portunity for employment because he is not a member of a labor union does not offend the Equal Protection Clause.[1552] At a time when protective labor legislation generally was falling under "liberty of contract" applications of the Due Process Clause, the Court generally approved protective legislation directed solely to women workers,[1553] and this solicitude continued into present times in the approval of laws that were more questionable,[1554] but passage of the sex discrimination provision of the Civil Rights Act of 1964 has generally called into question all such protective legislation addressed solely to women.[1555]

Monopolies and Unfair Trade Practices.—On the principle that the law may hit the evil where it is most felt, state antitrust laws applicable to corporations but not to individuals,[1556] or to vendors of commodities but not to vendors of labor,[1557] have been upheld. Contrary to its earlier view, the Court now holds that an antitrust act that exempts agricultural products in the hands of the producer is valid.[1558] Diversity with respect to penalties also has been sustained. Corporations violating the law may be proceeded against by bill in equity, while individuals are indicted and tried.[1559] A provision, superimposed upon the general antitrust law, for revocation of the licenses of fire insurance companies that enter into illegal combinations, does not violate the Equal Protection Clause.[1560] A grant of monopoly privileges, if otherwise an appropriate exercise of the police power, is immune to attack under that clause.[1561] Likewise, enforcement of an unfair sales act, under which merchants are privileged to give trading stamps, worth two and one-half percent of the price, with goods sold at or near statutory cost, while a competing merchant, not issuing stamps, is precluded from

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[1552] Lincoln Fed. Labor Union v. Northwestern Iron & Metal Co., 335 U.S. 525 (1949). Nor is it a denial of equal protection for a city to refuse to withhold from its employees' paychecks dues owing their union, although it withholds for taxes, retirement-insurance programs, saving programs, and certain charities, because its offered justification that its practice of allowing withholding only when it benefits all city or department employees is a legitimate method to avoid the burden of withholding money for all persons or organizations that request a checkoff. City of Charlotte v. Firefighters, 426 U.S. 283 (1976).

[1553] *E.g.*, Muller v. Oregon, 208 U.S. 412 (1908).

[1554] Goesaert v. Cleary, 335 U.S. 464 (1948).

[1555] Title VII, 78 Stat. 253, 42 U.S.C. § 2000e. On sex discrimination generally, *see* "Classifications Meriting Close Scrutiny—Sex," *supra*.

[1556] Mallinckrodt Works v. St. Louis, 238 U.S. 41 (1915).

[1557] International Harvester Co. v. Missouri, 234 U.S. 199 (1914).

[1558] Tigner v. Texas, 310 U.S. 141 (1940) (overruling Connolly v. Union Sewer Pipe Co., 184 U.S. 540 (1902)).

[1559] Standard Oil Co. v. Tennessee, 217 U.S. 413 (1910).

[1560] Carroll v. Greenwich Ins. Co., 199 U.S. 401 (1905).

[1561] Pacific States Co. v. White, 296 U.S. 176 (1935); *see also Slaughter-House Cases*, 83 U.S. (16 Wall.) 36 (1873): Nebbia v. New York, 291 U.S. 502, 529 (1934).