

**UNITED STATES OF AMERICA v. ALDEN PAPER
COMPANY, ET AL., DEFENDANTS.**

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE NORTHERN DISTRICT OF NEW YORK.

In Equity No. 1312.

UNITED STATES OF AMERICA, PLAINTIFF

VS.

ALDEN PAPER COMPANY, UNITY PAPER MILLS, INC.,
Hopper Paper Company, American Writing Paper
Company, Incorporated, Edward S. Alden, William R.
Smith, Frank P. Barry, Matthew Burns, defendants.

DECREE.

This cause came on to be heard this 6th day of February, 1930, and plaintiff appearing by Oliver D. Burden, Esq., United States Attorney for the Northern District of New York, its solicitor, and George P. Alt, and James Maxwell Fassett, Esqs., Special Assistants to the Attorney General, of Counsel, and the defendants, Alden Paper Company and Edward S. Alden, appearing by their solicitor, Nathan P. Avery, Esq., the defendant American Writing Paper Co., Incorporated, appearing by Lar-

kin, Rathbone & Perry, Esqs., and the defendants William R. Smith, Frank P. Barry, and Matthew Burns, appearing by their solicitors Hun, Parker & Reilly, Esqs., the defendant, Unity Paper Mills, Inc., having failed to answer within the time prescribed by the Equity Rules, and an Order for a Decree *pro confesso* as to said defendant Unity Paper Mills, Inc., having been duly entered by this Court on the 13th day of November, 1928, and no one appearing for the defendant, Hopper Paper Co., when this cause was called for trial this day, its default is hereby noted, and this decree entered against it upon its default, and it appearing to the satisfaction of the Court that it has jurisdiction of the subject matter alleged in the petition and of the parties, that the allegations of the petition state a cause of action against the defendants under the Act of Congress, approved July 2, 1890, known as the Sherman Anti-Trust Act, as amended and supplemented, and that the plaintiff is entitled to the relief hereinafter granted, the solicitors for the defendants appearing this day consenting in open Court the rendition and entry of this decree, no testimony having been taken; it is, upon motion of the plaintiff for relief, due consideration having been had

ORDERED, ADJUDGED, AND DECREED

1. That all contracts, agreements, arrangements and understandings among the defendants limiting and restricting the sale and distribution of union-made paper to or through the Alden Paper Company, as described in the petition, be and the same are hereby declared null and void.

2. That the defendants, their officers, directors, agents, salesmen, servants and employees, and all persons acting by, through, under or in behalf of them or any of them, or claiming so to act, be and they are hereby perpetually enjoined and restrained from performing any act to continue in effect or further carry out any heretofore or now existing contract, agreement, arrangement or understanding to preserve or continue the unlawful monopoly of the Alden Paper Company in the

sale and distribution of union-made paper in the United States and Canada; provided that nothing in this decree contained shall be construed to impair or to abrogate the property right which the International Brotherhood of Paper Makers has in and to the watermark referred to in the petition herein and provided, further, that nothing in this decree contained shall be construed to limit the right of said International Brotherhood of Paper Makers, through its officers, past, present or future, to control the use of said watermark.

3. That jurisdiction of this cause be and the same is hereby retained for the purpose of enforcing this decree and for the making of such further orders or decrees or taking such other action, if any, as may be necessary or appropriate to carry this decree into full effect.

4. That the plaintiff recover its costs herein, to be taxed by the Clerk, and have execution therefor against the defendants.

FREDERICK H. BRYANT,
United States District Judge.

ALBANY, N. Y., Feb. 6, 1930.