APPENDIX TO CRIMINAL ENFORCEMENT OF SECTION 2 OF THE SHERMAN ACT: AN EMPIRICAL ASSESSMENT

Daniel A. Crane

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Defendants (Primary and Additional), Case Name, and Date of Indictment or Information	Nature of Allegations	Unilateral Conduct (UC) or Concerted Conduct (CC)	Disposition
Federal Salt United States v. Federal Salt Co., No. Cr. 4088 (N.D. Cal. Feb. 28, 1903)	Monopoly in the manufacture and sale of salt in western states by means of agreements which eliminated competition and permitted the fixing/enhancing of prices	CC	Defendant pleaded guilty; $1,000 fine
Armour & Co. Other corporate and individual defendants United States v. Armour & Co., No. Cr. 3626 (N.D. Ill. July 1, 1905)	Conspiracy to restrain and monopolize interstate trade and commerce in meats	CC	Individual defendants dismissed; nolle prosequi as to corporate defendants
Virginia-Carolina Clays, Inc.	Conspiracy to restrain and an attempt to monopolize interstate commerce in structural clay products. The	CC	Nolle prosequi was entered as to three defendants, and 63 defendants

[1] This Appendix contains information on the 168 criminal monopolization cases referenced in the main text of the article. The data were compiled from CCH's Trade Regulation Reporter publications, with limited cross-checking of other sources. Complete Excel files containing data extracted from the CCH reports are on file with the author. The third column ("Unilateral Conduct/Concerted Conduct") represents the author's judgment based on the criteria described in the text of the article. Any errors are the author's alone.

Three corporate selling agencies, 25 corporations and 23 individuals or partnerships (members of the selling agencies) engaged in manufacturing structural clay products, and 29 officers of defendant companies United States v. Virginia-Carolina Chemical Co., No. Cr. 963 (M.D. Tenn. May 25, 1906)	indictment charged that defendants fixed and maintained uniform prices and dictated terms and conditions of sale which they enforced through a system of policing and fines, eliminated potential competition through "recognized dealer lists," and prevented member and non-member manufacturers from supplying structural clay products to manufacturers or dealers who were not in good standing.		entered pleas of nolo contendere. The remaining 14 defendants stood trial but waived a jury. After five days of trial, the court rendered a verdict of guilty as to one defendant, the corporate trade association. Immediately, the remaining 13 defendants withdrew their pleas of not guilty and entered pleas of nolo contendere. An appeal taken by the defendant found guilty was dismissed by stipulation. Fines totaling $50,650 were imposed on 77 of the defendants.
American Naval Stores Other corporate defendants and their officers United States v. American Naval Stores Co., No. Cr. 607 (S.D. Ga. Apr. 11, 1908)	Conspiracy to restrain and monopolize the manufacture and sale of turpentine and naval stores by eliminating competition through certain unfair and illegal practices	CC	Following Supreme Court appeal, second trial resulted in acquittal
John Reardon & Sons Other corporate and individual defendants United States v. John Reardon & Sons Co., Nos. Cr. 101, 595, and 596 (D. Mass. Oct. 17, 1910)	Conspiracy to eliminate competition in the purchase of raw materials used in the business of manufacturing, rendering, and producing tallow, oleo, oil, oleosterin, and fertilizer	CC	Nolle prosequi as to individual defendants; corporations pleaded nolo contendere and paid $8,000 fine
Isaac Whiting Other milk purchaser defendants	Conspiracy to fix and depress prices paid to milk producers	CC	Defendant Whiting paid fine of $500; charges as to other defendants dismissed

United States v. Isaac Whiting, Nos. Cr. 453 and 454 (D. Mass. May 26, 1911)			
Sidney Winslow Others United States v. Sidney W. Winslow, No. Cr. 114 (D. Mass. Sept. 19, 1911)	Combination and conspiracy to restrain and monopolize the shoe machinery industry by the consolidation of independent manufacturers and by a system of leases containing tying clauses	UC	After Supreme Court decision, nolle prosequi
New Departure Mfg. Co. Five other corporate and 18 individual defendants United States v. New Departure Mfg. Co., No. Cr. 819 (W.D.N.Y. Jan. 8, 1912)	Conspiracy to restrain and monopolize interstate commerce in coaster brakes by fixing uniform prices and terms and conditions of sale, under cover of a pretended patent-licensing arrangement	CC	Certain of the defendants pleaded guilty and others nolo contendere; fines aggregating $81,500 were imposed
Pacific & Arctic Ry. Co. United States v. Pacific & Arctic Ry. Co., No. Cr. 835-B (D. Alaska Feb. 12, 1912)	Conspiracy to monopolize the transportation facilities between Skagway, Alaska, and the headwaters of the Yukon River by the purchase and abandonment of competing carriers	CC	Statute of limitations plea sustained
Pacific & Arctic Ry. Co. United States v. Pacific & Arctic Ry. Co., No. Cr. 837-B (D. Alaska Feb. 13, 1912)	Conspiracy to monopolize transportation between the United States and Yukon River points by refusing to grant through rates to other lines and by exacting exorbitant local transportation and wharfage charges to shippers using the transportation facilities of competitors	CC	After Supreme Court decision, indictment was dismissed as to the individual defendants, and after the corporate defendants pleaded guilty, fines aggregating $19,500 were imposed
William Hippen Three corporate defendants	Conspiracy to restrain and monopolize interstate trade and commerce in fruits and vegetables	CC	Demurrer to the indictment was sustained, and the indictment was dismissed

United States v. William Hippen, No. Cr. 903 (W.D. Okla. June 25, 1913)			
Western Cantaloupe Exchange Growers and distributors United States v. Western Cantaloupe Exchange, No. Cr. 5460 (N.D. Ill. Aug. 7, 1914)	Combination to restrain and monopolize trade in cantaloupe	CC	Indictment dismissed; requested relief pursued through bill in equity
William McCoach 32 other master plumbers United States v. William McCoach, No. Cr. 9 (W.D. Pa. Oct. 5, 1914)	Combination to monopolize the business of selling and installing plumbing supplies	CC	Nolle prosequi as to one defendant; the remaining defendants pleaded nolo contendere, and fines aggregating $5,265 were imposed
Chris Irving 13 master plumbers and retail dealers United States v. Chris Irving, No. Cr. 3837 (D. Utah Oct. 31, 1914)	Combination to monopolize the business of selling and installing plumbing supplies	CC	Nolle prosequi as to two defendants; remaining defendants were found guilty, and fines aggregating $7,250 were imposed
William Rockefeller Railroad company officers and directors of New York, New Haven & Hartford Railroad Company United States v. William Rockefeller, No. C7-216 (S.D.N.Y. Nov. 2, 1914)	Conspiracy to monopolize the transportation facilities of New England	UC	Disagreement by the jury as to five defendants, and six defendants were found not guilty; pleas of immunity were sustained as to four defendants, and a nolle prosequi was entered as to the remaining defendants

Isaac E. Chapman Others United States v. Isaac E. Chapman, No. C7-317 (S.D.N.Y. Jan. 27, 1915)	Combination and conspiracy to monopolize interstate trade and commerce in the derrick lighterage and wrecking business in New York harbor and vicinity	CC	Demurrer of indictment sustained
Jensen Creamery Co. Others United States v. Jensen Creamery Co., No. Cr. 610 (D. Idaho Feb. 24, 1917)	Combination and conspiracy to restrain and monopolize interstate trade and commerce in creamery and dairy products in the Northwestern State	CC	The Jensen Company pleaded guilty, and a fine of $7,500 was imposed; the remaining defendants were found not guilty
Nash Bros. Others United States v. Nash Bros., No. Cr. 2745 (D.N.D. July 30, 1917)	Conspiracy to monopolize trade in fruit by seeking to prevent competitors from purchasing fruit from growers and distributors and by cutting prices to cause competitors to sustain losses in the sale of any fruit purchased	UC	Demurrer sustained; case dismissed
William M. Webster Other members of the National Association of Automobile Accessory Jobbers United States v. William M. Webster, No. C-10-64 (S.D.N.Y. Aug. 30, 1917)	Combination to restrain and monopolize trade in automobile accessories	CC	Not guilty verdict; nolle prosequi as to two corporate defendants
Ironite Co. Others	Conspiracy to restrain and monopolize interstate trade in pulverized, powdered, and finely divided iron and other like metal or metal-contained material used in, or in connection with, concrete construction work	CC	Indictment dismissed after defendant agreed to consent decree in parallel equitable case

United States v. Ironite Co., No. Cr. 12-413 (S.D.N.Y. May 10, 1918)			
Walter Moore Members of the Steamship Freight Brokers' Association and the Trans-Atlantic Associated Freight Conferences United States v. Walter Moore, No. Cr. 24-110 (S.D.N.Y. Aug. 30, 1920)	Conspiracy to restrain and monopolize commerce by an agreement providing for the allowance of a special brokerage fee by steamship companies to members of the Steamship Freight Brokers' Association	CC	Demurrer to the indictment was sustained and a nolle prosequi was entered
Poster Advertisers Association Members of Association No. Cr. 7648 (N.D. Ill. Jan. 26, 1921)	Monopolization of interstate commerce in bill posters by requiring billboard owners who were members of the Poster Advertisers Association to receive for exhibition only those posters furnished by Poster Advertising Company, and by causing the Poster Advertising Company to refuse to supply posters to others not members of the Association or to serve any advertisers dealing with its competitors	CC	Nolle prosequi
Alpha Portland Cement Co. 73 corporate and 40 individual defendants United States v. Alpha Portland Cement Co., No. Cr. 27-272 (S.D.N.Y. Mar. 1, 1921)	Conspiracy to restrain and monopolize interstate commerce in Portland cement	CC	Nolle prosequi
Chicago Master Steam Fitters' Association Others, including association's business manager	Monopoly in restraint of interstate trade in furnishing and installing heating apparatus in Chicago	CC	Nolle prosequi

United States v. Chicago Master Steam Fitters' Ass'n, No. Cr. 7902 (N.D. Ill. Apr. 30, 1921)			
Louis Biegler Company 10 corporate and 18 individual defendants, including representatives of Amalgamated Sheet Metal Workers' Union United States v. Louis Biegler Company, Inc., No. Cr. 7901 (N.D. Ill. Apr. 30, 1921)	Monopoly in restraint of interstate trade in furnishing and installing heating apparatus in Chicago	CC	Nolle prosequi
A.J. Peters Four others No. Cr. 1396 (D. Az. Feb. 13, 1922)	Conspiracy to restrain and monopolize interstate commerce in hay	CC	Indictment dismissed on motion of government
United Gas Improvement Co. 2 corporations and 8 individuals United States v. United Gas Improvement Co., No. Cr. 31-139 (S.D.N.Y. Mar. 6, 1922)	Conspiracy to restrain and monopolize interstate trade in incandescent lamps, fixtures, and appliances, by securing control of a number of valuable patents and excluding others from the use of those patents, by acquiring and combining competing companies, and by intimidating competitors	CC	Nolle prosequi
American Terra Cotta & Ceramic Co. 6 corporations and 7 individuals United States v. American Terra Cotta & Ceramic Co., No. Cr. 9333 (S.D.N.Y. Mar. 27, 1922)	Combination and conspiracy to restrain and monopolize interstate trade and commerce in terra cotta through the instrumentality of the National Terra Cotta Society	CC	Indictment dismissed as to all but one of the individual defendants; and all but two of the corporate defendants pleaded guilty, and fines aggregating $13,500 were imposed; thereafter, the remaining corporate defendant pleaded nolo contendere, a fine of $1,500 was imposed, and a nolle prosequi was entered as to the

			remaining individual defendant on motion of the government
Ludowici-Celadon Co. United States v. Ludowici-Celadon Co., No. Cr. 19052 (N.D. Ill. Mar. 12, 1929)	Conspiracy to monopolize interstate commerce in the manufacture and sale of roofing tile by the acquisition of the business, property, and assets of competing corporations, and by various unlawful acts and agreements to exclude and prevent competition in the sale and installation of roofing tile	UC	Defendant pleaded nolo contendere, and a fine of $5,000 was imposed
Union Pacific Produce Co. Officers of company United States v. Union Pac. Produce Co., No. Cr. 94-143 (S.D.N.Y. Apr. 7, 1933)	Conspiracy to restrain and monopolize interstate commerce in artichokes by preventing, through threats, intimidation and violence, artichoke receivers, jobbers, retailers, push-cart peddlers, and others, their customers, and employers, from dealing in artichokes in the metropolitan area of New York except through the company	UC	Guilty pleas by all defendants, fine of $1,000 was imposed on the company, and a sentence of six months' imprisonment was imposed on each of two individual defendants; the sentences of two other defendants were suspended, and those defendants were placed on probation for a period of five years
Fish Credit Association, Inc. 24 corporations and 54 officers, directors, and employees United States v. Fish Credit Ass'n, Inc., No. Cr. 96-233 (S.D.N.Y. June 5, 1933)	Conspiracy to restrain and monopolize interstate commerce in fresh-water fish by fixing uniform prices, terms, and conditions of sale, by eliminating competition, and by boycotts, threats, intimidation, and other acts of violence	CC	Some defendants were dismissed, others pled guilty or were convicted; fines aggregating $48,387 were imposed against 61 defendants, and 12 defendants were sentenced to imprisonment for terms of six months to two years, but eight of those sentences were suspended
Fur Dressers Factor Corp. Three unions and their officers and directors United States v. Fur Dressers Factor Corp., No. Cr. C-95-926 (S.D.N.Y. Nov. 6, 1933)	Conspiracy to restrain and monopolize interstate trade and commerce in the shipping, dressing, and dyeing of fur skins, by dictating prices, terms and conditions of sale and transportation, and by enforcing such terms and conditions through violence and intimidation	CC	Guilty pleas and convictions before a jury resulted in fines and prison sentences of two to 15 months

Protective Fur Dressers Corp. Officers, members, stockholders United States v. Protective Fur Dressers Corp., No. Cr. C-95-924 (S.D.N.Y. Nov. 6, 1933)	Conspiracy to restrain and monopolize interstate commerce in rabbit skins by fixing uniform terms, conditions, and prices, and by enforcing those terms, conditions, and prices through violence and intimidation	CC	Twenty-three defendants pleaded guilty; two individuals found guilty and sentenced to two years imprisonment and $10,000 fines; one defendant's conviction reversed on appeal, but that defendant subsequently plead guilty and was sentenced to one year in prison; further fines imposed on other defendants
American Potash & Chemical Corp. Dutch corporation, 4 American corporations, and 57 individuals United States v. Am. Potash & Chem. Corp., No. Cr. 105-184 (S.D.N.Y. May 26, 1939)	Combination and conspiracy in restraint of, and an attempt to monopolize interstate and foreign trade and commerce in potash; the indictment charged that defendants conspired to maintain uniform prices, terms, and discounts, refrained from competing, and refused to sell potash to individual farmers, farm cooperatives, and fertilizer mixers not recognized or approved by all of the defendants.	CC	Nolle prosequi was entered as to all defendants following entry of a consent decree in a civil action involving the same practices.
Underwood Elliott Fisher Co. 13 motion picture corporations and 54 officers United States v. Underwood Elliott Fisher Co., No. Cr. 105-406 (S.D.N.Y. July 28, 1939)	Criminal contempt of the consent decree entered on August 21, 1930, in *United States v. West Coast Theatres, Inc.*, which declared illegal under the Sherman Act a combination and conspiracy to restrain and monopolize interstate trade and commerce in motion pictures, and which granted a permanent injunction	CC	Voluntary dismissal by government
Barrett Company 12 officers of the company United States v. Barrett Co., No. Cr. 106-13 (S.D.N.Y. Sept. 1, 1939)	Combination and conspiracy to restrain and monopolize interstate trade and commerce in sulphate of ammonia, a nitrate fertilizer; the indictment charged that defendants entered into exclusive sales contracts with numerous large producers of sulphate of ammonia and purchased for resale substantial quantities from	UC	Nolle prosequi was entered as to all defendants in view of the consent decree entered in related civil case.

	other producers, as a result of which defendants were enabled to establish uniform, noncompetitive prices.		
Chilean Nitrate Sales Corp. Seven corporations and 17 of their officers United States v. Chilean Nitrate Sales Corp., No. Cr. 106-14 (S.D.N.Y. Sept. 1, 1939)	Conspiracy to restrain, a conspiracy to monopolize, and monopolization of, interstate and foreign commerce in nitrate of soda, a fertilizer; defendants entered into agreements by which uniform prices and terms were fixed for the sale of all bulk and bag nitrate of soda produced in the United States or imported from Chile.	CC	One defendant corporation pleaded nolo contendere as to all counts; five other defendants pleaded nolo contendere as to count 1 and were nolle prossed on counts 2 and 3; and two other defendants were nolle prossed on all three counts. Fines totaling $35,000 were imposed.
Wheeling Tile Co. Eight tile corporations, three incorporated tile contractors' associations, two labor unions, and 35 individuals United States v. Wheeling Tile Co., No. Cr. 25537 (E.D. Mich. Dec. 5, 1939)	Conspiring to prevent the shipment of tile in interstate commerce to any contractor in the Detroit area not a member of the defendant associations; it was charged that the purpose was to give members of the associations a monopoly of the purchase of tile in the Detroit area and to force independent tile contractors in that area out of business by preventing them from purchasing tile and procuring union labor.	CC	All but one of the defendants entered pleas of nolo contendere, and fines totaling $62,017 were imposed; the indictment was nolle prossed as to the remaining defendant.
Arthur Morgan Trucking Co. Arthur L. Morgan (president, Arthur Morgan Trucking Co.); Local No. 600 of the International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers; and three members of the union United States v. Arthur Morgan Trucking Co., No. Cr. 21-386 (E.D. Mo. Jan. 23, 1940)	Combining and conspiring to restrain and monopolize interstate trade and commerce in hauling materials and supplies, including construction materials, by attempts to eliminate haulers competing with defendant company in hauling construction materials and other commodities; it was further charged that competitors were deprived of union labor and subjected to threats and intimidation, that individual haulers were deprived of union membership, and that fleet owners were black-listed, subjected to sabotage, and deprived of experienced labor.	CC	All defendants pleaded nolo contendere; fines totaling $12,006 were imposed.

Heating, Piping and Air Conditioning Contractors Ass'n of Southern California One labor union, 11 corporations, and 62 individuals United States v. Heating, Piping and Air Conditioning Contractors Ass'n of S. Cal., No. Cr. 14250-Y (S.D. Cal. Jan. 26, 1940)	Combination and conspiracy in restraint of interstate trade and commerce in heating, piping, ventilating, and air conditioning equipment shipped into California; the indictment charged that defendants used a bid depository to control contract prices for equipment and installation work, prevented contractors not belonging to defendant association from obtaining union labor, supplies, and equipment, and in other ways attempted to restrain trade and create a monopoly.	CC	Nolle prosequi as to ten defendants; nolo contendere pleas by remaining defendant and fines totaling $10,044
Contracting Plasterers' Ass'n of Long Beach, Inc. Three associations of contractors, two associations of dealers in plastering materials (one of which succeeded the other), three labor unions, nine corporations holding membership in the dealers' association, and 74 individuals United States v. Contracting Plasterers' Ass'n of Long Beach, Inc., No. Cr. 14262-Y (S.D. Cal. Feb. 2, 1940)	Combination and conspiracy in restraint of interstate trade and commerce by preventing or restraining the sale, in the Long Beach area, of plastering materials by non-members of defendant dealers' association; the indictment further charged defendants with preventing or restraining the purchase, in that area, of plastering materials by non-members of defendant plasterers' associations, and by preventing or restraining the application of plastering materials by non-members of one of defendant unions; defendants were charged, among other things, with the use of strikes, boycotts, threats, and the destruction of property to effectuate their purposes.	CC	Count two of the indictment was nolle prossed as to all defendants, and count one was nolle prossed as to certain defendants; the remaining defendants pleaded nolo contendere, and fines totaling $7,512 were imposed on 17 defendants, sentence being suspended as to the remainder.
Southern Pine Ass'n Southern Pine Lumber Exchange, an association dealing in lumber statistics, and the National Association of Commission Lumber Salesmen	Combination and conspiracy in restraint of interstate trade and commerce and an attempt to monopolize the market for southern pine lumber by fixing prices, restricting production and distribution, and by preventing manufacturers not associated with defendants from engaging in the lumber business; it was further charged that by various means, including the use of its trade-mark grade-mark on lumber and misleading promotional campaigns, the Southern Pine	CC	Defendants entered pleas of nolo contendere; the Southern Pine Association was fined $10,000, and the other two defendants were each fined $1,000.

United States v. Southern Pine Ass'n, No. Cr. 19903 (E.D. La. Feb. 16, 1940)	Association secured as high as 90% of the southern pine lumber market in certain trade territories.		
Lumber Institute of Allegheny County Carpenters District Council of Pittsburgh, Pennsylvania and Vicinity, 14 corporations, and 34 other defendants United States v. Lumber Inst. of Allegheny Cty., No. Cr. 10529 (W.D. Pa. Feb. 23, 1940)	Combination and conspiracy in restraint of interstate trade and commerce and an attempt to monopolize the sale of millwork in Allegheny County, Pennsylvania; the indictment charged that defendants, by various means, including strikes, threats of strikes, and denial of the use of the union label, attempted to prevent out-of-state manufacturers from shipping millwork into Allegheny County, for the purpose of maintaining high non-competitive prices.	CC	Nolle prossed as to all defendants
St. Louis Tile Contractors' Ass'n Two tile contractors' associations, one labor union, three corporations engaged in selling and installing tile, and nine individuals United States v. St. Louis Tile Contractors' Ass'n, No. Cr. 21552 (E.D. Mo. May 17, 1940)	Combination and conspiracy in restraint of interstate trade and commerce in tiles, and attempt to monopolize the purchase, sale, and installation in the St. Louis area of tile in interstate commerce; the indictment charged that defendants fixed prices through the use of a bid depository, forced national manufacturers to sell only to members of the associations, and attempted to eliminate "one-man" and other tile contractors not associated with defendants; it was charged that fines, boycotts, and unwarranted denial of union labor were used in perpetrating the conspiracy.	CC	All defendants entered pleas of nolo contendere, and fines totaling $20,011 were imposed; two associations and two individuals were fined $5,000 each, and the remaining eleven defendants were fined $1.00 each; execution of the fines was suspended for a period of three years conditioned upon defendants' compliance with the terms of a consent decree entered against them in a civil suit.
Hiram W. Evans Purchasing agent of the State Highway Board of Georgia, and three corporations which manufacture emulsified asphalt	Conspiracy in restraint of commerce in emulsified asphalt shipped into Georgia from outside the state; the indictment charged a conspiracy to eliminate competition by selecting bidders and controlling their proposals to supply emulsified asphalt for state projects.	CC	Nolle contendere pleas and fines totaling $30,000

United States v. Hiram W. Evans, No. Cr. 16205 (N.D. Ga. May 30, 1940)			
Chattanooga News-Free Press Co. Two individuals United States v. Chattanooga News-Free Press Co., No. Cr. 7978 (E.D. Tenn. June 13, 1940)	Conspiracy to restrain and an attempt to monopolize interstate commerce by preventing the operation of competing afternoon newspapers in Chattanooga, Tennessee; the information further charged that contracts for advertising space in issues of the Chattanooga News-Free Press required advertisers to use that paper exclusively for afternoon advertising in Chattanooga.	UC	The jury found the defendants guilty on count one and not guilty on count two; a fine of one cent was imposed on each defendant in lieu of costs.
Lumber Products Ass'n, Inc. A number of concerns manufacturing millwork and patterned lumber in the San Francisco Bay area, certain individuals connected with such manufacturers, three trade associations performing various services on their behalf, an international labor union, four local labor unions affiliated with the international union, three trades councils, and certain of their members and representatives United States v. Lumber Products Ass'n, Inc., No. Cr. 26977-S (N.D. Cal. June 26, 1940)	Conspiracy to monopolize manufacturing millwork and patterned lumber in the San Francisco Bay area	CC	Following Supreme Court decision holding that a conspiracy to restrain trade between labor unions and business groups violated the Sherman Act, union and manufacturing defendants were fined a total of $68,000.
American Tobacco Co. Eight corporations and certain of their subsidiaries and officers	Conspiracy to monopolize, an attempt to monopolize, and a monopolization of interstate trade in leaf and tobacco products; each of the counts charged that the defendants combined to acquire control of the leaf marketing system and exercised control to destroy the	CC	The Supreme Court granted writs of certiorari limited to the question whether actual exclusion of competitors is necessary to the crime of monopolization under Section 2 of

United States v. Am. Tobacco Co., No. Cr. 6670 (E.D. Ky. July 24, 1940)	bargaining power of the farmers; that within the framework of this controlled system they fixed prices to be paid for leaf tobacco; that they secured control of the distributing system; and that they utilized this control to fix and control wholesale and retail prices of tobacco products.		the Sherman Act; the Supreme Court affirmed the convictions, thus rejecting defendants' contention that a definition of monopolization which did not require exclusion of competitors would constitute double jeopardy; the Court held that the various offenses defined by Sections 1 and 2 are reciprocally distinguishable from and independent of each other, so that there was no issue as to multiple punishment; fines aggregating $57,000 were assessed against the remaining corporate defendants, of which $12,000 was suspended; total fines in the case amounted to $312,000; the information was dismissed as to 13 individual defendants, and the third count of the information was dismissed as to certain corporate defendants.
Levine Waste Paper Co. Four corporations and seven individuals United States v. Levine Waste Paper Co., No. Cr. 25958 (E.D. Mich. Dec. 13, 1940)	Combination and conspiracy to monopolize interstate and foreign commerce in waste paper; the indictment charged that defendants attempted to eliminate all competitors of defendant wholesalers, and that the means used included refusal to buy from retailers selling to competing wholesalers, denial of union labor to competitors, refusal by the union to deliver merchandise to railroads serving competitors, picketing, threatening to picket, and threatening to cause strikes against paper mills which purchase from competitors.	CC	The defendants pleaded nolo contendere and were fined $1.00 each, or a total of $11.00.

Harbison-Walker Refractories Co. Three American corporations, four European companies, and seven individuals United States v. Harbison-Walker Refractories Co., No. Cr. 109-176 (S.D.N.Y. Jan. 20, 1941)	Conspiracy to restrain and monopolize interstate and foreign commerce in magnesite and magnesite brick. The indictment charged that defendants combined to control production and importation of magnesite and to divide the world market, the exclusive territory of the American corporations to be the United States and the exclusive territory of the European companies to be Europe, Asia, and Africa.	CC	Four corporate defendants and seven individuals pleaded nolo contendere and were fined in the total amount of $76,500. Case dismissed as to remaining defendants.
Aluminum Company of America Dow Chemical Co; the American Magnesium Corp.; two other American corporations; I. G. Farben, a German corporation; and eight individuals United States v. Aluminum Co. of Am., No. Cr. 109-189 (S.D.N.Y. Jan. 30, 1941)	Conspiracy to restrain and monopolize interstate commerce in magnesium and magnesium products; the indictment charged that defendants combined to prevent others from producing magnesium, to limit the production and sale of magnesium products to defendants and their licensees, to pool competing patents, and to establish uniform prices.	CC	Pleas of nolo contendere were entered by all but three defendants, and total fines in the amount of $104,993 were imposed; one defendant was nolle prossed, and the case was dismissed as to the remaining defendants.
Wayne Pump Co. Four corporations and four individuals United States v. Wayne Pump Co., No. Cr. 32597 (N.D. Ill. Jan. 31, 1941)	Monopolizing and conspiring to monopolize interstate commerce in gasoline computer pumps	CC	District Court held indictment insufficient; Supreme Court dismissed government's appeal.
Western Washington Wholesale Grocers Ass'n 11 corporate members of the association and 13 individuals	Conspiracy in restraint of commerce in grocery products shipped from other states into the State of Washington and into the Territory of Alaska. The indictment charged that defendants combined to fix prices and to circulate false rumors concerning available supplies of grocery products and concerning	CC	Twenty-three defendants pleaded nolo contendere and the two remaining defendants were convicted after a trial during the course of which the court granted a motion to strike count two of the indictment.

United States v. Western Washington Wholesale Grocers Ass'n, No. Cr. 45440 (W.D. Wash. Feb. 7, 1941)	the credit and integrity of other jobbers, and that they coerced national manufacturers to refuse to sell to other jobbers.		One of the convicted defendants was granted a new trial, and fines totaling $8,250 were imposed on the other 24 defendants. The indictment was dismissed as to the defendant who had been granted a new trial.
American Surgical Trade Ass'n 24 member corporations engaged in the manufacture and sale of surgical supplies and 12 individuals United States v. Am. Surgical Trade Ass'n, No. Cr. 8874 (E.D. Pa. Feb. 19, 1941)	Conspiracy to monopolize a part of interstate commerce in surgical supplies; the indictment charged that defendants established a registration plan whereby any member of the Association could register any article of surgical supplies first produced by the member, with the other members agreeing not to produce or sell an imitation of the article for five years and to boycott any imitation or copy.	CC	In September 1942, the case was postponed indefinitely at the request of the War and Navy Departments; in 1946, all corporate defendants and the trade association pleaded nolo contendere, and total fines were imposed of $17,000; the 12 officers were dismissed from the case.
National Retail Lumber Dealers Ass'n Two trade associations of retail lumber dealers, 37 corporations and 51 individuals (all retail lumber dealers), and two cement manufacturers United States v. National Retail Lumber Dealers Ass'n, No. Cr. 9337 (D. Colo. Apr. 14, 1941)	Conspiracy to restrain and a conspiracy to monopolize interstate commerce in the sale and distribution of lumber, lumber products, cement and other building materials used and consumed in Colorado, Wyoming, and New Mexico. The indictment charged that defendants combined to eliminate competition from manufacturers and wholesalers for the trade of ultimate consumers, to force consumers to buy only from recognized retail lumber dealers, to eliminate competition and allot territories among themselves, and to prevent competitors from obtaining supplies direct from manufacturers and wholesalers.	CC	74 defendants filed nolo contendere pleas and the total fines imposed amounted to $60,970. The remaining 18 defendants were dismissed on motion of the government.
Dried Fruit Ass'n of California 18 corporations, members thereof, and 29 individuals	Conspiracy to restrain and a conspiracy to monopolize interstate and foreign commerce in dried fruit products. The indictment charged that defendants combined to fix prices so as to depress the prices paid by packers to growers and to raise the prices of the products sold by the packers, and that defendants effectuated the conspiracy by uniform buying and selling practices, by	CC	Four defendants were nolle prossed before trial, and 11 were nolle prossed during trial; count two (conspiracy to monopolize) was dismissed as to all remaining defendants; the court granted a motion for a directed verdict of not

United States v. Dried Fruit Ass'n of California, No. Cr. 27256-L (N.D. Cal. June 3, 1941)	requiring that dried fruit products be inspected and certified by defendant trade association, and by denying membership in said association to packers who sold at competitive prices.		guilty as to two defendants, and the jury returned a verdict of not guilty as to the remaining defendants.
Cranberry Canners, Inc. Cooperative exchange in the marketing of cranberries, five companies, and 13 individuals United States v. Cranberry Canners, Inc., No. Cr. 110-389 (S.D.N.Y. Oct. 14, 1941)	Conspiracy to restrain and monopolize interstate commerce in fresh cranberries and cranberry products produced in Massachusetts, New Jersey, Oregon, Washington, and Wisconsin and shipped throughout the United States. The indictment charged that defendants suppressed competition between cranberry products and fresh cranberries by allotting quotas as between those marketed as fresh berries and those marketed as cranberry products, by fixing prices for members and non-members, and by discriminating against independent dealers.	CC	Two individual defendants were dismissed because of death; seven defendants were nolle prossed; nolo contendere pleas were entered by 11 defendants, and fines totaling $32,000 were imposed
Schmidt Lithograph Co. 20 corporations and 31 of their officers or agents United States v. Schmidt Lithograph Co., No. Cr. 15088 (S.D. Cal. Oct. 15, 1941)	Conspiracy to restrain and an attempt to monopolize interstate commerce and commerce between the Territory of Hawaii and the United States in lithographic products. The indictment charged that defendants fixed prices through the instrumentality of an association by publishing and exchanging price lists, eliminated competition among association members by means of a reporting system whereby each member was compelled to quote prices agreed upon, and discriminated against non-members by predatory price-cutting.	CC	Indictment was dismissed as to two defendants, all remaining defendants entered pleas of nolo contendere, and fines totaling $128,300 were imposed, with sentence being suspended as to certain defendants.
General Electric Co. Three American corporations, three of their officers, and a German corporation	Defendants conspired to restrain and to monopolize interstate and foreign commerce in patented and unpatented hard metal alloys and tool dies made therefrom (principally tungsten carbide). The indictment charged that the conspiracy was effectuated by acquiring and pooling competing patents, price fixing, excluding others, limiting production,	CC	All defendants except the German corporation pleaded not guilty. On June 16, 1942, notice was filed postponing the case for the duration of the war at the request of the War and Navy Departments. Trial of the case was concluded on March 27, 1947, and on October 8, 1948, an

United States v. General Electric Co., No. Cr. 110-412 (S.D.N.Y. Oct. 21, 1941)	eliminating imports and exports from the United States, and allotting marketing territories.		opinion was rendered finding each of the American defendants guilty on all counts. The court imposed fines on defendants totaling $56,000. The indictment was dismissed as to the German corporation.
Swift and Co. Three meat packers, a stockyards company, three associations of buyers on the Denver stockyards market, five commission firms, and 21 officers, directors, or partners of the foregoing defendants United States v. Swift and Co., No. Cr. 33033 (N.D. Ill. Nov. 28, 1941)	Conspiracy to restrain and a conspiracy to monopolize interstate commerce in fat lambs. The indictment charged that defendants conspired to eliminate within the Denver marketing area all direct purchases of lambs for eastbound shipment and to confine the marketing of such lambs to the Denver Stockyards.	CC	Indictment dismissed as insufficient.
Atlantic Commission Co., Inc. (subsidiary of The Great Atlantic & Pacific Tea Co. of America) Trade association of chain retail store organizations, 12 corporations engaged in selling potatoes and supplies necessary in the production of potatoes, and 17 individuals United States v. Atl. Comm'n Co., Inc., No. Cr. 1710 (E.D.N.C. Dec. 8, 1941)	Conspiracy to restrain and monopolize interstate commerce by fixing prices at which potatoes were sold for distribution throughout the United States by depressing the price paid to growers, establishing exclusive territories of operation, refusing to handle potatoes produced outside of such territory, and agreeing to give preference to each other in purchases and sales of potatoes.	CC	Directed verdict for defendants
American Waxed Paper Ass'n	Conspiracy to restrain and monopolize interstate commerce in waxed products. The indictment charged,	CC	Thirty-two defendants were nolle prossed; the remaining defendants

44 corporations engaged in the manufacture of waxed paper products and 93 individuals United States v. American Waxed Paper Ass'n, No. Cr. 9319 (E.D. Pa. Jan. 7, 1942)	that the defendants combined to fix prices, that they established certain methods of manufacture and distribution and induced others to employ and utilize them, that they designated the kinds and quantities of waxed paper to be sold, published so-called price structures, and circulated "codes of fair competition," and divided the country into zones.		pleaded nolo contendere and were fined in the total amount of $121,125.
Aqua Systems, Inc. Two corporations and seven individuals United States v. Aqua Systems, Inc., No. Cr. 111-421 (S.D.N.Y. Mar. 17, 1942)	Restraining and monopolizing interstate commerce in the sale and installation of hydraulic gasoline storage and fueling systems and dry gasoline storage system for fueling aircraft. It was further charged that unreasonable prices were secured and competition eliminated through (1) the acquisition and misuse of patents, (2) exclusive licensing agreements between defendants and refusal to license to others unless certain unpatented parts were purchased from defendants or installation was supervised by the defendants at extortionate prices, (3) submitting artificial bids and inducing others to submit artificial bids, and (4) misrepresenting that they owned or were licensees under patents covering hydraulic storage systems and special parts thereof.	CC	Nolo contendere pleas were filed by all defendants, and fines totaling $42,000 were imposed.
New York Great Atlantic & Pacific Tea Co., Inc. 12 of its subsidiaries, and 17 officers and directors of these companies United States v. New York Great Atlantic & Pacific Tea Co., Inc., No. Cr. 16153 (E.D. Ill. Feb. 26, 1942)	Conspiracy to restrain and monopolize interstate commerce in the sale and distribution of food and food products. The indictment charged that the defendants, by virtue of their dominant position, were able to control policies and practices in the production, processing, manufacture, and distribution, both wholesale and retail, of food products throughout the United States; that competition was destroyed in local areas by price wars, price-fixing conspiracies, coercing dealers to give secret rebates, and fostering false comparisons of defendants' prices with those of competitors.	CC	Case dismissed after charges filed in another district.

Dairy Cooperative Ass'n Farmers' cooperative and 10 individuals United States v. Dairy Cooperative Ass'n, No. Cr. 16086 (D. Ore. June 17, 1942)	Conspiracy to monopolize the production and distribution of milk in the Portland area, including milk produced in Washington for sale to Oregon purchasers and milk produced in Oregon for sale to Washington purchasers. The indictment charged that defendants forced producers to dispose of their milk through the defendant association, discouraged members from transferring production quotas to non-members, required distributors to purchase from the defendant association, attempted to obtain control of all distribution outlets in Vancouver, and granted rebates in order to force certain distributors out of business.	CC	Trial by the court without a jury; the court found the defendants not guilty, holding that under Section 6 of the Clayton Act a farmers' cooperative association, even though it becomes monopolistic, is, if it acts alone and not in concert with others, exempt from prosecution under the antitrust laws.
American Air Filter Co. Two corporations and 11 individuals United States v. American Air Filter Co., Inc., No. Cr. 112-261 (S.D.N.Y. June 24, 1942)	Conspiracy in restraint of interstate commerce and an attempt to monopolize the manufacture and sale of air filters and air filtering media. The information charged that defendants obtained a virtual monopoly by acquiring control of competing firms or by forcing them out of business, by harassing them with patent litigation, by agreement with competitors not to compete with defendants, and by acquisition and assignment of patents, and that defendants fixed arbitrary and non-competitive prices.	CC	All the defendants pleaded nolo contendere, and fines aggregating $88,000 were imposed.
E. I. du Pont de Nemours & Co. Rohm & Haas Co., Inc. and 8 individuals United States v. E. I. du Pont de Nemours & Co., No. Cr. 1268 (N.D. Ind. June 26, 1942)	Worldwide conspiracy to suppress competition and monopolize the manufacture and sale of acrylic plastic (plastics). The indictment charged fixing of identical prices, restriction of production, and division of world markets.	CC	Jury returned verdicts of not guilty as to all defendants.
E. I. du Pont de Nemours & Company Two corporations (the sole commercial producers of formic	Conspiracy to restrain and monopolize interstate commerce in formic acid. The indictment charged that defendants fixed prices and controlled production and the channels and methods of distribution.	CC	On October 5, 1942, the trial was postponed at the request of the War and Navy Departments for the duration of the war. On July 16, 1945, the two producing

acid in the United States), three distributor corporations, and 13 individuals United States v. E. I. du Pont de Nemours & Co., No. Cr. 1269 (N.D. Ind. June 26, 1942)			corporations entered pleas of nolo contendere on Counts 1 and 2 and were fined a total of $15,000; on the same date the other three corporate defendants were nolle prossed on Count 2, pleaded nolo contendere on Count 1, and were fined in the total amount of $7,500, and a nolle prosequi was entered as to all individual defendants on both counts.
Victor Chemical Works Four corporations and 14 individuals United States v. Victor Chemical Works, No. Cr. 1267 (N.D. Ind. June 26, 1942)	Conspiracy to restrain and monopolize interstate commerce in the production and sale of oxaclic acid. The indictment charged that defendants controlled the quantity produced and the channels of distribution, established identical prices, refrained from soliciting orders from customers of other defendant corporations, and induced other corporations not to produce and sell oxalic acid but rather to purchase oxalic acid for resale from defendants.	CC	On October 5, 1942, an order was entered postponing the trial for the duration of the war, at the request of the War and Navy Departments. On July 16, 1945, all the individual defendants were nolle prossed, and a nolle prosequi was entered on Count 2 as to the corporate defendants. On the same date the four corporate defendants pleaded nolo contendere to Count 1 and were fined in the total amount of $15,000.
Rohm & Haas Co., Inc. du Pont, three dental supply houses, and 12 individuals United States v. Rohm & Haas Co., Inc., No. Cr. 877-c (D.N.J. Aug. 10, 1942)	Conspiracy to suppress competition and to monopolize the sale and distribution of methyl methacrylate (a plastic material used in approximately 90% of all denture plates) by maintaining fixed and arbitrary prices on methyl methacrylate molding powders and by introducing elements into methyl methacrylate commercial molding powders which rendered them useless for dental purposes.	CC	At the request of the War Department, the trial of the case was postponed indefinitely for the duration of the war, and on May 23, 1945, the indictment was quashed as to Rohm & Haas, du Pont, and certain individuals. On October 1, 1946, the case was dismissed as to all remaining defendants.

Halibut Liver Oil Producers Two trade associations, a labor union, and 17 individuals United States v. Halibut Liver Oil Producers, No. Cr. 45796 (W.D. Wash. Aug. 28, 1942)	Conspiracy to restrain and to monopolize interstate commerce by artificially restricting and channelizing the sale, processing, and distribution of fish livers, fish viscera, and vitamin oil.	CC	Indictment dismissed after superseding indictment returned.
Halibut Liver Oil Producers Two trade associations, a labor union, and 16 individuals United States v. Halibut Liver Oil Producers, No. Cr. 45796 (W.D. Wash. Aug. 28, 1942)	Conspiracy to establish and maintain arbitrary and restrictive methods and channels of distribution in interstate and foreign commerce of fish liver, fish viscera, and vitamin oil. The indictment charged that, by threatening to deprive vessel owners of crews and by threatening fishermen with loss of union benefits, defendants coerced vessel owners and fishermen to contract to deliver exclusively to a tradership all fish livers and fish viscera obtained by them, and that defendants had conspired to establish arbitrary and non-competitive sales prices for their vitamin oil.	CC	Jury returned a verdict of guilty as to the two trade associations, the labor union, and six individuals, and a verdict of not guilty as to the remaining nine individuals. Fines totaling $6,750 were imposed.
South-Eastern Underwriters Ass'n 27 of its officers, and 198 member capital stock fire insurance companies United States v. South-Eastern Underwriters Ass'n, No. Cr. 169-20 (N.D. Ga. Nov. 20, 1942)	Conspiring to fix arbitrary and noncompetitive premium rates on fire insurance sold by them in the southeastern states and conspiring to monopolize interstate commerce incident to the fire insurance business in that area.	CC	Following act of Congress giving insurance qualified exemption from Sherman Act, case nolle prossed.
Tannin Corporation Five American corporations, one Canadian and one English	Participation in an international cartel to fix prices and restrain the importation of quebracho. The indictment charged that certain quebracho distributors combined to fix excessive prices for the product throughout the world, to restrain the shipment of quebracho by dividing world markets among themselves through use	CC	On January 12, 1943, three defendants pleaded nolo contendere and were fined in the amount of $22,002. On February 25, 1943, at the request of the War and Navy Departments, the case was postponed

company, and several officers of defendant corporations United States v. Tannin Corporation, No. Cr. 113-260 (S.D.N.Y. Nov. 24, 1942)	of a quota system, and to monopolize the importation of quebracho into the United States.		for the duration of the war. On April 19, 1943, four defendants pleaded nolo contendere and were fined in the amount of $37,001, and the English and Canadian companies were nolle prossed because of inability to procure service on them. An order of nolle prosequi was entered as to the remaining defendants August 24, 1943.
Consolidated Laundries Corp. 30 corporations and 12 individuals United States v. Consolidated Laundries Corp., No. Cr. 113-393 (S.D.N.Y. Jan. 7, 1943)	Price fixing, allocation of customers, and attempting to obtain a monopoly in the linen supply business; the indictment alleged that certain trade associations were used as a means of fixing prices and had elaborate rules and regulations for the policing of the industry.	CC	Case nolle prossed as to all defendants.
Flatwork Ass'n of Greater New York, Inc. Trade association, 12 corporations and eight individuals United States v. Flatwork Ass'n of Greater New York, Inc., No. Cr. 113-395 (S.D.N.Y. Jan. 7, 1943)	Price fixing, allocation of customers and attempting to obtain a monopoly in the linen supply business; the indictment alleged that certain trade associations were used as a means of fixing prices and had elaborate rules and regulations for the policing of the industry.	CC	Case nolle prossed as to all defendants.
Safeway Stores, Inc. Eight of its subsidiaries, and 13 officers and directors	Conspiracy to restrain and monopolize interstate commerce in the sale and distribution of food and food products. The indictment charged that defendants, by virtue of their dominant position, were able to control prices and policies in the production, processing, manufacture, and distribution, both at wholesale and	CC	Safeway Stores, Inc., two of its subsidiaries, and three of its officers entered pleas of nolo contendere and were fined a total of $40,000. The indictment was dismissed as to the

United States v. Safeway Stores, Inc., No. Cr. 7196 (D. Kan. Jan 20, 1943)	retail, of food and food products in a large portion of the United States.		remaining defendants on the same day.
Kroger Grocery and Baking Co. Defendant corporation, three of its subsidiaries, and five officers and directors United States v. Kroger Grocery and Baking Co., No. Cr. 7197 (D. Kan. Jan. 20, 1943)	Conspiracy to restrain and monopolize interstate commerce in food and food products. The indictment charged that defendants, by virtue of their dominant position, were able to control policies and practices in the production, processing, manufacture, and distribution, both at wholesale and retail, of food and food products throughout a large part of the United States.	CC	Indictment dismissed as to two subsidiaries; Kroger, Wesco, and two officials entered pleas of nolo contendere and were fined a total of $20,000. The remaining defendants were dismissed on the same date.
Wayne Pump Co. Three manufacturers of gasoline pumps, a manufacturer of gasoline computing mechanisms, a trade association, and five individuals United States v. Wayne Pump Co., No. Cr. 32597 (N.D. Ill. Jan. 31, 1943)	Conspiracy to restrain and to monopolize interstate commerce in gasoline computer pumps	CC	Defendants pleaded nolo contendere and fines in the total amount of $27,500 were imposed
Fruit and Produce Trade Ass'n of New York A trucking association, a receiving association, 27 corporations, and 16 individuals United States v. Fruit and Produce Trade Ass'n of New York, No. Cr. 114-71 (S.D.N.Y. Mar. 3, 1943)	Conspiracy to restrain and an attempt to monopolize the business of trucking fresh fruit and vegetables in the New York market area. The indictment charged that defendants fixed uniform and noncompetitive cartel charged and conspired to monopolize by preventing delivery of fresh fruits and vegetables except upon terms and conditions dictated and fixed by defendants.	CC	An order of nolle prosequi was entered as to six defendants. The remaining defendants pleaded nolo contendere, and fines totaling $63,000 were imposed.

Tarpon Springs Sponge Exchange Nine corporations and 26 individuals United States v. Tarpon Springs Sponge Exchange, No. Cr. 5031-T (S.D. Fla. Mar. 5, 1943)	Conspiracy to restrain and an attempt to monopolize the production, transportation, and sale of natural sponges. The indictment charged that defendants channelized the sale of all natural sponges produced off the Florida Coast through the defendant exchange and obtained a virtual monopoly of such sponges by various restrictive and discriminatory practices.	CC	The court directed a verdict of acquittal for 20 defendants, and the jury returned a verdict of guilty on both counts of the indictment against the 11 other defendants on trial. Fines totaling $3,800 were assessed.
National Unit Distributors, Inc. Four corporations and four individuals United States v. National Unit Distributors, Inc., No. Cr. 16097 (D. Mass. Mar. 8, 1943)	Channelizing of distribution and monopolizing of interstate commerce in dinnerware and dinnerware sets sold on a newspaper promotional sales plan.	CC	The defendants entered pleas of nolo contendere on November 5, 1943, and fines totaling $11,000 were imposed. $5,000 of this amount was suspended and defendants were placed on probation for one year.
Standard Coat, Apron and Linen Service, Inc. United States v. Standard Coat, Apron and Linen Service, Inc., No. Cr. 114-97 (S.D.N.Y. Mar. 12, 1943)	Price fixing, allocation of customers and attempting to obtain a monopoly in the linen and towel supply industry. The information alleged that certain trade associations were used as a means of fixing prices and had elaborate rules and regulations for the policing of the industry	CC	Case nolle prossed
Morgan Laundries Service, Inc. Two corporations United States v. Morgan Laundries Service, Inc., No. Cr. 114-98 (S.D.N.Y. Mar. 12, 1943)	Price fixing, allocation of customers and attempting to obtain a monopoly in the linen and towel supply industry. The information alleged that certain trade associations were used as a means of fixing prices and had elaborate rules and regulations for the policing of the industry	CC	Case nolle prossed
Towel Supply Association of Greater New York, Inc.	Price fixing, allocation of customers, and attempting to obtain a monopoly in the linen supply business. The indictment alleged that certain trade associations were	CC	Case nolle prossed as to all defendants.

21 corporations and 22 individuals United States v. Towel Supply Ass'n of Greater New York, Inc., No. Cr. 114-350 (S.D.N.Y. May 27, 1943)	used as a means of fixing prices and had elaborate rules and regulations for the policing of the industry.		
Linen Supply Board of Trade of New Jersey, Inc. 24 corporations and 12 individuals United States v. Linen Supply Board of Trade of New Jersey, Inc., No. Cr. 114-351 (S.D.N.Y. May 27, 1943)	Price fixing, allocation of customers, and attempting to obtain a monopoly in the linen supply business. The indictment alleged that certain trade associations were used as a means of fixing prices and had elaborate rules and regulations for the policing of the industry.	CC	The court sustained defendants' demurrers to the indictment, holding that the indictment does not state facts sufficient to charge an offense under the Sherman Act. The case was then nolle prossed.
Linen Supply Ass'n of Greater New York, Inc. Trade association, 39 corporations, and 27 individuals United States v. Linen Supply Ass'n of Greater New York, Inc., No. Cr. 114-352 (S.D.N.Y. May 27, 1943)	Price fixing, allocation of customers, and attempting to obtain a monopoly in the linen supply business. The indictment alleged that certain trade associations were used as a means of fixing prices and had elaborate rules and regulations for the policing of the industry.	CC	Case nolle prossed as to all defendants.
National Lead Co. Three corporations and four of their officers United States v. National Lead Co., No. Cr. 114-455 (S.D.N.Y. June 28, 1943)	Defendants and co-conspirator foreign companies created a world-wide cartel in titanium compounds; divided world markets into exclusive, noncompetitive areas; suppressed competition and obtained monopolistic control of the industry in the United States through the pooling of patents; and imposed a	CC	Defendants pleaded nolo contendere and fines totaling $43,000 were imposed. A $10,000 fine against Titan Co. was suspended.

	system of restrictive production on other American manufacturers.		
R. G. Buser Silk Corp. 14 corporations and one individual United States v. R. G. Buser Silk Corp., No. Cr. 115-119 (S.D.N.Y. Aug. 5, 1943)	Conspiring to monopolize and restrain interstate trade in ribbons and ribbon products, and agreeing to attempt to maintain uniform prices and not to sell below cost.	CC	All defendants pleaded nolo contendere and fines aggregating $41,000 were imposed
Allied Chemical & Dye Corp. Eight American corporations (two of which were former affiliates of I. G. Farbenindustrie and three of which were controlled by members of a Swiss consortium) and 20 individuals United States v. Allied Chemical & Dye Corp., No. Cr. 106-12 (S.D.N.Y. Sept. 1, 1943)	Defendants and certain co-conspirator chemical companies conspired to restrain and monopolize interstate and foreign commerce in dyestuffs; established limits on the amounts of dyestuffs sold by American manufacturers in foreign markets; fixed prices at exorbitant levels in the United States; and prevented small chemical companies in this country from engaging in the manufacture of dyestuffs.	CC	On June 3, 1942, the trial of the case was postponed indefinitely at the request of the War Department, but on July 21, 1943, the case was restored to the active docket. On March 21, 1946, defendant General Aniline and Film Corp., which had been taken over by the Alien Property Custodian, entered a plea of nolo contendere and was fined $15,000. On April 18, 1946, pleas of nolo contendere were entered by 14 defendants, who were fined $96,000, making total fines in the case $111,000. Ten defendants were dismissed, and the action was abated against the remaining three defendants.
L. S. Eldridge & Son, Inc. Five corporations and seven individuals	Restraint of trade and conspiracy to monopolize in the importation, sale, and distribution of fish at New Bedford, Mass. It was charged that defendants secured control of all facilities for landing fish at New Bedford; refused access to such facilities to all buyers except themselves; allocated among themselves the total supply of fish arriving at New Bedford; boycotted	CC	Defendants pleaded nolo contendere, and fines totaling $10,000 were imposed.

United States v. L. S. Eldridge & Son, Inc., No. Cr. 16505 (D. Mass. Feb. 8, 1944)	persons purchasing fish from other than defendants; and agreed upon the price to be paid for fresh fish, upon differentials for resale of fish, and upon arbitrary unloading rates.		
New York Great Atlantic & Pacific Tea Co. 11 of the defendant corporation's subsidiaries, 16 officers and directors, Business Organization, Inc., and public relations counsel United States v. New York Great Atlantic & Pacific Tea Co., Inc., No. Cr. 16153 (E.D. Ill. Feb. 26, 1944)	Charging that the A & P group by virtue of its dominant position in the industry was able to control policies and practices in the production, processing, manufacturing, and distribution, both wholesale and retail, of food products throughout the United States.	UC	In a trial of the case before the court without a jury, the Court found three defendants not guilty and all remaining defendants guilty on both counts of the information, and fines totaling $175,000 were imposed. The Court of Appeals, Seventh Circuit, affirmed the District Court judgment of conviction against the defendants, holding that the A & P group had abused their mass buying and selling power and that their business practices restrained trade and tended toward monopoly. The court upheld the liability of the manufacturing subsidiaries because of their interlocking directorates and affirmed the conviction of Carl Byoir and Business Organization, Inc. because of their advisory capacity. Fines assessed by the district court totaling $175,000 were paid by 10 corporate and 13 individual defendants.
William S. Gray & Co. 21 corporations, a trade association, and 32 individuals	Charging a conspiracy to fix the price and monopolize the supply of wood alcohol methanol sold in interstate commerce, and that production was limited according to production quotas allocated among the producers.	CC	Two defendants were dismissed from the case and all others pleaded nolo contendere. Fines totaling $162,524 were imposed, of which $9,523 was remitted.

United States v. William S. Gray & Co., No. Cr. 117-66 (S.D.N.Y. Apr. 5, 1944)			
Borax Consolidated, Ltd. 7 corporations and 11 individuals United States v. Borax Consolidated, Ltd., No. Cr. 28900-S (N.D. Cal. Sept. 14, 1944)	Defendants engaged in the business of mining, processing, manufacturing, selling, and distributing crude borates, borax, and boric acid. Defendants were charged with acquiring control of virtually the entire world supply by acquisitions and trade practices which have prevented competition by American firms; allocating foreign and domestic markets and customers; and agreeing upon restrictive selling and distributing methods, terms, and conditions, including the prices at which those products were sold.	CC	All except two defendants pleaded nolo contendere. One defendant was dismissed and subsequently the remaining defendant pleaded nolo contendere. Fines in the total amount of $153,500 were imposed.
Affiliated Ladies Apparel Carriers Ass'n of the Eastern Area, Inc. Four other associations and four individuals United States v. Affiliated Ladies Apparel Carriers Ass'n of the Eastern Area, Inc., No. Cr. 119-175 (S.D.N.Y. Dec. 28, 1944)	Conspiracy to control delivery services within the New York garment industry. The information charged conspiracies to control and restrict and to monopolize the channels through, and the terms on which, deliveries of dresses, cloaks, and suits were made for the metropolitan garment industry.	CC	All defendants pleaded nolo contendere on, and fines aggregating $48,000 were imposed.
Cloak and Suit Trucking Ass'n, Inc. Association's President United States v. Cloak and Suit Trucking Ass'n, Inc., No. Cr. 119-175 (S.D.N.Y. Dec. 28, 1944)	Conspiracies to restrict and control and to monopolize the channels through and the terms on which deliveries of dresses, cloaks, and suits were made for the metropolitan garment industry.	CC	Both defendants pleaded nolo contendere and fines totaling $10,000 were imposed.

Washington Culvert and Pipe Co. Six corporations and seven of their officers United States v. Washington Culvert and Pipe Co., No. Cr. 46724 (W.D. Wash. Aug. 8, 1945)	Conspiring to restrain and to monopolize interstate commerce in metal culverts in certain northwestern states. The indictment charged that defendants periodically divided among themselves, for particular periods of time, the total probable future sales of culverts and thereafter allocated accordingly among themselves the actual sales, by selecting one among them to submit the low price on each offered bid, by agreeing on the price to be charged by the selected low bidder, and by limiting the number of culverts to be fabricated to the volume capable of disposal at the agreed price.	CC	All defendants pleaded nolo contendere and fines aggregating $40,450 were imposed.
MacLeod Bureau Association, 13 corporations, and 4 individuals United States v. MacLeod Bureau, No. Cr. 17512 (D. Mass. May 8, 1946)	Conspiracy to fix prices and to monopolize the distribution and sale of soft coal. The indictment charged that prices were fixed and market control achieved by acquiring control of all coal docking facilities at Boston Harbor, denying these facilities to competitors, acquiring control of non-cooperating distributors, allocating among themselves types and classes of customers and tonnage, refusing to supply large users whose specifications were unsatisfactory to defendants, refusing to sell to retailers who would not maintain prices fixed by defendants, agreeing on arbitrary discounts to various classes of consumers, refusing to sell coal at prices below those set by the OPA, and by collusive bidding.	CC	The corporate defendants entered pleas of nolo contendere and were fined the total of $24,500, and on the same day the individual defendants were dismissed.
Union Carbide and Carbon Corp Six corporations and five individuals United States v. Union Carbide and Carbon Corp., No. Cr. 11002 (D. Colo. June 27, 1946)	Conspiracy to monopolize interstate and foreign commerce in vanadium. The indictment alleged that defendants refrained from competing with each other in purchasing deposits, deprived competitive mills of sufficient ore to operate profitably, forced independent processors out of business, caused independent ore miners to sell below cost or sell their deposits to	CC	One individual defendant was dismissed. An order was made granting a motion to dismiss the indictment as to each and all defendants and, upon permission, a criminal information was filed against Union Carbide and Carbon Corporation and 4 other defendants.

	defendants, apportioned all business among themselves, and sold to the public at arbitrary prices.		
General Instrument Corporation 4 corporations and 6 of their officers United States v. General Instrument Corporation, No. Cr. 3960-C (D.N.J. July 9, 1946)	Conspiracy in restraint of interstate commerce, monopoly and attempt to monopolize the production and distribution of variable condensers (tuning devices used on radios to select broadcasting stations).Agreements to fix prices and the terms and conditions of sale; that they have allocated among themselves customers and types of condensers sold; that they have prevented others from producing condensers through refusing to fabricate tools for their use by acquiring and pooling patents; by refusing to grant licenses under pooled patents except at unreasonable royalties; and by the maintenance of infringement actions	CC	Indictment dismissed as to two individual defendants; other defendants entered nolo contendere pleas; fines totaling $48,000 imposed
A. B. Dick Company 5 corporations and 6 of their officers United States v. A. B. Dick Company, Cr. No. 18981 (N.D. Ohio July 22, 1946)	Defendants engaged in the manufacture and distribution of duplicating machines, machine parts, stencils, and other duplicating supplies were charged with a conspiracy in restraint of interstate and foreign commerce. Two British corporations were named as co-conspirators. The indictment alleged that defendants acquired monopoly control over the stencil duplicating industry through limiting the business activities of competitors by threats, coercion, and boycotts; acquiring patents and patent rights; pooling and cross-licensing patents; suppressing evidence as to the validity of patents; price fixing; illegal tying practices preventing machine owners from using supplies of competitors; preventing competitors from obtaining essential raw materials; and entering into a world-wide cartel allocating geographical areas and fields of business activity.	CC	All of the defendants pleaded nolo contendere and were fined a total of $99,000.

Local 33 of the International Fishermen and Allied Workers of America 2 unions, 7 individuals United States v. Local 36 of the International Fishermen & Allied Workers of America, Cr. No. 18842 (S.D. Cal. Aug. 23, 1946)	Defendants stabilized prices per ton at which sardines and mackerel (fresh) would be sold; limited the amount of the catch in order to sustain the price structure; and designated the time at which and the canner for whom the boats might fish. Policies were enforced by confiscation of the catch and fines imposed on those found violating the rules.	CC	Defendants pleaded nolo contendere, and fines totaling $1,075 were imposed under Count 1 of the indictment. Sentence under Count 2 was suspended and defendants were placed on one year probation.
Gamewell Company 5 of its officers United States v. Gamewell Company, Cr. No. 17623 (D. Mass. Nov. 14, 1946)	Conspiracy in restraint of interstate commerce and monopoly of municipal fire alarm equipment. The American District Telegraph Co. and its president were also named defendants in the first two counts of the indictment, alleging a conspiracy to monopolize trade in the leasing of equipment to public and private institutions and the sale of equipment to municipalities. It was alleged that defendants attempted to monopolize the industry by buying out competitors, acquiring patents and trademarks, cutting prices, rigging specifications so as to make it impossible for competitors to bid, and threatening litigation.	UC	All of the defendants pleaded nolo contendere and were fined a total of $43,250.
The American-LaFrance-Foamite Corporation 2 corporations and 4 individuals United States v. The American-LaFrance-Foamite Corporation, No. Cr. 5420 (S.D. Ohio Feb. 21, 1947)	Conspiracy to restrain interstate trade by monopolizing and attempting to monopolize the production and distribution of motor-driven fire apparatus. It was alleged that the defendants agreed on terms of sale, prices, and trade-in allowances; agreed to submit complementary or dummy bids in order to provide color of compliance with laws; and included arbitrary freight charges in prices. It was also alleged that the defendants agreed to use their influence and position to discourage others from bidding and that they offered to influence awards to themselves by improper inducements.	CC	All the defendants entered pleas of nolo contendere and were fined a total of $50,000.

National City Lines, Inc. 9 corporations and 7 individuals United States v. National City Lines, Inc., et al., No. Cr. 47-524 (S.D. Cal. Apr. 9, 1947)	Conspiracy to acquire control of a substantial part of the local transportation companies in the United States, and to restrain and monopolize domestic trade in the sale of busses, tires, tubes, and petroleum products to a nation-wide combine of city bus lines controlled by National City Lines, Inc. The indictment alleged that supplier defendants furnished capital to National and its subsidiaries on condition that the transportation companies purchase all their tires, tubes, petroleum products, and busses from supplier defendants and also use capital so furnished by supplier defendants to purchase or secure control of or financial interest in local transit systems in various states. In return, the defendant transportation companies agreed not to renew any of their contracts to purchase tires, tubes, petroleum products, and busses with companies other than supplier defendants without their consent or dispose of any interest in any operating company without requiring the party acquiring the operating company to assume obligation of continuing to purchase from supplier defendants. It was further agreed that the defendant transportation companies would not change or alter their present equipment or purchase new equipment so as not to be able to use supplier defendants' products. The motor bus, petroleum, tire, and tube business would be allocated and divided among the supplier defendants.	CC	The jury returned a verdict of guilty under Count 2 of the indictment, and fines totaling $36,007 were imposed.
Wallace & Tieman Co., Inc. 9 corporations and 9 individuals United States v. Wallace & Tieman Co., Inc., No. Cr. 6070 (D.R.I. May 1, 1947)	Conspiracy in restraint of interstate commerce and monopoly in the production and distribution of gas chlorinating equipment (used in the treatment of water and of sewage; in the ageing and bleaching of flour; in paper and textiles; and in the prevention of raw food spoilage) and in the manufacture and sale of chlorine compounds. It was alleged that defendants acquired and misused patents; threatened infringement suits; acquired the business of competitors; refused to furnish	CC	On December 21, 1946, defendants moved to dismiss the indictment on the ground that women were not in the panel from which the grand jurors were selected. On March 21, 1947, the Court granted the defendants' motions to dismiss the indictment, and on May 1, 1947, an information was filed alleging the

	supplies and services in connection with chlorinating equipment unless the equipment was obtained from defendants; divided the field by entering into agreements not to compete, to fix prices, terms, and conditions of sale; cut prices; rigged specifications so as to make it impossible for competitors to bid; and preempted the major outlets and prevented competitors from obtaining essential parts and appliances.		same unlawful acts. On February 6, 1948, the Court granted the defendants' motion for the return of impounded documents on the ground that the subpoenas under which the documents were obtained were issued by an illegally constituted grand jury and therefore constituted illegal search and seizure. Two groups of defendants ultimately entered pleas of nolo contendere and were fined a total of $63,000.
Universal Carloading and Distributing Co. 2 national freight forwarding companies United States v. Universal Carloading and Distributing Co. et al., No. Cr. 47665 (W.D. Wash. Aug. 27, 1948)	Conspiracy in restraint of interstate trade and commerce in the shipment of household goods in the Washington, Oregon, and California area. The indictment charged that the defendants by agreement and concert of action eliminated competition between themselves, excluded the competition of other forwarders, and fixed and manipulated rates and commissions in the shipment of household goods and personal effects in the area named.	CC	Defendants pleaded nolo contendere, and a $10,000 fine was imposed on each.
Union Carbide and Carbon Corporation 4 other corporations United States v. Union Carbide and Carbon Corporation, No. Cr. 11678 (D. Colo. Sept. 2, 1948)	Combined and conspired to restrain and monopolize interstate trade and commerce in ferrovanadium and vanadium ore. The information charged that defendants by continuing agreement and concert of action purchased or acquired control over substantially all vanadium oxide produced by others in the United States, and that by refusing to sell vanadium oxide to producers of ferrovanadium, the defendants agreed upon and fixed prices for the sale of ferrovanadium and vanadium oxide.	CC	Jury returned verdict of not guilty
Consumers Ice Company	Monopolizing the manufacture and distribution of ice in Louisiana, Texas, and other states. The indictment charged that defendants engaged in an unlawful	CC	The jury found all defendants guilty under Count 1 of the indictment. No verdict was returned on Counts 2 and

3 corporations and 1 individual United States v. Consumers Ice Company, et al., No. Cr. 12087 (W.D. La. Oct. 22, 1948)	conspiracy and concert of action by acquiring competitors' businesses in the area. The indictment further charged that defendants limited areas in which competitors operate and their sources of supply of ice by threats of destructive trade practices and destroyed competition by selling at destructively low prices or giving ice away, then raising prices in such local areas higher than defendants' prices elsewhere. The indictment further charged that defendants forced competitors in certain areas to sell at prices fixed by them above the prevailing market price.		3. Fine of $500 was imposed on the individual defendant, and sentence was suspended as to the defendant companies.
The Metropolitan Leather and Findings Association 1 incorporated trade association, 12 corporations, and 35 individuals United States v. The Metropolitan Leather and Findings Association, Inc., et al., No. Cr. 128277 (S.D.N.Y. Oct. 26, 1948)	Conspiracy to fix prices in restraint of interstate trade and commerce in leather and shoe findings. The indictment charged that defendants conspired to fix prices at which leather was sold to finders; that defendant producers refused to sell leather and shoe findings directly to shoe repairmen or to finders or wholesalers not approved by the association; that defendant wholesalers refused to sell to finders not approved by the association; that defendant finders refused to sell to other than approved shoe repairmen and boycotted producers and wholesalers who would supply unapproved finders; and that the association limited the number of finders to be accepted as members.	CC	On January 10, 1949, the defendant association and 20 of its members, who were engaged in the business of purchasing leather and shoe findings for resale mainly to shoe repairmen, entered pleas of nolo contendere and were fined a total of $36,250. On the same date, the indictment was dismissed as to one individual and two corporate defendants. On April 20, 1949, seven corporate and 13 individual defendants pleaded nolo contendere, and fines were assessed totaling $44,250. In accepting the pleas, the court warned that jail sentences would be imposed if the defendants were brought into court again on similar charges. Three corporate defendants were dismissed on the same date. The remaining defendant pleaded nolo contendere on May 9, 1949, and was fined $1,250. Total fines in the case amounted to $81,750.

General Electric Co. 6 corporations and 7 individuals United States v. General Electric Co., et al., No. Cr. 19603 (N.D. Ohio Nov. 12, 1948)	Price fixing and illegal conspiracy among defendants in restraint of interstate trade and commerce in street lighting equipment. The indictment alleged that the defendants monopolized the industry by buying up competitors, entering into exclusive contracts, refusing to sell parts to remaining competitors, inducing part suppliers not to sell direct, price fixing and allocating sales territory.	CC	Defendants entered pleas of nolo contendere and were fined a total of $78,000.
O.L. Longoria and John E. Foster (2 individual defendants) United States v. O.L. Longoria and John E. Foster, No. Cr. 10943 (S.D. Tex. June 23, 1949)	Defendants were alleged to have fixed prices and intimidated and excluded competitors in the ice and icing service industry.	CC	Defendants pleaded nolo contendere and fines were imposed totaling $1,200.
Atlantic Company Seven corporate and two individual defendants United States v. Atlantic Company, No. Cr. 6554 (M.D. Ga. Jan. 5, 1950)	Defendants were alleged to have fixed prices, allocated manufacturing demand, limited production and distribution, exerted undue influence on competitors, sold below cost to drive out competition, and acquired monopoly control through interlocking directorates and acquisition of stock and physical assets in the ice and ice servicing business in the southern states.	CC	Defendants were acquitted by jury verdict.
Association of American Battery Manufacturers 23 corporations and 24 individual defendants United States v. Association of American Battery Manufacturers, No. Cr. 17652 (W.D. Mo. Feb. 6, 1950)	The defendants entered into agreements channeling the distribution of used batteries fixed prices back to the defendant smelter company, which in turn agreed to sell the lead to the original manufacturer. An association was formed to supervise the channeling of used batteries and salvaged lead, divide the United States into operating territories, and prevent sales to rebuilders.	CC	Defendants entered plea of nolo contendere and were fined a total of $10,250.

Joseph A. Krasnov One corporation and three individuals United States v. Joseph A. Krasnov, No. Cr. 15754 (E.D. Pa. June 2, 1950)	Defendants obtained monopoly control of the ready-made slip covers business in the Philadelphia area through patent licensing agreements and threats of infringement suits. Defendants also allegedly engaged in exclusive dealing, intimidation, and discrediting of competitors' products.	CC	Defendants entered nolo contendere pleas and were fined a total of $11,000.
L.A. Young Spring and Wire Corporation Three corporations and three individuals United States v. L.A. Young Spring and Wire Corporation, No. Cr. 31756 (E.D. Mich. June 27, 1950)	Defendants, manufacturers of wire garment hangers, were alleged to have obtained monopoly control of the industry east of Denver, Colorado. According to the indictment, defendants fixed prices, made use of a basing point system, exchanged price information and customer data, granted uniform discounts, and policed the industry to compel adherence to the system imposed.	CC	All defendants entered pleas of nolo contendere, and fines totaling $42,000 were imposed. $2,500 of this amount was suspended.
Pittsburgh Crushed Steel Company One association, 12 corporations, and four individuals United States v. Pittsburgh Crushed Steel Company, No. Cr. 20231 (N.D. Ohio Jan. 30, 1951)	The defendants were charged with initiating price wars, purchasing competitors, acquiring managerial control over independent companies, and inducing officers of prior competitors to stay out of the metal abrasives business. Allegedly, defendants also threatened competitors with unwarranted patent infringement suits and divided fields with machinery manufacturers, which kept the latter out of metal abrasive production. The Kann organization and other defendants were alleged to have engaged in a price-fixing conspiracy through the Metal Abrasives Council.	CC	Corporate defendants pleaded nolo contendere and were fined $50,500, and individual defendants were dismissed.
William D. Eldridge Three corporations and three officials thereof	Defendants conspired to restrain trade and to monopolize the sale of scallops. The defendants were further charged with conspiring and combining to limit the amount of the catch, to persuade boat owners from	CC	Defendants pleaded nolo contendere and fines totaling $7,250 were imposed.

United States v. William D. Eldridge, No. Cr. 51-345 (D. Mass. Oct. 26, 1951)	fishing at certain times, and to refrain from buying at specified periods.		
Atlantic Fishermen's Union Trade association, two unions, and five officials of the trade association United States v. Atlantic Fishermen's Union, No. Cr. 51-380 (D. Mass. Nov. 19, 1951)	Conspiring to restrain and monopolize the marketing and catch of fresh and scallops. The defendants were charged with limiting the amount of the catch, fixing prices, excluding non-members of the association from fishing and marketing, and preventing fish dealers from purchasing except upon terms and conditions imposed by the defendants. The government sought to destroy the conspiracy and to open the market to non-members of the defendant association.	CC	Defendants entered nolo contendere pleas and fines totaling $12,000 were imposed.
Golden Gate Chapter, National Electronic Distributors Assn. Trade association, five corporations, and six individuals United States v. Golden Gate Chapter, National Electronic Distributors Assn., No. Cr. 33201 (N.D. Cal. Mar. 28, 1952)	Conspiracy to restrain and to monopolize interstate trade and commerce in the wholesale distribution of radio and electronic parts. The indictment charged that through the medium of their association the defendants conspired to prevent wholesale distributors who were not members of the association, or not recognized by the defendants as "legitimate" wholesalers, from engaging in the wholesale distribution of radio and electronic parts in northern California. The indictment alleged that wholesale distributors in the northern California area purchased radio and electronic equipment through manufacturers' representatives, who were named in the indictment as co-conspirators. As part of the conspiracy, the indictment charged that the defendants agreed to boycott manufacturers' representatives who sold radio and electronic parts to wholesale distributors not members of the defendant association or not recognized by the defendants as "legitimate" wholesale distributors. It was also charged that the defendants induced and caused these manufacturers' representatives to refrain from selling such equipment to said wholesalers, and, in return for the agreement by these manufacturers' representatives	CC	Pleas of nolo contendere as to Counts 1 and 2 were entered, and fines of $40,000 were entered as to Count 1. No fines were entered as to Count 2.

	not to sell to such wholesalers, the defendants gave preference in their sales to the types and brands of equipment sold by these manufacturers' representatives. The indictment alleged that the effect of this conspiracy was to exclude wholesale distributors not members of the association or not recognized as "legitimate" wholesalers, and to prevent new distributors from entering into the wholesale distribution of radio and electronic parts in northern California.		
The Great Western Food Distributors, Inc. Industrial Raw Materials Corp., Nathaniel E. Hess (president of The Great Western Food Distributors), Charles S. Borden (a vice-president of The Great Western Food Distributors and manager of its Chicago office), and Edward B. Gotthelf and Jack Rauch (partners, also known as Eastern States Advertising Agency) United States v. The Great Western Food Distributors, Inc., et al., No. Cr. 138-146 (W.D.N.Y. Apr. 9, 1952)	Charging price manipulations, cornering, and monopolization of egg futures on the Chicago Mercantile Exchange. This information charged the defendants with attempting to manipulate and manipulating the prices of and attempting to corner eggs for future delivery in October 1949, on the Chicago Mercantile Exchange, in violation of the Commodity Exchange Act. The other information charged The Great Western Food Distributors, Inc., and Nathaniel E. Hess with attempting to manipulate and manipulating prices of and attempting to corner and cornering eggs deliverable in November 1949, futures contracts, in violation of the Commodity Exchange Act, and with monopolizing such eggs.	CC	Corporate defendants pleaded nolo contendere and were fined $3,700.
The Union Ice Co. Nine corporations, a trade association, and seven individuals	Conspiracy to restrain and to monopolize interstate and foreign trade and commerce in California in the sale and distribution of ice and the furnishing of icing services. It was charged that the defendants and co-conspirators controlled, manufactured, and distributed over 80% of such ice. The indictment was in two	CC	Pleas of nolo contendere were entered and fines amounting to $16,806 were imposed.

United States v. The Union Ice Co., et al., No. Cr. 22-360 (C.D. Cal. June 4, 1952)	counts and charged that the defendants conspired to restrain and monopolize this business by fixing uniform and noncompetitive prices at which ice and icing services would be sold in California; eliminating competition among the defendants and co-conspirators; controlling and limiting the amount of ice produced and sold in particular territories; and dividing and allocating the market for ice and the furnishing of icing services. It was alleged that in carrying out the conspiracy, the defendants entered into written contracts which determined the amount of ice to be produced, that common or joint delivery companies were formed through which all sales of ice in particular areas were funneled, and that competitive manufacturing plants were purchased or leased and subsequently closed or production thereof curtailed.		
Employing Lathers Assn. of Chicago and Vicinity United States v. Employing Lathers Assn. of Chicago and Vicinity, et al., Nos. Cr. 52 CR 331 (N.D. Ill. June 30, 1952)	Lathing contractors' association, a local lathing union, and two individuals with a conspiracy to suppress competition among lathing contractors and to restrict and exclude persons from engaging in the lathing contracting business, and to monopolize the installation in the Chicago area of lathing materials. The indictment charged that the defendants agreed to restrict and reduce the number of lathing contractors permitted to engage in business in Chicago by excluding any person from becoming a lathing contractor who had not been approved by Local 74. It was charged that Local 74 refused to approve any prospective lathing contractor who had not been a member of Local 74 for five years. Since previous membership in Local 74 was required of any prospective lathing contractor, the restrictive membership standards used by Local 74 had the effect of reducing the number of persons eligible to become lathing contractors in Chicago. Thus, the indictment alleged that Local 74 excluded from membership	CC	Defendants nolle prossed.

	persons who were not related, by blood or marriage, to members of Local 74, and has also excluded certain racial and religious groups from membership in that union.		
Employing Plasterers Assn. of Chicago Plastering contractors' association, a local plastering union, and the president of the union United States v. Employing Plasterers Assn. of Chicago, et al., No. Cr. 52 CR 332 (N.D. Ill. June 30, 1952)	Conspiracy to suppress competition among plastering contractors and to restrict and exclude persons from engaging in the plastering contracting business, and to monopolize the sale, distribution, and installation of plastering supplies by plastering contractors, in the Chicago area. The indictment charged that the defendants conspired to prevent any person from engaging in the plastering contracting business in Chicago who had not first secured the approval of Local 5 and Byron Dalton, and that no one was permitted to engage in business as a plastering contractor who had not been a member of Local 5 for a period of five years. It was charged that the defendants excluded out-of-state plastering contractors from performing plastering in Chicago and that any out-of-state plastering contractor undertaking such work in Chicago was harassed by means of work slow-downs and other practices directed to making such plastering prohibitive in cost.	CC	The Federal District Court in Chicago ordered the dismissal of the case upon the government's motion of nolle prosequi.
Baugh & Sons Co. Seven corporations and nine individuals United States v. Baugh & Sons Co., et al., No. Cr. 16-891 (E.D. Pa. Sept. 17, 1952)	Conspiring to restrain and to monopolize, attempting to monopolize, and monopolizing interstate commerce in the rendering industry in the Philadelphia area. The defendants, who purchased approximately 90 percent of the rendering material collected in the Philadelphia area, were alleged to have agreed upon the prices to be paid for the purchase of rendering material from suppliers in the Philadelphia area, and to have agreed not to solicit business from those suppliers from whom any other defendant purchases rendering material. It was further alleged in the indictment that the defendants agreed to prevent any person from entering	CC	All defendants entered pleas of nolo contendere, and fines in the amount of $85,850 were imposed, $42,925 of which were suspended.

	the rendering business and to force other renderers out of business in the Philadelphia area.		
The Kansas City Star Co. Roy A. Roberts (chairman of the board and president), Emil A. Sees (treasurer and director of the company and advertising director of its newspapers) United States v. The Kansas City Star Co. et al., No. Cr. 18444 (W.D. Mo. Jan. 6, 1953)	The two-count indictment alleged that the defendants attempted to, and were then, monopolizing the dissemination of news and advertising in metropolitan Kansas City and that they excluded all others from publishing daily newspapers in Kansas City. According to the indictment, the defendants, among other things, refused and threatened to refuse to accept advertising, or discriminated as to space, location or arrangements of advertising if the advertiser used competing media, or a larger ad in competing media, and these threats and refusals were implemented by an elaborate system of surveillance of competing publications. It further alleged that the Star Company's rate structure for local display advertising provided for tie-in sales which excluded advertisers from using other media. The grand jury also charged that national and classified advertisers were required to purchase advertisements in both the Star and Times, even though they desired to advertise in only one of these newspapers; and that subscribers to these papers, numbering in excess of 300,000, were required to pay for delivery of the Times, the Star, and the Sunday Star in forced combination, even though they desired to purchase only one or two of these three newspapers. The indictment also alle ed that news carriers, operating as independent businessmen, were required to refrain from delivering competing advertising media. The grand jury further charged that special discounts for advertising in defendants' newspapers were offered to those who advertised on defendants' radio station and that advertisers not using defendants' newspapers were denied access to the Star's television station.	UC	The criminal case was tried and defendants found guilty on February 22, 1955. On August 5, 1955, the court overruled the defendant's motions to set aside the verdict of guilty and for judgment of acquittal, or in the alternative for a new trial. The defendants appealed to the Court of Appeals for the Eighth Circuit. On January 23, 1957, the United States Court of Appeals for the Eighth Circuit affirmed the judgment convicting The Kansas City Star Co. of attempting to monopolize and monopolizing interstate trade and commerce in the dissemination of news advertising and Emil A. Sees of attempting to monopolize such trade and commerce.

Michigan Tool Co. Three corporations United States v. Michigan Tool Co., et al., No. Cr. 33671 (E.D. Mich. Apr. 14, 1953)	Conspiracy to restrain and to monopolize interstate and foreign trade and commerce in gear cutting and finishing machines and tools. The indictment charged that since 1937 the defendants, through patent licensing and cross-licensing agreements, had (a) allocated among themselves various fields in the manufacture and sale of gear cutting and finishing machines and tools; (b) refrained from competing in certain fields of manufacture and sale in which the other defendants were engaged; (c) adhered to published prices, discounts, terms and conditions of sale in the manufacture and sale of gear cutting and finishing machines and tools; (d) exchanged among themselves on an exclusive basis their respective patents and technology relating to the manufacture of these machines; (e) allocated customers among themselves; and (f) agreed not to license others without the consent of the other defendants.	CC	The court accepted the defendants' pleas of nolo contendere, and on June 27, 1956, each of the three defendants was fined $3,750 on each of the two counts in the indictment, making a total fine of $22,500.
National Malleable and Steel Castings Co. Six corporations and four individual persons United States v. National Malleable and Steel Castings Co., et al., No. Cr. 20962 (N.D Ohio May 22, 1953)	Combining and conspiring to restrain and to monopolize, and by monopolizing, interstate and foreign commerce in railroad car couplers, coupler parts and yokes. The indictment charged that the defendants unlawfully conspired to prevent anyone other than the defendant manufacturers from making and selling couplers and coupler parts which had been adopted as standard by the Association of American Railroads, in part by securing and pooling patents covering said couplers and maintaining control by defendant manufacturers of drawings and gauges necessary to the production of said couplers. Further activities alleged in the indictment included the fixing and maintenance of uniform and non-competitive prices for couplers, coupler parts and yokes; division and apportionment among defendant manufacturers of available business in couplers and coupler parts; exclusion of others from the manufacture and sale of	CC	The defendants entered pleas of nolo contendere and were fined a total of $80,000

	certain types of yokes; division of world markets under agreements with certain foreign producers; agreements as to world prices; and exclusion of importations of couplers and coupler parts.		
Walton Hauling & Warehouse Corp. Four corporations, a labor union, and five of their officers United States v. Walton Hauling & Warehouse Corp., et al., No. Cr. 141-349 (S.D.N.Y. June 23, 1953)	Conspiring to restrain and to monopolize, attempting to monopolize and monopolizing interstate trade and commerce with respect to the hauling of theatrical scenery and equipment. The indictment charged that the defendants conspired to fix high, unreasonable, and non-competitive prices; allocated customers among themselves; excluded independents from transporting theatrical scenery and equipment; and used the coercive power of Local 817 to compel theater owners, producers, and television stations, by threat of picketing and other means, to abide by the conspiratorial agreements of the defendants.	CC	Defendants with the exception of Local Union No. 817 and Edward O'Donnell changed their pleas of not guilty and entered pleas of nolo contendere and were fined a total of $10,000. On July 15, 1955, the union entered a plea of nolo contendere and a fine of $2,500.00 was imposed and the defendant Edward O'Donnell was dismissed. Total fines imposed amounted to $12,500.
Cigarette Merchandisers Assn. Trade association, five corporations, a labor union, and seven individuals United States v. Cigarette Merchandisers Ass'n., Inc., et al., No. Cr. 144-105 (S.D.N.Y. Apr. 28, 1954)	The indictment charged that for many years defendants had conspired to suppress and to eliminate competition among cigarette vending machine operators who were members of the association. It further alleged that defendants have attempted to monopolize and had monopolized the sale of cigarettes through vending machines so as to exclude independent operators of such machines from this business. The indictment also charged that defendants had used the union, Local 805, to enforce and police the conspiracy by means of boycotts and picketing.	CC	Defendants pleaded nolo contendere and fines totaling $155,000 were imposed.
Maryland State Licensed Beverage Assn., Inc. Two state retail associations, one state wholesale association, fourteen distiller corporations, seven wholesalers, and thirty-one	The indictment charged that beginning on or about January 1950, the defendants entered into a combination and conspiracy to raise, fix, maintain, and stabilize the wholesale and retail prices of alcoholic beverages shipped into Maryland, in restraint of interstate trade and commerce. It was alleged that the substantial terms of the combination and conspiracy	CC	The court accepted nolo contendere pleas from most of the defendants and imposed fines of up to $10,000 on defendants.

individuals connected with the associations and corporations United States v. Maryland State Licensed Beverage Assn., Inc., et al., No. Cr. 23212 (D.M.D. Apr. 6, 1955)	were that so-called "fair trade" prices for alcoholic beverages were required to be established and that manufacturers and wholesalers were required to enforce the observance of such prices. It was alleged also that retailers were required to observe and adhere to, or were induced and compelled to observe and adhere to, such "fair trade" prices. The indictment further alleged that it was a term of the conspiracy charged that no alcoholic beverages would be sold directly to the Department of Liquor Control for Montgomery County and to the liquor control boards of the seven other "monopoly counties,'' and that alcoholic beverages sold to the official agencies of these "monopoly counties" would be sold only through a wholesaler who charged the "monopoly counties" his customary resale price. The indictment charged that manufacturers, wholesalers, and retailers agreed to boycott and to induce others to boycott those who did not adhere to the terms of the conspiracy.		
National Cranberry Assn. Cooperative, two corporations, and two individuals United States v. National Cranberry Assn., et al., No. Cr. 55-77A (D. Mass. Apr. 8, 1955)	Combining and conspiring to restrain interstate trade in the manufacture and sale of cranberry products, with combining and conspiring to monopolize such trade, and attempting to monopolize and monopolizing such trade. Defendants induced and compelled independent cranberry growers, other cooperatives, and independent shippers of cranberries to sell solely to the defendant association all cranberries to be used in the manufacture of cranberry products, and agreed to limit and confine the manufacture of cranberry products solely to the association. In addition, the defendants were charged with preventing, eliminating, and excluding competition from independent manufacturers and from other cooperatives in the manufacture and sale of cranberry products, and of controlling and	CC	Defendants pleaded nolo contendere and imposed fines totaling $37,500 imposed.

	regulating prices and terms of sale for cranberry products.		
National Linen Service Corp. Four of its officers United States v. National Linen Service Corp., et al., No. Cr. 20559 (N.D. Ga. Apr. 25, 1955)	Attempting to monopolize and monopolizing the linen service industry in various southern states. The grand jury charged in the indictment that National had excluded competitors in the linen service business in the South by buying out hundreds of competing linen service concerns, and that it had threatened to force out of business existing competitors and concerns desiring to engage in the linen service business. According to the indictment, National had prevented and suppressed competition by conducting price wars; lowering prices in areas where National had competitors until competition was eliminated; offering customers service at below cost or free; and giving customers rebates and other inducements not to deal with competing linen service concerns. The indictment also charged that National had circulated defamatory or misleading reports among customers to induce them to refrain from patronizing competing linen service concerns. It was further charged that, in selected areas, National had induced or compelled linen service concerns to enter into agreements with it eliminating competition.	UC	A consent judgment was entered against the defendants in related civil case. At the same time the court permitted defendants in the criminal case, to change their pleas from not guilty to nolo contendere and imposed fines of $10,000 on the corporation and $4,000 on each of the three individual defendants
Safeway Stores, Inc. Two of its officers United States v. Safeway Stores, Inc., et al., No. Cr. 9564 (N.D. Tex. July 7, 1955)	Violations of the Sherman and Robinson-Patman Acts. The indictment was in three counts. The first charged that the defendants engaged in a conspiracy to monopolize the retail grocery business in various cities in Texas and New Mexico. The second count charged that the defendants were attempting to monopolize this business. The third count brought under Section 3 of the Robinson-Patman Act named only Safeway and Warren as defendants. It charged that Safeway sold goods in its stores in Texas at prices lower than those it charged in other parts of the United States and below cost for the purpose of destroying competition.	UC	Original indictment was voluntarily dismissed by the government in favor of filing a parallel criminal case (by information) and civil injunctive case. All defendants plead nolo contendere. The court imposed a fine totaling $187,500 and one-year prison sentences on the individual defendants, which were probated.

	According to the indictment, Safeway established sales quotas for each of its stores in Texas and New Mexico, amounting to from 25 to 50 per cent of the total retail grocery business and insisted that the store managers meet these quotas. It was further charged that Safeway engaged in price wars in these areas for the purpose of destroying competition and that for that purpose during the course of these wars it sold groceries below its invoice cost for these commodities. According to the indictment, one of the effects of the defendants' activities had been to drive some independent grocers in Texas out of business. According to the indictment, Safeway in 1954 sold more than $155,000,000 of food and food products in Texas and New Mexico and sold substantially more of these products in this area than any of its competitors.		
Radio Corp. of America United States v. Radio Corp. of America, No. Cr. 155-107 (S.D.N.Y. Feb. 21, 1958)	A federal grand jury in New York City, on February 21, 1958, indicted the Radio Corporation of America on charges of violating Sections 1 and 2 of the Sherman Antitrust Act. RCA had been one of the nation's leading electronic firms since its incorporation in 1919. The four-count indictment charged that RCA conspired to restrain the manufacture, sale, and distribution of radio purpose apparatus and the licensing of radio purpose patents; and that it conspired to monopolize, attempted to monopolize, and monopolized the licensing of radio purpose patents in the United States. Radio purpose patents were defined in the indictment to include patents relating not only to radio and television receiving and broadcasting apparatus, but also to such vital electronic devices as: radar, sonar, and various instruments used in guided missiles. Named as co-conspirators in the indictment were more than 25 of the leading electronic manufacturers in the world. The indictment charged that RCA agreed with, General Electric, Westinghouse,	CC	Plea of nolo contendere by Radio Corporation of America. A fine of $25,000 on each of the four counts in the indictment was imposed.

	and American Telephone & Telegraph that those companies would not compete with RCA in the domestic licensing of radio purpose patents. RCA was also charged with agreeing with leading foreign electronic manufacturers not to compete in patent licensing, nor to export radio purpose apparatus into each other's home territory. It was further charged that RCA's foreign patents were made available for licensing by foreign co-conspirators through patent pools and exclusive agents under conditions which restricted American foreign trade. As a result of these agreements, it was alleged that RCA had been able to control the licensing of domestic radio purpose patents originating not only with itself but with the other leading domestic and foreign companies in the electronic field. The indictment charged that with control over more than 10,000 patents in the radio purpose field, RCA was placed in a position to compel every domestic manufacturer in that field to take licenses under one or more of its major package licenses.		
Jas. H. Matthews & Co. Vice-President of company United States v. Jas. H. Matthews & Co., et al., No. Cr. 15463 (W.D. Pa. Mar. 21, 1958)	The company was the nation's largest manufacturer of bronze grave markers allegedly controlling at least 75 percent of industry sales. The indictment charged the defendants with achieving and maintaining a monopolistic position in the industry by conspiring with the company's cemetery customers to restrain trade in the sale and distribution of bronze grave markers. According to the indictment, the company had suggested, and the cemeteries had adopted, certain restrictive devices designed to prevent the installation of any bronze grave marker not purchased from the particular cemetery where the marker was to be installed. In return for this assistance in eliminating their bronze marker sales competition, the cemeteries	UC	The United States District Court for the Western District of Pennsylvania accepted the defendants' pleas of nolo contendere. The Court imposed a fine of $10,000 on each of the four counts in the indictment against Jas. H. Matthews & Co., and a fine of $2,500 on each of two counts was imposed on N. Neilan Williams, with sentence suspended on the other two counts.

	were said to have agreed to purchase their own marker supplies predominantly from the company.		
American Natural Gas Co. Three natural gas companies and three corporate officials United States v. American Natural Gas Co., et al., No. Cr. 58-CR-58 (E.D. Wis. Apr. 30, 1958)	Count one of the indictment charged that the defendants, commencing in or about 1954, had engaged in a combination and conspiracy to monopolize interstate trade and commerce in the transmission and sale of natural gas in the States of Wisconsin, Minnesota, and parts of Illinois and Michigan. Count two charged them with a combination and conspiracy unreasonably to restrain that trade, while counts three and four alleged that the defendants had attempted to monopolize and had monopolized it. Under the terms of the conspiracy as set out in the indictment, the defendants and the co-conspirators agreed to: (a) maintain free from competition respective service areas in Wisconsin, Minnesota, Michigan, and Illinois within which the defendants American, Northern, and Peoples shall operate; (b) exclude Midwestern Gas Transmission Co. as a competitor in the interstate transportation and sale of natural gas in said states; (c) boycott and refuse to purchase natural gas from Midwestern; (d) attempt to obstruct and prevent Midwestern from obtaining natural gas from Canadian sources; (e) contract to supply natural gas to unserved communities for the purpose of absorbing markets which would otherwise be available for a potential competitor; and (f) cooperate closely and coordinate their activities for the purpose of preventing the interstate transportation and sale of natural gas in said states by any new competitor.	CC	Each of the defendant companies was fined the following amounts on pleas of nolo contendere: Count I, $35,000; Count II, $30,000; Counts III and IV (merged), $35,000.
True Temper Corp. 5 corporations and 6 individuals	According to that indictment and companion civil complaint, True Temper Corporation was the leading manufacturer of steel shafts for golf clubs, producing approximately 90% of all such steel shafts made in this country and selling them for more than $5,000,000 per	CC	All of the defendants in the criminal action (No. 1400) pleaded nolo contendere. True Temper Corp. and Wilson Athletic Goods Mfg. Co., Inc. were fined $10,000 each; A. G.

United States v. True Temper Corp., et al., No. Cr. 58 CR 411 (N.D. Ill. June 29, 1958)	year. The other corporate defendants were the "big four" manufacturers of golf clubs, selling about 80% of all golf clubs in this country for nearly $25,000,000 per year. It was charged in the indictment and companion civil complaint that True Temper Corporation and the "big four" golf club manufacturers violated the Sherman Antitrust Act by engaging in a combination and conspiracy to restrain and to monopolize interstate trade in steel golf shafts and golf clubs. Pursuant to that alleged combination and conspiracy: (1) The "big four" manufacturers allegedly fixed so-called lowdown prices for golf clubs; (2) True Temper Corporation allegedly communicated those prices to other golf club manufacturers who purchased True Temper steel shafts, and it allegedly refused to supply its steel shafts to golf club manufacturers who failed to adhere to those fixed prices; (3) the "big four" manufacturers allegedly refused to purchase steel shafts from competitors of True Temper Corporation and purchased all of their steel shafts requirements from True Temper Corporation; (4) True Temper Corporation allegedly granted to the "big four" manufacturers preferential prices, discounts, and allowances on steel shafts; and (5) True Temper Corporation's top grade steel shafts allegedly had to be used in those types of golf clubs only which were sold to "pro shops" and not to ordinary retail outlets.		Spalding & Bros., Inc. and MacGregor Sport Products Inc. were fined $5,000 each; Hillerich & Bradsey Co. was fined $2,000; and the six individual defendants were fined $200 each.
Harte-Hanks Newspapers, Inc. Three companies and three individuals engaged in the operation and publication of the Herald-Banner newspaper in Greenville, Texas	The indictment alleged that, prior to October 1956, there had been published and distributed in the Greenville area two newspapers, The Morning Herald, and The Greenville Banner. These two newspapers were the only significant sources of local news, advertising, and other information disseminated regularly for the residents of the Greenville area through the publication and circulation of newspapers, according to the indictment. The indictment charged	UC	On January 21, 1959, the United States District Court for the Northern District of Texas, Dallas Division, ruled that the defendants did not violate the antitrust laws.

United States v. Harte-Hanks Newspapers, Inc., et al., No. Cr. 15393 (N.D. Tex. Sept. 10, 1958)	that the defendants, who had controlled and operated the Banner since 1954, conspired to eliminate the competition of the Herald, and in fact did do so. The indictment charged that the defendants conspired to, and did eliminate the competition of the Herald by: intentionally operating the Banner at a loss, utilizing revenues from other Harte-Hanks newspapers to finance such losses; lowering subscription rates for home and mail delivery of the Banner; distributing copies of the Banner free of charge; reducing the display and classified advertising rates of the Banner; increasing the Banner's advertising staff and the number of pages published; endeavoring to purchase and purchasing the Herald; and seeking to curtail credit resources available to the Herald.		
Greater Blouse, Skirt & Neckwear Contractors Assn. Three associations, a labor union, and five individuals United States v. Greater Blouse, Skirt & Neckwear Contractors Assn., Inc., et al., No. Cr. 158-181 (S.D.N.Y. Mar. 11, 1959)	The indictment charged that the defendants since 1949 had conspired to (1) fix the prices jobbers and manufacturers of blouses pay to blouse contractors for the fabrication of blouses, (2) allocate the blouse contracting work of members of National among the members of Greater and Slate Belt, and (3) require members of National to give all their blouse contracting work to members of Greater and Slate Belt.	CC	On April 13, 1964, the court granted the government's motion to dismiss the indictment as to all defendants.
Philadelphia Assn. of Linen Suppliers Trade association of linen suppliers, 10 corporations, and 9 individuals United States v. Philadelphia Assn. of Linen Suppliers, et al.,	The indictment charged that since the year 1950, the defendants engaged in a conspiracy to suppress competition in furnishing linen supplies to customers in Pennsylvania, southern New Jersey, and Delaware. The terms of the alleged conspiracy included refraining from competing for customers; fixing prices for furnishing linen supplies; submitting rigged bids for furnishing linen supplies to public agencies, institutions, and hospitals; and impeding other linen suppliers who were not members of the conspiracy in	CC	Fines, totaling $170,500, were imposed on pleas of nolo contendere.

No. Cr. 19999 (E.D. Pa. June 12, 1959)	order to exclude such other linen suppliers from the industry or compel them to join the conspiracy.		
Irving Bitz Eleven individuals and one corporation United States v. Bitz, et al., No. Cr. C 159-162 (S.D.N.Y. June 23, 1959)	According to the indictment, Suburban Wholesalers Assn., Inc. (which consisted of twelve wholesale distributors of newspapers and magazines who operated in specified areas in New York, New Jersey, and Connecticut) acted as bargaining agent for its members in negotiating labor contracts with the Newspaper and Mail Deliverers' Union of New York and Vicinity. The Union, it was alleged, supplied these distributors with all employees engaged in the handling and delivery of newspapers and magazines, and by provisions in labor contracts between the Union and publishers, such publishers could use as wholesalers only such distributors as were themselves under labor contractual relation with the Union. Count Two of the indictment charged all of the defendants except Lospinuso and Walsh with an "unlawful combination and conspiracy to monopolize for defendants Irving Bitz, Charles Gordon and Bi-County . . . interstate trade and commerce in the wholesale distribution and sale of newspapers and magazines in the area comprising Nassau and Suffolk Counties in the State of New York" in violation of Section 2 of the Sherman Act. This count in the indictment alleged the same substantial terms and the same means of effectuation as alleged in Count One of the indictment, but it also charged that this offense was effectuated "by acts of violence and intimidation in 1958 to coerce publishers to deal with defendants Irving Bitz, Charles Gordon and Bi-County and to exclude competitors from obtaining business from such publishers."	CC	Prison sentences were imposed (including on Hobbs Act claims).
Brunswick-Balke-Collender Co.	Combination and conspiracy to restrain and to monopolize interstate commerce in folding gymnasium bleachers, in violation of the Sherman Antitrust Act.	CC	On June 20, 1960, Brunswick-Balke-Collender Co., Wayne Iron Works, and Universal Bleacher Co. were

Jack B. Shipman (Brunswick-Balke-Collender Co. production manager); Wayne Iron Works and its executive vice president, Charles M. Wetzel; Universal Bleacher Co. and its president, Donald E. Vance; Fred Medart Manufacturing Co.; Crosby-Miller Corp. and its president, John C. Miller; Safeway Steel Products, Inc. and its vice president, James Jay; and Fred H. Corray United States v. Brunswick-Balke-Collender Co., et al., No. Cr. 59 Cr. 8 (E.D. Wis. July 13, 1959)	Pursuant to the alleged combination and conspiracy, it was charged, the defendants agreed: (a) to allocate among themselves business in folding gymnasium bleachers; (b) to adopt uniform base prices, terms, and conditions of sale for such bleachers; (c) to submit to prospective purchasers bids calculated according to certain agreed upon formulae; and (d) to retain defendant Corray as a consultant, to coordinate the activities of the defendant corporations. Thus, it was alleged, competition in sales of folding gymnasium bleachers was artificially restricted, and prices were fixed at arbitrary levels.		each fined $20,000, and Fred Medart Mfg. Co. and Crosby-Miller Corp. were each fined $10,000. Five of the individual defendants were fined a total of $14,500. The court had previously accepted their pleas of nolo contendere.
Southeast Texas Chapter, Natl. Electrical Contractors Trade association of electrical contractors, seven corporations, and three individuals United States v. Southeast Texas Chapter, Natl. Electrical Contractors, No. Cr. 13706 (S.D. Tex. Jan. 11, 1960)	The defendants were charged with having engaged in a conspiracy, under the terms of which the defendant and co-conspirator electrical contractors would allocate jobs among themselves, and the conspiring electrical contractors other than the one selected to be low bidder on a job would submit higher bids or would refrain from submitting bids. The indictment also charged that the Union (Local No. 716, International Brotherhood of Electrical Workers), named as a co-conspirator, would refuse to supply union labor for, or supply only inferior or incompetent labor on, any job obtained by a contractor not a member of the conspiracy. The indictment further charged that the Association members agreed to limit the amounts of work obtained through competitive bidding in accordance with a quota established by the Association, and to use identical overhead percentages in computing their bids.	CC	Nolle prossed

General Motors United.States v. General Motors Corp., Nos. Cr. 61, Cr. 356 (S.D.N.Y. Apr. 12, 1961)	General Motors Corporation was indicted by a federal grand jury in New York on charges of using its vast economic power illegally to monopolize the manufacture and sale of railroad locomotives. Attorney General Robert F. Kennedy announced the return of the indictment, which charged that General Motors violated section 2 of the Sherman Antitrust Act. Two substantial competitors were driven from the market and General Motors captured 84.l% of the locomotive business. As a result, the indictment asserted that "the purchasers of locomotives and the public in general have been. deprived of the benefits of competition." The indictment listed at least 14 ways in which General Motors assertedly misused its economic power to force most of the nation's 40 railroads to buy locomotives. The indictment pointed out that General Motors was the largest manufacturing corporation in the United States in terms of total sales and assets and was probably the nation's largest shipper of freight. As a result, the complaint asserted, General Motors was able to vary its price and rate of return in locomotive sales, make investments in manufacturing facilities for railroad locomotives, and establish production capacity in a manner which no competitor could meet. This power, the indictment asserted, was "unlawfully acquired and maintained." Among the ways in which General Motors did so, the indictment said, included: routing rail shipments to favor purchasers of General Motors locomotives and withholding or reducing shipments from lines which purchased locomotives from General Motors' competitors; building plants, warehouses, and storage areas near lines of railroads for the purpose of persuading the railroads to purchase General Motors locomotives; obtaining steel from General Motors suppliers on terms which were substantially more advantageous than those available to	UC	On December 28, 1961, the court granted the government's motion to nolle prosequi the case.

	its competitors; financing the sale or lease of locomotives on terms its competitors could not match; participating in the formulation of locomotive specifications for use in obtaining competitor bids which prevented other manufacturers from competing; and selling locomotives at a loss in segments of the market where it had competition.		
Avdel, Inc. Four foreign firms and five individuals were listed as co-conspirators but not as defendants United States v. Avdel, Inc., et al., No. Cr. 29736-C (M.D. Cal. May 2, 1961)	The two-count indictment asserted that the firm and its international affiliates have suppressed competition, fixed prices, allocated bids, and monopolized sales in the market for quick release pins.	CC	The court found the companies guilty of conspiring to suppress and eliminate competition in the manufacture, sale, and distribution of quick-release pins in violation of Section 1 of the Sherman Act (Count 1). Each of the defendants was fined $50,000. It found the companies not guilty as to Count 2, which charged a combination and conspiracy to monopolize trade in violation of Section 2 of the Sherman Act.
American Optical Co. Victor D. Kniss (executive vice president, American Optical Co.); Bausch & Lomb, Inc.; and Alton K. Marsters (vice president, Bausch & Lomb, Inc.) United States v. American Optical Co. et al., No. 61 CR 82 (E.D. Wis. Aug. 1, 1961)	The two largest eyeglass manufacturers in the country were charged with trying to pressure independent competitors out of business and with price fixing.	CC	Following nolo contendere pleas, fines totaling $126,000 were imposed.
Charles Pfizer & Co. Three of the nation's largest manufacturers of antibiotic	The indictment charged that beginning in November 1953, Pfizer and American Cyanamid conspired to maintain non-competitive prices on broad spectrum antibiotics. After Tetracycline was developed, those two firms and Bristol conspired to control patents on it	CC	All defendants were acquitted following Supreme Court decision.

"wonder" drugs and three of their top executives United States v. Charles Pfizer & Co., Inc. et al., No. 61 Cr. 772 (S.D.N.Y. Aug. 17, 1961)	and make prices for Tetracycline conform to the non-competitive prices maintained for the other drugs		
Huck Mfg. Co. Nation's two principal manufacturers of lock-bolts-metal fasteners used in virtually every American airplane United States v. Huck Mfg. Co. et al., No. Cr. 39017 (E.D. Mich. Oct. 24, 1961)	Conspiring to expand legal patent privileges into an illegal monopoly and to fix prices.	CC	On December 6, 1965, the district court ruling that the manufacturer's practices did not violate the Sherman Act (1690) was affirmed by the U.S. Supreme Court.
Victor D. Kniss (executive vice president and trustee of the American Optical Co.) and Alton K. Marsters (vice president of Bausch & Lotnb, Inc.) United States v. Victor D. Kniss, et al., No. Cr. 61-CR 152 (E.D. Wis. Dec. 11, 1961)	Previously, both of the officers were named as defendants in an indictment charging their companies with violating Sections l and 2 of the Sherman Act by conspiring to pressure independent competitors out of business and with fixing prices for ophthalmic lenses.	CC	
Minnesota Mining and Mfg. Co Indictment named as co-conspirators and not defendants, nine other corporations in connection with the sale and manufacture of pressure sensitive tape	The grand jury charged that 3M abused patent privileges by compelling or attempting to compel its competitors to accept patent license agreements. The agreements would enable Minnesota to dictate to the industry what prices could be charged, what products could be made and how they could be made and sold.	CC	The district court accepted a plea of nolo contendere, and imposed fines of $50,000 on each of three counts, and $20,000 on each of two counts, totaling $190,000.

United States v. Minnesota Mining and Mfg. Co., No. Cr. 61-73-D (C.D. Ill. Dec. 13, 1961)			
M. Klahr, Inc. Two officers of the firm and one union official United States v. M. Klahr, Inc., et al., No. 62 CR 347 (S.D.N.Y. Apr. 1, 1962)	Price fixing, bid rigging, monopolization in the venetian blind business.	CC	Defendants were fined and given suspended prison sentences.
Johns-Manville Corp. Two companies and five of their officials United States v. Johns-Manville Corp., et al., No. Cr. 21-118 (E.D. Pa. June 1, 1962)	Conspiring to restrain and monopolize, and attempting to monopolize, trade in asbestos-cement and pipe and couplings. he indictment charged that the defendants and co-conspirators conspired to (1) fix prices and terms of sale, (2) restrain and eliminate competition between the corporate defendants in manufacturing and selling, (3) restrain and eliminate competition with and among the corporate defendants' distributors, (4) restrain and eliminate the importation, distribution, sale, and use of foreign-made products in the United States, and (5) maintain a dominant position in domestic production and sale in the United States	CC	Defendants acquitted
Greater New York Roll Bakers Assn. Fourteen firms, seventeen individuals, and three trade associations United States v. Greater New York Roll Bakers Assn. Inc., et al., No. Cr. 62 CR 513 (S.D.N.Y. June 5, 1962); United States v. Sabrett Food Products Corp., et	Conspiracy to fix prices and monopolize in kosher meat industry	CC	Jury found defendants not guilty

al., No. Cr. 62 CR 514 (S.D.N.Y. June 5, 1962); United States v. Interborough Delicatessen Dealer Assn., Inc., et al., No. Cr. 62 CR 515 (S.D.N.Y. June 5, 1962)			
H.P. Hood & Sons, Inc. The Great Atlantic & Pacific Tea Company, Inc. United States v. H.P. Hood & Sons, Inc. and The Great Atlantic & Pacific Tea Company, Inc., No. Cr. 63-110-C (D. Mass. Mar. 15, 1963)	H. P. Hood & Sons of Boston, the largest milk wholesaler in New England, was indicted on charges of trying to drive out of business milk dealers who sell MILK at cheaper prices in glass jugs. charged Hood with illegally cutting prices in selected areas, often below cost, in order to destroy competition from "jug handlers." Mr. Kennedy said the indictment further charged that Hood conspired with the Great Atlantic & Pacific Tea Company, Inc. to restrain competition and to monopolize the Greater Boston milk market. Approximately 350,000,000 quarts of milk, worth about $70,000,000 were sold there annually. The indictment said Hood paid secret rebates to A&P for milk sold in its Boston area stores. Jug handlers process, sell, and distribute milk in gallon and half-gallon jugs, a cheaper form of packaging than the milk cartons used by Hood and other dairies.	UC	Jury found defendants H. P. Hood and The Great Atlantic & Pacific Tea Co. not guilty of the charges.
United Fruit Co. United States v. United Fruit Co., et al., No. Cr. 32416 (M.D. Cal. July 16, 1963)	The United Fruit Company was indicted in Los Angeles on charges of unlawfully monopolizing the banana market in seven western states. Attorney General Robert F. Kennedy said the antitrust indictment also charged United with trying unlawfully to drive out budding competition by flooding the market and by predatory pricing. The defendants maintained substantially higher prices in the western states than in markets where they faced competition, the indictment said. They also were charged with strictly limiting banana imports in order to shelter the western market from oversupplies which might have brought down prices. This count said the defendants	UC	On October 23, 1963, the following fines were imposed on nolo contendere pleas: United Fruit, $2,000; United Fruit Sales Corp., $1,000; Joseph H. Roddy, $500; and Marion E. Wynne, $500.

	refused to sell to a number of wholesalers and allocated bananas in such a way that customers had to buy excessive amounts during periods of oversupply in order to increase their allotments during periods of short supply. Starting in July 1960, two other banana companies—the Standard Fruit and Steamship Company and Ecuadorian Fruit Import Corporation—joined to import bananas into Los Angeles by ship. The other two counts charged the defendants with conspiring and attempting to eliminate this competition. They did so, the grand jury charged, by increasing their imports in order to flood the area with an oversupply of bananas; maintaining maximum inventories with customers to forestall purchases from Standard-EFIC; deliberately reducing wholesale prices, starting July 9, 1960, in order to keep Standard-EFIC from making any profit; and causing the Port of Los Angeles to deny Standard-EFIC a pier assignment for its banana cargoes.		
American Oil Co. 8 major oil companies	Fixing the prices of gasoline in Pennsylvania, New Jersey, and Delaware	CC	Defendants pleaded nolo contendere and paid $50,000 each in fines.
Union Camp Corp. Two manufacturers of paper bags and two officials of one of the firms United States v. Union Camp Corp., et al., No. Cr. 4558 (E.D. Va. Nov. 30, 1967)	Conspiring to exclude competitors through use of an allegedly invalid patent. The charges related to patents for a paper bag with a mesh-covered "window" to permit contents such as potatoes and onions to be seen and ventilated. According to the indictment, Union was issued a product patent in 1947, and in 1950 initiated a licensing arrangement with selected competitors through which it collected $50,000 in royalties annually and exerted major control of the industry. Bemis acquired a patent in 1953 covering the apparatus which produced such bags, and later transferred all licensing rights under the patent to Union. The government charged that both firms were aware the	UC	The two officials were permitted to plead nolo contendere to the conspiracy charge, and the government declined to prosecute them on the monopoly charge. Bemis was allowed to plead nolo contendere to the conspiracy count over the government's objection. (Unio Camp moved to change its guilty plea to nolo contendere, the government objecting and the court taking the matter under advisement.) On May 6, 1968, Union Camp was

	Bemis patent was invalid. Through use of the invalid Bemis patent, Union, according to the indictment, then extended its power to collect royalties and to block additional competition another six years after its own patent expired in 1964. The government said Union and Bemis used the invalid patent to force a manufacturer of window-front bag attachment machinery to restrict sales to Union licensees.		permitted to enter a plea of nolo contendere.' On the same date fines totaling $135,000 were imposed as follows: Union Camp, on the conspiracy count, $50,000 and on the monopoly count, $25,000; Bemis, $50,000; Mr. Calder and Mr. Bauer, $5,000 each.
N. V. Nederlandsche Combinatie 11 drug companies and 8 executives United States v. N. V. Nederlandsche Combinatie Voor Chemische Industrie et al., No. 68 CR 870 (S.D.N.Y. Oct. 25, 1968)	International conspiracy to monopolize sales and fix prices of quinine and quinidine.	CC	Nolo contedere pleas and fines of $40,000 or $50,000 for the corporate defendants
Dunham Concrete Products, Inc. Three Louisiana industrial concrete suppliers, their principal management official, and the business agent of a local union United States v. Dunham Concrete Products, Inc., Louisiana Ready-Mix Co., Inc., Anderson-Dunham, Inc., Ted F. Dunham, Jr., and Edward Grady Partin, No. Cr. 1842 (E.D. La. June 20, 1969)	Charges of criminally conspiring to monopolize trade in concrete products and of extortion. Since early in 1966; the indictment charged, the defendants and unnamed co-conspirators violated the restraint of trade and antimonopoly provisions of the Sherman Act by coercing industrial purchasers of concrete products to deal exclusively with the Dunham companies through strikes, work stoppages, and property damage at construction sites. The indictment also charged that the defendants conspired to obstruct and delay construction projects which used competitors' concrete products, to supply truck drivers and equipment operators to concrete suppliers at higher wage rates and upon less favorable terms than those extended to Dunham companies, and to fix prices and prescribe areas of sale of concrete products.	CC	The jury convicted the defendants of attempting to monopolize trade in concrete products and violating the labor racketeering provisions of the Hobbs Act through strikes, work stoppages and physical violence. The defendants were acquitted of a charge of conspiring to eliminate competition, and the jury was unable to reach a verdict as to a conspiracy to monopolize count and another Hobbs Act count involving activities at another construction site. The court imposed fines of $30,000 each on Dunham Concrete Products Co. and Louisiana Ready-Mix Co. and a fine of $40,000 on Anderson-

			Dunham, Inc. for Sherman Act violations. Ted F. Dunham, Jr., also for Sherman Act violations, was fined $30,000 and sentenced to 6 months in prison. Fines and a prison sentence were also imposed for Hobbs Act violations. On March 22, 1973, the U. S. Court of Appeals in New Orleans dismissed appeals of Louisiana Ready-Mix Co. and Dunham Concrete Products, who had not prosecuted their appeals, and affirmed the convictions of Anderson-Dunham, Inc. and Ted F. Dunham, Jr. On September 26, 1974, the U. S. Court of Appeals in New Orleans reaffirmed the convictions.
Air Conditioning and Refrigeration Wholesalers Trade association and two of its officers United States v. Air Conditioning and Refrigeration Wholesalers, Franklyn Y. Carter and Thomas E. Muir, No. Cr. 70-491 (N.D. Ohio Aug. 28, 1970)	The indictment charged the trade association and the officers with conspiring with members of ARW and the six manufacturers, who were named as co-conspirators but not as defendants, to monopolize and restrain trade in the sale of refrigerant gas since at least 1953, in violation of Sections 1 and 2 of the Sherman Act. Assistant Attorney General Richard W. McLaren, head of the Antitrust Division, said the defendants were charged with excluding business concerns other than air conditioning and refrigeration wholesalers from competing with ARW's members in the sale of refrigerant gas for replacement purposes and restraining competition in the sale of the gas. The indictment also alleged that ARW members agreed to boycott refrigerant gas manufacturers who sold to business concerns other than air conditioning and refrigeration wholesalers and who refused to adhere to limitations on the shipment of such gas.	CC	Fines were imposed pursuant to acceptance of pleas of nolo contendere, as follows: the association, $50,000 the two individuals, $10,000 each.

General Motors Corp. and Ford Motor Co. United States v. General Motors Corp. and Ford Motor Co., No. Cr. 47-140 (E.D. Mich. May 1, 1972)	Conspiring to eliminate price concessions and otherwise restrict competition in the sale or lease of automobiles to the fleet market.	CC	On December 13, 1973, the court acquitted defendants of the conspiracy to monopolize count in the criminal action. On December 19, 1973, the jury acquitted defendants of the restraint of trade count in the criminal action. On January 11, 1974, the court supplemented its bench opinion of December 13, 1973, that acquitted defendants of the conspiracy to monopolize count in the criminal action
Empire Gas Corp. Two individuals United States v. Empire Gas Corp., Robert W. Plaster and Harold Smith, No. Cr. 23917-1 (W.D. Mo. Aug. 14, 1972)	A federal grand jury indicted Empire Gas Corp. of Lebanon, Missouri-one of the largest liquified petroleum gas distributors in the United States and two individuals on charges of violating the antitrust laws and conspiring to violate federal firearms law in connection with an unsuccessful attempt to dynamite a tank truck belonging to a competitor.	UC	Jury acquitted defendants
Morgan Drive Away, Inc. Three leading transporters of mobile homes and six individuals United States v. Morgan Drive Away, Inc.et al, No. Cr. 697-73 (D.D.C. Aug. 2, 1973)	Monopolizing the business of transporting mobile homes in violation of the Sherman Act. The defendants have combined and conspired to restrain, have combined and conspired to monopolize, and have monopolized, the business of transporting mobile homes within the United States. According to the indictment, the substantial terms of the conspiracy have been to exclude other persons from the business of transporting mobile homes, to limit the growth of competitors, and to coerce competitors to join a rate making conference. The suit also charged the defendants conspired to raise their rates to levels charged by the defendants, and to fix and stabilize rates	CC	Following nolo contedere pleas, the following fines were imposed for each count, to run concurrently: Morgan Drive Away and National Trailer, $50,000 each; Transit Homes, $25,000; Messrs. Miller and DeMaras, $15,000 each; Mr. Privitt, $7,500; Messrs. Thompson and Thee, $5,000 each, all payment suspended as to Mr. Thee; and Mr. Hobson, $2,500.

	for transporting mobile homes within individual states, without authorization of state law.		
Allan Molasky Missouri magazine wholesaler and its two principal offers United States v. Allan Molasky, Mark Molasky, and Molasky Enterprises, Ltd., No. Cr. 73-514B (E.D. La. Oct. 11, 1973)	Attempting to monopolize the wholesale distribution of magazines and paperback books in the Gulf Coast area. Defendants attempted to monopolize by trying to acquire almost all of the local wholesale agencies located in the area between Victoria, Texas and Pensacola, Florida. In addition, the indictment charged the defendants induced wholesalers to sell their businesses, by threatening to put them out of business or otherwise to injure them economically.	UC	Defendants entered pleas of nolo contendere over the objections of the government. On February 12, 1975, the court accepted Allan Molasky's plea of nolo contendere. On March 11, 1975, each of the defendants was fined $50,000. A sentence of 1 year, with 11 months suspended, plus 2 years' probation was imposed on Mark Molasky
Braniff Airways, Inc. and Texas International Airlines United States v. Braniff Airways, Inc. and Texas International Airlines, Inc., No. Cr. SA 75 CR 29 (W.D. Tex. Feb. 14, 1975)	Conspiring to monopolize airline business among three major Texas cities. The indictment charged that Braniff and Texas International attempted to deter, delay, and increase the cost of Southwest's entry as a competitor; exchanged information, schedules, and fares to maximize competitive pressures brought to bear on Southwest; and jointly undertook a boycott of Southwest by preventing passengers scheduled for their cancelled flights from switching to Southwest flights.	CC	Case dismissed, new indictment entered in 1977 (see below)
Lynn B. Hirshom United States v. Braniff Airways, Inc. and Texas International Airlines, Inc., No. Cr. SA 75 CR 29 (S.D. Tex. June 29, 1976)	A federal grand jury indicted a retired national sales manager for Bethlehem Steel Corporation on charges of violating antitrust laws in connection with the sale of reinforcing steel bars in Texas. The indictment charged Lynn B. Hirshorn, Bethlehem's former National Manager of Sales, Reinforcing Bars, Piling and Construction Specialties Products, with conspiracy to restrain and monopolize Texas reinforcing steel bar sales in violation of Sections 1 and 2 of the Sherman Act. The indictment charged that Mr. Hirshorn combined and conspired with his co-conspirators from 1969 to at least June 30, 1971, in violation of Sections 1 and 2 of the Sherman Act, to: raise and stabilize	CC	Jury returned verdict of not guilty

	prices of reinforcing steel bars; require independent fabricators in the Houston and Dallas areas to limit their bid submissions for the supply of re-bar materials to construction projects requiring no more than a specified tonnage of steel bars; and allocate certain construction contracts among themselves in accordance with their respective shares of the market for re-bar materials in the State of Texas.		
Braniff Airways, Inc. and Texas International Airlines, Inc. United States v. Braniff Airways, Inc. and Texas International Airlines, Inc., No. SA 77 CR 164 (W.D. Tex. Aug. 16, 1977)	The indictment charged that the two companies conspired to restrain and monopolize the airline business between Dallas-Fort Worth, Houston, and San Antonio by actions aimed at impairing the ability of Southwest Airlines, Inc., to serve the three cities.	CC	On June 14, 1978, Texas International was fined $100,000 on a plea of nolo contendere. On December 27, 1978, Braniff was fined $100,000 on a plea of nolo contendere.