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Owing to the large and increasing demand for the Roberts' Torpedoes, and the late decision of the Commission of Patents in relation to Wm. Reed's patent, and the decision of Judge P. C. Greer 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 Greer on the twenty-second (22) day of September, 1889, in the United States Circuit Court at Philadelphia. The case was argued three days by Charles M. Keller of New York, B. F. Lyons and S. A. Purviance of Pittsburgh, for defendants, and George Harding of Philadelphia, and George H. Christy, of Pittsburgh, for plaintiff.

# OPINION OF JUDGE GREER

As I write with difficulty I can only state the conclusions to which my mind has come after a careful examination of this case in relation to the Roberts' Torpedo. The complaint has exhibited a patent dated 25th of April, 1885. 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 (2 Wall, C. C. Rep. 479) 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 the complainant's patent of April 25, 1885.

"I was after speculation had been reduced to practice," and after repeated experiments, that the complainant succeeded in over coming the prejudice of the masses of the people on the subject, and re-creating the public that his invention was useful after he had established its great utility and value and "when his genius and patient perseverance, in spite of sneers and scolds, were completely successful, that Reed, 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, 1887, for a patent for substantially the same combination of devices and machine components as 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 bringing the complainant's invention, and supporting the expense of litigation, and thus defrauding him of the fruits. They have prevailed, even after the preliminary injunction was properly granted by the District Judge.

Let a decree be entered for contempt for a premeditated infringement, and a Master appointed to take an account accordingly of the parties of the fact.

R. C. GILLEN, Judge.

NOTE.—The passage referred to by Judge Greer in his former decision, 3 Wallace, p. 229, adopted an application 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 attracted to that subject, and that many persons have been making researches and experiments. Philosophers and merchants may have become measure anticipated in their speculations on 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 when 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 successful experiments and failures of others, but he gives them no right to claim a share of the honor or 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 component, or new manufacture, or machine has been produced which is useful to the public, that the inventor becomes a public benefactor and entitled to a patent. It is when such a case is presented, and patient perseverance has at length succeeded, in spite of sneers and scolds, some valuable invention or discovery has been made, and the inventor has been successful in his efforts, that he is entitled to the honor, while speculators, swindlers, and impostors, who have profited by the success of the inventor, but who did not do any work, or who have not made any discovery, now claim it. Every man who makes an improvement or varies his machine, claims a right to praise the original discovery, and would not summon Morse, or Blanchard, or Wood, to prove that this is the usual history of every great discovery or invention. Let the present case be another chapter to the long and sad history."—2 Wallace, C. C. Rep. p. 479.

# CAUTION.

The public is cautioned against employing any other regularly 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 party guilty of such infringement will be prosecuted, and will be liable according to law, and as well as willfully 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 obtained for the business. Each Torpedo is labeled with the date of patents, together with the name of the Company, and signed by an officer of the Company, and every Operator who purchases a Torpedo may know the price and whether it came from our office. Operators will confer a favor by reporting to this Office any negligence of Agents.

# LIST OF AGENTS.

- TITUSVILLE, CHURCH RUN AND VICINITY—STEPHEN G. GOR, Office, Hamilton's Light Store, address Titusville, Pa. Assistant John V. Seiver.
- TITUSVILLE, CHURCH RUN AND VICINITY—TY-B. H. THOMAS, Office and address, Meadson Home, Titusville, Pa.
- SHAMBURG AND VICINITY—GEORGE I. VIN, Office, Shamburg; residence, Titusville, Pa. Assistant, A. A. West.
- MEADVILLE AND VICINITY—W. G. VALENTINE, Office and address, Chesapeake Hotel, Meadville, Pa. Assistant, H. C. Huntington.
- TIDWATER AND VICINITY—HICKORY—CLARK, Office and address, E. C. Beardsley, Meadville, Pa. Assistant, H. C. Huntington.
- PETROLEUM CENTRE AND VICINITY—LEWIS MASON, Office and address, Petroleum Centre, Pa. Assistant, Charles Backlund.
- TARR AND BLOOD FARM AND DISTRICT—TARR AND BLOOD FARM, from Story Farm, Meadville, Pa. Assistant, Luther B. Saunders.
- JARR FARM, Pa. Assistant, William Hoyt.
- CLARK'S COACH AND WILLIAM HOYT'S—MCCLECKOCKVILLE, OIL CITY and RENO, Pa.—A. S. WEST, Address, Oil City or Reno, Pa. Assistant, H. Mead.
- FRANKLIN, ALONG THE ALLEGHENY RIVER—Z. WILBER, Office and address, Franklin, Pa. Assistant, FOSTER FARM & PARKER'S CORNER, RICHARD W. REDFIELD, R. W. LAND, Office and address, Meadville, Pa. Assistant, H. W. Redfield, address Elkton, Pa.
- WEST VIRGINIA—C. D. ANGEL, and T. OOK, Address, Parkersburg, West Virginia.
- Roberts Petroleum Torpedo Co. may 24.