

Upon consideration of the motions of the Terminal Railroad Association of St. Louis et al., defendants, filed May 7, 1915, of the Evens & Howard Fire Brick Company et al., intervenors, filed October 18, 1915, and of the Missouri Pacific Railway Company et al., defendants, filed February 11, 1916, it is

Ordered and decreed that the mandate of the Supreme Court of the United States of April 23, 1915, in this cause be spread upon the records of this court, and that conformably thereto paragraph 1 of the final decree of this court of January 29, 1914, be and it is modified so as to read as follows:

"1. The Terminal Railroad Association of St. Louis is an unlawful combination contrary to the antitrust act of July 2, 1890 (26 Stat., 209), when it and the various bridge and terminal companies composing it are operated as railroad transportation companies. The combination may, however, exist and continue as a lawful unification of terminal facilities upon abandoning all operating methods and charges as and for railroad transportation and confining itself to the transaction of a terminal business such as supplying and operating facilities for the interchange of traffic between railroads and to assist in the collecting and distributing of traffic for the carrier companies, switching, storing, and the like, and modifying its contracts as herein specified. An election having been made to continue the combination for terminal purposes the defendants are therefore perpetually enjoined from in any wise managing or conducting the said Terminal Railroad Association or any of its constituent companies and from operating any of the properties belonging to it or its constituents otherwise than as terminal facilities for the railroad companies using the same, and from making charges otherwise than for and according to the nature of the services so lawfully authorized to be rendered: *Provided, however,* That the right of said Terminal Railroad Association as an accessory to its strictly terminal business to carry on transportation as to business

IN THE DISTRICT COURT OF THE UNITED STATES,
IN AND FOR THE EASTERN DIVISION OF THE EASTERN
DISTRICT OF MISSOURI.

Equity No. 5250.

THE UNITED STATES OF AMERICA, COMPLAINANT,
VS.

THE TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS ET AL.
DEFENDANTS.

exclusively originating on its lines, exclusively moving thereon, and exclusively intended for delivery on the same is hereby recognized, and nothing in this decree shall be construed to deny such right."

It is further ordered that the motion of the Terminal Railroad Association of St. Louis et al to modify the final decree of January 29, 1914, in other respects be and it is denied.

Dated, St. Louis, Missouri, January 29, 1917.

(Signed) WALTER H. SANBORN,

(Signed) WILLIAM C. HOOK,

(Signed) WALTER J. SMITH,

Circuit Judges.

(Indorsed: "Received, filed, and entered Feb. 7, 1917.
W. W. Nall, Clerk.")