

IN THE DISTRICT COURT OF THE UNITED STATES FOR  
THE EASTERN DISTRICT OF MICHIGAN SOUTHERN  
DIVISION.

In Equity No. 5565.

THE UNITED STATES OF AMERICA, PETITIONER,

VS.

THE MASTER HORSESHOER'S NATIONAL PROTECTIVE  
ASSOCIATION OF AMERICA, ET AL, DEFENDANTS.

FINAL DECREE.

This cause came on to be heard at this term, and was argued by counsel, and thereupon and upon consideration thereof, and by agreement of the parties hereto, counsel for defendants being present in open court and consenting thereto, it was ORDERED, ADJUDGED and DECREED as follows, viz:

(1) That the defendants, the Williams Drop Forging Company, the Rowe Calk Company, Diamond Calk & Horse Shoe Company, the Giant Grip Horse Shoe Company, Revere Rubber Company, Octigan Drop Forge Company, Dryden Hoof Pad Company, Hoopston Horse Nail Company, Michael Hallanan, Charles P. Dryden, Carl A. Judson, Edward Fitzgerald and W. W. Todd, at the time of the filing of the petition herein, and prior thereto, had been and were engaged in a combination and conspiracy to restrain trade and commerce among the several states and territories of the United States in drilled horseshoes, adjustable calks, and rubber hoof pads in violation of the Act of Congress of July 2nd, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies."

(2) That defendants above named, and each of them and their officers, directors, agents, servants and employees, and all persons acting under, through, by or in behalf of them, or claiming so to act, be perpetually enjoined, restrained and prohibited, as follows:

(a) From directly or indirectly engaging in or carrying into effect the said combination or conspiracy hereby adjudged to be illegal, and from engaging in or entering into any like combination or conspiracy, the effect of which would be to restrain trade or commerce in drilled horseshoes, adjustable calks or rubber hoof pads among the several states and territories of the United States, or

U. S. v. M'ST'R H'S'SH'R'S NAT'L PR'T'C'VE ASS'N

in the District of Columbia, or with foreign nations; and from entering into any express or implied agreement or arrangement together or with one another, like that hereby adjudged to be illegal, the effect of which would be to prevent the free and unrestrained flow of interstate or foreign trade or commerce in drilled horseshoes, adjustable calks or rubber hoof pads from the manufacturer to the consumer.

(b) From combining, conspiring, confederating or agreeing with each other or with others, expressly or impliedly, directly or indirectly, with respect to maintaining a limited price or any price at which drilled horseshoes, adjustable calks or rubber hoof pads shall be sold, and from agreeing or contracting together or with one another, expressly or impliedly, directly, or indirectly, as to the persons, firms, or corporations from whom such commodities shall be purchased or sold, or from agreeing or contracting together, expressly or impliedly, directly or indirectly, with a view to preventing others from buying or selling freely in the open market, or with a view to imposing any burden or condition upon the purchase, sale or transportation of drilled horseshoes, adjustable calks, or rubber hoof pads among the several states or between the United States and any foreign country.

(3) That defendants above-named, and each of them, and their officers, directors, agents, servants and employees and all other persons acting under, through, by or in behalf of them, or either of them, or claiming so to act, be perpetually enjoined, restrained and prohibited from combining, conspiring, confederating, or agreeing with each other, or with others expressly or impliedly, directly or indirectly—

(a) To boycott or threaten with loss of custom or patronage any manufacturer engaged in interstate or foreign trade or commerce in drilled horseshoes, adjustable calks, or rubber hoof pads, for having sold or being about to sell such drilled horseshoes, adjustable calks or rubber hoof pads to hardware jobbers or to retail hardware dealers who would in turn sell such commodities to

horse owners, or for having sold or being about to sell such commodities direct to horse owners.

(b) To intimidate or coerce manufacturers of drilled horseshoes, adjustable calks, or rubber hoof pads, into selling only to such persons, firms, corporations or other organizations as are recognized or approved by the Master Horseshoers' National Protective Association of America, a New York corporation, or by the Master Horeshoers' National Protective Association of America, a Michigan corporation.

(c) To do or refrain from doing anything the purpose or effect of which is to hinder or effect by intimidation, coercion, or withdrawal or threatened withdrawal of patronage or custom, any firm, person, corporation, or other organization from buying or selling drilled horse-shoes, adjustable calks or rubber hoof pads wherever, whenever, and from whomsoever and at whatsoever price may be agreed upon between the seller and the purchaser.

(4) That defendants above-named, and each of them, their officers, directors, servants, and employees, and all other persons acting under, through, by or in behalf of them, or claiming so to act, be perpetually enjoined, restrained and prohibited—

(a) From combining, conspiring, confederating, or agreeing with each other, or with others, expressly or impliedly, directly or indirectly to communicate with any manufacturer, jobber, or dealer for the purpose of inducing such manufacturer, jobber, or dealer not to sell drilled horseshoes, adjustable calks, or rubber hoof pads to horse owners, or only to sell to such retail dealers as will sell said commodities only to horseshoers and not to horse owners.

(b) From combining, conspiring, confederating, or agreeing with each other, or with others, directly or indirectly to discriminate or urge others to discriminate against any manufacturer of, or jobber, wholesale or retail dealer in drilled horseshoes, adjustable calks, or rubber hoof pads, because of such manufacturer, jobber, wholesaler or retailer having refused to confine his sales

of said articles to customers of a certain class, or to customers standing in a certain relation to the trade in such articles, or because of such manufacturer, jobber, wholesaler or retailer having failed to discriminate in favor of any class of customers, or in favor of customers standing in a special relation to the trade in such articles.

(5) That the petitioner have and recover its costs from the defendants included in this decree.

(Signed)                      ARTHUR J. TUTTLE,  
District Judge.

Dated, Detroit, Michigan, this 26th day of January, 1916.