

FEBRUARY 27, 1920.

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

In Equity No. 37623.

UNITED STATES OF AMERICA, PLAINTIFF,

VS.

SWIFT & COMPANY, ET AL, DEFENDANTS.

FINAL DECREE ON MANDATE.

This cause came on for further hearing on the mandate of the Supreme Court of the United States, and upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the judgment of the Supreme Court of the United States of May 2, 1932, be and the same is hereby made the judgment of this Court.

2. That the order entered herein on January 31, 1931, and the order entered on February 26, 1931, correcting the said order of January 31, 1931, be and the same are hereby vacated and set aside.

3. That the amended petition of the defendants Swift & Company and others and the amended petition of the defendants Armour & Company and others filed April 2, 1930, for modification of the Decree of February 27, 1920, be and the same are hereby dismissed.

4. That the defendants shall have to and including June 15, 1933, to comply with the provisions of paragraph

Third of said Decree and to dispose of stocks of any of the commodities enumerated in paragraph Fourth of the said Decree of 1920, which the said defendants or any of them or the National Fruit and Canning Company and the California Cooperative Canneries may now have on hand or which the defendants are committed to purchase on account of contracts entered into prior to May 2, 1932, and to the extent required by said Decree, to dispose of interests by way of stock ownership or otherwise now had in any plants or manufacturing establishments engaged in producing or dealing in any of the commodities enumerated in paragraph Fourth of the said Decree of 1920; provided, however, that except as hereinafter provided, nothing contained herein shall be construed to permit any of the defendants herein hereafter to enter into any new or further contracts or commitments of purchase which may result in the doing of things prohibited by the said Decree of 1920; and provided further that the Swift group of defendants and the Armour group of defendants shall report quarterly to the Attorney General their progress in disposing of stocks of commodities and interests in corporations, firms and associations as described in paragraph Fourth of said decree.

And it appearing that Armour & Company owns and operates at Westfield, New York, a plant (hereinafter referred to as the Westfield plant) employed in the manufacture and processing of grapes, cherries and other fruits, and it being represented by the defendant Armour & Company that there are in the vicinity of the said Westfield plant numerous growers of fruit whose crops are ready for harvest and who will not have an adequate opportunity to arrange for the profitable marketing of their present crops elsewhere to other plants than the defendant's plant, and that the Westfield plant should be permitted to continue to operate through the present season, it is further Ordered:

That Armour & Company be permitted to continue the operation of the said Westfield plant through the 1932 season, provided, however, that Armour & Company shall

dispose of all stocks on hand at the said plant before June 15, 1933 and shall not thereafter use or operate said plant in a manner prohibited by said Decree.

JENNINGS BAILEY,

*Justice.*