## TORPEDOES THE ROBERTS PETROLEUM TORPEDO CO.

Office at the

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Oor er of Pine and Second Streets, (Near the Hailroad,)

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. Reed a patent, and the decision of Judge P. C. Grier sus-taining the Roberts' patent they have LOWERED the price of their Torpedoes

TWENT'S 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, 1898, in the United States Circuit Court at Philadelphia. The case was argued three days by Charles M. Keller of New York, S. F. Lucas and S. A. Purviance of Pittsburgh, for defendants, and George Harding of Palianciphia, and George H. Christy, c. 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 carefu examination of this case.

The complainant has exhibited a patent dated 50th of April, 1855. 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 repect my remarks in the case of Goodyear vs. Day (2 Well, C. C. Rep., 1295.) 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 complainants patent of April 25, 1858.

"I was after speculation had been reduced to practice." and after repeated experiments that the complainant succeeded in over coming 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 genine and patient perseverance, in spite o, sneers and scolls," were completely successful, that Reed, who had before made experiments on the same subject, and was unsucceesful and after brachasing one or more complainant' storpedoes, he applied on the list of November, 1867, for a patent () on the 18th of the same month the respondents formed themselves into a company or cor, existing called "The Reed Torpedo Company, for the purpose of p rating the complainant is in vention, and supporting the expense of litigation, and injunction, and supporting the expense of litigation, and injunction, and a Master, appoint to take an account accordingly to the payer of theibill.

Notz.—The passage referred to by Judge Grice in his former decision. It was a reason a continuation of the first. They have persent and some account accordingly to the payer of theibill.

An account accordingly to the paver of theshill.

R. C. GRIER, Judge.

Notz.—The passage referred to by Judge Gries in his former decia'on, 8 Wailace, p. 229, 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 beer turned to that subject previously, and that many persons have been making researches and experiments. Philosophers and mechanicians may have in some measure amticipated 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 beneficial. The invention when perfected may truly be asid to be the cuiminating point of many experiments, not only by the inventor, but by many othors. He may have profited indirectly by the insuccessful experiments and failures of others, but it gives then no right to clear a share of the henor 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 may continued experiments, when some new compound, art 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 genius and patient perseverance have at length successful. Revery unsuccessful experiments who did or do 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 pirace the original discovery. We need not summons 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."—2 Wallace, U. U. Re port p. 24\*

CAU PION.

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Operators will confer a favor by reporting to this Office any negfigence of Agents.

The following named persons have been appointed the following named persons have been appointed to the contagent of the Company and Propagation of Pennsylvania and West Virginia.

On and after Monday, Nevember 20, 1871.

On and after Monda	y, November 20, 1	871.
GOING	SOUTH.	to Table 2 to make a
Parker Accm.	Mnil.	Day E:
Oll City 7.15 am	9 45 a.m.	2 25 p r
Franklin, 8 00 a m	10 25 a m	3 02 p r
Foster, 8 26 am P	arker 12 20 p m	4 50 p t
Scrubgrass, 8 55 a m' W	P June 4 40 p m	7 80 p 1
Emlenton, 9 55 a m Pi	ttsburgh 6 00 a m	8 55 p r
Oil City 7 15 a in Franklin, 8 00 a m Foster, 8 26 a m P Scrubgrase, 8 55 a m W Emienton, 9 55 a m Pi Poxburg, 10 65 a m Parker, 10 15 a m	*******	******
Parker, 10 15 n m	*****	*******
Oll City a	Kittanning	
Acc	om	Night E

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Accom Night Ex. 12 20 pm 6 45 a m 11 40 a m 5 00 a m 11 15 a m Parker 2 15 a m 10 37 a m W P June'n, 10 36 pm 5 25 a m Pitisburgh, 8 10 pm 5 25 a m

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