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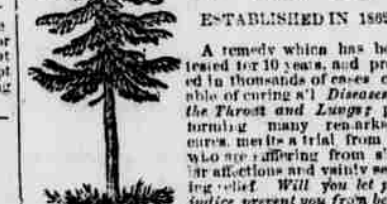
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The RECORD has no superior, as it circulates wherever an Oil Operator or Dealer can be found.

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Owing to the large and increasing demand for the Roberts Torpedoes, and the late decision of the Commissioner of Patents in refusing to Wm. Reed a patent, and the decision of Judge F. C. 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, 1886, 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. Parnance of Pittsburgh, for defendants, and George Harding of Philadelphia, and George H. Christy, of Pittsburgh, for plaintiffs.

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 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. Reps. 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 25, 1885.

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 its 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, and after purchasing one or more complainant's torpedoes, he applied on the 1st of November, 1881, 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 themselves into a company or corporation called "The Reed Torpedo Company," for the purpose of paying the complainant's invention, and supporting the expense of litigation, and thus depriving him of the fruits. They have thus succeeded, even after the preliminary injunction was properly granted by the district Judge.

Let a decree be entered for complainant for a perpetual injunction; and a Master, appoint to take an account according to the payer of the bill.

B. C. GRIER, Judge.

NOTE.—The passages referred to by Judge Grier in his former decision, 5 Wallace, p. 229, adopted as applicable to this case, are 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 but failures. The invention which, perfected may only be said to be the culminating point of many experiments, not only by the inventor, but by many others. It 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 fruit of the successful inventor. It is when speculation has been reduced to practice, when experiments have resulted in discovery and when that discovery has been perfected by patient and continued experiments, when some new compound, or 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 some one has spent 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 plotters rob him of the profits. Every unscrupulous experimenter who did or did not come very near making a discovery, or who claims it, Every one who can invent an improvement or vary its form, claims a right to appropriate the original discovery. We need not summon Morse, or Blanchard, or Wood worth to prove that this is the usual history of every great discovery or invention.

CAUTION.

The public is cautioned against employing any of the regular authorized Agents of the Company, since 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 who are induced to employ any other parties will be liable according to law, and are settling 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 labelled with the date of patent. Each Torpedo is labelled with the name of the inventor, and the name of the Company, and signed by an officer of the Company, and 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 or Assistants. The following named persons have been appointed Agents and Assistants Agents for the Oil Region of Pennsylvania and West Virginia.

LIST OF AGENTS.

- TITUSVILLE, CHURCH RUN AND VICINITY—STEPHEN COFF, Office, Hamilton's Corner, address Titusville, Pa., Assistant John Van Sever.
- TITUSVILLE, CHURCH RUN AND VICINITY—H. H. THOMAS, Office and address, Main Street, Titusville, Pa.
- SHAMBERG AND VICINITY—GEORGE H. VALENTINE, Office, Shamberg; residence, Titusville, Pa. Assistant, A. A. West.
- ENTRANCE FLEMINGVILLE, BEAN FARM AND PITTSBURGH, W. GEO. VAN VLIET, Office and address, Case House, Flemingville, Pa. Assistant, H. C. Huntington.
- TIDWORTH AND WEST HICKORY—CHAS. CLARK, Office and address, Exp. Co. Office, Tidworth, Pa. Assistant, E. C. Beatley.
- PETROLEUM CENTRE—ALBERT VICTORY—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 Tarr Farm, Pa. Assistant, Luther B. Saunders.
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- FRANKLIN, ALONG THE ALLEGHENY RIVER—ER-Z WILBER, Office and address, Franklin, Pa. Assistant, W. H. REIFELDER, Office SCHURB ASS FARM & PA. Assistant, H. W. LANDING—H. W. LANDING, Office and address, Eastman, Pa.
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