

**UNITED STATES OF AMERICA v. MAPLE FLOORING
MANUFACTURERS ASSOCIATION ET AL.,
DEFENDANTS.**

IN THE DISTRICT COURT OF THE UNITED STATES,
WESTERN DISTRICT OF MICHIGAN.

Equity No. 1979.

UNITED STATES OF AMERICA, PLAINTIFF,

v.

MAPLE FLOORING MANUFACTURERS ASSOCIATION ET AL.,
DEFENDANTS.

FINAL DECREE.

This cause came on to be heard at this term, and the Court having considered the evidence and having heard arguments of counsel and being fully advised in the premises, it is hereby ordered, adjudged, and decreed as follows:

1. That the contract or articles of association under which defendants are now operating, under the name of the Maple Flooring Manufacturers Association, and the activities thereunder as alleged in the original bill and provided on the hearing constitute a combination in restraint of interstate trade and commerce in violation of the Act of Congress of July 2, 1890, entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," known as the Sherman Anti-trust Act.

2. That the defendants and their officers, agents, servants, and employees and all persons acting under, by, or in behalf of them or any of them are hereby ordered and directed to dissolve and to forever discontinue defendant Maple Flooring Manufacturers Association, and they are perpetually enjoined, restrained, and prohibited from forming or engaging in any like association; and from entering into any express or implied agreement or articles of association or minimum price plan or minimum price basis or any arrangement similar to and having a like purpose as said agreements or articles of as-

sociation or minimum price plans or minimum price bases described in the petition herein and shown in the proof.

3. That the defendants, their officers, agents, servants, and employees, and all persons acting under, through, or in behalf of them or any of them, are hereby perpetually enjoined, restrained, and prohibited from combining, conspiring, or agreeing to do any of the following acts:

(a) To fix in any manner whatsoever or to maintain uniform or noncompetitive f. o. b. factory or delivered prices for the maple, beech, or birch flooring sold by them, or to increase or diminish such prices, or to do any act or acts having the purpose or effect of establishing or maintaining such uniform or noncompetitive prices or increasing or diminishing such prices.

(b) To fix in any manner whatsoever, or to maintain, uniform minimum prices or average costs for maple, birch, or beech flooring, or the elements to be considered as entering into and determining said minimum prices or average costs, or to do any act or acts having the purpose or effect of establishing or maintaining uniform minimum prices or average costs for use as common bases in establishing prices.

(c) To make reports to a central collective agency or agencies or to receive reports from a central collective agency or agencies such as or similar to the reports described in subdivision five of paragraph five of the petition herein and proven by the evidence to be used as a means of fixing or controlling prices or in any manner affecting the production of maple, beech, or birch flooring or to be used as a means of fixing or controlling or increasing or diminishing prices of maple, beech, or birch flooring or to be used as a means of controlling or otherwise affecting the production of such flooring.

(d) To do any act or acts having the purpose or effect of causing or enabling them or any of them to establish or maintain uniform or noncompetitive prices or to in-

crease or diminish such prices or to maintain uniform policies as to prices and sales.

(e) To compile, publish, or use freight-rate books containing any or all of the following matters: Average cost charts of the principal items of maple, beech, or birch flooring, tables of differentials for the determination of the average costs of other kinds of maple, beech, or birch flooring, delivered costs charts showing the average cost of any item of maple, beech, or birch flooring when delivered at any destination.

Provided, however, that nothing contained in this decree shall be construed as prohibiting any defendant from doing or performing any of the foregoing acts or from selecting his or its own trade and from disposing of his or its own products to such persons or on such terms as he or it may choose, if done individually and without combining, conspiring, or agreeing with any other defendant or with any other manufacturer of maple, beech, and birch flooring.

4. That the petitioner shall have and recover from the defendants its costs.

C. W. SESSIONS,
District Judge.

January 4, 1924.