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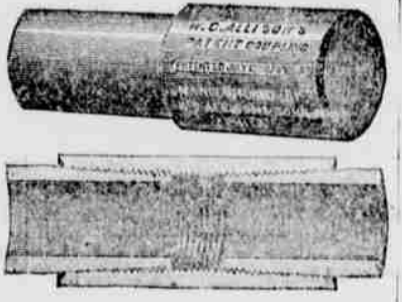
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Our TUBING and CASING are manufactured with great care, expressly for the use of oil producers, being tested at the works before shipment with a pressure of 1,000 lbs. to the square inch.

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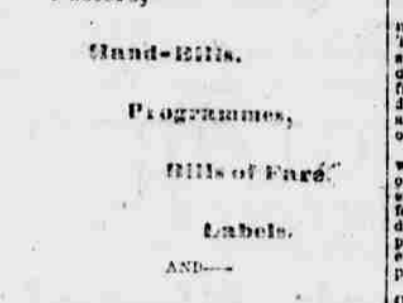
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so that every Operator can afford to try a Torpedo before abandoning a Well.

The following is the decision rendered by Judge Grier on the twenty-second (22) day of September, 1868, in the United States Circuit Court at Philadelphia. The case was argued three days by Charles M. Bell of New York, H. E. Lucas and S. A. Parsons of Philadelphia, for defendants, and George Harding of Philadelphia, and George H. Ashley, of Pittsburgh, for plaintiff.

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 25th of April, 1858. 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 at length remarks in the case of Good year vs. Day (2 Wall, C. C. Rep. 229.) but now adopt them as affording a rule of decision which applies closely to the present case.

As the defendant's patent is admitted, the only question will be as to the validity of complainant's patent of April 25, 1858.

I was after speciality had been reduced to practice, and after repeated experiments, that complainant succeeded in overcoming the prejudice and ignorance of the people on the subject, and persuading the public that his invention was useful. 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 he, who had before made experiments on the same subject, and was unsuccessful, and after purchasing one or more complainant's torpedoes, he applied on the 1st of November, 1867, 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 a company, and a company or corporation could not be formed for the purpose of purchasing the complainant's invention, and supporting the expenses of litigation, and thus defraud him of the fruits. They have succeeded, even after the preliminary injunction very properly granted by the Chief Justice.

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. GRIER, Judge.

NOTE—The passage referred to by Judge Grier in his former decision, 3 Wallace, 259, 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 is first attracted to that subject previously, and that many persons have been making researches and experiments. Philosophers and mechanics may have reasons to assure themselves of the discovery, or may have made many experiments, but they have not been successful. They have produced nothing beneficial. The invention was perfected only by the successful inventor, and it is not only by the inventor, but by many others, as we may have seen, profited indirectly by the successful experiment, and the failure of others, but it gives them no right to 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 continued experiments, when some new compound, art, or machine, or machine has been thus produced which is useful to the community, 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 man of the honor, who speculates, studies, and invents, expects to see the fruits of his labor. Every unsuccessful experimenter who did or did not do, may come very near making a discovery, and yet his name is not known, who can invent a new movement or way of doing, claims a right to share the original discovery. We need not sum up Morse, or Blanchard, or Wood worth 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."—3 Wallace, C. C. Rep. 259.

CAUTION.

The public is cautioned against employing any one but the regular authorized Agents of the Company, since the Roberts' Patent covers the use of the Torpedoes 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 prosecuted according to law, and acting judicially and knowingly in defiance of law and the decision 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 labelled with date of patent, together with the price of the Torpedo, and started by an order 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 Region of Pennsylvania and West Virginia.

- # LIST OF AGENTS.
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T. L. STEPHENSON, 1007, Office, Hamilton's Sign Store, address Titusville, Pa.; Assistant John Van Scriber.
- TITUSVILLE, CHURCH RUN AND VICINITY
T. H. H. THOMAS, Office and address, Main House, Titusville, Pa.
- SHAMBURG AND VICINITY—GEORGE LEVINS, Office, Shamburg; residence, Titusville, Pa.; Assistant, A. A. West.
- LEANSBURG AND VICINITY—GEORGE LEVINS, Office and address, Cress House, Pleasantville, Pa.; Assistant, B. C. Huntington.
- TIDWOT AND WEST HICKORY—CHARLES CLARK, Office and address, Express Office Tidwot, Pa.; Assistant, E. C. Boardley.
- PETROLEUM CENTRE AND VICINITY—LEVIN MASON, Office and address, Petroleum Centre, Pa.; Assistant, Charles Biles, District Agent.
- PARR AND BLOOD FARMS and District lying on Oil Creek and Cherry Run, from Story Farm to McClintockville—JAMES SAUNDERS, address, Parr Farm, Pa.; Assistant, Luther B. Saunders, Charles R. Cochran and William Hoyt.
- McCLINTOCKVILLE, OIL CITY AND RENO—A. S. W. BURN, address, Oil City or Reno, Pa.; Assistant, J. M. BURN.
- FRANKLIN, ALONG THE ALLEGHENY RIVER—E. A. CLARK, Office and address, Franklin, Pa.; Assistant, R. B. FARMER, FRANKLIN, Pa.; Assistant, RICHARD W. RUFFIELD, Office and address, Richwood, Pa.; Assistant, R. W. FORT, address, Emmonston, Pa.
- WEST VIRGINIA—C. D. ANGEL and T. F. OOK, address, Parkersburg, West Virginia.
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