

ROBERTS' PETROLEUM TORPEDO.

TORPEDOES. 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 Roberts' Torpedoes, and the late decision of the Commissioner of Patents in favor of Wm. Reed's 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, 1903, 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. Purviance of Pittsburgh, for defendants, and George Harding 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 28th of April, 1893. 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 (3 Wall, C. C. Rep. 229,) 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 28, 1893.

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 the subject, and persuading the public that his invention was useful; after he had established his 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 purchasing one or more complainant's torpedoes, he applied on the 1st of November, 1901, for a patent for substantially the same combination of devices and machinery contained in complainant's patent.

On the 15th of the same month the respondents formed themselves into a company or corporation called "The Reed Torpedo Company," for the purpose of pirating the complainant's invention, and suggesting the expense of litigation, and thus defrauding him of the fruits. They have perjured, 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 prayer of the bill.

R. C. GIER, Judge.

Note.—The passage referred to by Judge Grier in his former decision, 3 Wallace, p. 299, 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 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 experiments have been successfully tried, coming very near, yet falling short of the desired result. They have produced nothing beneficial. The invention which 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 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! Envy robs him of the honor, while speculators, swindlers, and pirates rob him of the profits. Every unsuccessful experimenter who did not 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 summon Morse, or Blanchard, or Woodward to prove that this is the usual history of every great discovery or invention."

"The present case adds another chapter to this long and uniform history."—2 Wallace, C. C. Reports p. 292.

CAUTION.

The public is cautioned against employing any of the regular, authorized Agents of the Company, since the Roberts' Patent covers 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 are 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—STEPHEN COOP, Office, Hamilton's Cigar Store, address Titusville, Pa.; Assistant John Van Sledright.

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

SHAMBURG AND VICINITY—GEORGE IRVIN, Office, Shamburg; residence, Titusville, Pa. Assistant, A. E. West.

ENTREPRENEUR, PLEASANTVILLE, BRANFARM AND PLEASANTVILLE, W. GEO. VAN VLIET, Office and address, Chase House, Pleasantville. Assistant, H. C. Huntington.

TIDIOUT AND WEST HICKORY—CHAS. CLARK, Office and address, Express Office, Tidiout, Pa. Assistant, E. C. Beardsley.

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

TARR AND BLOOD FARMS and District lying on Oil Creek and Cherry Run, from Story Farm to McClintockville—JAMES SAUNDERS, address Story Farm, Pa. Assistant, Luther B. Saunders, Charles E. Cochran and William Hoyt.

McCLINTOCKVILLE, OIL CITY AND RENO—A. S. WEST, address, Oil City or Reno, Pa. Assistant, M. Mead.

FRANKLIN, ALONG THE ALLGHENY RIVER—WILBER, Office and address, Franklin, Pa. Assistant, RICHARD W. RUDFIELD, Office and address, Franklin, Pa. Assistant, R. W. Fortfield, address, Franklin, Pa.

WEST VIRGINIA—C. D. ANGEL, and T. P. COOK, address, Parkersburg, West Virginia.

Roberts' Petroleum Torpedo Co. 100-101.

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Call and we'll Show it

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At Ames'. TITUSVILLE, PA.

Great Reduction! IN STOVES AND TINWARE,

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THE "PEERLESS" IS STILL

Without a Rival in the Stove Market.

We have reduced the price of this favorite stove ten per cent., bringing it within the reach of all.

We have also on hand twenty-five different varieties of

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To which we invite the attention of purchasers. Our prices will be found lower than ever. Every stove warranted.

Call and see us oct15-16. AMES'.

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Has been removed to No. 20 Spring St., AMERICAN HOUSE BLOCK.

A FULL ASSORTMENT OF FINE Liquors and Cigars

will be kept and a continuance of patronage sought for. A comfortable and luxurious

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Has been fitted up in rear of the Store, where my numerous friends and acquaintances are cordially invited to spend their leisure time while stopping in Titusville.

Remember in the American House Building is where you will find

ED. SANDERSON.

Titusville, Pa., Oct. 19, 1870. It

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FOR OIL WELLS, &C.

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ICE COOL SODA WATER FRESH FROM THE FOUNTAIN,

At SIMMONS'.

Call or write to call

"POICKRY!"

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Friends and patrons, one and all. Your attention to my "bitz" I would call;

Times are dull a money tight, But in these times I'm looking for light;

To those who are building rigs without number, I would inform—this is the place to buy Lumber;

My motto is this: "Quick Sales and Small Profit," For business is healthy and I think much of it;

In quality my Lumber is second to none, And for Shingles, I keep No. 1;

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I have good seasoned Lumber, Dressed up nice, Which I will sell at a low cash price;

Such as Floor, Ceiling and Siding, both Rough and Dressed,

Lath, Battens and Surfaced Lumber, all of the best;

I also have Rig Lumber of all kinds. At prices to compare with oil and hard times;

All kinds of Timber kept constantly on hand, And a box of Cigars of a very good brand;

My facilities for selling are surely without number, I always keep good teams to deliver good Lumber;

So if you want Lumber, Rough, Dressed, Soft or Hard, You will find just what you want at L. M. Sternburg's Lumber Yard.

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Notice.—where our Store is, on Main Street, opposite the McClintock House, Petroleum Centre, Pa.

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A full assortment of everything in the Hardware Line

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