

BERTS PETROLEUMTORPEDO CO
TORPEDOES.
THE ROBERTS
PETROLEUM TORPEDO CO.
 Office at the
RED PLANING MILL
 Cor. of Pine and Second Streets,
 (Near the Railroad.)
TITUSVILLE, PA.

Owing to the large and increasing demand for the Roberts' Torpedoes, and the late decision of the Commissioner of Patents in refusing to Wm. Head a patent, and the decision of Judge Grier in 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 (22d) day of September, 1890, 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. Purvance of Pittsburgh, for defendants, and George Harding of Philadelphia, and George H. Christy, of Pittsburgh, for plaintiff.

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. Rep. 233) 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 first stipulated and then proved, that the complainant succeeded in ever securing the public and ignorance of the people on the subject, and remaining 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 Head, 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 contained in complainant's patent. On the 16th of the same month the respondents formed themselves into a company or corporation called "The Head Torpedo Company," for the purpose of putting the complainant's invention, and supporting the expenses of litigation, and thus defraud him of the fruits. They have persevered, even after the preliminary injunction very properly granted by the District Judge.

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

B. C. GRIER, Judge.

NOTE—The passage referred to by Judge Grier in his former decision on 3 Wallace, p. 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 has been directed 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 may have been successfully tried, and many a man, 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. They may have profited indirectly by the successful experiments and failures of others, but it gives them no right to claim 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, machine, or machine has been discovered, which is useful to the public, that the party entitled 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 the envy and jealousy of the honor, while successful experimenters and plunders rob him of the profits. Every successful experimenter who did or did not come very near making a discovery now claims it. Every one who can invent an improvement or vary its form, claims a right to share the original discovery. We need not recount those, 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."—2 Wallace, C. C. Reports, p. 2.

CAUTION.

The public is cautioned against employing any of 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' PATENT will be dealt with according to law, and as acting 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 labeled with the date of patent, together with the price of the Torpedo, and signed by an officer 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 notices 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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TITUSVILLE, CHURCH RUN AND VICINITY—H. H. THOMAS, Office and address, Main Street, Titusville, Pa.

SHAMBURG AND VICINITY—GEORGE IRVING, Office, Shamburg, residence, Titusville, Pa.

ASSISTANT, A. A. WEST.

ENTERPRISE, PLEASANTVILLE, BEAN FARM AND PIPPOLE W. GEO. VAN VLIET, Office and address, Chase House, Pleasantville, Assistant, H. C. Hamilton.

PIEDMONT AND WEST HICKORY—CHAS. CLARE, Office and address, Express Office, Third Street, Pa.; Assistant, E. C. Bowdler.

PETROLEUM CENTRE AND VICINITY—LEVI MASON, Office and address, Petroleum Centre, Pa.; Assistant, Charles H. Bradford.

TARE AND BLOOD FAIGMS AND DISTRICT lying on Oil Creek and Cherry Run, from Day's Farm to Acclintonsville—JAMES HANCOCK, Address Day's Farm, Pa.; Assistant, Luther B. Saunders, Charles B. Cochran and William Hunt.

McMILLOCKVILLE, OIL CITY AND RENO—A. S. WEST, Address, Oil City or Reno, Pa.; Assistant, S. Mand.

FRANKLIN, ALONG THE ALLEGHENY RIVER—W. WILSON, Office and address, Franklin, Pa.

SOUTH FORK, ROBERT FARM & PARKERS—LANDING—HUGHARD W. REDFIELD, Office and address, Scrubgrass, Pa.; Assistant, H. W. Wolfeld, address Emulation, Pa.

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Oil City, 7 15 a.m.	9 30 a.m.	9 30 p.m.
Franklin, 8 05 a.m.	10 25 a.m.	8 05 p.m.
Foster, 8 55 a.m.	11 15 p.m.	4 55 p.m.
Scrubgrass, 8 55 a.m.	W.P. June 4 30 p.m.	7 35 p.m.
Emulation, 9 55 a.m.	Pittsburgh 6 03 a.m.	8 55 p.m.
Foxburg, 10 05 a.m.		
Parker, 10 15 a.m.		
Oil City & Kittanning		
Oil City, 4 00 p.m.	Night Ex.	9 30 p.m.
Franklin, 4 30 p.m.		10 30 p.m.
Foster, 5 00 p.m.	Parler,	1 05 a.m.
Scrubgrass, 5 25 p.m.	W.P. June, 4 30 a.m.	
Parker, 7 05 p.m.	Pittsburgh 6 40 a.m.	
Brady's Bend, 8 00 p.m.		
Kittanning, 9 15 p.m.		
GOING NORTH.		
Parlor Acorn.	Mail.	Day Ex.
Oil City, 9 15 p.m.	7 25 p.m.	5 25 p.m.
Franklin, 8 35 p.m.	6 35 p.m.	1 25 p.m.
Foster, 8 05 p.m.	Foster, 4 30 p.m.	11 01 a.m.
Scrubgrass, 7 34 p.m.	W.P. June 1 40 p.m.	9 10 a.m.
Emulation, 6 25 p.m.	Pittsburgh 11 50 a.m.	7 50 a.m.
Foxburg, 6 30 p.m.		
Parker, 6 40 p.m.		
Oil City & Kittanning		
Oil City, 12 30 p.m.	Night Ex.	9 45 a.m.
Franklin, 11 40 a.m.		5 0 a.m.
Foster, 11 15 a.m.	Parler,	9 15 a.m.
Scrubgrass, 10 55 a.m.	W.P. June, 10 25 p.m.	
Parker, 9 15 a.m.	Pittsburgh, 8 30 p.m.	
Brady's Bend, 8 15 a.m.		
Kittanning, 7 05 a.m.		

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