

UNITED STATES v. TRANS-MISSOURI FREIGHT
ASSOCIATION.

IN THE CIRCUIT COURT OF THE UNITED STATES
FOR THE
DISTRICT OF KANSAS

UNITED STATES OF AMERICA
VS.

THE TRANS-MISSOURI FREIGHT ASSOCIATION ET AL.

Civil No. 6799.

This cause having been heretofore, to wit, on the 1st day of August, 1892, submitted on bill and the answers of the several defendants thereto, and argued by counsel for the respective parties and taken under advisement by the court;

Now, therefore, on consideration thereof, it is ordered, adjudged, and decreed that the complainant's bill of complaint be, and the same is hereby, dismissed.

JOHN A. RINER, *Judge.*

Filed November 28, 1892.

UNITED STATES OF AMERICA, DISTRICT OF KANSAS.

At a term of the Circuit Court of the United States of America, for the District of Kansas, began and held at the city of Leavenworth, in said district, on Monday the 7th day of June, A. D. 1897, proceedings were had and appear of record in words and figures as follows, to wit:

Civil 6799

MONDAY, JUNE 7, 1897.

THE UNITED STATES OF AMERICA, COMPLAINANT,

VS.

THE TRANS-MISSOURI FREIGHT ASSOCIATION, THE ATCHISON TOPEKA & SANTA FE RAILROAD COMPANY, THE CHICAGO, ROCK ISLAND & PACIFIC RAILWAY COMPANY, THE CHICAGO, ST. PAUL, MINNEAPOLIS & OMAHA RAILWAY COMPANY, THE BURLINGTON AND MISSOURI RIVER RAILROAD COMPANY IN NEBRASKA, THE DENVER & RIO GRANDE RAILROAD COMPANY, THE DENVER & RIO GRANDE WESTERN RAILWAY COMPANY, THE FREMONT, ELKHORN AND MISSOURI VALLEY RAILROAD COMPANY, THE KANSAS CITY, FORT SCOTT AND MEMPHIS RAILROAD COMPANY, THE KANSAS CITY, ST. JOSEPH AND COUNCIL BLUFFS RAILROAD COMPANY, THE MISSOURI PACIFIC RAILWAY COMPANY, THE SIOUX CITY & PACIFIC RAILROAD COMPANY, THE ST. JOSEPH & GRAND ISLAND RAILROAD COMPANY, THE ST. LOUIS & SAN FRANCISCO RAILWAY COMPANY, THE UNION PACIFIC RAILWAY COMPANY, THE UTAH CENTRAL RAILWAY COMPANY, THE MISSOURI, KANSAS & TEXAS RAILWAY COMPANY, THE CHICAGO, KANSAS & NEBRASKA RAILROAD COMPANY, AND THE DENVER, TEXAS & FORT WORTH RAILROAD COMPANY, DEFENDANTS.

DECREE.

This cause came on to be heard at this term, and was argued by counsel, and thereupon, upon consideration thereof, it was ordered, adjudged, and decreed as follows, viz:

That the defendants, the Missouri, Kansas & Texas Railway Company, the Chicago, Kansas & Nebraska Railway Company, and the Denver, Texas & Fort Worth Railroad Company having filed answers denying that they were members of the Trans-Missouri Freight Association and said answers not being controverted, the bill as to said defendants last named is dismissed.

It is further ordered, adjudged, and decreed that the Trans-Missouri Freight Association be, and the same

hereby is, dissolved, and the contract or memorandum of agreement of March 15, 1889, partially set out in the bill, and full copy of which is attached to the answer of the Atchison, Topeka & Santa Fe Railroad Company, be, and the same hereby is, annulled and held for naught; and the said defendants, the Atchison, Topeka & Santa Fe Railroad Company; the Chicago, Rock Island & Pacific Railway Company; the Chicago, St. Paul, Minneapolis & Omaha Railway Company; the Burlington & Missouri River Railroad Company in Nebraska; the Denver & Rio Grande Railroad Company; the Denver & Rio Grande Western Railway Company; the Fremont, Elkhorn & Missouri Valley Railroad Company; the Kansas City, Fort Scott & Memphis Railroad Company; the Kansas City, St. Joseph & Council Bluffs Railroad Company; the Missouri Pacific Railway Company; the Sioux City & Pacific Railroad Company; the St. Joseph & Grand Island Railroad Company; the St. Louis & San Francisco Railway Company; the Union Pacific Railway Company; and the Utah Central Railway Company, and all and each of them, be, and they hereby are, forever enjoined and prohibited from further agreeing, combining, conspiring, or acting together to maintain rules, regulations, and rates for carrying freight upon their several lines of railroad so as to hinder trade and commerce between the States and Territories of the United States, and that said defendants last named, and each of them, be, and they hereby are, perpetually enjoined and prohibited from entering into, or continuing in, any combination, association, or conspiracy to deprive the people engaged in trade and commerce between and among the States and Territories of the United States of such facilities and rates and charges of freight transportation as will be afforded by free and unrestrained competition between the several lines of railroad owned or operated by said last-named defendants; and that said last-named defendants, and each of them, be, and they hereby are, perpetually enjoined and prohibited from agreeing, combining, conspiring, or acting together to monopolize the freight traffic arising from the trade and commerce between the

States and Territories of the United States; and from agreeing, combining, conspiring, or acting together to prevent either or any of their codefendants or any other carrier of freight traffic from carrying and transporting freight and commodities in the trade and commerce between the States and Territories of the United States at such rates as shall be voluntarily fixed by the officers and agents of each of said defendants acting independently and separately in its own behalf.

And it is further ordered, adjudged, and decreed that the complainant have and recover from the defendants its costs in this behalf expended, taxed at _____ dollars, and that unless the same be paid within 90 days from this date that an execution issue therefor.

CASSIUS G. FOSTER, *Judge.*
