

IN THE UNITED STATES CIRCUIT COURT, IN AND FOR
THE NORTHERN DISTRICT OF CALIFORNIA, NINTH
JUDICIAL CIRCUIT.

No. 12539. In Equity.

THE UNITED STATES OF AMERICA, COMPLAINANT,
VS.

THE COAL DEALERS ASSOCIATION OF CALIFORNIA, ET AL.,
RESPONDENTS.

FINAL DECREE.

This cause having been brought on to be heard upon the pleadings and proofs, and Mr. Alfred L. Black, as Special Counsel for the complainant, having been heard on the part of the Complainant, and Messrs. Robert Y. Hayne and Craig & Craig having been heard on the part of the respondents, the Coal Dealers' Association of California, and all the members of said Association, and J. J. Donegan, T. O'Brien, T. Morton, E. K. Carson, George Corkery, J. B. Dallas, Peter Kelly, N. C. Toff, H. Baehr, T. Brannan, George Jones, J. T. Mullen, M. Joost, G. B. DeMartini, P. J. Casey, W. H. Wiseman and W. J. Jones, members of said Association, and also for R. D. Chandler, Oregon Coal and Navigation Company, and W. G. Stafford, trading as W. G. Stafford & Company; and T. C. Coogan, having been heard on the part of the defendants Charles R. Allen and George Fritch; and Mr. W. C. Goodfellow, having been heard on behalf of the defendant Central Coal Company; and it having been stipulated by Mr. Alfred L. Black in open Court on behalf of the Complainant that this cause may be dismissed for want of proofs against J. C. Wilson & Company, Oregon Improvement Company, R. Dunsmuir & Sons and John

Rosenfeld Sons Company, and due deliberation having been had, it is ordered, adjudged, and decreed that this action be and the same is hereby dismissed, as to the respondents J. C. Wilson & Company, Oregon Improvement Company, R. Dunsmuir & Sons, and John Rosenfeld Sons Company.

And it is further ordered, adjudged, and decreed that the agreement made between the respondents the Coal Dealers' Association of California, and the respondents Charles R. Allen, R. D. Chandler, Central Coal Company, George Fritch, Oregon Coal and Navigation Company, W. G. Stafford, trading as W. G. Stafford & Company, and others, as is set forth in the complaint herein, as made on June 1st, 1896, together with the modifications as is in said complaint set forth, be and the same hereby is adjudged to be void, and of no effect, and contrary to the provisions of an Act of Congress entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," Approved on the 2nd day of June, 1890, and known as Chapter 697 of the Supplement to the Revised Statutes of the United States.

And it is further ordered, adjudged, and decreed that the respondents the Coal Dealers' Association of California, and all the members of said Association, J. J. Donegan, T. O'Brien, T. Morton, E. K. Carson, George Corkery, J. B. Dallas, Peter Kelly, N. C. Toff, H. Baehr, T. Brannan, George Jones, J. T. Mullen, M. Joost, G. B. DeMartini, P. J. Casey, W. H. Wiseman and W. J. Jones, members of said Association, and also R. D. Chandler, Oregon Coal and Navigation Company, and W. G. Stafford, trading as W. G. Stafford & Company, Charles R. Allen, George Fritch, and Central Coal Company are hereby perpetually enjoined from acting under or in accordance with the terms of the agreement made between said respondent The Coal Dealers' Association of California, and said respondents Charles R. Allen, Central Coal Company, R. D. Chandler, George Fritch, Oregon Coal and Navigation Company, W. G. Stafford, trading as W. G. Stafford & Company, and others, made on June 1st, 1896, together

with the modifications of said agreement, as is fully set forth in the bill of complaint filed herein, and that said respondents last herein named, and each and every of them, be and they are perpetually enjoined and prohibited from further agreeing, combining, or conspiring or acting together to maintain prices by any agreement similar to that set forth in said complaint, for coal brought from British Columbia, Washington, and Oregon to San Francisco in the State of California, for domestic purposes as fuel.

WM. W. MORROW,
Circuit Judge.

Filed May 2, 1899.