

Nevada, Oklahoma and Wisconsin, said cast iron pipe being at said date, and continuously thereafter from said date until this time, a subject of trade and commerce among the several states and territories of the United States as aforesaid, by which said unlawful contract, combination and conspiracy, the amount of the out put and production of said cast iron pipe and the amount of the sale thereof among the several States and Territories, as aforesaid, by each of said defendants, who theretofore had been engaged separately and in competition ~~with each other~~ each with the other, in the manufacture and sale of said cast iron pipe among the several States and Territories as aforesaid, was restrained, restricted and limited to a certain amount named and fixed in and by said unlawful contract and combination, and the price at which said sales should be made among said several States and Territories, was fixed and settled, at an amount greater and more than the ordinary, natural and reasonable market price for said products, by the unlawful contract, combination and conspiracy aforesaid, contrary to the Statutes of the United States in such cases made and provided and against the peace and dignity of the United States.

James H. Bible,

United States Attorney.

SECOND COUNT:

And the Grand Jurors aforesaid upon their oath aforesaid further present that on the day and year aforesaid, in the District and Division aforesaid, the said CHATTANOOGA FOUNDRY & PIPE WORKS, a corporation existing under and authorized by the laws of the state of Tennessee, and a resident of Hamilton County, in said state; ADDYSTON PIPE & STEEL COMPANY, a corporation existing under and authorized by the laws of the state of Kentucky and a resident of said state, with ~~its~~ principal office in the ~~xxxx~~ city of Cincinnati, Ohio; DENNIS LONG & COMPANY, a corporation existing under and authorized by the laws of the state of Kentucky and a resident of the city of Louisville, in said state; HOWARD-HARRISON IRON COMPANY, a corporation existing under and authorized by the laws of the state of Alabama, and a resident of the city of Bessemer in said state; ANNISTON PIPE & FOUNDRY COMPANY, a corporation ~~organized~~ existing under and author-

ized by the laws of the state of Alabama and a resident of the city of Znniston in said state, and South Pittsburg Pipe Works, a corporation existing under and authorized by the laws of the state of Tennessee, and a resident of the city of South Pittsburg in said state acting under and in pursuance of an unlawful contract theretofore made, did unlawfully, willfully, knowingly and feloniously engage in a certain combination and conspiracy in restraint of the trade and commerce in cast iron pipe among the several states and territories of the United State, and particularly and especially among the states and territories named and set out in the first count, said cast iron pipe being at said date, and theretofore and continuously from and since that date to the present time, a subject of trade and commerce among said several states and territories, and said defendants who theretofore had been engaged separately and in competition each with the other in the manufacture, production and sale among said several states and territories of said cast iron pipe, acting under and engaged in the unlawful combination and conspiracy aforesaid, limited, restricted and restrained the amount of the production and manufacture and sale among said several states and territories of said cast iron pipe to an amount fixed and settled by said unlawful contract and by reason of said unlawful combination and conspiracy aforesaid, demanded and received on said sales made among the several States and Territories as aforesaid, an amount greater and more than the ordinary, natural and reasonable market price of said product contrary to the statute etc., and against the peace and dignity of the United States.

James H. Bible

United States Attorney

THIRD COUNT:

And the Grand Jurors aforesaid upon their oath aforesaid, further present, that on the day and year aforesaid, in the District and Division aforesaid, the said CHATTANOOGA FOUNDRY & PIPE WORKS, a corporation existing under and authorized by the laws of the state of Tennessee, and a resident of the city of Chattanooga, Hamilton County, Tennessee; ADDYSTON PIPE & STEEL COMPANY, a corporation existing under and authorized by the laws of the state of Kentucky and a resident of said state, with its prin-

cipal office in the city of Cincinnati, Ohio; DENNIS LONG & COMPANY, a corporation existing under and authorized by the laws of the state of Kentucky, and a resident of the city of Louisville in said State; HOWARD-HARRISON IRON COMPANY, a corporation existing under and authorized by the laws of the state of ~~Kentucky~~ Alabama, and a resident of the city of Bessemer in said state; ANNISTON PIPE & FOUNDRY COMPANY, a corporation existing under and authorized by the laws of the state of Alabama, and a resident of the city of Anniston in said State, and SOUTH PITTSBURG PIPE WORKS, a corporation existing under and authorized by the laws of the state of Tennessee, and a resident of the city of South Pittsburg in said state, did unlawfully, knowingly, willfully and feloniously monopolize, or attempt to monopolize a certain part of the trade and commerce among the several states and territories of the United States, and particularly and especially among the several states and territories in the first count named, to-wit: the trade and commerce among said several states and territories, said product having been theretofore and continuously thereafter from said date to the present time, a subject of trade and commerce among said several states and territories, and said defendants having each theretofore been engaged separately, and in competition with each other in the production and sale of said product among said several states and territories, and being able by reason of their large combined production, and the existing conditions and state of the market, to control the trade and commerce in said product among said several states and territories, did then and there, for the purpose and with the intent to monopolize said trade and commerce as aforesaid, limit and restrict the production and sale of said products among said several states and territories, for which purpose, and with the intent to monopolize said trade and commerce as aforesaid, certain parts or portions of said territory were assigned or allotted to each of said defendants or to certain of them, in which assigned parts of said territory the defendant to which it was assigned was given the exclusive right or privilege to make sales therein, and the exclusive right to make each and every other sale among said states and territories was allotted and assigned by said defendants to a certain one of them, whereby each of the

and commerce among the several states and territories of the United States to-wit: the trade and commerce in cast iron pipe, among said several states and territories and particularly among the ~~xxxx~~ ~~xxxxxxx~~ states and territories named and set out in the first count of this indictment, said cast iron pipe being theretofore and continuously thereafter, from said date to this time, a subject of trade and commerce among said several states and territories, contrary to the statutes, etc., in such cases made and provided, and against the peace and dignity of the United States.

James H. Bible,

United States Attorney

The United States

v.

Chattanooga Fdy. & Pipe Wks.

Addyston Pipe & Steel Co.

No. 2598.

Dennis Long & Co.

Howard Harrison Iron Co.

Anniston Pipe & Fdy Co.

South Pittsburg Pipe Wks.

Come the defendants by their attorneys and for plea say that the defendants are guilty in manner and form as charged in the indictment, and having filed a written stipulation, wherein it is agreed that the presence of the defendants in Court is waived and that the Court may impose a joint fine against all of the defendants, they having waived their right to be separately fined on said submission.

Whereupon it is considered by the Court that for their said offence the defendants pay a fine of one thousand eight hundred dollars (\$1800.) and costs of this ~~xxxx~~ prosecution within ten days from this date.

Thereupon appeared in open Court Foster V. Brown, Frank Spurlock and J.W. Warrenton and acknowledged themselves defendants security for said fine and costs.

In the event said fine and costs are not paid in the time specified herein, then execution will issue.

No 25-98

W.S.
vs

Chas J. Dy Pipe &
et al

Judgment

Filed July 26/1900

R.M. Watkins
DC

... the defendant bill of the defendants, they having waived their right to...
... the defendant in Court is waived and that the Court may impose a...
... a violation of the law, therein it is ordered that the...
... in manner and form as charged in the indictment.

Chas. J. Dy Pipe & Pipe Mfg.
Manufacturing Pipe Co.
Manufacturing Pipe Co.
Manufacturing Pipe Co.

85-
7-10
100
16

16.00

19.00
8

22.75-

Justice of the Peace
Chas. J. Dy Pipe

... the defendant in Court is waived and that the Court may impose a...
... a violation of the law, therein it is ordered that the...
... in manner and form as charged in the indictment.