

**U. S. v. SUMATRA PURCHASING CORPORATION.**

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

In Equity No. 17-317.

UNITED STATES OF AMERICA, PETITIONER,

VS.

SUMATRA PURCHASING CORPORATION, H. DUYS & Co., INC.,  
GENERAL CIGAR Co., INC., AMERICAN CIGAR Co., SU-  
MATRA TOBACCO IMPORT CORPORATION, JOHN H. DUYS,  
HENRY M. DUYS, FREDERICK HIRSCHHORN, ALLIE L.  
SYLVESTER, AND BENNO ROSENWALD, ABRAHAM BIJUR,  
NATHAN BIJUR, SAMUEL H. BIJUR, co-partners doing  
business under the firm name and style of E. ROSENWALD  
& BRO., JOSEPH F. CULLMAN, JOSEPH F. CULLMAN, JR.,  
doing business under the firm name and style of CULL-  
MAN BROS., WILLIAM QUANJER, HUGO MULLER, for-  
merly co-partners doing business under the firm name  
and style of KRUSE, QUANJER & Co., DEFENDANTS.

FINAL DECREE.

This cause came on to be heard at this term and upon  
consideration thereof, and upon motion of the petitioner,  
by Francis G. Caffey, United States Attorney for the  
Southern District of New York, its attorney, and Henry  
A. Guiler, Special Assistant to the United States Attorney,  
and Rush H. Williamson, Special Assistant to the United  
States Attorney, of counsel, for relief in accordance with  
the prayer of the petition, and no testimony or evidence

having been taken and all the defendants having appeared therein by their attorneys, and having respectively filed their answers to said petition, and having consented thereto in open court;

Now, therefore, it is ORDERED, ADJUDGED and DECREED as follows, viz:

I. That the said conspiracy in restraint of trade and commerce, and the restraint attained thereby, described in the petition, be and hereby are declared illegal and in violation of the Act of Congress, approved July 2, 1890, entitled "An Act to Protect Trade and Commerce against Unlawful Restraints and Monopolies," and Acts amendatory thereof and supplemental or additional thereto.

II. That said defendants and each of them, and their officers, servants and employees, and all persons acting under, through, by or in behalf of them, or either of them, or claiming so to act, be and hereby are perpetually enjoined, restrained and prohibited, directly or indirectly, from engaging in or carrying into effect said conspiracy, and from engaging in or entering into any like conspiracy, the effect of which would be to restrain said foreign and interstate trade or commerce in said Sumatra leaf tobacco with foreign countries and among the several states of the United States, or in the District of Columbia, and from carrying out or continuing in effect the agreements described in the petition, or making any express or implied agreements or arrangements together or with one another, like those hereby adjudged illegal or enjoined or using any other means or methods, the effect of which would be to prevent the free and unrestrained flow of said foreign or interstate trade or commerce in said Sumatra leaf tobacco.

III. That said Sumatra Import Corporation and said Sumatra Purchasing Corporation be and hereby are immediately and forever enjoined from purchasing, selling or otherwise dealing in said Sumatra tobacco, and be and hereby are ordered to be dissolved as soon as their existing indebtedness is liquidated.

IV. That the said defendants and each of them, their officers, agents, servants, employees, and all persons acting under, through, by, or in behalf of them, or any of them, or claiming so to act, be and hereby are perpetually enjoined, restrained and prohibited, directly or indirectly, from

(a) Forming a corporation or corporations in any way like said Sumatra Tobacco Import Corporation or said Sumatra Purchasing Corporation for like purposes as set forth in the petition or to accomplish like objects as set forth in the petition herein.

(b) Obstructing by the means alleged in the petition or like means or any other like unfair or improper methods, any person in the purchase of said Sumatra tobacco in the Island of Sumatra or in other foreign countries, the shipment or transportation of the same to and throughout the United States, or the sale, transportation or shipment thereof anywhere within the United States.

(c) Agreeing with each other or others not to compete in the importation into the United States or the sale, shipment or disposal of said Sumatra tobacco within the United States.

(d) Agreeing with each other or others to place any restrictions in the United States, or elsewhere, on the sale, resale or use of said Sumatra tobacco in any way directly or indirectly affecting or restraining the foreign or interstate trade or commerce of the United States in said Sumatra tobacco.

(e) Agreeing with any foreign producing company or concern, or any company or concern owned or controlled by any foreign producing company or concern not to compete in the United States, or agreeing with any company or concern engaged in the production of said Sumatra tobacco, or any company or concern owned or controlled by such producing company not to enter into the markets of the United States in the sale of said Sumatra tobacco therein except through defendants or any of them.

(f) Agreeing among themselves or with others to control the purchase, sale or disposition of said Sumatra

tobacco in foreign countries or in the United States, by means of inscriptions or auctions described in the petition, or otherwise.

(g) Coercing or compelling purchasers, prospective or otherwise, of said Sumatra tobacco to sell or dispose of the same to or through the defendants or any of them or to combine with them in the sale thereof.

(h) Aiding, abetting or assisting, individually or collectively, each other or others to do all or any of the matters or things hereinbefore set forth or enjoined.

V. That jurisdiction of this case be and hereby is retained for the purpose of enforcing this decree, and for the purpose of enabling any of the parties hereto to apply to the Court for modification thereof.

VI. It is further ordered, adjudged and decreed that the petitioner have and recover of the defendants the costs in this behalf expended, for which let execution issue.

JULIUS M. MAYER,  
*United States District Judge.*

Dated, New York, April 13, 1920.