

UNITED STATES vs. KLAXON COMPANY.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF NEW JERSEY.

Equity No. 2005.

THE UNITED STATES OF AMERICA, PLAINTIFF,

VS.

KLAXON COMPANY, DEFENDANT.

DECREE.

This cause having come on for hearing upon the motion of the petitioner for a decree, the court, upon consideration of the pleadings and of the consent of the defendant in open court, finds, orders and decrees as follows :

1. That defendant Klaxon Company has created and engaged in an unlawful combination with the jobbers of automobile accessories who distribute warning signals manufactured by the defendant (hereinafter called Klaxon warning signals), in violation of the Act of Congress approved July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," by entering into uniform contracts with said jobbers (the form of which for the year 1918 is annexed as an exhibit to the petition filed herein), by which it is provided, among other stipulations, that the defendant will sell Klaxon warning signals only through the jobbers entering into such contracts, and further that the jobbers shall resell Klaxon warning signals purchased by them from the defendant at the uniform prices fixed by the defendant, section 11 of the contracts reading-

The DISTRIBUTOR agrees to sell Klaxon warning signals on the following terms: At retail at the current list prices published by MANUFACTURER, and at wholesale at the following discounts:

25% from current list prices on orders amounting to \$50, or less.

33-1/3% from current list prices on orders amounting to more than \$50 list, and less than \$300 list.

40% from current list prices on all orders amounting to \$300 list, or more.

2. The defendant, its officers, agents and employees, are perpetually enjoined and restrained from doing any act in furtherance of the above described combination, and particularly from in any wise enforcing or attempting to enforce said stipulation, and from creating or entering into any similar combination or any similar stipulation, contract, agreement or understanding in the future.

3. The defendant shall pay the costs of this proceeding to be taxed.

JOHN RELLSTAB,  
*Judge*

December 3, 1918.