

UNITED STATES OF AMERICA v. OREGON WHOLE-
SALE GROCERS' ASSOCIATION ET AL.,
DEFENDANTS.

IN THE DISTRICT COURT OF THE UNITED STATES IN
AND FOR THE DISTRICT OF OREGON.

In Equity No. E-8700-34.

UNITED STATES OF AMERICA, COMPLAINANT

v.

OREGON WHOLESALE GROCERS' ASSOCIATION, A VOLUN-
tary association, Lang & Company, Mason, Ehrman
& Company, Wadhams & Kerr Bros., Hudson &
Gram Co., Wadhams & Co., Allen & Lewis, T. W. Jen-
kins & Co., corporations, Roscoe C. Nelson, Isadore
Lang, Louis Lang, Henry Lang, Edward Ehrman,
Joseph Ehrman, Sol W. Ehrman, S. Mason Ehrman,
A. W. Hay, Samuel C. Kerr, Alexander H. Kerr,
Frank R. Kerr, Robert A. Hudson, Max B. Godfrey,
Fred T. Gram, Henry Hahn, Julius Durkheimer, S. F.

Durkheimer. L. Allen Lewis, C. H. Lewis. Frank A. Spencer] Forrest S. Fisher, A. H. Compton, Albert E. Jenkins, Edwin J. Hall, E. B. London, and Hopkin Jenkins, individuals, defendants.

FINAL DECREE.

The United States of America having filed its petition herein on the twenty-ninth day of September, 1924, and all of the defendants having duly appeared by Messrs. Dey, Hampson & Nelson, their solicitors of record, and having answered, and the cause being now at issue on the petition and answer;

Now comes the United States of America by George Neuner, its attorney for the District of Oregon, and by C Stanley Thompson and H. H. Atkinson, Special assistants to the Attorney General, and come also all of the defendants herein by their solicitors as aforesaid, and it appearing to the Court that the Court has jurisdiction of the subject matter alleged in the petition and that the petition states a cause of action, and the petitioner having moved the Court for an injunction against the defendants as hereinafter decreed, and the Court having duly considered the statements of counsel for the respective parties and all of the defendants through their said solicitors now and here consenting to the rendition of the following decree;

Now, therefore, it is ordered, adjudged and decreed as follows:

I

That the combination and conspiracy in restraint of interstate trade and commerce and the acts, agreements and understandings in restraint of interstate trade and commerce, as such combination, conspiracy, acts, agreements and understandings are described in subparagraphs (c), (d), (e) and (h) of Paragraph IV of the petition herein, and the restraint of such trade and commerce obtained thereby are violative of the Act of Congress of July 2, 1890, entitled "An Act to protect trade

and commerce against unlawful restraints and monopolies" known as the Sherman Anti-Trust Act.

II

That the defendants and each of them, and their members, officers, agents, servants and employees, and all persons acting under, through, by or in behalf of them, or any of them, or claiming so to act, be and they are hereby perpetually enjoined, restrained and prohibited from agreeing, combining or conspiring, directly or indirectly, among themselves or with others, and from continuing any such agreement, combination or conspiracy,

(a) to do any act or thing whatsoever, designed, or the reasonably-to-be expected effect of which would be, to deter, prevent or discourage by boycott, intimidation, withdrawal of patronage or other coercive acts whatsoever, or threat of the same, any manufacturer, or producer of groceries or other like articles, without the State of Oregon, from shipping, transporting or selling such groceries or other like articles to any customer or person, or to any class of customers or persons, within the State of Oregon;

(b) to aid, abet or assist, directly or indirectly, each other or others, to do any or all of the matters or things hereinbefore set forth and enjoined.

III

That each of the remaining prayers of the complaint filed herein is hereby denied in view of the statement of Government counsel that the evidence at hand does not show restraint of interstate trade and commerce by the other means alleged.

IV

That neither the complainant nor the defendants have or recover the costs in this cause expended.

Dated at Portland, Oregon, June 4, 1926.

(Signed) CHAS. E. WOLVERTON,
Judge, United States District Court.