

At a stated term of the Circuit Court of the United States of America for the Southern District of New York, in the Second Circuit, held at the U. S. Court Rooms in the City of New York, on the *3rd* day of *March* in the year of our Lord One thousand eight hundred and ninety-nine.

P r e s e n t :

The Hon. E. HENRY LACOMBE,
Circuit Judge.

-----x
: THE UNITED STATES OF AMERICA, :
: :
: Plaintiff, :
: -vs- :
: :
: THE JOINT TRAFFIC ASSOCIATION, :
: et als, :
: Defendants. :
: :
-----x

This cause having been heretofore duly tried in this Court, and a judgment and decree having been entered in the said cause on the 12th day of June, 1896, in favor of the defendants, and dismissing the bill of complaint, and the said plaintiffs, the United States of America, having filed assignment of errors and appealed to the U. S. Circuit Court of Appeals for the Second Circuit, and the said Circuit Court of Appeals having after due consideration of said appeal in all things affirmed the judgment of this Court by decree entered on the 26th day of March, 1897, and the said plaintiffs the United States of America having thereafter filed assignment of errors and appealed to the Supreme Court of the United States, and the said Supreme Court having transmitted to this Court its mandate bearing date the 24th day of October, 1898, by which mandate it appears that at the October term, 1898,

said cause came on to be heard before the said Supreme Court, and was argued by counsel.

And on consideration whereof it was ORDERED, ADJUDGED AND DECREED that the judgment of the Circuit Court of the United States for the Southern District of New York, and the judgment of the U. S. Circuit Court of Appeals for the Second Circuit in this cause be reversed, and it was further

ORDERED, ADJUDGED AND DECREED that this cause be, and the same hereby was remanded to this Court, with instructions to take such further proceedings therein as may be in conformity with the opinion of the said Supreme Court of the United States.

NOW, on reading and filing the said mandate, and on motion of Henry L. Burnett, the Attorney for the plaintiffs, and Carter & Leyard, and others, Attorneys for the defendants appearing and not opposing, it is

ORDERED, ADJUDGED AND DECREED that the said judgment of the said Supreme Court be, and the same hereby is made the judgment of this Court; and that the judgment aforesaid of the Circuit Court of the United States for the Southern District of New York be, and the same hereby is reversed, and it is further

ORDERED, ADJUDGED AND DECREED that the said defendants, and each and every of them, and their representatives, officers, agents and servants, and each and every of them, be perpetually enjoined from acting under, enforcing or executing the agreement or "articles of organization" more particularly set forth in the bill of complaint, said agreement being adopted November 19th, 1895, to take effect January 1st, 1896; and, further, that the said defendants, and each and every

of them, and their representatives, officers, agents and servants, and each and every of them, be perpetually enjoined from operating their said railroads under the said agreement or "articles of organization", and from further proceeding in any manner to carry the said agreement into effect and operation.

E. H. Lacombe

U. S. Circuit Judge.

Form assented to.

Carter & Ledyard
Solicitors for Joint Traffic
Association, defendant -

De Forest & Co.

Solicitors for Central

R.R. of N.Y.

Hamilton Odell

Solicitor for
Delaware, Low. R.R.s.

Stetson, Tracy, Jennings & Russell

Solicitors for Erie Railroad

Chicago & Erie, C. & O. R. way

C. C. C. & St. L. Railway Companies

Alexander & Green

Solicitors for Lake Valley Railroad Co.

Rosenwald & Buddenbaum

Frank Loomis Sol for the N.Y. C. & H. R.R.