

IN EQUITY No. 18-13.

IN THE

District Court of the United States

SOUTHERN DISTRICT OF NEW YORK.

UNITED STATES OF AMERICA,

Petitioner,

vs.

BARBERS' SUPPLY DEALERS ASSOCIA-
TION OF AMERICA, and others,

Defendants.

FINAL DECREE.

FRANCIS G. CAFFEY,
United States Attorney.
Southern District of New York.

HENRY A. GUILER,
Special Assistant to the
United States Attorney.

RUSH H. WILLIAMSON,
Special Assistant to the
United States Attorney.

CHARLES B. AMES,
Assistant to the Attorney General.

Entered May 7th, 1920.

IN THE
District Court of the United States
SOUTHERN DISTRICT OF NEW YORK.

UNITED STATES OF AMERICA, Petitioner,	} In Equity No. 18-13.
vs.	
BARBERS' SUPPLY DEALERS AS- SOCIATION OF AMERICA, and others,	
Defendants.	

To each of the defendants in the above entitled ac-
tion:

Sir:

PLEASE TAKE NOTICE that a decree, of
which the within is a copy, was duly filed and en-
tered in the office of the clerk of the District Court
of the United States for the Southern District of
New York, on the 7th day of May, 1920.

FRANCIS G. CAFFEY,
United States Attorney,
Southern District of New York,
Attorney for Petitioner.

Dated, May 7th, 1920.

In Equity No. 18-13.

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

UNITED STATES OF AMERICA,
Petitioner,
vs.

BARBERS' SUPPLY DEALERS ASSOCIATION OF AMERICA, ROSE'S SCALP MASSAGE HOUSE, INC., KLEEBLATT BARBERS SUPPLY CO., CHARLES M. DICKSON CO., HOWIG ROBINSON CO., WILLIAM M. LOWE BARBER SUPPLY CO., JAMES G. BARRY CO., GIBSON BARBER SUPPLY CO., MILWAUKEE BARBER SUPPLY CO., KRAUT AND DOHNAL, INC., MELCHIOR BROS. BARBER SUPPLY CO., STRUTZ & CLOTTER CO., INC., JOHN REIDER CO., HEGENER BARBER SUPPLY CO., THE BAUMANN BARBER SUPPLY CO., EUGENE BERNINGHAUS CO., DETROIT BARBER SUPPLY CO., GUNKEL BARBER SUPPLY CO., MELCHIOR SUPPLY CO., EDLIS BARBER SUPPLY CO., RITCHIE-CARTAN & TURNER CO., A. VITTUR & CO., LTD., ATLANTA BARBER SUPPLY CO., C. E. HOFFMAN CO., CONNER & WALTERS

COMPANY, W. T. ROSE, JACOB G. HUBER, CHARLES M. DICKSON, L. M. HOWIG, M. E. LOWE, JAMES G. BARRY, J. B. GIBSON, JOHN A. OLIN, WALTER F. LADWIG, OTTO R. HAAS, FRED. MELCHIOR, VICTOR E. CLOTTER, JOHN REIDER, RICHARD L. HEGENER, BERNARD J. BAUMANN, EUGENE BERNINGHAUS, EMIL MORRIS, FRED. GUNKEL, HUGO MELCHIOR, JOHN J. CARTAN, ADOLPH VITTUR, M. EBENEZER TILLY, EMIL FRETZ, ADOLPH EDLIS, M. E. WALTERS, JAMES F. IRWIN, O. M. JACKSON, BERNARD DEVRY, L. M. TAYLOR, EDWARD J. JAHN, JOHN A. VONIER, ANDREW L. UNDERLAND, GEORGE H. FRALICK, ZURA C. SHAW, LOTTIE E. SHAW, E. H. SMITH, HENRY E. WEISS, WILLIAM L. BUCK, GEORGE E. BUCK, T. J. FIEDLER, JAMES M. GARRETT, JOHN HECKEL, LOUIS HECKEL, FRANK E. WAGNER, JOSEPH B. KITTS, PERETZ A. GOLDSTEIN, F. ARTHUR PUDEWELL, HARRY L. MEYER, AUGUST VOIGT, ALBERT E. VOIGT, FREDERICK KRUGER, JR., EMMA H. BLACK, J. BYRON COVALT, DANIEL MAKRAUER, CLARENCE A. GREEN, OLIVE GREEN, W. B. DINGMAN,

CHRISTIAN WEICHSEL, KONRAD
ROSSLER, JOHN ELSENBREICH.
IGNAZIO BADAMI, BARNEY FINN,
ORLANDO G. SPOON, RICHARD E.
C. HERFARTH, ERNEST F. W.
HERFARTH, KARL SIERPINSKI,
EDWARD D. SCHNEIDER, JR., A.
HALVERSON, FREDERICK DOLLE,
ALFRED J. KRANK, JOSEPH
BYRNE, HELEN KUHLMAN, R.
RUSSELL BURNETT, A. REEVES,
CLAUDE C. BOWERS, ANGELO
DIPUPPO, CHARLES DIPUPPO,
FRANK DIPUPPO, JOHN P. RIT-
TER, GEORGE S. CARMER, WIL-
LIAM RIEDEL, WILLIAM P.
PLATO, HENRY GOLDBERG AND
JOHN FERNSLER,

Defendants.

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 Henry A. Guiler, Special Assistant to the United States Attorney, and Rush H. Williamson, Special Assistant to the United States Attorney, of Counsel, for relief in accordance with the prayer of the petition, and all the parties having appeared therein by their attorney and counsel John Walsh, Esq., of Washington, D. C., and 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 trade and commerce and to monopolize the same, and the restraint and monopoly attained thereby, described in the petition, be and hereby are declared illegal and in violation of the Act of Congress, approved July 2, 1890, entitled "An Act to Protect Trade and Commerce Against Unlawful Restraint and Monopolies," and Acts amendatory thereof and supplemental or additional thereto.

II. 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 perpetually enjoined, restrained and prohibited, directly or indirectly, from engaging in or carrying into effect said combination and conspiracy, and from engaging in or entering into any like combination or conspiracy, the effect of which would be to restrain or monopolize said interstate trade or commerce in barbers supplies, or other like articles described in the petition among the several states of the United States, or in the District of Columbia, and from carrying out or continuing in effect the price or other agreements described in the petition, or making any express or implied agreements or arrangements together or with one another like those hereby adjudged illegal or enjoined, 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 barbers supplies, or other like articles, or, to monopolize the same.

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 ordered and directed to dissolve and forever discontinue the local or neighborhood clubs described in the petition, and be and hereby are perpetually enjoined, restrained and prohibited, directly or indirectly from engaging in, forming or entering into any like local or neighborhood clubs.

IV. 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, by agreement, understanding or otherwise, the prices to be charged for said barbers supplies, or other like articles, or maintaining the said prices after they are so agreed to, fixed or established.

(b) Maintaining, using, or continuing to maintain or use, individually or collectively, in any manner whatsoever, the prices already agreed upon or adopted; provided however that any defendant act-

ing independently may make a price in competition with any other person or firm engaged in said businesses.

(c) Agreeing among themselves in any manner whatsoever, to charge purchasers of said barbers supplies, or other like articles, uniform prices, or doing any act which will or may be calculated to result in uniform prices.

(d) Agreeing among themselves, or with others, to advance prices to purchasers of said barbers supplies, or other like articles, or advising or communicating with each other or with others as to proposed advances in prices, or in any way circulating among themselves information concerning or relating to such proposed advances.

(e) Agreeing among themselves to establish or adopt the terms, conditions or policies which should obtain with respect to the sale or disposal of said barbers supplies or other like articles.

(f) Agreeing among themselves or individually or collectively agreeing with others, to fix, establish, adopt or maintain resale prices for said barbers supplies, or other like articles, individually or collectively fixed, suggested or in any manner whatsoever indicated by others.

(g) Discriminating individually or collectively, or so causing others to discriminate against any purchaser, prospective or otherwise of said barbers supplies or other like articles.

(h) Aiding, abetting or assisting, individually or collectively, others to do all or any of the matters or things hereinbefore set forth or enjoined.

V. 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, May 7th, 1920.

AUGUSTUS N. HAND,
United States District Judge.

I hereby consent to the entry of the foregoing decree this 7th day of May, 1920.

JOHN WALSH,
Attorney for the Defendants.