

# A AND P ACQUITTED ON TRUST CHARGES

### Indictments Against Food Chain For Alleged Sherman Act Violations Quashed.

NEW YORK, March 4. — Indictment of the Great Atlantic and Pacific Tea Co. and its produce-buying affiliate, the Atlantic Commission Co., for alleged violations of the Sherman anti-trust laws, collapsed during the past week as the result of two federal court decisions.

In Dallas, Texas, last Saturday, Judge W. H. Atwell sustained demurrers entered by both organizations, as well as other A and P executives and subsidiaries, against Department of Justice indictments charging attempts to foster a monopoly. Three days later in Wilson, Judge C. C. Wyche handed down a directed verdict in favor of the Atlantic Commission Co. and other defendants in a similar Anti-Trust Division action charging conspiracy to monopolize part of the potato market.

This is the third time in a year that federal judges have thrown out of court indictments against A and P on the grounds there was insufficient evidence to justify the cases going to the jury. The previous case was a directed verdict of not guilty in a Washington, D. C., trial of A and P and other defendants charged with fixing bread prices. In the case of both directed verdicts, the prosecution did not present sufficient evidence to warrant the judge requiring A and P to present any defense.

In the Dallas decision, Judge

Atwell took strong exception to the emphasis placed by the prosecution on the size of the defendants.

"I must say at the outset that I know of no American rule, and I wish I had the power to underscore the word 'American', which permits us to try a man because of his size," Judge Atwell said. "The law does not so diagram any offense of which I know. It merely says 'any person' or 'any contract made by any person' big or little, and the size is wholly inconsequential. Commercial success or failure, greatness or inferiority, do not determine guilt or innocence.

"If I thought I was presiding over a court and I might have to sentence some person because he was a Lilliputian I would feel like resigning. God knows we don't want it ever to occur in America that the size is going to determine whether a man is guilty or innocent."

Judge Atwell pointed out that "all of the defendants save one live or have their domiciles remote from Texas. The only one who lives in Texas is holding an inferior position." He further held that the indictment contained "inflammatory statements that the court would not permit to be given to a trial jury because they have no place here."

At Wilson, in directing a verdict of innocence for the Atlantic Commission Co., The Farmer's Cooperative Exchange, and 11 fertilizer and potato buying companies, Federal Judge C. C. Wyche said "you cannot make bricks without straw and you can't make a case without facts."

Pointing out that the defendants had cooperated with the Department of Agriculture in its efforts to aid the farmer, the judge ruled: "No testimony was brought from which it can be reasonably inferred that the defendants entered into a conspiracy to depress and lower the price of potatoes. It is evident that the low prices were caused by economic conditions."

In directing a verdict of not guilty in the Washington, D. C., bread case last March, Judge Allan T. Goldsborough said: "If you were to show this record to any experienced trial lawyer in the world, he would tell you, that there was not any evidence at all. Honestly, I have never in all my 40 years experience seen a case tried that was as absolutely devoid of evidence as this."

## Blue Mold Is Spreading Over Southern Georgia

Howard R. Garriss, Extension plant pathologist at N. C. State College, announces that Georgia has a widespread development of the year. He says that no one more than usual for this season of the year. He says that no one can predict how serious the trouble will be in North Carolina but urges all tobacco growers to be on their guard and prepare now for its control.

Garriss suggests that growers anticipate their requirements in spray materials and paradichlorobenzene for fumigation because these materials may be hard to get on short notice. Emergency demands for all kinds of supplies are developing in connection with war needs and farmers should make definite commitments for their materials used in controlling blue mold.

Supplies of the heavy muslin cloth, suitable for gas treatment, are described as "very critical" and large scale demands for it will probably be discouraged, unless it can be shown that its need is absolutely essential. Growers should carefully preserve all cloths which can be used for fumigation and make the best possible use of them.

According to Garriss, most of the materials used for blue mold control are present in normal amounts but, as stated before, they may be very hard to get on short notice, with a consequent damage to young tobacco plants in this territory.



By Bureau of Public Relations, U. S. War Dept., Wash., D. C.

### MACHINE RECORDS TRAINING

Women and draft exempt men interested in helping their country by working for the Army have exceptional opportunities through the expansion of the War Department's machine records training program. Intensive basic training will be given to new, untrained employees as well as advanced training to current operators whose experience, with supplementary training, qualifies them for promotion. The need for skilled operators is increasing constantly and it is expected that 5,000 trained office machine operators will be needed this year. The machine records training program is being handled by the War Department's Services of Supply and will be under the direct supervision of the Civilian Personnel Division, Services of Supply. Accepted applicants will be given an opportunity to become qualified keypunch, tabulating

## Person Rationing Board Bulletin

By Person County Rationing Board

### INSTITUTIONAL USERS

All institutional and industrial users are permitted to acquire Processed Foods during the freeze period, February 21 to 28. This includes the pool Book Institutional Users such as establishments that have less than fifty persons living there and 80 percent of food service is to

persons living in the institutional establishment.

### PROCESSED FOOD

The processed foods under Ration Order No. 13 have been increased to include dry beans, dry peas, and lentils and dry and dehydrated soups and soup mixtures. Retailers and wholesalers may buy or sell these after February 28 only under the

Jacks ..... \$1.89 up  
2 Gal. Oil ..... \$1.00

### ECONOMY AUTO SUPPLY

### Regulations of Ration Order 13.

The point value of these will be 8 points per pound for all dry beans, dry peas, and lentils, and 16 points per pound for dry and dehydrated soups and soup mixtures. These need not be included in the Consumer Declaration of processed foods on hand when registering for Book 2.

### SHOE AMENDMENT

Shoes that do not come under the ration system have been made public this week.

According to new amendment effective Feb. 25, the following types of shoes may be bought ration-free:

Mexican Huaraches which are released by Collector of Customs before June 1, 1943, all baby shoes, size 4 and under, ski shoes and skate shoes now in stock, bathing shoes and locker sandals now in stock, all rubber soled shoes with fabric uppers in stock.

Footwear which does not have rubber soles and in which leather is used only as hinges, tabs, heel inserts or other non-skid or sound proofing features covering not more than 25 percent of the sole area, burial slippers, shoes with a platform and with a heel height of 5-8 inches or less whose upper is made wholly of fabric, imitation leather, sheepskin, cape or a combination with fabric, imitation materials, sheepskin, or cape.

Shoes with a wedge heel of 1 5-8 inches or less in height of whose upper is wholly of patent leather, and which is platform and open back, shoes with a heel height of 1 5-8 inches or less whose uppers are wholly of imitation leather, shoes, sandals, with heel heights of 1 5-8 inches or less with an open back, whose upper is made wholly of fabric, imitation leather, sheepskin, cape or a combination of these materials.

BUY BONDS TODAY!

### One Day! SERVICE

Call Us—Phone 3601

### SERVICE DRYCLEANERS

Call City Dairy and Ice Co. Phone 4233 for good Country Style Butter milk.

## GRAY HAIR? GET GRAYVITA!

This miracle anti-gray hair vitamin, Calcium Pantothenate, has won wide popularity as the result of tests shown in a leading national magazine. This report revealed that 88% of persons tested showed positive evidence of a return of hair color. GRAYVITA is Calcium Pantothenate PLUS! A GRAYVITA tablet is 10 mgm. of Calcium Pantothenate PLUS 450 U.S.P. units of Vitamin B<sub>12</sub> and the other useful B Complex Vitamins. Taken internally, GRAYVITA frequently supplies a natural color pigment through the hair roots as this vitamin deficiency in the body is replenished. Order GRAYVITA now! Only \$1.50 for 30-day supply, \$4.00 for 100-day supply. (Formerly \$2.00 and \$5.00) Phone

### Thomas & Oakley

IT PAYS TO ADVERTISE IN THE TIMES

# Thank You

Practically all of our old customers are right here trading with us at our new location and we certainly appreciate this.

## Many New Ones

Then we are proud to state that there are many new ones who are coming to see us and we want to thank them.

## COMPLETE LINE OF FRESH VEGETABLES AND CANNED GOODS

Make your points stretch here with quality groceries.

## Moore's Cash Market

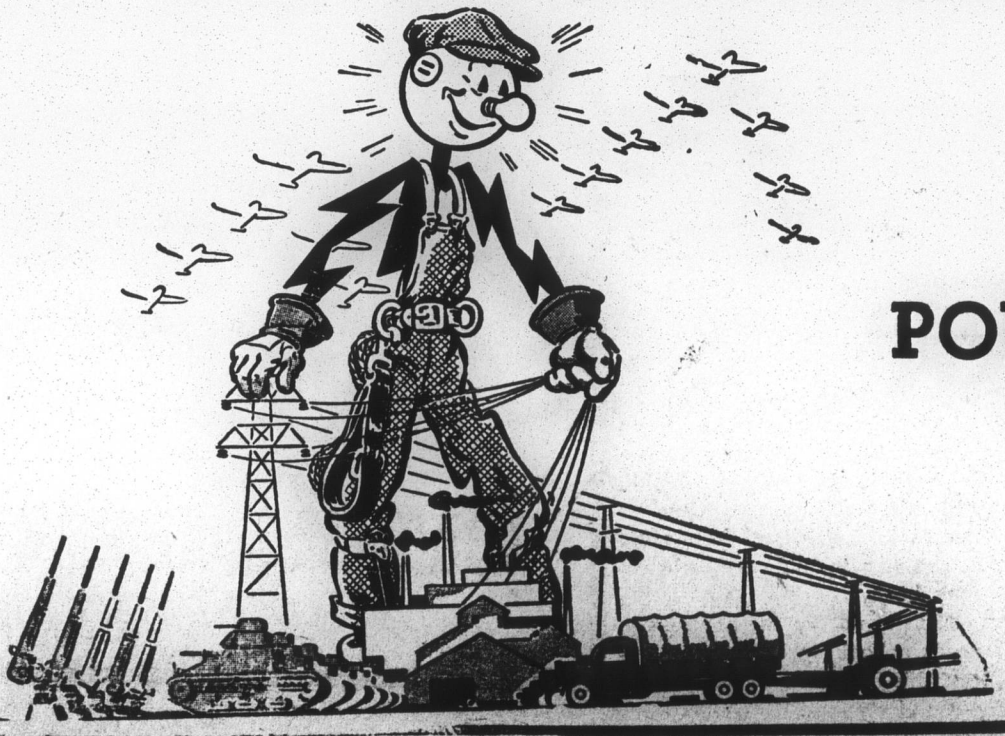
In Building formerly occupied by Roxboro Bakery and next to Jackson Motor Co.

# "There is Today NO POWER SHORTAGE"

Power has never been "too little or too late" ... There is today no shortage of power ... I do not know of a single instance in which the operation of a war plant has been delayed by lack of power supply.

The above statements were made by J. A. Krug, Director of the Office of War Utilities, War Production Board, on February 16, 1943.

"ELECTRICITY is the life blood of war production", said J. A. Krug, Director of the Office of War Utilities, so naturally we of the Carolina Power & Light Company are proud to be among those companies in the nationwide power system that have looked ahead so electricity has never been "too little or too late". We're continuing to look ahead and expect to be able to supply every need for electric service in our territory. Today there is plenty of power for all the needs of all our customers.



## Carolina POWER & LIGHT Company

Help Win the War—Prepare for Peace—Buy War Bonds