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OPINION[OF JUDGE GRIER

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

The complainant has exhibited a patent due both of April, 1803. This is prima facto evidence a good title, and puts on the respondents the beden of proof that the patent is void or worthles.

I need not repeat my remarks in the case of Goodysar vs. Day (2 Wall, C. C. Rep. 22%), but we stoot thom as affording a rule or decision which piles clearly to the present case.

As the infringement of the patent is admitted the only question will be as to the validity of conplainants patent of April 25, 1888.

"I was after speculation had been reduced to practice." and after repeated experiments, that the complainant succeeded in over coming the printic and ignorance of the people on the subject, and complainant succeeded in over coming the printic and ignorance of the people on the subject, and with his genies and petent perseverage, in spite o analys and section," were completely successful, that Need, who had before made experiments on the same subject, and was unsuccessful and after burchasing one or more complainant's two pedoes, he applied on the 1st of November, 185, for a patent for substantially the same combinations of devices and machine contained in complait, and after burchasing one or more complainant's two pedoes, he applied on the 1st of November, 185, for a patent for substantially the same month the spondents formed themse lives into a compant second of the purpose of pirating the compant second of the second of the purpose of pira

an account accordingly to the payer of theshill.

Not:—The passage referred to by Judge Grier in his farrier decis on, I Wallare, p. 299, adopted as applicable to the case, when any valuable discovery in made, or any new machine of great unity in invanted, that the attention of the public has been threated to that subject previously, and that many persons have been making researches and experiments. Púllosophers and mechaniclans may law in some fleasure anticipated in their speculations the possibility or probability of such discovery or investion; many experiments have been successful titled, doming very near, yet fulling short of the desired result. They have produced nothing beneficial. The invention when perfected may truly said to be the eminimating point of many experiments, not only by the inventor, but of many experiments, not only by the inventor, but of many experiments, not only by the inventor. He may have profited indirectly by the ensances of the many into the profit of the successful inventor. It is when speculation har been reduced to practice, when the profit of the successful inventor. It is when speculation har been reduced to practice, when the periment has resulted in discovery, and when the discovery has been perfected by patient and continued experiments, when some new compound, at manufacture, or machine has been thus produced which is useful to the public, that the party making becomes a public benefactor and entitled to a patent, and yet when genius and patient persevention have at length successed, in apits of succession superiments, when some new compound, at manufacture, or machine has been thus produced which is useful to the public, that the party making becomes a public benefactor and entitled to a patent, and yet when genius and patient persevention have the honor, while speculators, invindents and experiments who did or did or did not come very near machine in the profits. Every one who can invent an improvement or vary its formation of the profits of successful experiments, wh

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