

UNITED STATES OF AMERICA vs. NORTHWEST  
SHOE FINDERS CREDIT BUREAU, ET AL.

IN THE DISTRICT COURT OF THE UNITED STATES FOR  
THE WESTERN DISTRICT OF WASHINGTON, NORTHERN  
DIVISION.

In Equity No. 579.

UNITED STATES OF AMERICA, PLAINTIFF

VS.

NORTHWEST SHOE FINDERS CREDIT BUREAU, A VOLUNTARY association; Duncan & Sons, Inc., a corporation; Northwest Leather Company, a corporation; Jacob Olswang, Harry Olswang, and Arthur Olswang, copartners doing business as Olswang & Sons; J. M. Arensberg; F. Kuchera & Son Co., a corporation; Stephen M. Osborne; James Alexander Duncan; The Breyman Leather Company, a corporation; Marshall-Wells Company, a corporation; and The George Lawrence Company, a corporation, defendants.

DECREE.

The United States of America, having filed its petition herein on the 29th day of March, 1927, and the defend-

ants, Northwest Shoe Finders Credit Bureau, a voluntary association; Duncan & Sons, Inc., a corporation; Northwest Leather Company, a corporation; Jacob Olswang, Harry Olswang, and Arthur Olswang, co-partners doing business under the firm name and style of Olswang & Sons; J. M. Arensberg; F. Kuchera & Son Co., a corporation; Stephen M. Osborne; James Alexander Duncan; The Breyman Leather Company, a corporation; Marshall-Wells Company, a corporation; having duly appeared by their respective attorneys:

This cause came on to be heard before the above entitled Court, the Honorable Jeremiah Neterer presiding, on the 11th day of January, A. D. 1928; Thomas P. Revelle, United States Attorney for the Western District of Washington; C. Stanley Thompson and R. P. Stewart, Special Assistants to the Attorney General, appearing on behalf of the United States of America, and Jay C. Allen, Roberts & Skeel and Elwood Hutcheson, Emmons, Lusk & Bynon, William B. Layton and Chriss A. Bell appearing, respectively, on behalf of the several defendants;

And it appearing to the court that the petition herein states a cause of action and that the court has jurisdiction of the subject matter alleged in the petition; and the United States of America having moved the court for an injunction and for other relief against the defendants as hereinafter decreed; and the court having fully considered the statements of counsel for the respective parties; and the court being fully advised in the premises; and all of the defendants through their said attorneys, now and here consenting to the rendition and entry of this decree;

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

That the defendants, their officers, agents, servants, and/or employees be, and they are hereby, perpetually enjoined and prohibited:

(a) From agreeing or contracting together, or with one another, orally or in writing, expressly or impliedly, directly or indirectly, to fix, and/or to establish, and/or

to maintain, prices, terms, or conditions on which the commodities described in the petition herein, or any of them, shall be sold to retail dealers in said commodities.

(b) From agreeing or contracting together, or with one another, orally or in writing, expressly or impliedly, directly or indirectly, to establish, use or maintain rules or regulations of any character restrictive of competition between the defendants, or any of them.

(c) From agreeing among themselves, or with one another expressly or impliedly, directly or indirectly, to threaten to discriminate against, and/or from agreeing among themselves, or with one another, expressly or impliedly, directly or indirectly, to discriminate against any person or corporation doing business as a wholesale dealer in the commodities described in the petition herein, or any of them, who is not a member of the defendant association, or of any similar association, or whom being a member of the defendant association, does not abide by its by-laws, rules, understandings, agreements, policies, or practices.

(d) From agreeing or contracting together, or with one another, orally or in writing, expressly or impliedly, directly or indirectly, to coerce, and/or from so agreeing or contracting to require, manufacturers of the commodities described in the petition herein, or any of them, to exclude from the purchases and sales of said commodities, or any of them, any person, persons, corporation or corporations, engaged in business as wholesale dealers in competition with the said defendants, or any of them.

(e) From agreeing and contracting together, or with one another, orally or in writing, expressly or impliedly, directly or indirectly, to withhold the patronage of said defendants, or any of them, from any manufacturer of said commodities described in the petition herein by reason of or on account of such manufacturer having sold or supplied any of the commodities described in the petition herein to the wholesale dealers hereinbefore referred to, or any of them, or to any other person and/or cor-

poration now or hereafter engaged in business as a wholesale dealer in said commodities in competition with the defendants, or any of them.

(f) From agreeing and contracting together, or with one another, orally or in writing, expressly or impliedly, directly or indirectly, to conduct the said businesses of the said defendants in accordance with a plan or plans involving the purchasing of the commodities described in the petition herein, by the said defendants, only from manufacturers who have refrained or who hereafter refrain from supplying said commodities to any person, firm, or corporation, now or hereafter engaged in business as a wholesale dealer in said commodities in competition with the defendants, or any of them.

(g) From agreeing to send and/or from sending by concerted action or in pursuance of an agreement with one another, oral or in writing, to manufacturers, or their agents, engaged in selling and transporting the commodities described in the petition herein, among the several states, communications, oral or written, suggesting directly, or indirectly, that said manufacturers or their agents, shall refrain from selling said commodities described in the petition herein to any person, firm, or corporation now or hereafter engaged in business as a wholesale dealer in said commodities, in competition with the defendants, or any of them.

(h) From directly or indirectly carrying out or continuing in effect any by-laws, agreements, or contracts, and from making any express or implied agreements or contracts with one another similar to those alleged in the petition herein, the effect of which would be to prevent the free and unrestrained flow of interstate commerce in said commodities.

(i) That jurisdiction of this cause is hereby retained for the purpose of giving full effect to this decree, and for the purpose of making such other and further orders, decrees and amendments or modifications, or taking such other action, if any, as may be necessary or appropriate

to the carrying out and enforcement of said decree; and for the purpose of enabling any of the parties to this decree to make application to the court at any time for such further orders and directions as may be necessary or proper in relation to the execution of the provisions of this decree, and for the enforcement of strict compliance therewith.

Dated this 11th day of January, 1928.

JEREMIAH NETERER,  
*United States District Judge.*