

UNITED STATES v. ASSOCIATED BILLPOSTERS &  
DISTRIBUTORS

IN THE DISTRICT COURT OF THE UNITED STATES OF  
AMERICA FOR THE NORTHERN DISTRICT OF ILLINOIS,  
EASTERN DIVISION.

In Equity, No. 30887.

THE UNITED STATES OF AMERICA, PETITIONER,

VS.

ASSOCIATED BILLPOSTERS AND DISTRIBUTORS OF THE  
UNITED STATES AND CANADA, AND OTHERS, DEFENDANTS.

DECREE.

This cause having come on to be heard at this term, and having been argued by counsel, upon consideration thereof, it is ordered, adjudged and decreed, as follows:

First. That the petition is dismissed as to the defendants F. Weyland Ayer, Henry E. McKinney, Albert G. Bradford, Jarvis A. Wood, George L. Dyer Company; the George Batten Company; Mahin Advertising Company; and Henry P. Wall.

Second. That the defendants, except those dismissed, heretofore formed and are now parties to a combination or conspiracy to restrain interstate and foreign trade and commerce in posters by the means hereinafter specifically enjoined, in violation of the Act of Congress of July 2, 1890, entitled: "An Act to protect trade and commerce against unlawful restraints and monopolies."

Wherefore, the defendant Associated Billposters and Distributors of the United States and Canada, the name of which has been changed since the filing of the petition

herein to Poster Advertising Association, and the defendants Peter J. McAliney, L. T. Bennett, John E. Shoemaker, John H. Logeman, Edward C. Donnelly, Joseph J. Flynn, Barney Link, James F. O'Mealia, O. S. Hathaway, Samuel Pratt, James A. Reardon, Burnett W. Robbins, Harry C. Walker, George L. Chennell, Will J. Davis, Jr., Phinelan B. Haber, Charles T. Kindt, Frank Z. Zehring, Lewis H. Ramsey, James D. Burbridge, Walter S. Barton, James A. Curran, A. A. Edwards, Thomas H. B. Varney, E. L. Ruddy, Associated Billposters and Distributors Protective Company, George Enos Throop, Inc., Massengale Advertising Agency, A. M. Briggs, L. J. Reese, W. A. Thompson, Ivan B. Nordhem Company, Crockett Agency and John F. Sheehan, and all persons acting for or on behalf or in connection with said Associated Billposters and Distributors of the United States and Canada, or any of its members, concerning any of the matters set forth in the petition herein, are permanently enjoined and restrained from further carrying out the aforesaid combination or conspiracy, and from entering into any other combination or conspiracy to restrain trade and commerce in posters by any similar means or devices, and

(a) From agreeing together, or with one another, expressly or impliedly, directly or indirectly, with respect to maintaining a limited price, or any price, at which posters shipped in interstate or foreign commerce shall be posted upon billboards, or from making any rule or regulation of said defendant association with respect to prescribing the price or prices at which posters shipped in interstate or foreign commerce shall be posted upon billboards;

(b) From agreeing together, or with one another expressly or impliedly, with respect to limiting the number, or in any manner interfering with the business of individuals, firms or corporations engaged in posting upon billboards posters transported in interstate or foreign commerce, or from agreeing together, or with one another, expressly or impliedly, or from making any rule, regulation or by-law, to restrict the number of individuals,

firms or corporations in any one city or town who are engaged in the business of posting posters which are transported in interstate or foreign commerce;

(c) From agreeing together, or with one another, expressly or impliedly, or from adopting any rule or regulation to the effect that any person, firm or corporation engaged, in opposition to any member of said defendant association, or any of its subordinate associations, in the business of posting posters transported in interstate or foreign commerce, shall not be eligible to membership in said defendant association;

(d) From adopting any measures whatsoever, to prevent or hinder any individual, firm or corporation from contracting with any billposter in the United States, including those who are members of the defendant association, for the posting by such billposter of advertising matter or posters sent to him from any different State or Territory of the United States from that in which he is located, or from any foreign country;

(e) From agreeing together, or with one another, expressly or impliedly, directly or indirectly, or from adopting any rule, regulation or by-law, with respect to restricting the number of persons, firms or corporations by whom orders for posting posters transported in interstate or foreign commerce shall be obtained and transmitted;

(f) From agreeing together, or with one another, expressly or impliedly, or from adopting any rule, regulation or by-law to the effect, that solicitors employed by said defendant association, or any member thereof, shall not send business relating to the posting of posters transported in interstate or foreign commerce to persons, firms or corporations who are not members of said defendant association, and from placing any restriction whatsoever upon solicitors employed by said defendant association, or any member thereof, with respect to the persons with whom they may transact business relating to the posting of posters transported in interstate or foreign commerce;

(g) From agreeing together, or with one another, expressly or impliedly, or from adopting any rule, regula-

tion or by-law to the effect, that members of said defendant association will not post posters transported in interstate or foreign commerce for persons, firms or corporations who transact business with billposters who are not members of said defendant association, or that solicitors employed by said defendant association or any member thereof, shall not accept business, relating to the posting of posters transported in interstate or foreign commerce, from persons, firms or corporations who transact business with billposters who are not members of said defendant association;

(h) From inducing or endeavoring to induce manufacturers of stock or sample posters, or any other posters, not to sell the same in interstate or foreign commerce in open competition and upon equal terms to any person desiring to purchase.

Third. That the secretary of said Associated Billposters and Distributors of the United States and Canada shall furnish a copy of this decree to members of said association, and to those who hereafter become members thereof.

Fourth. That the court retains jurisdiction of this case for the purpose of entertaining at any time hereafter any application which the parties may make with respect to this decree.

Fifth. That the petitioner have and recover, from the defendants not dismissed, its costs.

The operation of this decree is suspended until Sept. 1, 1916.

Entered at Chicago, Illinois, this 6th day of July, A. D. 1916.

(Sgd.)

KENESAW M. LANDIS, *Judge.*