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of 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 (#2) day of September, 1860, in the United States Circuit Court at Philadelphia. The case was arened three days by Charles M. Keller of New York, B. F. Lucas and S. A. Purviance of Pilisburgh, for defendants, and George Harding of Paliadelphia, and George H. Christy, of Pittsburgh, for plainteff.

OPINION OF JUDGE GRIERL

Pittsburgh, for plaintes.

OPINION OF JUDGE GRIER.

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

The complainant has exhibited a patent dated 25th of April, 1835. This is prima facic evidence of a good title, and puts on the respondents the burden of proof that the patent is void or worthless.

I nees not repeat my remarks in the case of Goodyser vs. Day [2 Wall, C. C. Rep. 25th, but now adopt them as alfording a ritle 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 complainants patent of April 25, 1858.

"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 cetablished its great utility and value, and "when his genius and patient perseverance, in spite of sincers and scoffs," were complexely successful, that Heed, who had before made experiments on the same subject, and was unsuccessful, imagined that he had the best right to the invention, at after purchasing one or more complainant's tor padoes, he applied on the 1st of November, 1887, for a patent for aubstantially the same combinations of devices and a achimocontained in company or corporation called "The Reed Torpedo Company," for the purpose of pirating the complainant's prevental supervise of pirating the complainant's prepared to take an account according to the mayer of the bill.

Be to device and a schime complainant for a perpetual sujunction, and a Master appointed to take an account according to the mayer of the bill.

Be to define the passage referred to by Judge Grier in his former decision, 3 Wallace, p. 259, adopted as

petual injunction, and a Master appointed to take an account according to the mayer of the bill.

R. C. GRIER, Judge.

Norr.—The passage referred to by Judge Grier in his former decision, 3 Wallace, p. 290, adopted as applicable to this case was as follows:

"It is usually the case, when any valuable discovery is wade, or any new machine of great utility is invented, that the attention of the public has been urned to that subject previously, and that many parsons have been making researches and experiments. Philosophers and mechanicians may have in some measure anticipated in their speculations the possibility or probability of such discovery or avention; many experiments have been successfully tried, coming very near yet failing short of the desired result. They have produced nothing beneficial. The invention what perfected may truly be asked to be the culminating point of many experiments, and only by the inventor, but by many others, the may have predicted indirectly by the measure caseful experiments and failures of others, but it gives then no right to case an a share of the benor of the product of the successful experiments accessful inventor. It is when speculation has been reduced to practice, when experiments abeen perfected by patient and continued experiments, when some new compound, art. maaufacture, 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 parent. "And yet when grains and patient perservamenhave at length succeeded, in spite of sheers and scoffs, some valuable invention or clacovery, how seldomis it followed by reward! Entry robe him of the bonor, while speculators, swindless, and printer to him of the profits. Every unisuccessiful experimenter who did or did not come very mean making a discovery now claims it. Every on who can invent an improvement or vary its form, claims a right to pirate the original discovery. We need not summons showe, or Blanchard, or Woodworth to prove that this is the near history

CAU PION.

The public is autioned against employing any ut the regular, authorized Agants of the Company, since the Roberts Fatent over the use of the Terpeso 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 loats with according to law, and as acting willfully and knowingly in defance of law and the decisions of the Courts

The Co

date at patents, tracther with the price of the Tor-pedo, and signed by an officer of the Company, so every Operator wisning a Torpe do may know its price and whether it came from our office.

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

The following named persons have been appoint-ed Agents and Assistant Agents for the Oil Regions of Pennsylvanis and West Virginia.

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