

UNITED STATES vs. PAINTERS DISTRICT COUNCIL
NO. 2, ET AL.

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE EASTERN DISTRICT OF MISSOURI

In Equity No. 9079.

UNITED STATES OF AMERICA, PETITIONER

VS.

PAINTERS DISTRICT COUNCIL No. 2, BROTHERHOOD OF
Painters, Decorators, and Paper Hangers of America,
Painters Local Union No. 23 of the Brotherhood of
Painters, Decorators, and Paper Hangers of America,
Painters Local Union No. 46 of the Brotherhood of
Painters, Decorators, and Paper Hangers of America,
Painters Local Union No. 115 of the Brotherhood of
Painters, Decorators, and Paper Hangers of America,
Painters Local Union No. 137 of the Brotherhood of
Painters, Decorators, and Paper Hangers of America,
Painters Local Union No. 1199 of the Brotherhood of
Painters, Decorators, and Paper Hangers of America,
Laurence M. Raftery, Paul G. Smith, Basil W. Mc-
Coubrie, Charles J. Eisenring, Fred Ricklev, and Ed-
ward Hill, defendants

FINAL DECREE.

The United States of America having filed its petition herein on the 10th day of June, 1930, and the defendants, Painters District Council No. 2, Brotherhood of Painters, Decorators, and Paper Hangers of America, Painters Local Union No. 23 of the Brotherhood of Painters, Decorators, and Paper Hangers of America, Painters Local Union No. 46 of the Brotherhood of Painters, Decorators, and Paper Hangers of America, Painters Local Union No. 115 of the Brotherhood of Painters, Decorators, and Paper Hangers of America, Painters Local Union No. 137 of the Brotherhood of Painters, Decorators, and Paper Hangers of America, Painters Local Union No. 1199 of the Brotherhood of Painters, Decorators, and Paper Hangers of America, Laurence M. Raftery, Paul G. Smith,

Basil W. McCoubrie, Charles J. Eisenring, Fred Rickley, and Edward Hill, having thereafter duly appeared herein by R. L. Ailworth and James J. McMullen, their Solicitors.

Comes now the United States of America by its Solicitors, Louis H. Breuer, United States Attorney for the Eastern District of Missouri, John Lord O'Brian, The Assistant to the Attorney General, and Jas. Maxwell Fassett, Special Assistant to the Attorney General and the defendants by their solicitors hereinbefore named,

And it appearing to the Court by admission of the defendants consenting to the entry of this decree that the petition herein states a cause of action, that the Court has jurisdiction of the subject matter alleged in the petition and of the parties defendant, and that the petitioner has moved the Court for an injunction and for other relief against the defendants as herein decreed, and the Court having duly considered statements of counsel for the respective parties, and all of the defendants by their said solicitors having consented to the entry of this decree without contest and before any testimony had been taken, now, therefore, it is

ORDERED, ADJUDGED AND DECREED :

I. That the combination and conspiracy in restraint of interstate trade and commerce, the acts, agreements and understandings among the defendants in restraint of interstate trade and commerce as described in the petition herein, and the restraint of such trade and commerce thereby achieved are violative of the Act of Congress of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," known as the Sherman Antitrust Act;

II. That each of the defendant associations, each of the individual defendants, and all persons now members of the unincorporated associations made defendants herein and/or represented by the individual defendants in their respective representative capacities, and all persons who though not now members shall hereafter become members of said defendant associations, or any of them,

together with their agents, servants, employees, and all persons acting under, through, by, in behalf of, in aid of, or in conjunction with, them or any of them, or claiming so to act, are perpetually enjoined and prohibited,

(a) From combining, conspiring and agreeing with one another or with others, orally or in writing, expressly or impliedly, directly or indirectly, to coerce and compel manufacturers of finished "built-in" kitchen cabinets, finished store fixtures and finished building trim and interior woodwork, having plants located outside of the State of Missouri, by any means whatsoever, to abandon their practice of finishing such products completely in their factories and to sell and ship such products into the State of Missouri in an unfinished condition, and, further,

(b) From combining, conspiring and agreeing with one another or with others, orally or in writing, expressly or impliedly, directly or indirectly, to compel manufacturers of finished products, having plants located outside of the State of Missouri to employ members of defendant unions to put additional and unnecessary paint on such finished products after delivery within the State of Missouri, and, further,

(c) From combining, conspiring and agreeing with one another or with others, orally or in writing, expressly or impliedly, directly or indirectly, to coerce and compel owners, architects, builders and other persons engaged in, or about to engage in, building construction within the State of Missouri to refuse to purchase and to refrain from purchasing finished "built-in" kitchen cabinets, finished store fixtures and finished building trim and interior woodwork from any manufacturers located outside of the State of Missouri by means of strikes or threats to call strikes of labor union members employed on buildings wherein said fixtures, kitchen equipment and interior woodwork is to be used, or by any other means whatsoever;

III. 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 or decrees, or such amendments and/or modifications of this decree, or taking such other action, if any, as may be necessary and appropriate to the carrying out and enforcement of said decree, and, also, 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 and proper in relation to the execution of the provisions of this decree or for the enforcement of strict compliance therewith, and the punishment of evasions thereof;

IV. That the United States shall recover its costs.

Dated, St. Louis, Missouri, December 31, 1930.

CHARLES B. FARIS,
United States District Judge.