

UNITED STATES v. MEAD ET AL.

IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF NEW YORK.

Equity No. 14—384.

UNITED STATES OF AMERICA, PETITIONER,

vs.

GEORGE H. MEAD, PHILIP T. DODGE, GEORGE CHAHOON,
JR., GORDIAS H. P. GOULD, EDWARD W. BACKUS, ALEX-
ANDER SMITH, AND FRANK J. SENSENBRENNER, *Individ-
ual Defendants*, AND ABITIBI POWER & PAPER CO., LTD.,
BELGO-CANADIAN PULP & PAPER CO., LTD., BERLIN
MILLS Co., J. R. BOOTH, BROMPTON PULP & PAPER Co.,
CROWN-WILLAMETTE PAPER Co., CANADA PAPER Co.,
LTD., CLIFF PAPER Co., EDW. CRABTREE & SONS, LTD.,
CHAMPION PAPER Co., CLEVELAND PAPER Co., CHEBOY-
GAN PAPER Co., CONSOLIDATED WATER POWER & PAPER

Co., DONNACONA PAPER Co., DELLS PAPER AND PULP
Co., E. B. EDDY Co., LTD., FITZDALE PAPER Co., FINCH,
PRUYN & Co., FLAMBEAU PAPER Co., GOULD PAPER Co.,
GRANDFATHER FALLS Co., HENNEPIN PAPER Co., INTER-
NATIONAL PAPER Co., ITASCA PAPER Co., KIMBERLY
CLARK Co., LAURENTIDE Co., LTD., MINNESOTA AND
ONTARIO POWER Co., NEKOOSA-EDWARDS PAPER Co.,
NORTHWEST PAPER Co., OSWEGO FALLS PULP & PAPER
Co., W. H. PARSONS Co., PETTIBONE-CATARACT PAPER
Co., POWELL RIVER Co., LTD., PRICE BROS. & Co., LTD.,
REMINGTON PAPER & POWER Co., RHINELANDER PAPER
Co., ST. CROIX PAPER Co., ST. GEORGE PULP & PAPER
Co., ST. MAURICE PAPER Co., LTD., ST. REGIS PAPER Co.,
SPANISH RIVER PULP & PAPER MILLS LTD., TAGGARTS
PAPER Co., WEST END PAPER Co., WATAB PULP &
PAPER Co., AND WISCONSIN RIVER PULP AND PAPER
Co., *Corporation Defendants*.

FINAL DECREE.

This cause came on to be heard at this term and was argued by counsel; and thereupon, upon consideration thereof, and upon the consents hereto in writing and in open court by the defendants George H. Mead, Philip T. Dodge, George Chahoon, Jr., Gordias H. P. Gould, Edward W. Backus, Alexander Smith, Frank J. Sensenbrenner, Abitibi Power & Paper Co., Ltd., Belgo-Canadian Pulp & Paper Co., Ltd., Brompton Pulp & Paper Co., Donnacona Paper Co., Ltd., Gould Paper Co., International Paper Co., Kimberly-Clark Co., Laurentide Co., Ltd., Minnesota & Ontario Power Co., Price Bros. & Co., Ltd., and Spanish River Pulp & Paper Mills, Ltd., and upon the unanimous resolution of the Executive Committee of the News-Print Manufacturers' Association consenting to the dissolution of said Association and consenting to this decree, and said consents having been duly given by their respective solicitors to the entry of this decree before any testimony has been taken, it was Ordered, Adjudged and Decreed as to said defendants so consenting, as follows, viz:

1. Defendants by becoming and acting as members of the News-Print Manufacturers' Association have entered into and engaged in an unlawful combination in restraint of trade and commerce in news print paper among the several states and with foreign nations in violation of the Act of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies."

2. The News-Print Manufacturers' Association is an unlawful combination of the defendants in restraint of the trade and commerce in news print paper among the several states and with foreign nations, in violation of said Act of July 2, 1890; and said News-Print Manufacturers' Association shall be, and it hereby is dissolved.

3. Each corporate defendant is hereby perpetually enjoined from carrying into further effect the combination hereby dissolved and from entering into or engaging in any like combination having for purpose or effect (a) the elimination or restriction by concert of action of competition in news print paper, or (b) the concerted working for materially higher prices for news print paper, or (c) the establishment by concert of action of uniform prices, terms or conditions for sale of news print paper, or (d) the concerted working to discourage others from manufacturing news print paper.

4. Each corporate defendant is hereby perpetually enjoined from entering into any combination, agreement, understanding or concert of action with any other corporate defendant or with any other manufacturer of news print paper, having for purpose or effect (a) to limit or restrict itself as to the customers to whom it should sell or offer to sell news print paper; (b) to limit or restrict itself as to the quality or quantity of news print paper it should make or sell; (c) to limit or restrict itself as to the service it should render to its customers or the prices, terms or conditions upon which it should sell or offer to sell news print paper.

5. The injunctions herein contained against the cor-

porate defendants shall apply to, and be binding upon, such corporations and their respective officers, directors, agents and employees, and all other persons, firms or corporations acting under, for or in behalf of them or any of them, or claiming so to act.

6. Each individual defendant is hereby perpetually enjoined from entering into, engaging in, or carrying into further effect, any contract, combination or conspiracy having for purpose or effect to regulate, dominate or restrict the trade or commerce in news print paper or any person, firm or corporation other than the firms or corporations with which such individual defendant is or may be connected as an officer, agent or employee.

7. Nothing herein contained shall prevent the defendants from entering into and performing a certain contract of even date with the Attorney General of the United States, as trustee, made for the purpose of meeting the emergencies created by existing conditions, and by the present state of war in the United States. Nothing herein contained shall be deemed an adjudication for or against the exercise of control by any corporate defendant of any of its subsidiaries as set forth in the petition nor for or against the right of certain of the defendants or their subsidiaries to avail themselves of the services of the Canadian Export Paper Co., Ltd., or the G. H. Mead Co. or the Minnesota & Ontario Power Co. in the manner and to the extent now being availed of, as set forth in the petition herein.

8. The court retains jurisdiction to proceed against the defendants not hereby consenting to this decree, and to enforce this decree, and to enable any of the parties to apply to the court for modification hereof, if it be hereafter shown to the satisfaction of the Court that by reason of changed conditions or changes in the statute law of the United States the provisions hereof have become inappropriate or inadequate to maintain competitive conditions in the interstate or foreign trade or commerce of the United States in news-print paper or have become unduly oppressive to defendants or any of them

and are no longer necessary to secure or maintain competitive conditions in such trade or commerce.

Dated, New York City, New York, November 26, 1917.

JULIUS M. MAYER,
*United States District Judge for the
Southern District of New York.*