced which is narful to the public, that the party making it becomes a public benefactor and entitled to a patent. "And yet when gualts and patient perseverance have at length succeeded, in apte of success and scoffs, some valuable invention or discovery, how seldom is it followed by reward! Envy robe him of the honor, while speculators, swindless, and pirates to him of the profits. Every one who can invent an improvement or vary its form, clatims a right to pirate the original discovery. We seed not summons Moree, or Blanchard, or Woodworth to prove that this is the usual history of every great discovery or invention.

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

CAU PION.

The public is autioned against employing any at the regulart, authorized Agents of the Compab, since the Roberts Patent cover the use of the
Torpedo and all explosive materials for oil wells,
and the use of such materials by other parties is a
Greet 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
the Course.

and knowledy in defiance of law and the decident of the Course.

The Company have re-organized their bnainess with a view to accommodate Oil Men in every part of the Oil Region. They have employed the most of the Oil Region. They have employed the most officient Agents and Assistants that can be procured for the business. Each Torpedo is labelled with date of patents, 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.

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TY-STEPHEN MOSE. Office, Hamilton's CigarStore, addr. ss Titusville, Pa Assistant John Van
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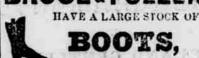
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