

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

In Equity E 10-122

THE UNITED STATES OF AMERICA, PETITIONER,

VS.

CORN PRODUCTS REFINING COMPANY, NATIONAL STARCH  
COMPANY, ST. LOUIS SYRUP & PRESERVING COMPANY,  
NOVELTY CANDY COMPANY, EDWARD T. BEDFORD, WIL-  
LIAM J. MATHESON, FREDERICK T. FISHER, C. H. KEL-  
SEY, A. B. BOARDMAN, GEORGE S. MAHANA, GEORGE M.  
MOFFETT, WILLIAM H. NICHOLS, JR., A. A. SMITH,  
JAMES SPEYER, E. BEVERLY WALDEN, C. M. WARNER,  
THOMAS P. KINGSFORD, R. S. BRUNS, F. A. LOHMEYER,  
EDWARD T. BEDFORD, 2nd, A. N. WATKINS, C. H. LOR-  
ENZ, and LOUIS SUSS, DEFENDANTS.

ORDER

WHEREAS, in and by an amended final decree entered  
herein on March 31, 1919, it is among other things pro-  
vided:

3. Defendant Corn Products Refining Company, with  
all reasonable diligence and in any event not later than  
January 1, 1921 shall, subject to the approval of the  
court, sell and dispose of its entire interest in the stock

or other securities of the National Starch Company  
with its plant at Oswego, New York, to a person or  
persons (including corporations) not controlled by or  
affiliated with the Corn Products Refining Company  
or any of its officers, directors, agents or affiliated  
corporations; and if such purchaser be a corporation,  
none of the defendants and no officer, director or  
stockholder of the Corn Products Refining Company  
or affiliated corporations, shall have any substantial  
interest in the stock or other securities of such pur-  
chaser, and said Corn Products Refining Company or  
affiliated corporations shall not have any officers or  
directors in common with such purchaser, nor shall  
any defendant be such purchaser; PROVIDED, that only  
persons or corporations intending to continue the busi-  
ness shall be eligible as purchasers.

WHEREAS it appears by the petition of Corn Products  
Refining Company filed herein, dated October 10th, 1921  
and the affidavit of E. T. Bedford thereto annexed, veri-  
fied the same date, that a sale of the entire interest of  
Corn Products Refining Company in the stock and other  
securities of the National Starch Company would not  
carry out the intention of this Court in making said  
amended final decree, inasmuch as a part of the securities  
of said National Starch Company owned by said Corn  
Products Refining Company consists of Debenture Bonds  
of the Starch Company which contain a guarantee of the  
payment of principal and interest by Corn Products  
Refining Company and it also further appears that there  
are outstanding in the hands of the public certain of the  
Debenture Bonds of said National Starch Company con-  
taining the guarantee of payment of principal and interest  
by said Corn Products Refining Company, and

WHEREAS, it further appears from said petition and  
affidavit that said Corn Products Refining Company has  
endeavored to dispose of the plant of said National Starch  
Company at Oswego, New York consisting of the lands  
and buildings erected thereon and the equipment con-  
tained therein, but has been unable to find a purchaser

therefor who will undertake the obligation of continuing the business, and

WHEREAS, it was the intention of this Court in making said amended final decree to separate the plant of said National Starch Company from the other plants owned or controlled by the Corn Products Refining Company, and

WHEREAS it appears from said petition and affidavit that said Corn Products Refining Company or said National Starch Company may succeed in finding a purchaser for the plant of said National Starch Company provided such purchaser is not obligated to continue the business of the manufacturer of starch or other corn products therein.

NOW THEREFORE, upon the aforesaid petition of said Corn Products Refining Company and upon the affidavit of E. T. BEDFORD verified October 10th, 1921, thereto annexed, and the Attorney General of the United States appearing by ROGER SHALE, Esquire and not opposing the motion, it is, on motion of FRANK H. HALL, attorney for said Corn Products Refining Company

ORDERED that Paragraph numbered 3 of the amended final decree entered herein on March 31, 1919 be amended so as to read as follows:

3. Defendant National Starch Company shall, on or before January 1st, 1922, sell and dispose of its manufacturing plant at Oswego, New York consisting of the real estate, buildings and machinery used in connection therewith, provided that in case the purchaser of said plant shall intend to or shall hereafter carry on the business of manufacturing corn products therein; such purchaser shall not be controlled by or affiliated with the Corn Products Refining Company or National Starch Company or any of their officers, directors or affiliated corporations.

Dated New York, October 18, 1921.

LEARNED HAND,  
*District Judge.*