

UNITED STATES v. KLUGE ET AL.  
IN THE DISTRICT COURT OF THE UNITED STATES  
SOUTHERN DISTRICT OF NEW YORK.

In Equity No. E. 14—343.

UNITED STATES OF AMERICA, PETITIONER,

vs.

ADOLPH C. KLUGE, WILLIAM S. BRYDEN, JOHN J. PETERS,  
MAURICE B. RIPIN, FRANK WARNER, HUGO H. PIESEN,  
JULIUS M. REIS, JAMES C. GAYNOR, CHRISTIAN MARTIN,  
JR., HARRY G. KNAPP, GEORGE LAUBENHEIMER, ED-  
MUND G. STALTER, SEYMOUR H. RIPIN, BENJAMIN G.  
DEMAREST, ARTHUR Vervaet, GEORGE H. BEINERT,  
SPENCER JUNGE, WILLIAM WEINBERG, LOUIS SCHARF,  
BEN REIS, RALPH LEES, LEON FREEMAN, HARRY RIC-  
KER, CHARLES H. RICKER, EMMA A. DAMM, ALBERT K.  
BUHL, ARTISTIC WEAVING COMPANY, AMERICAN SILK  
LABEL MANUFACTURING COMPANY, UNITED STATES

WOVEN LABEL COMPANY, WARNER MANUFACTURING  
COMPANY, G. REIS AND BROTHER, NEW YORK WOVEN  
LABEL MANUFACTURING COMPANY, E. H. KLUGE WEAV-  
ING COMPANY, QUALITY WEAVING COMPANY, MUTUAL  
WOVEN LABEL COMPANY, CRYSTAL LAKE WEAVING  
COMPANY, UNIVERSAL LABEL WEAVING COMPANY, DE-  
FENDANTS.

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 by Henry A. Guiler, Special Assistant to the United States Attorney, of counsel, for relief in accordance with the prayer of the petition, and all the parties having consented thereto in open court;

Now, therefore, it is ordered, adjudged and decreed as follows, viz:

I. That the combination and conspiracy in restraint of the trade and commerce and to monopolize the same, and the restraint and monopoly attained thereby, described in the petition, be and hereby are declared 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 and additional thereto.

II. That the Woven Label Manufacturers Association described in the petition, and the agreement of association of which a copy is attached to the petition, be and hereby are declared illegal and in violation of said Acts of Congress.

III. That the defendants and each of them and their officers, agents, 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 the said combination and conspiracy, and from engaging in or entering into any like combination or conspiracy, the ef-

fect of which will be to restrain or monopolize trade or commerce in labels, hangers, tabs or other like articles, among the several States of the United States, or, in the District of Columbia, and from making any express or implied agreement or arrangement together, or with one another, like those hereby adjudged illegal, or using any other means or methods, the effect of which would be to prevent the free and unrestrained flow of said interstate trade or commerce in said labels, hangers, tabs or other like articles, or to monopolize the same.

IV. That said defendants, and each of them, and their officers, agents, 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 ordered and directed to dissolve and forever discontinue said Woven Label Manufacturers Association, and be and hereby are perpetually enjoined, restrained and prohibited, directly or indirectly, from engaging in, forming, joining or entering into any like association, or becoming members of any association which is not in all respects lawful and exclusively engaged in lawful conduct, or from making any express or implied agreement of association or arrangement together, or, with one another, similar to, or like said agreement of association hereinbefore mentioned.

V. 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, individually or collectively, directly or indirectly, from

(a) Agreeing to, fixing or establishing in any manner whatsoever, among themselves, the prices to be charged for such labels, hangers, tabs or other like articles or maintaining the prices therefor after they are so agreed to, fixed or established.

(b) Agreeing, among themselves, to establish, or adopt, a schedule of costs, or using, or continuing to use individually or collectively, or in any manner whatsoever,

the schedules of costs already agreed upon or adopted mentioned in the petition.

(c) Agreeing among themselves to establish or adopt a standard price list or a standard of prices, or issuing, circulating or communicating the same or the equivalent thereof, or anything similar thereto, or using or continuing to use, individually or collectively, or in any manner whatsoever, the standard lists of prices and discounts already agreed upon, adopted, used or issued, mentioned in the petition.

(d) Agreeing among themselves to charge purchasers of such labels, hangers, tabs or other like articles uniform prices, or issuing, circulating or communicating to each other or among themselves in any manner whatsoever the prices to be charged therefor, or the equivalent thereof; or agreeing to charge prices to purchasers in any manner whatsoever which will or may result in uniformity thereof.

(e) Agreeing among themselves to advance said uniform prices to purchasers of said labels, hangers, tabs or other like articles heretofore mentioned, or issuing, circulating or communicating to each other or among themselves in any manner whatsoever advances or proposed advances in prices, or any information concerning the same or relating thereto.

(f) Agreeing among themselves to fix minimum prices at which said labels, hangers, tabs or other like articles shall be sold or resold by jobbers, or individually or collectively fixing, suggesting or in any manner whatsoever indicating the prices at which said labels and other like articles shall be sold or resold by jobbers.

(g) Agreeing to adopt or adopting standard terms of payment, cash discount or a standard form of contract for carrying stock or for specified deliveries.

(h) Promulgating, issuing or circulating individually or collectively, among themselves, the names of concerns or persons who, rightfully or with justification, refuse to receive goods ordered or purchased, or blacklisting said concerns or persons, or preventing their obtaining goods from other persons or concerns until said refused goods

are accepted, or in any way assisting or aiding the manufacturer whose goods have been so refused to secure the acceptance of the same by said concerns or persons.

(i) Aiding, abetting or assisting, individually or collectively, others to do all or any of the matters or things hereinbefore enjoined or adjudged to be illegal.

VI. That jurisdiction of this case be and hereby is retained for the purpose of enforcing this decree, and for the purpose of enabling the parties to apply to the Court for modification hereof, if it be hereafter shown to the satisfaction of the Court that by reason of changed conditions or changes in the statute law of the United States the provisions hereof have become inappropriate or inadequate to maintain competitive conditions in interstate trade or commerce of the United States in the business of manufacturing, selling or distributing woven labels, hangers, tabs or other like articles, or have become unduly oppressive to defendants, and are no longer necessary to secure or maintain competitive conditions in such trade or commerce.

VII. 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.

Dated, New York, October 8th, 1917.

AUGUSTUS N. HAND,  
*United States District Judge.*