

**U. S. vs. MILLINERY QUALITY GUILD, INC.**  
**IN THE DISTRICT COURT OF THE UNITED STATES FOR**  
**THE SOUTHERN DISTRICT OF NEW YORK.**

In Equity No. 75-99

**UNITED STATES OF AMERICA, PETITIONER,**

**vs.**

**MILLINERY QUALITY GUILD, INC., BONHOTAL Co., COOPER-**  
**Russell, Inc., Farrington & Evans, Inc., Dave Herstein**  
**Co. Inc., G. Howard Hodge, Inc., Edgar J. Lorie, Inc.,**  
**L. G. Meyerson, Inc., E. H. Scherman & Co., Incorporated,**  
**Sergui F. Victor, doing business under the**  
**trade name and style of Serge, May L. Solomons and**  
**Mortimer J. Solomons, doing business under the trade**  
**name and style of Harry Solomons & Son, Vogel Hat**  
**Co., Inc., Vogue Hat Company, Earl M. Farrington,**  
**Benjamin J. Garfunkel, David Herstein, G. Howard**  
**Hodge, Edgar J. Lorie and Louis G. Meyerson,**  
**DEFENDANTS.**

**FINAL DECREE**

The United States of America having filed its petition herein on the 23d day of March, 1933, and each of the defendants, except Bonhotal Co. and Vogel Hat Co., Inc. (which have gone out of business) having duly appeared by their solicitors, and all the defendants who have appeared herein having by their solicitors consented to the entry of this decree, without contest and before any testimony had been taken, and it appearing to the Court that the petition states a cause of action, it is

Ordered, adjudged and decreed:

I. That the Court has jurisdiction of the subject-matter hereof and of all persons and parties hereto, and that the petition herein states a cause of action against the defendants under the Act of Congress of July 2, 1890, entitled "An Act to Protect Trade and Commerce Against Unlawful Restraints and Monopolies", commonly known as the Sherman Anti-Trust Act.

II. That the word "reproductions" as used in this decree means reproductions of women's hats, the originals of which were designed, manufactured or sold by milliners in France.

III. That defendants and each of them, their respective officers, directors, agents, servants, and employees, and all persons claiming to act on behalf of them or any of them be, and they hereby are, perpetually enjoined, restrained and prohibited from carrying out, directly or indirectly, expressly or impliedly, the combination and conspiracy alleged in the petition for fixing minimum prices for reproductions, and from entering into or carrying out any similar conspiracy, or any contracts, agreements or understandings between themselves and wholesale or retail milliners, relating to the prices at which such wholesale or retail milliners shall sell or resell such reproductions.

IV. Specifically, and without thereby limiting the generality of the foregoing, that the defendants and each of them, and each and all of the officers and directors of the respective corporate defendants, and any and all agents, servants and employees of defendants, and all persons acting or claiming to act for or in behalf of the defendants or any of them, be and they hereby are perpetually enjoined, restrained and prohibited from—

1. Requiring the sale of reproductions at not less than agreed minimum prices.

2. Selling or delivering labels to be affixed to said reproductions on the condition or requirement that the purchasers or users thereof, or anyone else, shall sell or resell the reproductions to which such labels shall be

attached only at not less than agreed minimum prices.

3. Requiring purchasers or users of any such labels to be affixed to said reproductions to agree to sell said reproductions to others only on the condition or requirement that they be resold at not less than agreed minimum prices.

4. Requiring purchasers or users of such labels to keep and disclose to the defendants records showing the prices at which reproductions to which such labels are attached have been sold, or any other records, for the purpose of ascertaining the price or prices at which said reproductions to which such labels are attached have been sold.

5. Refusing to sell reproductions or furnish such labels to any persons, firms, or corporations for the reason that such persons, firms or corporations are selling or reselling, or have sold or resold, reproductions at prices other than those named, suggested or otherwise indicated by the Guild or the other defendants.

V. Nothing in this decree shall be deemed or construed to prevent any defendant, its officers, agents, servants, employees or persons acting under, through, by or in behalf of it, or claiming so to act, from doing any of the acts authorized, permitted or required by the Code of Fair Competition for the Millinery Industry approved by the President December 15, 1933, by the amendments thereto approved March 24, 1934, pursuant to the Act of Congress of June 16, 1933, known as the National Industrial Recovery Act, by any further modification of, addition or amendment to said Code, or by any new code for the millinery industry which may hereafter be approved by the President, or on his behalf, under said Act during such time as and to the extent to which the same shall remain in effect and shall be in accordance with the National Industrial Recovery Act.

VI. The United States may at any time apply to the Court for further relief herein, on the ground that operations under, or purporting to be under, the said Code of Fair Competition, the amendments thereto approved March 24, 1934, or under, or purporting to be under, any further modification of, addition or amendment to said

Code, or any new code for the millinery industry, which may hereafter be approved, are promoting monopolies, or are eliminating, oppressing or discriminating against small enterprises, or are permitting monopolies or monopolistic practices.

VII. That petitioner shall recover from defendants its taxable costs herein.

VIII. That jurisdiction of this cause is hereby retained for the purpose of modifying or enforcing this decree.

Dated, June 8, 1934.

JNO. C. KNOX,  
*United States District Judge.*