

THE UNITED STATES OF AMERICA

VS.

ADDYSTON PIPE & STEEL COMPANY, DENNIS LONG & COMPANY, HOWARD-HARRISON IRON COMPANY, ANNISTON PIPE & FOUNDRY COMPANY, SOUTH PITTSBURG PIPE WORKS, AND CHATTANOOGA FOUNDRY & PIPE WORKS.

Civil No. 539.

In this cause came William D. Wright, United States attorney for the Eastern District of Tennessee, and presented to the court a mandate from the United States Circuit Court of Appeals for the Sixth Circuit, which has been regularly filed in this court, which mandate is in the following words and figures, to wit:

“United States Circuit Court of Appeals for the Sixth Circuit.

“United States of America, Sixth Judicial Circuit, ss.

“The President of the United States to the honorable, the judge of the Circuit Court of the United States for the Eastern District of Tennessee, *Greeting*:

“Whereas, lately in the Circuit Court of the United States for the Eastern District of Tennessee, before you, or some of you, in a cause between the United States of America, complainants, and the Addyston Pipe & Steel Company et al., respondents, wherein a decree was entered in favor of said respondents and against said complainants, as by the inspection of the transcript of the record of the said Circuit Court, which was brought into the United States Circuit Court of Appeals for the Sixth Circuit by virtue of an appeal, agreeably to the act of

Congress in such cases made and provided, fully and at large appears.

“And, whereas, in the present term of October, in the year of our Lord one thousand eight hundred and ninety-seven, the said cause came on to be heard before the said United States Circuit Court of Appeals for the Sixth Circuit, on the said transcript of record, and was argued by counsel:

“On consideration whereof, it is now here ordered, adjudged, and decreed that the decree of the said Circuit Court in this cause be and the same is hereby reversed with instructions to enter a decree for the United States perpetually enjoining the defendant from maintaining the combination in cast iron pipe described in the bill and from doing business thereunder.

“You, therefore, are hereby commanded that such proceedings be had in such cause in conformity with the opinion and decree of this court as according to right and justice, and the laws of the United States ought to be had, the said appeal notwithstanding.

“Witness the Hon. Melville W. Fuller, Chief Justice of the United States, the 22nd day of March, in the year of our Lord one thousand eight hundred and ninety-eight.

“Costs of appellant, \$20.

“FRANK O. LOVELAND,
“*Clerk of the United States Circuit Court
of Appeals for the Sixth Circuit.*”

Upon motion of complainant's solicitor this cause is reinstated upon the docket of this court for the purpose of carrying out the orders of the United States Circuit Court of Appeals for the Sixth Circuit. Thereupon the cause came on again for hearing on this the 6th day of June, 1898, before the Hon. C. D. Clark, judge of the United States District Court for the Eastern District of Tennessee, etc., upon the entire record in the cause and more especially upon the opinion rendered by the United States Circuit Court of Appeals, and the directions therein contained, on February 8, 1898, and the order remanding the same.

And the same having been duly considered, it is therefore ordered, adjudged, and decreed by the court that the defendants, the Addyston Pipe & Steel Company, Dennis Long & Company, Howard-Harrison Iron Company, An-niston Pipe & Foundry Company, South Pittsburg Pipe Works, and Chattanooga Foundry & Pipe Works, on or about the 28th day of December, 1894, entered into an unlawful combination, agreement, and conspiracy in restraint of interstate commerce in violation of the so-called antitrust law passed by Congress July 2, 1890, in the sale of cast-iron pipe as charged in the bill in this cause.

It is further ordered, adjudged, and decreed by the court that each and all of the defendants herein named be and are hereby perpetually enjoined from maintaining the combination in cast-iron pipe described in the bill and substantially admitted in the answer, and from doing any business thereunder.

It is further ordered, adjudged, and decreed by the court that the complainant have and recover of the defendants all the costs of this cause and the costs in the United States Circuit Court of Appeals for the Sixth Circuit, for which an execution will issue.

[JUNE 6, 1898.]
