

**UNITED STATES OF AMERICA vs. COLUMBUS
CONFECTIONERS' ASSOCIATION, ET AL.**

**IN THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF OHIO.**

In Equity No. 546.

UNITED STATES OF AMERICA, PETITIONER

VS.

COLUMBUS CONFECTIONERS' ASSOCIATION ET AL.,
DEFENDANTS.

DECREE.

The United States of America having filed its petition herein on the 4th day of November, 1927, and the defendants, Columbus Confectioners' Association, The Balfour-Snyder Company, C. J. Brower, Charles W. Bush, Columbus Confection Company, Crane Cigar Company, Inc., Russell H. Fisher, John Gunderman, Ruddy Hofstetter, Maple Dell Candy Company, Orth and Williams Company, The Purity Candy Company, Inc., Charles Slater, P. S. Truesdell Company, Alfred Byron Ashman, C. Kinsell Crane, and W. C. Diven, having duly appeared by Stuart R. Bolin, their counsel:

Comes now the United States of America by Haveth E. Mau, its attorney for the Southern District of Ohio, and by John G. Sargent, Attorney General, William Donovan, Assistant to the Attorney General, and Mary G. Connor, Special Assistant to the Attorney General, and come also the defendants named herein by their counsel as aforesaid;

And it appearing to the court by admission of the parties consenting to this decree that the petition herein states a cause of action; that the court has jurisdiction of the subject matters alleged in the petition; and that the petitioner has moved the court for an injunction and for relief against the defendants as hereinafter decreed; and the court having duly considered the statements of counsel for the respective parties; and all of the defendants through their said counsel now and here consenting to the rendition of the following decree:

Now, therefore, it is ordered, adjudged, and decreed as follows:

1. That the combination and conspiracy in restraint of interstate trade and commerce, and the acts, agree-

ments, and understandings among the defendants in restraint of interstate trade and commerce, as described in the petition herein, are in violation of the Act of Congress of July 2, 1890, entitled "An Act To protect trade and commerce against unlawful restraints and monopolies," and acts amendatory thereof and supplemental or additional thereto.

2. That the defendants, their officers, agents, servants, or employees are perpetually enjoined and prohibited—

(a) From combining, conspiring, agreeing, or contracting together, or with one another, or with others, orally or in writing, expressly or impliedly, directly or indirectly, to withhold their patronage from any manufacturer or producer of the candy products dealt in by the defendants, for or on account of such manufacturer or producer having sold such products in the City of Columbus, Ohio, in the Southern District of Ohio, wherein members of the Columbus Confectioners' Association are engaged in the candy jobbing business, to persons, firms, or corporations other than the members of said association;

(b) From combining, conspiring, agreeing, or contracting together, or with one another, or with others, orally or in writing, expressly or impliedly, directly or indirectly, to prevent manufacturers or producers, or their agents, engaged in shipping and selling such commodities among the several States, from shipping and selling such commodities freely in the open market

(c) From sending to manufacturers or producers, or their agents, engaged in selling or shipping said commodities among the several States, communications, oral or written, suggesting directly or indirectly that such manufacturers or producers, or their agents, shall refrain from selling such commodities directly to the consuming or retail trade, or to jobbers not members of said association.

(d) From combining, conspiring or agreeing together, or with one another, or with others, to fix, es-

tablish, or maintain among themselves the prices to be charged for said candy products.

3. That jurisdiction of this cause is hereby retained for the purpose of giving full effect to this decree, and for the purpose of making such other and further orders, decrees, amendments, or modifications, or taking such other action, if any, as may be necessary or appropriate to the carrying out and enforcement of said decree; and for the purpose of enabling any of the parties to this decree to make application to the court at any time for such further orders and directions as may be necessary or proper in relation to the execution of the provisions of this decree, and for the enforcement of strict compliance therewith and the punishment of evasions thereof.

4. That the United States shall recover its costs.

BENSON W. HOUGH,
United States District Judge.

NOVEMBER 4, 1927.