

UNITED STATES OF AMERICA vs. GREAT LAKES
STEAMSHIP COMPANY, ET AL.

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE NORTHERN DISTRICT OF OHIO.

In Equity No. 2456. 2546

UNITED STATES OF AMERICA, PLAINTIFF

VS.

GREAT LAKES STEAMSHIP COMPANY ET AL., DEFENDANT.

FINAL DECREE.

The United States of America, having filed its petition herein on the 7th day of April, 1928, and defendants having accepted service of process and having duly appeared through their respective counsel and filed answers herein; and the United States having appeared by A. E. Bernstein, its Attorney for the Northern District of Ohio, and H. B. Teegarden, Special Assistant to the Attorney General; and having moved the court for an injunction in accordance with the prayer of that petition, no evidence having been taken:

And it appearing to the court that the petition herein states a cause of action against the defendants under the provisions of the Act of Congress of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," and acts amendatory thereof and supplemental thereto, and that the court has jurisdiction of the subject matter alleged in the petition and of the parties; that the defendants herein do hereby consent to the making and entry of this decree; provided that nothing herein contained shall be construed to restrain or interfere with the action of any single company, or companies under one management, by its or their officers or agents (whether such officers or agents are themselves personally made parties defendant here-to or not) acting with respect to its or their property or affairs, so long as the same is not in any way related to or motivated by any agreement or common understanding

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between the defendants or any of them not under one management.

And the court being duly advised in the premises, and all of the defendants, through their respective counsel, now and hereby consenting to the rendition of the following decree:

NOW, THEREFORE, it is adjudged, ordered, and decreed as follows:

1. That the defendants, together with their directors, officers, agents, servants, and other representatives, and all persons acting under or through them or in their behalf, or claiming so to act, and each of them, be, and they hereby are perpetually enjoined and restrained:

(a) From agreeing among themselves or with any of the defendants or with other ship owners or operators, either orally or in writing:

(1) As to the date for resuming operation of their vessels for the transportation of grain.

(2) As to the rate or rates for the rendition of such transportation services.

(3) As to the ratio or relation to be maintained between rates for the transportation of grain and the rate charged for the transportation of iron ore or other commodities.

(b) From doing any act in pursuance of, or for the purpose of carrying out, any agreement, understanding or commitment among them, or any of them, to delay or refrain from operating their respective boats or vessels, or any of them, on the Great Lakes and connecting waterways.

(c) From doing any act in pursuance of, or for the purpose of carrying out, any agreement, understanding or commitment among them, or any of them, to maintain any certain relationship between rates to be charged by them for the transportation of grain in their boats or vessels, or any of them, and those charged for the transportation of ore; or to maintain a rate of 3¢ per bushel,

or any other certain rate for the transportation of grain
in their respective boats or vessels, or any of them.

D. C. WESTENHAVER,
United States District Judge.

Entered: MAY 9, 1928.