

**UNITED STATES vs. AMERICAN ASSOCIATION OF
WHOLESALE OPTICIANS, INC.**

IN THE DISTRICT COURT OF THE UNITED STATES
SOUTHERN DISTRICT OF NEW YORK.

Equity No. E16-357.

THE UNITED STATES OF AMERICA, PETITIONER,

VS.

AMERICAN ASSOCIATION OF WHOLESALE OPTICIANS, INC.,
BAUSCH AND LOMB OPTICAL Co., ATLAS OPTICAL Co.,
INC., BALTIMORE OPTICAL Co., N. P. BENSON OPTICAL
Co., BOSTON OPTICAL Co., CENTRAL OPTICAL Co., DEMP-
SEY-McMANN OPTICAL Co., DIAMOND OPTICAL Co.,
B. K. ELLIOTT Co., FEDERAL OPTICAL Co., FLORIDA
OPTICAL Co., ARTHUR FRANK & Co., INC., S. GALESKI
OPTICAL Co., GENEVA OPTICAL Co., Geneva, New
York; GENEVA OPTICAL Co., Chicago, Illinois;
GLOBE OPTICAL Co., Greenville, South Carolina; GLOBE
OPTICAL Co., Boston, Massachusetts; HANTOVER &
ROBINSON OPTICAL Co., F. A. HARDY & Co., INC., Dallas,
Texas; F. A. HARDY & Co., INC., Chicago, Illinois; F. A.
HARDY & Co., San Francisco, California; W. P. HITCH-
COCK Co., GEORGE S. JOHNSTON Co., W. A. JONES OPTI-
CAL Co., KLATORIK OPTICAL Co., INC., KING & EISELE
Co., JULIUS KING OPTICAL Co., INC., New York, New
York; JULIUS KING OPTICAL Co., Chicago, Illinois; N. B.
LEVY & BRO., McINTIRE, MAGEE & BROWN Co., MERRY
OPTICAL Co., MILWAUKEE OPTICAL MANUFACTURING
Co., JOHN L. MOORE & SONS, INC., NATIONAL OPTICAL
Co., NEW ORLEANS OPTICAL Co., NIAGARA OPTICAL Co.,
OHIO OPTICAL Co., PUETT-SOUTHERLAND Co., INC.,
READING OPTICAL Co., RIGGS OPTICAL Co., SCHMIDT
AND SEIDEL, INC., SCHULTE OPTICAL Co., SILBERT-
KEENER OPTICAL Co., INC., SMITH & MERCER, INC., G.
M. SMITH OPTICAL Co., SOUTHWEST OPTICAL Co., SPEN-
SER OPTICAL Co., STRONG, KENNARD & NUTT Co., TORIC
OPTICAL Co., INC., UHLEMANN OPTICAL Co., WALMAN
OPTICAL Co., WHITE-HAINES OPTICAL Co., WINCHESTER

OPTICAL Co., WOLVERINE OPTICAL Co., CHANNING M. WELLS, ALBERT B. WELLS, J. CHENEY WELLS, ANDREW V. BROWN, PHILIP EDELSTEIN, SAMUEL EDELSTEIN, MILTON AUERLIUS COMBES, FRANK EUGENE ISBELL, MORRIS JACOBY, MAURICE SCHWARTZ, GEORGE JOHNSTON, WILLIAM B. GORDON, AMOS A. KILTON, RODNEY PIERCE, GEORGE R. PIERCE, LOUIS MICHAELS, MARCUS E. KENNEY, ARTHUR M. KENNEY, FELIX ZADEK, MAX ZADEK, NILS P. BENSON, PETER BOPP, FLOYD F. BROWER, ALBERT E. CHARLESWORTH, BURT B. CLARK, E. S. CRANEN, WILLIAM DARLING, SAMUEL D. DEMPSEY, HERBERT W. DERRICK, PHILIP DEWEIN, WM. A. E. DRESCHER, JOSEPH J. DUFFY, WALLACE L. FOSS, GEORGE FOSTER, ARTHUR FRANK, LOUIS FRIEDLANDER, JOSEPH S. GALESKI, SOLOMON GEORGE HANTOVER, JOHN H. HARDIN, WILLIAM F. HAYES, GUY A. HENRY, GEORGE A. HILBERT, HARRY K. HILBERT, T. EUGENE HITCHCOCK, OTTO HOFFRITZ, LOWELL L. HOUCHIN, DAN D. HUBBELL, WILLIAM H. INGRAM, EDMOND AMBROSE INSKEEP, GEORGE S. JOHNSTON, OSCAR C. KEENER, BURNHAM W. KING, H. OTTO KIRCHER, HENRY E. KIRSTEIN, EDWARD J. KORNFELD, KARL KORONES, GEORGE K. KREUZ, DANIEL G. KROUSE, CLARENCE A. L. LANGTON, NATHAN B. LEVY, JOSEPH A. LYNCH, A. REED MCINTIRE, ISAAC JOHN MERCER, FRED C. MERRY, GUSTAVE MORGANSTERN, EARLE H. MOORE, AUGUST NEUSE, AARON ARCHIE ODOM, FRANK E. PIERCE, JOHN A. PERKINS, AARON A. POTTER, HOWARD C. PRICE, CARL N. QUIMBY, ALBERT H. RIBLET, ELLWOOD RIGGS, FRED W. ROBERT, MARCUS ROTHSCHILD, ADOLF HENRY SCHADE, HENRY SCHMIDT, JACOB J. SCHMUKLER, OTHMAR E. SCHULTE, VICTOR SILBERT, WALTER W. SLADE, CHARLES BERNARD SMITH, GEORGE M. SMITH, PERCY M. SMITH, ODELL SOUTHERLAND, DELL H. SQUYER, PHINNIE R. ST. JOHN, GEORGE M. STANNARD, MOSES E. STERN, NORTH STORMS, GEORGE C. STRONG, EDWARD E. SWADENNER, EMMETT E. THOMAS, CHARLES HARPER THOMPSON, RUPERT C. THOMPSON, GEORGE R. TRAVIS, CHARLES

TRIBE, RICHARD H. UHLEMANN, WILLIAM R. UHLEMANN, LEWIS A. VAN STERK, JOHN A. L. WALMAN, ALBERT A. WALSTROM, JESSE M. WEBSTER, FRED WHITE, HOMER E. WHITE, J. B. WHITE, FRED F. WILCOX, WILLIAM G. WILKINS, DANIEL WOOLF, MANNIE WOOLF, MICHAEL WOOLF, LEO WORMSER,

DEFENDANTS.

FINAL DECREE.

This cause came on to be heard at this term, and upon consideration thereof, and upon motion of the petitioner, by Francis G. Caffey, United States Attorney for the Southern District of New York, its attorney, and by Henry A. Guiler and Ryland W. Joyce, Special Assistants to the United States Attorney, of counsel, and all the defendants having appeared therein by their attorneys, and filed their several answers and having consented to this decree in open court;

NOW, THEREFORE, it is ORDERED, ADJUDGED, AND DECREED as follows, viz.:

1. That the said defendants and each of them, their officers, agents, servants, employees, and all persons acting under, through, by or in behalf of them, or any of them, or claiming so to act, be and hereby are perpetually enjoined, restrained and prohibited, directly or indirectly, from hereafter

(a) Agreeing to or fixing between themselves in any manner whatsoever the prices to be charged for the optical lenses, cut or uncut, blanks or other like articles in said petition described.

(b) Maintaining or using individually or collectively, in any manner whatsoever, prices agreed upon between themselves or any of them, but this shall not prevent any defendant from using independently and without agreement with any other defendant or defendants prices now in use or as may be hereafter established by current price lists.

(c) Agreeing upon the terms or discounts which shall obtain with respect to the sale or disposal of said optical lenses, cut or uncut, blanks or other like articles.

(d) Agreeing among themselves, in any manner whatsoever, to fix, suggest or indicate the prices at which said optical lenses, cut or uncut, blanks or other like articles should or may be resold by jobbers or dealers, or individually or collectively fixing the prices at which said optical lenses, cut or uncut, blanks or other like articles should or may be resold by jobbers or dealers, but this shall not prevent any defendant acting independently from fixing and using such discounts as he may think proper.

(e) Agreeing among themselves in any manner whatsoever to charge purchasers of said optical lenses, cut or uncut, blanks or other like articles, uniform prices.

(f) Agreeing among themselves, or with others, to advance prices for said optical lenses, cut or uncut, blanks or other like articles.

(g) Agreeing with each other to any minimum quantity schedule for said optical lenses, cut or uncut, blanks or other like articles.

(h) Aiding, abetting or assisting, individually or collectively, others to do all or any of the matters or things hereinbefore set forth or enjoined.

That jurisdiction of this case be and hereby is retained for the purpose of enforcing this decree, and for the purpose of enabling any of the parties hereto to apply to the Court for modification thereof.

AUGUSTUS N. HAND,
United States District Judge.

Dated, New York, December 12, 1919.