MEETING OF FEDERAL TRADE CONMISSION

January 3, 1916 - 3:30 P. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

The Commission considered the report of the Chief Economist regarding a plan of investigation with reference to the recent advance in the price of gasoline. The report was referred to Commissioners Harris and Hurley for consideration, and to recommend a plan whereby the question of price discrimination, as well as price advance, could be investigated.

ہے ت

January 3, 1916. January 4, 1916.

Thereupon, at the hour of 5:30 p.m., the Commission adjourned

to meet January 4, 1916, at 10:30 a. m. Werk this Chairman.

Attest:

Secretary.

MEETING OF FEDERAL TRADE COLLAISSICH

January 4, 1916 - 10:30 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

Motion by Commissioner Parry, seconded by Vice Chairman Hurley, that hereafter in the order of business of the Commission in its meetings new matters shall be considered before committee reports. Unanimously adopted.

The Chairman presented a telegram from William J. Clark, advising that Ernest Thurnaeur would be pleased to appear before the Commission. The Secretary was directed to telegraph Mr. Clark, fixing the date for the appearance of Mr. Thurnaeur.

January 4, 1916.

The following communications, dealing with the price of oil and gasoline, were referred to Commissioners Harris and Hurley for consideration:

- Letter, dated December 15, 1915, from Hon. G. Carroll Todd, Assistant to the Attorney General, enclosing copies of letters from Charles B. Morrison. (File A 9443)
- Letter dated December 14, 1915, from Congressman W. R. Smith, enclosing copy of letter of E. W. Adams. (File A 9432)
- Letter dated December 29, 1915, from G. Carroll Todd, Assistant to the Attorney General, enclosing copy from E. W. Adams. (File A 10029)
- Two letters, each dated December 31, 1915, from Hon. G. Carroll Todd, Assistant to the Attorney General, one enclosing communication from P. H. Callahan, President of the Louisville Varnish Company, and the other enclosing letter from H. L. Ruggles. (File 10089) (File 10088)
- Telegram, dated December 27, 1915, from W. W. Ferish, of Houston. Texas.

Letter from Louis Hanitch, attorney at law, dated December 1, 1915, together with a statement of facts bearing date of December 9, 1915, complaining of certain existing conditions in the zinc smelting industry, were referred to the Docket Division.

Letter, dated December 9, 1915, from Beaumont, Smith & Harris, attorneys at law, Detroit, Michigan, asking advice as to whether or not a shipment from this country to Hawaii or the Philippines is export or domestic business, was referred to the Board of Review.

Letter, dated December 18, 1915, from Congressman Carl E. Mapes, of Michigan, calling attention to an alleged combination to control the sisal industry, was referred to the Docket Division.

Resolutions directing the following action, with reference to the applications for issuance of complaints, as noted below, were

Applications for issuance of complaints:

- 1-9 W. H. Bellamy v. "Milling Trust," withdrawn from the Docket Division and transferred to the Division of Mails and Files.
- 1-61 Moses Bros. & Co. v. Scranton Dry Goods Co. Application for issuance of complained denied.
- 1-70 Arthur Boyer v. Security Bridge Co. Application for issuance of complained denied.
- 1-82 Harrisburg Retail Grocery Association v. an unnamed company. Application for issuance of complaint denied.
- 1-45 Boyd Lumber & Mill Co. v. two unnamed lumber companies. Application for issuance of complaint denied.
- 1-41 J. H. Revis v. certain merchants in Vernon, Ill. Application for issuance of complaint denied.
- 1-143 George F. Kelly v. Plumbers' Union (San Francisco, Cal.). Application for issuance of complained denied.
- 1-90 Home Lumber & Construction Co. v. two unnamed lumber companies. Application for issuance of complaint denied.
- 1-155 W. H. Millhollin v. Poposia Coal Co. Application for issuance of complained denied.
- 1-141 Great Western Fisheries Co. v. banks in Seattle, Wash. Application for issuance of complaint denied.
- 1-87 O. C. Logan v. Tropico Mercantile Co. Application for issuance of complaint denied.
- 1-116 K. C. Auto Parts Co. v. Motor & Machinist Supply Co. Application for issuance of complaint denied.
- 1-85 Marx Brothers v. Hughs and Cleary. Application for issuance of complained denied.
- 1-77 American Writing Machine Co. v. Typewriter Rebuilding Co. Application for issuance of complaint denied.
- 1-114 Western Laboratories, Inc., v. American Chicle Co. Application for issuance of complaint denied.
- 1-35 Application of John F. Nash for issuance of complaint against Fred Wyker Company. Report of Commissioner Parry adopted and application dismissed.
- 1-13 Application for complaint by Farmington Shoe Manufacturing Co. against United Shoe Machinery Co. Report of Commissioners Parry and Rublee, recommending that inasmuch as the Department of Justice has brought suit against the United Shoe Machinery Co., that it would be inadvisable for the Commission to issue a complaint. Adopted.
- 1-20 Application of Western Fuel Association for issuance of complaint against Wyoming Coal Co. and Lion Coal Co. - application denied.

- 1-160 Application of Frank A. Dussault for issuance of complaint against Peterson & Packer Coal Co., in re discrimination in price of coal. Report of Commissioner Parry, recommending that the application be denied, adopted.
- 1-131 Application of Tennessee Carbonating Syrup Co. v. Crown Cork & Seal Co., in re refusal to make up goods. Application for issuance of complaint dismissed.
- 1-111 Application of Mead Drug Co. et al against Carl P. Gunderson and certain newspaper publishers, in re exclusive agency and discrimination in price in distribution and sale of newspapers. Application dismissed.
- 1-69 Farmers Lumber Co., in re conditions in cement industry in Kansas. Application for issuance of complaint dismissed.
- 1-144 Stark Distillery Co. v. Bouvier Specialty Co., in re exclusive agency - refusal to sell gin. Application for issuance of complaint dismissed.
- 1-142 Robertson & Mittanck v. stove manufacturer and Madey Company, in re refusal to sell stoves and bookcases - exclusive agency. Application for issuance of complaint dismissed.
- 1-153 Gerhard Mennen Chemical Co. v. J. Nelson Clark, in re resale price maintenance; price cutting by retailer below wholesale cost of talcum powder. Application for issuance of complaint dismissed.
- 1-109 C. A. Remington v. Universal Portland Cement Company, in re refusal to sell cement - exclusive agency. Application for issuance of complaint dismissed.
- 1-121 Fred W. Bohlen v. Hanline Bros., in re refusal to sell goods. Application for issuance of complaint dismissed.
- 1-81 Heiser, Muhlfelder & Co. v. Boston Store, Albany, N.Y., in re unfair competition. Application for issuance of complaint dismissed.
- 1-37 Application of Star Packing Co. for issuance of complaint against Light House Packing Co. application denied.

Thereupon, at the hour of 1:30 p. m., the Commission adjourned

to meet Wednesday, January 5, 1916, at 10:30 a. m.

Chairman.

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

January 5, 1916 - 10:30 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

The following resolution, offered by Commissioner Parry and seconded by Commissioner Rublee, was unanimously adopted:

> <u>RESOLVED</u>, That hereafter all applications for the issuance of a complaint against one certain party be referred to the Commissioner to whom the first application against such party was assigned.

Ð

The Commission considered the matter of assigning certain attorneys to work specially for certain Commissioners, and M. Q. Macdonald was assigned to Commissioner Harris; Adrien F. Busick to Commissioner Parry, and M. Markham Flannery to Vice Chairman Hurley.

The Chairman presented a letter from Nathan B. Williams, asking for permission to examine the files in certain cases referred to in the Chairman's address before the American Manufacturers Export Association, at New York. Discussed, and held for further consideration.

By unanimous vote, Chairman Davies and Commissioner Parry were assigned, in conjunction with the General Counsel, to edit (as to form) the rulings of the Commission.

On recommendation of Commissioner Parry application of Imperial Sugar Company for issuance of complaint against American Sugar Refining Company, file 1-93, was dismissed by conference ruling.

January 5, 1916.

Om motion of Commissioner Harris, seconded by Vice Chairman Hurley, Commissioner Rublee was unanimously appointed a committee of one to ascertain the practice of the Interstate Commerce Commission and the Department of Justice in regard to giving the public access to their files in cases on which they have not formally acted.

л

Report of Commissioner Parry, in re application for issuance of complaint 1-24, Yankton Brick & Tile Co. v. an unnamed Sioux City, Iowa, corporation, approved, resolution adopted, and in accordance therewith the application was dismissed.

Report of Commissioner Parry, in re application for issuance of complaint 1-176, New England Shoe & Leather Association v. New York Quebracho Extract Co., approved, resolution adopted, and in accordance therewith application was dismissed, and the application referred to the Department of Justice.

Report of Chairman Davies, in reapplication for issuance of complaint 1-126, Frank Holton & Co. v. C. G. Conn, Inc., approved, resolution adopted, and in accordance therewith the application was dismissed.

On recommendation of the Secretary, the appointment of five copyists, qualified as typewriters, at \$900 per annum, for temporary employment, and of two copyists, qualified as stenographers and typewriters, at \$900 per annum, for permanent employment, was ordered.

The Chairman reported regarding the expenditures of the Commission for the first half of the fiscal year 1916, and also advised January 5, 1916. January 6, 1916.

concerning the amount of money to be available for the remainder of such fiscal year.

Thereupon, at the hour of 12:30 p.m. the Commission adjourned to meet Thursday, January 6, 1916, at 10:30 a.m.

Chairman.

25

Attest:

aken

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

January 6, 1916 - 3:00 P. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

The Chairman presented a letter from Hon. G. Carroll Todd, Assistant to the Attorney General, together with copy of letter bearing date of January 6, 1916, from the Attorney General, addressed to Hon. E. Y. Webb, Chairman of the Judiciary Committee of the House of Representatives, explaining the attitude of the Department of Justice in reference to prosecutions under the Sherman Anti-trust Law, and acknowledging receipt of House Resolution No. 74, introduced by Representative Steenerson. January 6, 1916 January 7, 1916

Thereupon, at the hour of 3:30 p.m., the Commission adjourned to

meet Friday, January 7, 1916, at 10:30 a. m.

Jef Gritte Chairman.

Attest:

254

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

January 7, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

Nathan B. Williams, having requested a hearing, appeared in behalf of applicant in re J. L. Owens Company for issuance of complaint against the Fosston Manufacturing Compuny, and discussed the subject of the Commission's jurisdiction. (For stenographic report, see File 1-97.)

The Chairman presented a letter from Senator Francis G. Newlands, dated January 5, 1916, asking that M. F. Hudson be temporarily detailed to assist in organizing the work of the Senate Committee on Interstate Commerce. Requested granted, and the Secretary ordered to instruct Mr. Hudson to report at once to Senator Newlands.

January 7, 1916 January 8, 1916

Commissioner Parry requested, in writing, that he be relieved from certain administrative functions, including the supervision over all printing and the purchase of all supplies for the Commission, heretofore performed by him by direction of the Commission. Request granted, and all duties heretofore performed by Commissioner Parry, by order of the Commission, were transferred to the Secretary.

A vote of thanks was unanimously extended to Commissioner Parry.

Thereupon, at the hour of 12:30 o'clock p. m., the Commission adjourned to meet Saturday, January 8, 1916, at 10:30 o'clock

Chairman.

255

Attest:

a. m.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

January 8, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

January 8, 1916 January 10, 1916

Mr. Ernest Thurnaeur and Mr. William Clark appeared before the Commission and gave information with reference to the effectiveness of combinations in Europe organized for the purpose of promoting foreign trade; also discussed the practicability of similar combinations in this country, (Stenographic File 8517).

Thereupon, at the hour of 11:30 a.m., the Commission adjourned to meet Monday, January 10th, 1916, at 10:30 a.m.

Chairman.

Attest:

256

Secretary.

January 9, 1916. Sunday.

MEETING OF FEDERAL TRADE COMMISSION

January 10, 1916 - 3:00 P. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry

A plan of the conference with the representatives of the several fertilizer companies was called up by the Chairman, and after discussion it was unanimously agreed that the conference should be in charge of Commissioners Parry and Harris. January 10, 1916 January 11, 1916.

Thereupon, at the hour of 3:30 p. m., the Commission ad-

journed to meet Tuesday, January 11, 1916, at 10:30 a. m.

Chairman.

Attest:

achen ecretary

MEETING OF FEDERAL TRAIE COMMISSION

January 11, 1916 - 11:00 A. H.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry

> ORDERED: That Johann G. Ohsol be employed as a Special Expert at the rate of \$1,800 per annum, such employment to commence from his taking the oath of office and entering upon the discharge of his duties, and that he be assigned to the Economic Department.

The following resolution, introduced by Chairman Davies, and seconded by Commissioner Harris, was unanimously adopted:

RESOLUTION.

WHEREAS. in the handling of the various complaints by the respective Commissioners it appears necessary at times to have field investigation work done in different sections of the country; and

UNREAS, it appears to be desirable that to as great a degree as possible this work shall be coordinated so that the work in different parts of the country shall be hundled by as few men as possible; therefore

January 11, 1916.

ED IT HESOLVED, That the members of the Consission respectively shall file with the Secretary of the Conmission a brief memorandum in any situation where field work is required to be done, giving the name of the conplaint and the sections of the country where field work is required; and

BE IT RESOLVED, That the Secretary shall thereupon so coordinate this work as to have the investigations conducted at the same time by the same agent or agents in the same territory, to as great a degree as is possible.

The following resolution, introduced by Chairman Davies, and seconded by Vice Chairman Hurley, was unanimously adopted:

RESOLUTION

<u>RESOLVED</u>, That the Secretary and the Chief Examiner be directed to devise a system of checks on the work done by the members of the legal staff on complaints filed, whereby a time stamp shall be affixed to the record when assigned to the attorney by the Docket Division, and a time stamp affixed when returned; and so provide by these regulations that every report prepared by a special attorney shall be signed by the attorney doing the work, and shall in addition thereto show the number of hours spent by such attorney in its preparation, which number of hours shall be attested and checked by the records of the Docket Division and the time stamp, as above indicated.

Memorandum of Chief Economist, containing proposed outline of the Foreign Trade Report, was received, considered, and the Secretary directed to deliver a copy of such report to each Commissioner.

Thereupon, at 12:45 p.m. a recess was taken until 2:30 p.m.

The Commission reassembled at 2:30 p.m.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry January 11, 1916. January 12, 1916.

The Commission held an informal conference with -

Charles Gibson, President, Walker & Gibson, Inc., Albany, N.Y. also Vice President, Gibson Drug Co., Rochester, N.Y.

Wn. Leland Thompson, President, John L. Thompson Sons & Co., Inc., Troy, N. Y. 25!

G. B. Hubbard (owner) Chas. Hubbard Son & Co., Syracuse, N. Y.

Henry J. Speck, Attorney, Representing John L. Thompson Sons & Co., Troy, N. Y.

Albert Hessberg, Attorney, Representing Walker & Gibson and Gibson Drug Co.

in reference to a proposed plan of consolidating several wholesale druggist supply houses in a proposed merger. (For stenographic report see File 8508-561-2.)

Thereupon, at 4:00 p.m., the Commission adjourned to meet

Wednesday, January 12, 1916, at 11:00 a. m. Chairman.

Attest:

acher

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

January 12, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman William J. Harris Will H. Parry George Rublee

The Commission held an informal conference with -

Mr. W. S. Mallory, President, Edison Portland Cement Co.,

and a committee representing certain cement companies, in reference

January 12, 1916.

260

to a plan by which certain companies manufacturing cement propose to organize a corporation to carry on and promote foreign trade in that product.

The following gentlemen appeared and made statements:

- W. S. Mallory, Stewartsville, N. J., President, Edison Portland Cement Co.
- Joseph Brobston, Nazareth, Pa., Vice President, Dexter Portland Cement Co.
- R. W. Hilles, 4 Appleton Place, Glen Ridge, N. J., Manager of Sales, Dexter Portland Cement Co., Nazareth, Pa.
- Albert Moyer, 8 West 40th St., New York, N. Y.; Manager of Sales, Vulcanite Portland Cement Co., Philadelphia and New York.

Charles F. Conn, 603 Pennsylvania Building, Philadelphia, Pa.; President, Giant Portland Cement Co.

(For stenographic report, see File 8508-546-2.)

Thereupon, at the hour of 12:45 p.m., the Commission adjourned to meet Thursday, January 13, 1916, at 11:00 A. M.

profile Thin_ Chairman.

Attest:

ehen

Secretary.

MEETING OF FEDERAL TRADE COMPLISSION

January 13, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman William J. Harris Will H. Parry George Rublee January 13, 1916.

Letter, dated January 7, 1916, from A. Mitchell Palmer, requesting a hearing in re matter of Alphine Evaporated Cream Company et al., presented, and by consent laid over until the next meeting.

A motion of Commissioner Parry, seconded by Commissioner Harris, promoting Charles M. Brown from the position of Clerk at \$1,000 per annum to Clerk, Class 1, at \$1,200 per annum, was unanimously adopted.

Commissioner Harris reported progress in the preparation of a plan for investigation into the recent increase in the price of gasoline.

By unanimous vote, Chairman Davies and Commissioner Rublee were directed to attend a conference with Secretary Redfield, Henry Wigglesworth and Arthur H. Weed, to be held at the office of the Secretary of Commerce at 2 p. m., this date, for the purpose of discussing proposed legislation on the subject of "dumping."

The status of the Commission's request to Congress for an appropriation covering the fiscal year, 1917, was called up by the Chairman and discussed.

Thereupon, at the hour of 12:00 M, the Commission adjourned to meet Friday, January 14, 1916, at 10:30 g/m.

ngh Childre

Attest:

achay Secretary.

2G1

January 14, 1916.

MEETING OF FEDERAL TRADE COMMISSION

January 14, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

Vice Chairman Hurley reported orally that, while in New York, he had conferred with certain public accountants, credit men, and other business men, and all expressed approval of the work of the Commission in encouraging standard forms of accounting and in collecting statistical data concerning industries in this country.

ې

Vice Chairman Hurley presented a ruling in 2-64 request by John Church Company for advice in re consignment agreement of above company. Considered, and on motion the same was unanimously approved and adopted.

Commissioner Rublee reported orally in reference to his conference with Secretary Redfield, Solicitor Thurman of the Department of Commerce, Henry Wigglesworth and Arthur H. Weed, on the subject of "dumping."

On motion of Vice Chairman Hurley, seconded by Commissioner Harris, the Chairman and Commissioner Parry were directed to edit all rulings of the Commission, and issue the more important of such rulings in the form of bulletins.

Commissioner Parry presented report of Law Board of Review and conference rulings in re file 2-101 request for ruling by American Pad and Textile Company. After consideration and on motion the same were unanimously approved and adopted. January 14, 1916. January 24, 1916.

Thereupon, at the hour of 1:00 p. m., the Commission adjourned to meet Saturday, January 15, 1916, at 10:30 a. m.

h/b. Chairman.

Attest:

ohn retary.

January	15,	1916.	No meeting held.
January	16,	1916.	Sunday.
January	17,	1916.	No meeting held.
January	18,	1916.	No meeting held.
Junuary	19,	1916.	No meeting held.
January	20,	1916.	No meeting held.
January	21,	1916.	No meeting held.
January	2 2,	1916.	No meeting held.
Janua r y	23,	1916.	Sunday.

MEETING OF FEDERAL TRADE COMMISSION

January 24, 1916 - 11:30 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

ORDERED: That Special Examiner Frank Jones be assigned temporarily to legal work, under the direction of the Chairman. January 24, 1916.

ORDERED: That James 7. Nichol, clerk, be appointed examiner and designated Chief of the Docket Division, without increase in his present salary.

By unanimous consent, the Chairman was authorized to employ Marian L. Davies as his personal clerk.

The matter of increasing the number of employees of the several departments of the Commission was called up by the Chairman, and after discussion the Secretary was authorized to employ a sufficient number of stenographers and clerks to carry on the work of the Commission.

The following resolution, offered by Vice Chairman Hurley, and seconded by Commissioner Harris, was unanimously adopted:

<u>RESOLVED</u>: That C. C. Huntington be employed as a Special Expert, at a salary of \$1800 per annum, such employment to commence from his taking the oath of office and entering upon the discharge of his duties, and that he be assigned to the Economic Department.

and be it further

<u>RESOLVED</u>: That the transfer of David S. Brooks, from the Interstate Commerce Commission to this Commission, to serve as Clerk, Class 1, at a salary of \$1200 per annum, shall be effected, and that he shall be assigned to the Economic Department.

<u>written</u>

The/report of Commissioner Rublee, with reference to his conference with the Department of Justice and the Interstate Commerce Commission, in reference to the practice of such departments in regard to giving the public access to their files in cases where no formal action has been taken, was presented, and approved. January 24, 1916. January 26, 1916.

265

The report of Commissioner Parry, in the matter of application of Isaac Van Dyke Company, Michigan Implement & Vehicle Dealers' Association, and Western Retail Implement. Vehicle and Hardware Association, for the issuance of a complaint against Commision Reguladora del Mercado de Henequen, and certain American bankers, in re monopoly in the fibre industry, File No. 1-183, was adopted, and the matter referred to the Department of Justice.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet Tuesday, January 25, 1916, at 10:30 a.m/

Chairman.

Attest:

Secretary.

January 25, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

January 26, 1916 - 11:00 A. M.

Joseph E. Davies Chairman William J. Harris Will H. Parry George Rublee

Motion by Commissioner Parry that Commissioner Rublee be appointed a committee of one to prepare a statement for publication covering the policy of the Commission in reference to giving the public access to files in cases where no formal action has been taken, seconded by Commissioner Harris, was unanimously adopted.

January 26, 1916.

The following applications for issuance of complaints were called up by Commissioner Rublee, and by unanimous consent the same were referred to the General Counsel for consideration and advice before final action, to wit:

1-96-1 Fosston Manufacturing Co. v. J. L. Owens Co.

1-97 J. L. Owens Co. v. Fosston Manufacturing Co.

1-124 Norwegian Correspondence School, for issuance of complaint in re protection of firm name.

Report of Commissioner Parry, in rell-156, application of E. W. Wing and L. J. Perkins for issuance of a complaint against Continental Oil Co., in re discrimination in price of gasoline, adopted, and the matter transferred to the Economic Department to be considered in connection with the general gasoline investigation.

Report of Commissioner Rublee, in re 1-89, application of C. J. Rainear & Co. for issuance of a complaint against National Tube Co., adopted, and application dismissed.

Report of Commissioner Rublee, in re 1-165, application of Farmers Elevator Co. for issuance of a complaint against certain line elevator companies in Corsica, South Dakota, approved, resolution adopted, and case withdrawn from the Docket Division and transferred to the Division of Mails and Files.

Report of Commissioner Rublee, in re 1-167, application of Iowa State Retail Merchants' Association and Burlington Retail Grocers Association for issuance of a complaint against Wells Fargo & Co., adopted, and application dismissed.

266

January 26, 1916. February 1, 1916.

Report of Commissioner Rublee, in re 1-34, application of Arthur Hiller for issuance of a complaint against competitors chartering steamers, approved, resolution adopted, and case withdrawn from the Docket Division and transferred to the Division of Mails and Files.

Report of Commissioner Harris, in re 1-22, application of E. Morrel for issuance of a complaint against Barrett Manufacturing Co. and others, approved, resolution adopted, and case withdrawn from the Docket Division and transferred to the Division of Mails and Files.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet Thursday, January 27, 1916, at 10:30 a.m.

Chairman.

28

Attest:

JPWC

achino Secretary.

January 27, 1916. No meeting held. January 28, 1916. No meeting held. January 29, 1916. No meeting held. January 30, 1916. Sunday. January 31, 1916. No meeting held.

MENTING OF FEDERAL TRADE COMPLISION

February 1, 1916 - 3:00 P. L.

Joseph E. Davies, Chairman William J. Harris Will H. Parry George Rublee

February 1, 1916.

The Chairman reported a conference with Churles C. Hamlin, Governor of the Federal Reserve Board, in reference to the printing of a digest of the Clayton Act, premared by the Federal Reserve Board, as a public document, and by unanimous consent it was agreed that the Federal Trade Commission join with the Federal Reserve Board in a request to Congress to have such digest printed as a public document.

Commissioner Parry reported a conference with representatives of certain fertilizer companies, and also reported progress in the matter of the completion of the Fertilizer report.

Report of Commissioner Parry, in re 1-98, application of S. C. Peirce & Sons for issuance of a complaint against the Standard Oil Company of California, approved, ruling adopted, and application denied.

Report of Commissioner Parry, in re 1-105, application of Isaac Salawitch & Sons for issuance of a complaint against Sea Gull Specialty Company, approved, ruling adopted, and application denied.

Report of Commissioner Rublee, in re 1-101, inquiry of Edwin P. Corbett, concerning the remedies which may be afforded under the Federal Trade Commission Act, approved, resolution adopted, and case withdrawn from the Docket Division and transferred to the Division of Mails and Files.

Report of Commissioner Rublee, in re application of A. H. Phillips for issuance of a complaint against Procter & Gamble Distributing Company, approved, resolution adopted, and case withdrawn from the Docket Division and transferred to the Division of Mails and Files. (The Secretary was directed to record that the Commission approved of the reasoning contained in the dissenting report of Dr. Walker and Mr. Robertson in a general way, with the exception of paragraph 2 of such report and that the Board of Review be so advised.)

Report of Chairman Davies, in re 1-91, application of C. A. Waldron for issuance of a complaint against Eastman Kodak Company, approved, resolution adopted, and case withdrawn from the Docket Division and transferred to the Division of Mails and Files.

Report of Chairman Davies, in re 1-31, Montpelier Fruit Growers Association v. J. E. Terry, approved, resolution adopted, and case withdrawn from the Docket Division and transferred to the Division of Mails and Files.

Commissioner Parry filed a written report in the matter of a conference with H. C. Strong, of Ketchikan, Alaska, concerning the diversion of the fresh fish trade from American ports to the British Columbian port of Prince Rupert, which, upon motion, was unanimously adopted, and the files in the case transferred to the Economic Department.

Commissioner Harris reported orally that he had made arrangements with the Department of Commerce for additional space, for temporary use of the Commission, and that such space would be sufficient for the accomodation of fifty additional men.

<u>ORDERED</u>: That the Secretary be authorized to employ for temporary service a sufficient number of qualified employees to carry on and complete the oil investigation, and other investigations of the Commission, expeditiously, and also to purchase the necessary furniture, typewriters and supplies required by such additional employees to complete such investigations.

The Chairman presented a letter, dated January 27, 1916, from Hon. Judson Harmon, requesting the Federal Trade Commission to appear for the defendant in the case of the Ford Motor Co. v. the Union Motor Sales Company. Referred to Mr. Gregory for consideration and report.

ORDERED: That the Law Board of Review prepare a complaint in the case of Meuser & Meuser v. A. B. Dick Company and Neostyle Company, file 1-179.

Thereupon, at the hour of 5:30 p. m., the Commission adjourned to meet Wednesday, February 2, 1916, at 3:00 p. m.

Hypelontin Chairman.

Attest:

rehen

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

February 2, 1916 - 3:00 P. M.

Joseph E. Davies, Chairman William J. Harris Will H. Parry Dr. Walker and Mr. England were called into the room, and an informal conference held with reference to the completion of the report on "Pipe-Line Transportation of Petroleum." A summary of the report was considered and criticised. Suggestions were made in reference to the form and substance of a letter of submittal of such report to Congress.

Thereupon, at the hour of 4:00 p. m., the Commission adjourned to meet Friday, February 4, 1916, at 10:30 a. m.

Chairman.

Attest:

JPWG

Secretary.

February 3, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

February 4, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

The primary question of the Commission's jurisdiction, in re Mrs. E. V. C. Hawkes v. the International Steam Pump Company, File 1-140, was presented, in behalf of the plaintiff, by Mr. Homer S. Cummings, attorney at law, and for the respondents, by Mr. Paul 271

February 4, 1916. February 7, 1916.

D. Cravath and Gilbert H. Montague, attorneys of New York. (For stenographic report, see File 1-140-1.)

Thereupon, at the hour of 1:00 p. m., the Commission adjourned to meet Saturday, February 5, 1916, at 10:30 a. m.

ngh Chi Chairman

Attest:

272

re has

February 5, 1916. No meeting held. February 6, 1916. Sunday.

MEETING OF FEDERAL TRADE COMMISSION

February 7, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

The Chairman presented a letter from Nathan B. Williams, dated February 7, 1916, asking permission to inspect the files in certain cases, indicated by number, as the same appeared in the Commission's Conference Rulings, Bulletin No. 1. By unanimous consent it was agreed that such request be not granted. Commissioner Rublee was appointed a committee of one to prepare a reply to the letter. 247

The following resolution in the matter of the employment of Mr. Harold V. Amberg, of Chicago, as an attorney, introduced by Commissioner Rublee and seconded by Vice Chairman Hurley, was unanimously adopted:

> "RESOLVED, That Harold V. Amberg, of Chicago, be employed as an attorney, at a salary of \$3,000.00 per annum, such employment to commence from his taking the oath of office and entering upon the discharge of his duties."

The following resolution in the matter of the employment of Mr. Gerard C. Henderson, of Cambridge, Massachusetts, as an attorney, introduced by Commissioner Rublee and seconded by Commissioner Harris, was unanimously adopted:

"<u>RESOLVED</u>: That Mr. Gerard C. Henderson, of Cambridge, Mass., be employed as an attorney, at a salary of \$1500.00 per annum, such employment to commence from his taking the oath of office and entering upon the discharge of his duties."

The matter of the employment of Mr. Edward B. Patterson, of Kentucky, was called up by the Chairman and discussed, and by unanimous consent the Chairman was authorized to negotiate with, and employ Mr. Edward E. Patterson as special agent, at a salary not to exceed \$1800.00 per annum.

Report of Commissioner Harris, File 2-25, in the matter of request for ruling by C. D. Chamberlin, and others, approved, resolution adopted, and case withdrawn from the Docket Division and transferred to the Economic Department.

The Chairman presented a letter from Secretary Tumulty, enclosing copy of letter to the President from Mr. W. L. Mattocks, Chairman of the Maine Memorial Committee of the United Spanish War Veterans, re-

February 7, 1916. February 9, 1916.

questing that an order be issued excusing at 12:30 p.m., February 15th, members of the Grand Army of the Republic, Confederate Veterans, United Spanish War Veterans, Veterans of Foreign Wars, and the Army and Navy Union, for the purpose of attending the Maine Memorial exercises, to be held at Arlington on the afternoon of such day. By unanimous consent the request was granted.

Thereupon, at the hour of 12:30 p. m., the Commission adjourned to meet Tuesday, February 8, 1916, at 10:30 a. m.

Jeep E. STM: Chairman.

Attest:

274

, ehu

Secretary.

February 8, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

February 9, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

The Chairman and Commissioner Parry filed written report of a conference held February 8, 1916, with certain representatives of the Lumber Industry. See report. JPWG

February 9, 1916. February 12, 1916.

Report of Commissioner Parry in re 1-122, application of Tallapoosa Ice and Coal Co. for issuance of a complaint against Atlantic Ice and Coal Corporation, advising further investigation, received and approved.

The following order was issued:

ORDERED, That the Summary Chapter of Report on Pipe Line Transportation of Petroleum be sent to the Public Printer and printed at the earliest possible date; that the Letter of Transmittal, as soon as prepared, be printed; and that both the Summary Chapter and Letter of Transmittal be released for publication.

Thereupon, at the hour of 12:30 p.m., the Commission adjourned to meet Thursday, February 10, 1916, at 10:30 a.m.

Jeph E. W Mins Chairman.

Attest:

acher Secretary.

February 10, 1916. No meeting held.

February 11, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

February 12, 1916 - 10:30 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee 275

February 12, 1916.

The matter of filing a supplemental estimate of the Commission's appropriations for the fiscal year ending June 30, 1917, was taken up and discussed and, by unanimous consent, the matter was referred to the Chairman, with the understanding that he would advise the Committee on Appropriations of the Commission's intentions in this regard.

Report of Commissioner Harris, in re 1-163, application of American Pad & Textile Co. for issuance of complaint against Columbus Collar Pad Co., approved, ruling adopted, and application denied.

Report of Commissioner Harris in the matter of alleged discrimination in prices of cotton purchased in North Carolina, South Carolina and Georgia, recommending that further work on the investigation be suspended until further order of the Commission, approved, and resolution in accordance with such report adopted.

Report of the Chairman, in re 1-170, application of the Silk Association of America for issuance of complaint against A. Theo. Abbott & Co., and others, - misbranding - approved, and the matter referred to the Law Board of Review with instructions to prepare at once complaints against the following parties:

A. Theo. Abbott & Co.

The Circle Cilk Co.

Goldin Brothers.

The Chairman reported conference with the following:

Albert W. Finlay, W. J. Eynon, E. Lawrence Fell, Benjamin P. Moulton,

a committee representing The United Typothetae and Franklin Clubs

February 12, 1916.

of America, who were desirous of having the Commission investigate a plan for ascertaining the costs in the printing business, etc. (See report.)

Report of Vice Chairman Hurley in re 1-12, application of J. H. Anderson Grocer Co. for issuance of a complaint against Corn Products Refining Co., approved, ruling adopted, and application denied.

The following order was issued:

ORDERED, That Monroe Ryles be employed as a messenger, at a salary of \$720 per annum, such employment to commence upon his taking the oath of office and entering upon the discharge of his duties.

The Chairman presented a favorable report of the Law Board of Review with reference to the qualifications of Alexander M. Daly as an attorney, and the employment of Mr. Daly at a salary not to exceed \$2400 per annum was authorized.

Thereupon, at the hour of 12:30 p.m., the Commission adjourned to meet Monday, February 14, 1916, at 10:30

Chairman.

Attest:

cher, Secretary.

February 18, 1916.

February 13, 1916. Sunday. February 14, 1916. No meeting held. February 15, 1916. No meeting held. February 16, 1916. No meeting held. February 17, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

February 18, 1916 - 10:30 A. M.

William J. Harris, Acting Chairman Will H. Parry George Rublec

The following resolution, introduced by Commissioner Rublee and

seconded by Commissioner Harris, was adopted:

WHEREAS, The Federal Trade Commission has reason to believe Clarence W. Yagle, Leroy H. Macauley, and Murdock H. Smith, copartners, doing business under the firm name and style of Circle Cilk Company, are violating the provisions of Section 5 of the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be to the interost of the public, therefore be it

RESOLVED: That the Commission issue and serve upon said Charence W. Magle, Leroy H. Macauley, and Murdock H. Smith, copartners, doing business under the firm name and style of Circle Cilk Company, its complaint stating its charges in that respect in substantially the form hereunto annexed, and be it

FURTHER RESCLVED: That notice be given to the said Clarence W. Yagle, Leroy H. Macauley, and Murdock H. Smith, copartners, doing business under the firm name and style of Circle Cilk Company, as required by law, that the charges of said complaint will be heard by the Commission at its office in the Commerce Building, in the City of Washington, D. C., on the 5th day of April, A. D., 1916, at 10:30 o'clock in the forenoon of said day, or as soon thereafter as the same may be reached.

The following resolution, introduced by Commissioner Rublee and seconded by Commissioner Harris, was adopted:

WHEREAS, The Federal Trade Commission has reason to believe that Alvina Abbott, A. Theodore Abbott, Eugene Abbott, and John Laycock, copartners, doing business under the firm name and style of A. Theo. Abbott & Company, is violating the provisions February 18, 1916.

of Section 5 of the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be to the interest of the public, therefore be it

REJOLVED: That the Commission issue and serve upon said Alvina Abbott, A. Theodore Abbott, Eugene Abbott, and John Laycock, copartners, doing business under the firm name and style of A. Theo. Abbott & Company, its complaint stating its charges in that respect in substantially the form hereunto annexed, and be it

FURTHER RESOLVED: That notice be given to the said Alvina Abbott, A. Theodore Abbott, Eugene Abbott, and John Laycock, copartners, doing business under the firm name and style of A. Theo. Abbott & Company, as required by law, that the charges of said complaint will be heard by the Commission at its office in the Commerce Building, in the City of Washington, D. C., on the 5th day of April, A. D., 1916, at 10:30 o'clock in the forenoon of said day, or as soon thereafter as the same may be reached.

The following resolution, introduced by Commissioner Rublee and seconded by Commissioner Harris, was adopted:

WHEREAS, The Federal Trade Commission has reason to believe that Abraham Goldin, Tobias Goldin, and Samuel Goldin, copartners, doing business under the firm name and style of Goldin Brothers, are violating the provisions of Section 5 of the Federal Trade Commission Act, and it appearing to the Commission that a proceeding by it in respect thereof would be to the interest of the public, therefore be it

RESOLVED: That the Commission issue and serve upon said Goldin Brothers its complaint stating its charges in that respect in substantially the form hereunto annexed. and be it

FURTHER RESOLVED: That notice be given to the said Goldin Brothers, as required by law, that the charges of said complaint will be heard by the Commission at its office in the Commerce Building, in the City of Washington, D. C., on the 5th day of April, A. D., 1916, at 10:30 o'clock in the forenoon of said day, or as soon thereafter as the same may be reached.

Thereupon, at the hour of 11:00 a. m., the Commission adjourned to meet Saturday, February 19, 1916, at 10:30 a. m.

ing Cha

Attest:

rehun Secretary.

279

February 19, 1916. No meeting held.
February 20, 1916. Sunday.
February 21, 1916. No meeting held.
February 22, 1916. No meeting held.
February 23, 1916. No meeting held.
February 24, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

February 25, 1916 - 10:30 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

The matter of gathering statistical information from corporations, and the expense incident thereto, was called up by Vice Chairman Hurley, and after discussion the following resolution was unanimously adopted:

RESOLVED, That eighteen thousand dollars (\$18,000.00) from the Commission's funds be appropriated for use by the Division of Corporation Reports in gathering statistical information, the same to be used under the direction of Vice Chairman Hurley.

The following resolution in the matter of the employment of R. W. Gardiner, William A. Smith, and Harry F. Sauer, introduced by Vice Chairman Hurley and seconded by Commissioner Parry, was unanimously adopted:

RESOLVED: That R. W. Gardiner be employed as a Special Expert, at a salary of \$2700.00 per annum; that William A. Smith be employed as a Special Expert, at a salary of \$2000.00 per annum, and that Harry F. Sauer be employed as a Special Expert, at a salary of \$1600.00 per annum, the employment of each to commence from his taking the oath of office and entering upon the discharge of his duties.

The Chairman reported, in writing, his appearance with the Secretary before the Subcommittee on Appropriations, and after discussion a plan of further advising each member of the Committee on Appropriations of the work of the Commission, and the necessity of

funds to carry on such work, was agreed upon.

The Chairman filed a written report on the following conferences:

- On February 17, with Mr. Spencer and Mr. Sol Wexler, on the subject of the organization of the Yucatan Sisal Government Commission.
- On February 21, with Mr. John Foster Dulles, an attorney of New York, on the subject of the legality of a quantity discount clause in a certain contract.
- On February 21, with Mr. Walter Fisher, an attorney of Chicago, on the subject of the investigation of the Yucatan Sisal matter before the Senate Committee on Agriculture; also, on the subject of an investigation of conditions in the purchasing of cattle.

(Mr. Fisher desired an expression of opinion from the Commission in regard to such investigations, and was advised that the Commission did not solicit or encourage Congressional action, but that the matter would be taken up with the full Commission for the purpose of obtaining a formal expression of opinion.)

By unanimous vote the advice given Mr. Fisher by the Chairman was approved. (See Report.)

The following resolution, introduced by Commissioner Harris, and seconded by Commissioner Rublee, was unanimously adopted:

WHEREAS, complaints against the Union Carbide Company have been received and referred to Vice Chairman Hurley, be it

RESOLVID: That a complaint by Warren Brothers, of Elberton, Ga., against this company, referred to Commissioner Harris by Hon. S. J. Tribble, be referred to Vice Chairman Hurley for disposition.

The following resolution, introduced by Commissioner Harris, and seconded by Vice Chairman Hurley, was unanimously adopted:

RESOLVED: That, except when otherwise directed by the Commission, the Law Board of Review and Joint Board of Review shall dispose of cases before them in the order in which they are received.

February 25, 1916. February 28, 1916.

A motion by Commissioner Harris, seconded by Commissioner Parry, that copies of all rulings and reports of conferences, in charge of individual Commissioners, be handed to each Commissioner for consideration before the same are presented to the Commission for final action, was unanimously adopted.

The matter of handling cases, after the issuance of formal complaints, was called up by the Chairman, and after discussion it was unanimously agreed that the same should be entrusted to the General Counsel, and for the present, in the absence of General Counsel, to Mr. Gregory.

Thereupon, at the hour of 1:15 p.m., the Commission adjourned to meet Saturday, February 26, 1916, at 10:30 a.m.

Juni Com Chairman.

ð

Attest:

ohu

Secretary,

February 26, 1916. No meeting held.

February 27, 1916. Sunday.

MEETING OF FEDERAL TRADE COMMISSION

February 28, 1916. - 10:30 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

February 28, 1916.

280

ORDERED. That the preparation of a supplemental estimate of appropriations for the fiscal year 1917, in the sum of \$100,000.00, and the necessary steps to transmit such supplemental estimate through the President and the Secretary of the Treasury to the Speaker of the House of Representatives, be entrusted to the Chairman and Vice Chairman Hurley.

The matter of employing Lewis H. Haney was called up by Commissioner Harris, and after discussion the following resolution was unanimously adopted:

RESOLVED: That Lewis H. Haney be employed as an economist, for a period of six months, at the rate of \$5,000.00 per annum, such employment to commence upon his taking the oath of office and entering upon the discharge of his duties.

The matter of obtaining the services of Thomas S. Adams was called up by Commissioner Harris, and after discussion, by unanimous consent, Commissioner Harris was authorized to communicate with Mr. Adams with a view of employing him for the Commission.

Report of Commissioner Rublee, in re 1-150, application of C. W. Degnan for issuance of a complaint against Purington Paving Brick Company, approved, resolution adopted, and application denied.

Report of Chairman Davies, in re 1-185, investigation of Keystone Varnish Company in re false and misleading advertising, approved, resolution adopted, and files transferred to the Division of Mails and Files.

Report of Commissioner Parry, in re 1-127, application of Albert M. Dueber, President, Dueber Watch Case Mfg. Co. and Hampden Watch Company, for the issuance of a complaint against unfair practices in manufacture of watch cases and movements, adopted, and the case reopened for further investigation.

February 28, 1916. March 3, 1916.

A motion introduced by Vice Chairman Hurley, and seconded by Commissioner Rublee, authorizing the Chairman to confer with Mr. W. H. Stevens with reference to his employment by the Commission during the summer months, was unanimously adopted.

The matter of increasing the salaries of some of the employes of the Commission was called up by the Chairman, and after discussion a motion, introduced by Vice Chairman Hurley and seconded by Commissioner Parry, that the matter of salaries be referred to the Secretary for investigation and early report to the Commission, was unanimously adopted.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet Tuesday, February 29, 1916, at 10:30 a.m.

preph & Davin

Y 21

Attest:

284

achum Secretary.

February 29, 1916. No meeting held. March 1,1916. No meeting held. March 2, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

March 3, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee March 3, 1916.



Commissioner Harris reported orally that Lewis H. Haney would report for duty on March 7th.

The following resolution, introduced by the Chairman, was unanimously adopted:

RESOLVED: That Commissioner Parry be authorized to negotiate with Mr. W. T. Chantland, Attorney, of the Department of Justice, for his employment by the Commission at an annual salary of \$4,750.00; provided, however, that Commissioner Parry shall confer with Mr. Todd, Assistant to the Attorney General, and secure his consent to such negotiations.

The matter of employing Mr. Thurlow M. Gordon, an employee of the Department of Justice, was called up, and after discussion Commissioner Rublee was authorized to discuss with Mr. Gordon, the possibility of obtaining his services for the Commission.

The Chairman presented written reports of conferences with the following persons:

February 25th: With Mr. Samuel S. Wyer, a consulting engineer of Columbus, Ohio.

March 2d: Mr. Alex. Legge, of Chicago, General Manager of the International Harvester Corporation.

March 3d: Conference with Mr. Graves, Chief Forester, and Mr. Allen, of the Western Forestry and Conservation Association.

(See reports now on file.)

The written report of the Chairman, advising that a draft of the supplemental estimate for an additional appropriation of \$2100,000.00 had been prepared and transmitted to Congress, was received, and ordered placed on file. March 3, 1916. March 4, 1916.

Commissioner Parry reported a conference with Hon. A. Mitchell Palmer, in reference to the appearance of certain persons who desire to be heard in regard to matters appearing in the Summary chapter of the report on Pipe-Line Transportation of Petroleum. (See report.) (file No. 1431-3)

The Chairman reported that Messrs. Culbertson and Vorfeld had returned from South America, and had prepared report on trade and tariffs in several South American countries, and on motion of Vice Chairman Hurley, the Secretary was ordered to have a copy of such report prepared at once and transmitted to the President.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet Saturday, March 4, 1916, at 10:30 a.m.

Heplowins Chairman.

Attest:

acher

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 4, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee JPWG

March 4, 1916.

Commissioner Parry reported that a conference with Mr. Todd, Assistant to the Attorney General, and Mr. W. T. Chantland was had, and that he had employed Mr. Chantland as Attorney and Examiner, for the Commission, at a salary of \$4,750.00 per annum.

A motion by Commissioner Harris, seconded by Vice Chairman Hurley, that hereafter all employees receiving an annual salary at the rate of \$4,000.00 per annum, or over, be relieved from signing daily time reports, was unanimously adopted.

The matter of securing additional office space for the Commission was again called up by the Chairman and discussed, and by unanimous consent was referred to Commissioner Harris and the Secretary for attention.

Thereupon, at the hour of 11:30 a. m., the Commission adjourned to meet Monday, March 6, 1916, at 10:30 a. m.

Chairman.

Attest:

Facher Secretary.

287

March 5, 1916. Sunday.

March 6, 1916. No meeting held.

March 7, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

March 8. 1916. - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

The appointment of William S. Culbertson as Special Examiner, at a salary of \$4,000.00 per annum, effective March 1, 1916, by change from previous appointment as Special Examiner at \$500.00 per month, was, on motion of Commissioner Harris, seconded by Commissioner Rublee, confirmed.

The appointment of Robert H. Vorfeld as Special Expert, at a salary of \$3,000.00 per annum, effective March 1, 1916, by change from previous appointment as Special Expert at \$400.00 per month, was, on motion of Vice Chairman Hurley, seconded by Commissioner Harris, confirmed.

The following resolution, introduced by the Chairman and seconded by Vice Chairman Hurley, was unanimously adopted:

WHEREAS, It is desirable that quick and speedy relief should be afforded by the Commission, be it

RESOLVED, That each Commissioner shall designate to the Board of Review those cases in which there is the strongest probability of a formal complaint being issued, and that these cases shall take precedence in the order of their designation, for consideration by the Board of Review, before the other cases received by them in due course; and that otherwise the Board of Review shall continue to consider the cases in the order of their receipt. JPWG

The following resolution, introduced by the Chairman and seconded by Commissioner Parry. was unanimously adopted:

WHEREAS, It is desirable that the relationship between the special attorneys and examiners assigned to each Commissioner and the Board of Review shall be clearly defined; and

WHEREAS, It is desirable that the applications for the issuance of complaints shall be handled as expeditiously as possible, and to that end it is imperative that these applications shall be examined into and supplemental facts in some cases procured prior to consideration by the Board of Review; and

WHEREAS, It has been found to be the fact that applications have heretofore awaited the attention of the Board of Review for a considerable time before such facts were procured; and

WHEREAS, It is obvious that such facts could be procured pending such consideration by the Board of Review;

THEREFORE BE IT RESOLVED, That the procedure in handling applications for the issuance of complaints shall be as follows, until hereafter amended as experience will require:

1. Applications for the issuance of complaints, except as provided in the Commission's resolution of January 5, 1916, shall be assigned immediately to the members of the Commission in rotation. The Commissioner shall pass upon the preliminary question of jurisdiction. If it is clear that there is no jurisdiction, the Commissioner shall report and recommend dismissal. If there be doubt as to jurisdiction, the Commissioner shall, through the Special Examiner, refer the file to the Chief Examiner, who shall direct that a brief be prepared for the consideration of the Commissioner having charge of the case.

2. If jurisdiction is clear, the Commissioner, through his Special Attorney and Examiner, shall confer with and secure the judgment of the Chairman of the Board of Review, the Chief Examiner, or such other members of the Board of Review as the Commissioner shall designate, as to the nature and scope of the investigation. The Commissioner shall, with the Special Examiner and Attorney, prepare the case so far as procuring additional facts is concerned as quickly as possible. If a brief on the law is required for the preparation of the opinion, the Commissioner's examiner shall take the matter up with the Chief Examiner, who shall direct orally a member of the law force to report direct to such attorney and examiner for the Com-If field work shall be required, the Chief Examiner and missioner, the Chairman of the Joint Board of Review shall advise as to the nature and scope of the proposed investigation, and after approval by the Commissioner, the Chief Examiner shall designate a Special Agent or Attorney to make such field investigation, and the procedure with reference thereto shall be the same as when a member of the law force is assigned to legal work. Such special agent for field work shall report direct to the Chief Examiner, who shall transmit forthwith the material and reports to the Commissioner's examiner.

March 8, 1916.

The Commissioner's examiner shall, upon the facts, prepare a report for the Commissioner, who shall refer the matter to the Board of Review, who shall pass upon such report and make such recommendations as the case may require. The Commissioner's examiner shall be available to the Board of Review for conference with reference thereto if desired. Upon such reports, the Commissioner shall then present his recommendations to the Commission for action. 3. If a formal complaint shall be ordered by the Commission, the matter shall be referred to the General Counsel, and the entire matter shall be subject to his direction thereafter. Upon request of the General Counsel, the Commissioner's examiner shall submit a memorandum indicating the facts which, in his opinion, deserve special attention in the consideration of the case, and the precedents, if any, and brief, which he shall have considered.

After formal complaint has been drafted, the Commissioner's examiner shall also be available for the purpose of outlining a memorandum setting forth what additional facts may be advisable or necessary for the preparation of the case, and what witnesses it shall be necessary to call.

The following resolution, introduced by Commissioner Hurley and

seconded by Commissioner Harris, was unanimously adopted:

WHEREAS, There has been filed with the Commission a plan for the proposed consolidation of certain chain drug-stores and chain cigar stores, and

WHEREAS, It would appear that such plan as so proposed has not materialized, but that developments have proceeded with the result that in all probability the two lines of distribution have been combined, through the consolidation of the Riker-Hegeman Company with the United Cigar Stores Company, and

WHEREAS, Such consolidation of distributive agencies may have a tendency to restrain trade, and perhaps violate the Clayton Act, be it therefore,

RESOLVED, That the Chairman be authorized to institute such investigation as he may deem necessary in connection with this matter, and make a report with reference thereto at the earliest opportunity.

The following resolution, introduced by Vice Chairman Hurley and seconded by Commissioner Harris, was unanimously adopted:

RESOLVED, That the Chairman be authorized to post the following notice on the Bulletin Board:

The Federal Trade Commission desires the hearty cooperation of its employees, and will welcome any suggestions for improving the service as well as criticisms or complaints that may require adjustment in any branch of the service.

It is the wish of the Commission that in the future all employees desiring to improve the service or having complaints or criticisms to make should address a letter to any Commissioner, and the matter will be given prompt attention. March 8, 1916.

Vice Chairman Hurley stated that in connection with the work of devising plans for uniform accounting in the bituminous coal industry, it would be desirable at the same time to make a study of economic conditions obtaining in that industry. Upon motion of Vice Chairman Hurley, seconded by Commissioner Harris, Vice Chairman Hurley and the Chairman were authorized to conduct such investigation as they might deem desirable, and to report the results thereof to the Commission.

Commissioner Parry reported that he had arranged for a lumber hearing for Tuesday, March 14th, at 10:30 a.m., at which E. T. Allen, of Portland, Oregon, would present the situation of the forest industry from the viewpoint of permanent forest management as represented by the Western Forestry and Conservation Association, and that the Chief Forester, Mr. H. S. Graves, had been invited to attend said hearing.

Commissioner Parry presented an application made by George C. Greer, General Attorney for the Magnolia Petroleum Company, asking whether certain plans of said company would be considered by the Commission in contravention of section 7 of the Clayton Act. On motion, the matter was referred to the Chief Counsel for his opinion.

Commissioner Parry presented a report upon the application of Meuser & Meuser for the issuance of a complaint against A. B. Dick Company and the Neostyle Company, (file 1-179), and recommended that the report and papers in connection therewith be referred to the Chief Counsel for the preparation of a complaint, subject, however, to a future decision by the Commission as to whether such complaint should be issued. Report adopted.

On motion of Commissioner Harris, seconded by Commissioner Rublee, W. T.

Chantland, Special Attorney and Examiner, was assigned to duty in the office of the Chief Counsel.

Thereupon, at the hour of 1:00 p. m., the Commission adjourned to meet Thursday, March 9, 1916, at 10:30 a. m

Jeph Mins Ð Chairman.

Attest:

when

Secretary.

March 9, 1916. No meeting held. March 10, 1916. No meeting held. March 11, 1916. No meeting held. March 12, 1916. Sunday. March 13, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

March 14. 1916 - 10:30 A. M.

Joseph E. Davies, Chairman William J. Harris Will H. Parry George Rublee

Mr. E. T. Allen, of Portland, Oregon, representing the Western Forestry and C_0 nservation Association, appeared and called the attention of the Commission to certain conditions existing in the lumber industry which he thought should be considered in connection with March 14, 1916.

the Commission's investigation into that subject.

(See stenographic report.) file 8508-569.

290

The following gentlemen were in attendance:

- Hon. Henry 5. Graves, Chief Forester, Department of Agriculture.
- Hon. W. B. Greeley, Forest Service, Department of Agriculture.
- Hon. Austin Cary, Logging Engineer, Forest Service, Department of Agriculture.

Hon. L. C. Boyle, Counsel, National Lumber Manufacturer's Association.

Commissioner Parry presented a report and ruling upon the application of Pacific Sanitary Manufacturing Co. for the issuance of a complaint against the Standard Sanitary Manufacturing Co., (file 1-46). Report adopted, ruling approved, and application denied.

Commissioner Parry reported conference with the following persons:

On March 9th: Mr. Bradford Knapp, Mr. Geo. H. Stevenson, Mr. Jesse M. Jones, Mr. E. B. Quiggle.

On March 11th: Mr. Frank E. Gorrell, Mr. John F. Montgomery.

The Chairman presented a report upon the application of Charles M. Baxter for issuance of a complaint against the Central Warehouse Lumber Company, H. W. Ross Lumber Co., and Mississippi Valley Lumberman, et al. (File 1-181) Report approved and resolution adopted, dismissing the application in so far as the charge of fraudulent reinspection is concerned, and postponing action on the charge of attempted boycott pending a decision by the United States Circuit Court. The Chairman presented the petition of the Silk Association of America for leave to intervene in the following cases:

> Federal Trade Commission v. Abraham Goldin, et al. """ v. Clarence W. Yagle, et al. """ v. Alvina Abbott, et al.

By unanimous consent the matter was referred to Mr. Gregory for consideration and report.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet Wednesday, March 15, 1916, at 10:30 a.m.

Heptertin Chairman.

Attest:

acher

Secretary.

March 15, 1916.	No meeting held.
March 16, 1916.	No meeting held.
March 17, 1916.	No meeting held.
March 18, 1916.	No meeting held.
March 19, 1916.	Sunday.
March 20, 1916.	No meeting held.
March 21, 1916.	No meeting held.
March 22, 1916.	No meeting held.
March 23, 1916.	No meeting held.
March 24, 1916.	No meeting held.
March 25, 1916.	No meeting held.
March 26, 1916.	Sunday.
March 27, 1916.	No meeting held.



JPWG

March 30, 1916.

March 28, 1916. No meeting held.

March 29, 1916. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

March 30, 1916 - 11:00 A. M.

Joseph E. Davies, Chairman Edward N. Hurley, Vice Chairman William J. Harris Will H. Parry George Rublee

Commissioner Rublee reported orally that Everett Morss, of the Simplex Wire & Cable Company, had conferred with him on March 25 with reference to the legality of a proposed open-price agreement among certain wire manufacturers. Commissioner Rublee further reported that he suggested to Mr. Morss that he file the plan with the Commission, and that it would be given consideration.

The Chairman presented a written report of a conference held on March 15th with Judge Charles J. Orbison, of Indianapolis, General Counsel for the Vigilance Committee of the Associated Advertising Clubs of the World. Report received, and ordered filed.

Commissioner Rublee presented a letter from Mr. George A. Stephens, of Nebraska, applying for a position with the economic department of the Commission during the summer months. It was suggested that Commissioner Rublee confer with the Chief Economist regarding the matter, and then communicate with Mr. Stephens, with a view of ascertaining the conditions under which he would be willing to accept such position.

March 30, 1916.

206

The Chairman filed a written report of a conference with Mr. A. W. Shaw, on the subject of the Commission's supplemental estimate to Congress for an appropriation to carry on the work of Cost Accounting. Report received, placed on file, and the matter referred to Vice-Chairman Hurley.

Commissioner Parry filed a written report of a conference with Mr. George S. Davison, President of the Gulf Pipe Line Company, who objected to certain portions of the Commission's report on Pipe-Line Transportation of Petroleum, and requested a hearing. Request granted; Commissioner Parry authorized to communicate with persons interested, arrange a date for hearing, and report to the Commission.

Commissioner Parry filed a written report of a conference held with Mr. P. Bisman, of Mansfield, Ohio, with reference to the tobacco business. Report received, ordered filed, and to be considered in connection with request for ruling by Evan S. Edwards, (file 2-46).

Commissioner Parry filed a written report of a conversation held with Mr. Roland L. Morris, an attorney of Philadelphia, over the longdistance telephone, with reference to the appearance before the Commission of representatives of the condensed milk industry. By unanimouse consent it was decided that the Commission would meet such representatives at 2:30, on the afternoon of March 30th.

Commissioner Parry filed a written report of a conference held with Mr. George Carlton Comstock and Mr. Harold T. Edwards, attorneys of New York City, in reference to certain conditions existing in the fire-extinguisher business. Report received and ordered filed.

Commissioner Parry reported in writing that Mr. George Talbot

March 30, 1916.

Odell, of Chicago, had called on him and presented a copy of an advertisement which had appeared in the Buffalo Sunday Times, of March 5th. After consideration, the matter was referred to the Docket Division, to be entered as an application for complaint.

that

Commissioner Parry reported in writing/Mr. Clifford I. Millard, President of the John L. Roper Lumber Company, of Norfolk, Va., had requested a conference with the Commission with reference to a proposed plan for the exportation of lumber. Request for hearing granted, and Commissioner Parry authorized to arrange for a date.

Report of Commissioner Parry, in re application for complaint by J. W. Cooper against American Sugar Refining Co.,(file 1-186), presented. Report approved, resolution adopted, and file withdrawn from the Docket Division and referred to the Chief Economist.

Report of Commissioner Harris, (file 1-182), application of P. H. Nelson, et al, for the issuance of a complaint against Engineering and Mining Journal, American Smelting and Refining Company, et al, presented. Report approved, resolution adopted, and matter referred to Department of Justice.

Report of Commissioner Harris, (file 1-161), application of Tenant Motion Picture Company for the issuance of a complaint against the Paramount Pictures Corporation, presented. Report approved and ruling adopted.

The following resolution, offered by Chairman Davies, and seconded by Commissioner Harris, was unanimously adopted:

WHEREAS, a communication has been received from the Secretary of Commerce, transmitting certain correspondence had with reference to an alleged combination affecting the price of carbon ink, and

JPWG

March 30, 1916. April 4, 1916.

WHEREAS, the Secretary of Commerce has advised complainants that he had turned the matter over to the Federal Trade Commission for investigation, therefore be it

RESOLVED, That the Chief Economist be directed to consider the matter, and assign a special examiner to a preliminary investigation in the field, with a view that a report can be made upon the situation for further action by the Commission.

Thereupon, at the hour of 1:00 p. m., the Commission adjourned to meet

Friday, March 31, 1916, at 10:30 a. m.

Jegh Col Min Chairman.

Attest:

rachan

Secretary.