

U. S. vs. ETHYL GASOLINE CORPORATION, ET AL.  
IN THE DISTRICT COURT OF THE UNITED STATES FOR  
THE SOUTHERN DISTRICT OF NEW YORK.

In Equity No. 84-321.

UNITED STATES OF AMERICA, PETITIONER,

VS.

ETHYL GASOLINE CORPORATION, EARLE W. WEBB and  
JOHN COARD TAYLOR, DEFENDANTS.

FINAL DECREE

This cause having come on for hearing before this Court upon the pleadings and the agreed statement of facts, and having been argued by counsel, and the Court having filed its opinion herein on the 19th day of May, 1939,

It is hereby ORDERED, ADJUDGED AND DECREED as follows:

I. That the defendants, Ethyl Gasoline Corporation, Earle W. Webb and John Coard Taylor, by requiring the refiner licensees to whom they sell the ethyl fluid which the defendant corporation manufactures to agree not to sell gasoline treated with said ethyl fluid (such gasoline being referred to herein as lead-treated gasoline) to any jobber, or other reseller, who does not hold a license from the defendant corporation to sell lead-treated gasoline, have entered into agreements in restraint of interstate trade and commerce in violation of an act of Congress

approved July 2, 1890, entitled "An Act to Protect Trade and Commerce against Unlawful Restraints and Monopolies."

II. That the provisions of each license agreement now in effect between the defendant corporation and its refiner licensees which prohibit, or purport to prohibit, the refiner licensee from selling lead-treated gasoline to any jobber who does not hold a license from the defendant corporation to sell lead-treated gasoline are illegal, null and void, and that the defendant corporation forthwith cancel said provisions and give due written notice, within twenty (20) days from the date of this decree, to each such refiner licensee that the said provisions have been cancelled and are of no effect.

III. That all licenses now outstanding issued by the defendant corporation to jobbers purporting to authorize jobbers to sell lead-treated gasoline are illegal, null and void, and that the defendant corporation forthwith cancel said licenses and give due written notice, within sixty (60) days from the date of this decree, to each such jobber that the license with such jobber has been cancelled and is of no effect, together with a true copy of this decree.

IV. That the defendant corporation and its officers, agents, representatives and employees, and each individual defendant, be, and they hereby are, perpetually enjoined and restrained:

(1) From enforcing or attempting to enforce any provision in any license agreement between the defendant corporation and any refiner of gasoline which prohibits or purports to prohibit the refiner licensee from selling lead-treated gasoline to any jobber, or other re-seller, who does not hold a license from the defendant corporation to sell lead-treated gasoline.

(2) From including in any agreement which the defendant corporation may hereafter enter into or offer to enter into with any refiner that the refiner shall not sell lead-treated gasoline to any jobber, or other reseller, who does not hold a license from the defendant corporation to sell lead-treated gasoline.

(3) From enforcing or attempting to enforce the provisions of any agreement by which the defendant corporation licenses or purports to license any jobber, or other reseller, to sell lead-treated gasoline.

(4) From requiring or attempting to require that jobbers, or other resellers, procure a license from the defendant corporation to sell lead-treated gasoline in order to be able to buy, sell or otherwise deal in lead-treated gasoline as jobbers or as other resellers.

(5) From entering into or carrying out any agreement in restraint of interstate trade or commerce similar to the agreements declared to be illegal in paragraph I of this decree, or any combination or conspiracy of similar character.

V. That jurisdiction of this cause is hereby retained for the purpose of enforcing this decree and of making such other and further orders or decrees as may become necessary herein.

VI. That the petitioner recover of the defendants its costs herein.

August 14, 1939.

WM. BONDY,  
*United States District Judge.*