

January 3, 1920.

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January 1, 1920 - No meeting held - Holiday

January 2, 1920 - No meeting held

MEETING OF FEDERAL TRADE COMMISSION

January 3, 1920 - 10 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver

Minutes of the meetings of -

October 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, and 31,

November 4, 5, 11, 17, 18, 19, 20, 21, 22, 24, 25, 26,

26, 28, and 29,

December 1, 2, 3, 4, 5, 6, 8, 9, 12, 15, 16, 18, 19,

20, 23, 24, 29, 30, and 31,

were read and after certain corrections and additions were approved. Report of Messrs. Murdock and Thompson, Committee, dated November 5, 1919, was read, approved and ordered made a part of the minutes of November 4, 1919.

The Secretary submitted the resignation of Chief Accountant Melville Wooster, and the same was accepted to be effective at the close of business on January 22, 1920, and the Secretary was asked to prepare for the Chairman's signature, a letter to Mr. Wooster expressing the Commission's appreciation of his services.

Mr. Colver laid before the Commission memorandum of January 2nd from the Chief Economist recommending the

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employment of twenty-eight additional experienced statistical clerks, temporary, at a salary of \$1200 each, the question of bonus being made conditional on demonstration of diligence and ability. Such clerks to be assigned for the present to coal, steel, oil and lumber, to finish outstanding work. Memorandum was approved and the Chief Economist was directed to employ the twenty-eight clerks at once.

Mr. Colver offered the following direction providing for certain additions to the Commission's calendar, and the same were approved and issued by the Commission to be immediately effective.

It was directed that the Calendar hereafter contain the following in addition to the matters now contained in the Calendar:

A complete Calendar of the applications for complaint showing the date of filing and the examiner to whose custody committed;

Not only the individual Commissioner's Calendar on applications which come from the Board of Review, but duplicate copies of the other Commissioners' Calendars of complaints in the hands of each which have come from the Board of Review;

A complete list of complaints ordered to be prepared with the date of the order to prepare;

A complete list of formal complaints ordered to be issued with the date of the order to issue;

Copies of all memoranda prepared by the Secretary, Chief Counsel, Chief Economist, or anybody else and addressed to the Commission. (It will be necessary for Mr. Johnson to notify members of the staff that memoranda for the attention of the Commission must be prepared in sufficient duplicate to supply him with the necessary copies for the individual Commissioner's Calendars.) Also when memoranda are addressed to the Commission through the Secretary's office, copies should be inserted

in the Commissioners' Calendars;

Not only should the fixed engagements of the Commission show in its Daily Calendar, but the Clerk of the Commission should make a memorandum of all matters referred to various Commissioners or otherwise. These to go on a Unfinished Business Calendar;

There shall also be kept a Calendar of the pending enterprises of the Economic Division showing when each was inaugurated, and each month there shall be supplied an estimate by the Chief Economist of the percent of completion accomplished during the month and the total cumulative percentage of completion;

A copy of the applications for Complaint Calendar to be supplied to the Chief Examiner;

A copy of the Calendar showing the cases in the hands of the Board of Review to be supplied to the Board of Review;

A copy of the Calendar showing the complaints ordered to be prepared and the Calendar showing complaints to be issued, to be supplied to the Chief Counsel; and

A copy of the Economic Calendar to be supplied to the Chief Economist.

Upon motion of Mr. Murdock, Mr. John H. Sherburne, for the Massachusetts Special Commission on the Necessaries of Life, was furnished a copy of the Commission's report on Woollen Piece Goods Investigation, prepared for the War Industries Board, for his confidential use and not for publication.

The Chairman laid before the Commission draft of letter to Congressman Charles A. Christopherson, in the matter of the distribution of newsprint paper, and the letter, after revision, was ordered forwarded.

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January 5, 1920.

Thereupon, at the hour of 2 p.m., the Commission
adjourned to meet Monday, January 5, 1920, at 10 a.m.

Attest:

Victor Murdock
Chairman

Secretary.

January 4, 1920 - No meeting held - Sunday.

MEETING OF FEDERAL TRADE COMMISSION

January 5, 1920 - 10 a.m.

Victor Murdock, Chairman,
Huston Thompson
William B. Colver.

Mr. Colver laid before the Commission memorandum of
December 24th from the Acting Chief Examiner, transmitting
memorandum by Attorney Haycraft, in the matter of docketing
applications for complaints against the different packers
on account of the operation as bogus independents of cer-
tain subsidiaries. It was directed that applications for
complaints be docketed on behalf of the Commission for
investigation as to the operation of bogus independents,
in violation of Section 5 of the Trade Commission Act
in the following instances:

Operated by Arnacur & Company:
Aaron Poultry & Egg Company, Kansas City, Mo.
Nicholson Ice & Produce Co., Dennison, Iowa.

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Operated by Swift & Company:
Hatchkiss Beef Company, Portchester, N. Y.
Cahill Beef Company, Meridan, Connecticut.

Operated by Morris & Company:
J. M. Wilson Company, Dover, N. H.
Barataria Canning Company, Biloxi, Miss.

Operated by Wilson & Co., Inc.:
Koberman Company, Inc., New York City.
Sall Sporting Goods Company, Canton, Ohio.

The Chairman presented and read to the Commission letter of January 3, 1920, from Hon. Mitchell Palmer, Attorney General of the United States, transmitting an application that the Federal Trade Commission, under the provisions of Paragraph C of Section 6, of the Federal Trade Commission Act, ascertain the manner in which the final decree in the case of the United States vs. Mead, et al, under the Federal Anti-trust Law, known as the newsprint paper case, has been and is being carried out. It was agreed that the work be immediately undertaken, and on motion of Mr. Murdock it was ordered that the matter be assigned to Commissioner Thompson for supervision with instructions that it be given every possible expedition. Mr. Thompson was asked to prepare a letter for the Chairman's signature to the Attorney General, advising that the work would be immediately undertaken.

The Chairman laid before the Commission a letter of January 3, 1920, from the Department of Justice, advising that proceedings would not be instituted in the matter of the National Druggists' Association. (See file in Docket, 1-445).

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In the matter of Docket No. 31, F.T.C. vs. National Biscuit Company, it was ordered that George McCorkle, an examiner of the Commission, be and is hereby designated to receive testimony, etc.

The Commission recessed at the hour of 12 o'clock noon and reassembled at 2:30 p.m.

Victor Murdock, Chairman,
Huston Thompson,
William B. Colver.

Upon invitation of the Commission, representatives of the Department of Agriculture and certain meat packers appeared and discussed with the Commission the Southern Live-Stock Price inquiry, undertaken in response to Senate Resolution 133 (Senator Harris), with particular relation to discrimination against southern hogs in the northern market. Appearances were as follows:

For the Commission: Francis Walker, Samuel W. Tator, and Earl S. Haines.

Department of Agriculture: Bradford Knapp and E. Z. Russell.

Swift & Company: J. L. Thweatt, H. McDowell, J. M. Chaplin, John Holmes and C. B. Shaw.

Armour & Company: P. J. J. Deady, R. J. H. Delcach and E. W. Sheets.

Morris & Company: C. A. Bett.

The hearing was continued until the hour of 5 p.m., and concluded. See stenographic report.

Thereupon, at the hour of 5 p.m., the Commission adjourned to meet at 10:30 a.m., January 6, 1920.

Attest:

Secretary.

Victor Murdock
Chairman.

January 6, 1920.

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MEETING OF FEDERAL TRADE COMMISSION

January 6, 1920 - 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver

In the matter of Docket No. 227, F. T.C. vs. Helvetia Milk Condensing Company, the Commission heard counsel for respondent and counsel for the Commission in the matter of respondent's motion to dismiss the complaint, and also motion to rule on evidence. The hearing was continued until the hour of 5 p.m., at which time an adjournment was taken until 2 p.m., January 7, 1920. See stenographic report.

The Chief Economist submitted the Commission's report on the cost of bituminous coal in Alabama, Tennessee and Kentucky, and the same was ordered referred to the Public Printer for galley.

Thereupon, at the hour of 5:30 p.m., the Commission adjourned to meet at the hour of 10:30 a.m., January 7, 1920.

Attest:

Victor Murdock
Chairman

Secretary.

January 7, 1920.

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MEETING OF THE FEDERAL TRADE COMMISSION

January 7, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson.
William B. Colver.

In conference with Mrs. Wilson of the staff, the Commission considered certain matters arising in connection with the Trading with the Enemy Act, and the following action was taken:

Consideration of proposed orders amending patent licenses numbers 18, 19, 20, and 21, issued to the E. I. De Pont de Nemours Company, by revising the rate of royalty.

Upon motion of Mr. Thompson it was ordered that an accountant be sent to check the figures of the de Pont Company with reference to royalties and report to the Commission. As to the foregoing motion of the Commission, Messrs. Murdock and Thompson voted in the affirmative and Mr. Colver voted in the negative.

Mr. Colver offered the following motion, that the application of the E. I. du Pont de Nemours Company for surrender of license will be passed upon by the Commission upon satisfactory final accounting being made under existing license, and at the revised rate from August 1, 1919. As to the foregoing motion, Messrs. Murdock and Thompson voted in the negative and Mr. Colver voted in the affirmative. The motion was thereupon declared by the Chairman to

be lost.

Mr. Thompson presented file 9-1438, application of American Oil Company of Massachusetts for complaint against Tidewater Oil Company of Massachusetts. Mr. Busick, representing the Board of Review, heard. The Chief Counsel heard. Upon motion of Mr. Thompson the report of the Board of Review was approved and it was ordered that the files be referred to the Chief Counsel with instructions to prepare and submit to the Commission, draft of formal complaint.

Upon motion of Mr. Colver it was ordered that applications for complaint on behalf of the Federal Trade Commission be docketed and handled in the regular way against certain concerns listed in memorandum of January 6, 1920, by Attorney Hayercraft, with reference to bogus independents operated by the five large packers. See file, Nat Mem 5 H 5 Part 3 (also Bog 5 L 5)

The following motion by Mr. Colver requiring special reports from respondents in formal docket cases was unanimously adopted.

It was directed that in every case where formal order is issued a clause of the order require respondent to report at a time certain and in detail how the order of the Commission has been conformed to; that there be a calendar of such returns and that currently, such returns be scrutinized by the legal department and placed on the daily calendar of the Commission.

The following direction requiring employees to advise of telegraphic address, was offered by Mr. Colver, approved and entered by the Commission.

It is directed that each member of the staff when out of Washington on official business shall keep the Washington office advised of his telegraphic address so that he may be reached at all times except when on trains, by telegraph or telephone.

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COPYED

Upon motion of Mr. Colver the Commission ordered the purchase, and installation of the following mechanical equipment:

- 1 Mimeograph, power driven, approximate cost \$150.
- 1 Photostat with full equipment, approximate cost \$2,000.

As to the Commission's foregoing motion, Messrs. Thompson and Colver voted in the affirmative and Mr. Murdock voted in the negative.

Upon motion of Mr. Colver it was directed that the Secretary ascertain the costs of an assembling machine and whether or not one can be secured from the General Supply Committee. As to the foregoing motion of the Commission Messrs. Thompson and Colver voted in the affirmative and Mr. Murdock voted in the negative.

Upon motion of Mr. Colver it was directed that the Secretary be directed to prepare a careful estimate of the expenses both as to the equipment and as to the comparative effect on the pay-roll on the installation of talking machines in the Commission. As to the foregoing motion of the Commission Messrs. Thompson & Colver voted in the affirmative and Mr. Murdock voted in the negative.

The Chairman laid before the Commission the request of Mr. Connor B. Shaw for a copy of the stenographic report of the conference before the Commission on Swift & Company in

the matter of southern live-stock, and on motion of the Chairman it was directed that such copy be furnished as requested. As to the foregoing motion of the Commission, Messrs. Murdock and Thompson voted in the affirmative and Mr. Colver voted in the negative.

Mr. Murdock presented the following listed applications for complaint and action as indicated was taken by the Commission.

(a) File
1-461-55 - F.T.C. vs. C. L. Jump.
Report of the Board of Review approved. Ordered that the application be and same is hereby dismissed.

(b) File
1-535-2-3 - Japan Paper Company vs. Whitin & Cook, Inc.
Ordered that the application be and the same is hereby dismissed.

Draft of formal complaint submitted by the Chief Counsel in the matter of file 9-1464, Breed, Abbott & Morgan vs. X-Test Food Company was received and referred to Commissioner Thompson for consideration and report to the Commission.

The Commission received from the Acting Chief Examiner recommendations by Examiner La Virne, with accompanying papers, that applications for complaints be docketed on behalf of the F.T.C. against T. C. Hurst & Son, Henry A. Kessel & Co., Inc., E. Hogshire Son & Co., Inc., and J. Keyner & Son, Inc. The recommendations were approved and it was ordered that such applications be docketed and the papers referred to the Docket Division for handling in the regular manner.

In the following listed proceedings the Chief Counsel submitted findings as to the facts, conclusions of law and orders to cease and desist, and the same were approved and entered by the Commission with the direction that the orders be served forthwith:

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Docket No. 464 - F.T.C. vs. Flitner-Atwood Company
Docket No. 471 - " " C. Bishoff & Co., Inc.

In the following listed proceedings drafts of formal complaints as submitted by the Chief Counsel were approved by the Commission and resolutions directing their issuance and service were adopted:

F.T.C. vs. The Taiyo Trading Co., Inc., (file 9-1178)
" " Shibakawa & Company, Inc., (file 9-1177)
" " Silvex Company, et al (file 9-979)
" " American Mutual Seed Co. (file 9-1279)
" " A. A. Berry Seed Company (file 9-1279)
" " Vick Chemical Company (file 9-1345)

The Commission recessed at 1 and reassembled at 2 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver

Pursuant to arrangements, the oral argument in the matter of Docket No. 227, F.T.C. vs. Helvetia Milk Condensing Company, was resumed before the Commission and Mr. Joseph E. Davies resumed and concluded his argument for the intervenors in the case. Mr. Hawkins presented argument on behalf of the Commission and Mr. Nardin closed on behalf of the respondent, Helvetia Milk Condensing Company.

At the hour of 5:30 p.m the argument was concluded and the case taken under advisement by the Commission. See stenographic report.

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Thereupon at the hour of 5:30 p.m., the Commission
adjourned to meet at 10 a.m., January 8, 1920.

Attest:

Out. H. H. H.
Chairman

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

January 8, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver

In the matter of Docket No. 460, F.T.C. vs. Raymond
Bros. - Clark Company, it was ordered that R. N. Beebe, an
examiner of the Commission be and is hereby designated to
receive testimony, etc.

Mr. Colver presented the following economic matters
and action as indicated was taken by the Commission:

(a) Memorandum from the Chief Economist saying that
Mr. W. M. Twombly who had been transferred to the Department
of Justice has been released by that Department, and request-
ing that he be re-instated in the Economic Staff. Upon
motion of Mr. Colver it was directed that Mr. Twombly be re-
turned as an examiner in the Commission's Economic Division
at the same salary he is now receiving from the Department
of Justice.

(b) Memorandum of January 7, 1920, from the Chief Econo-
mist recommending the re-employment of Mr. Errol H. Madden.
Upon motion of Mr. Colver, Mr. Madden was re-employed by the
Commission as a temporary examiner at an annual salary of

January 8, 1920.

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\$1200 plus the bonus, the same to be effective upon taking the oath of office and entering on duty.

(c) Memorandum of January 6, 1920, from the Chief Economist recommending the appointment of Mr. S. Leon Levy. Upon motion of Mr. Colver the appointment of Mr. Levy as temporary examiner at a salary of \$2280. flat, was authorized contingent upon inquiries to be made by Mr. Colver and report by Mr. Colver to the Commission.

(d) Memorandum of January 2, 1920, from the Chief Economist, recommending that the salary of Mr. John H. Crabtree be increased from \$1920. to \$2250., plus the bonus. The memorandum was approved and the increased salary authorized to be effective January 16, 1920.

(e) Memorandum of December 27, 1919, from the Chief Economist, reporting in re status of the work of the Economic Division was read and explained to the Commission. Upon his own motion Mr. Colver was ordered by the Commission to report as to what Economic work could be completed by March 1, 1920; to inform the Commission of that work that can be completed by March 1, 1920, so the Commission may decide what, if any, of this work should be dropped and what brought to completion by March 1, 1920.

Upon motion of Mr. Colver it was ordered that the salary of Mr. Roger E. Barnes be increased from \$1500 per annum to \$2,000 per annum, plus the bonus, the same to be effective as of January 9, 1920.

Mr. Colver reported the need of the services of Mr. W. A. G. Clarke, an employee of the U. S. Tariff Commission, to do certain work on the Commission's forthcoming textile report, and Mr. Colver was requested to prepare a letter for the Chairman's signature, requesting the detail of Mr. Clarke for this purpose.

The following two motions were offered by Mr. Colver and seconded by Mr. Harbeck and unanimously adopted by the Commission.

MOVED, That if Mr. Thompson can secure the services of a lawyer worth \$2,000 per year, to be attached to the Chief Counsel's office, that he be authorized to offer such employment.

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That if Mr. Thompson can get five lawyers worth up to \$5,000. each per year, to be attached to the Chief Counsel's office, that he be authorized to do it.

The Chairman laid before the Commission letter of January 5, 1920, from Mr. Howard Figg, Special Assistant to the Attorney General of the United States, requesting proofs of Part V of the Commission's report on profits of the packers, a part of the general food investigation. The Secretary was directed to advise Mr. Figg that Chapter 3, of Part V of the report had been forwarded to Mr. Homer Harris, accountant employed by Mr. Figg at New York City.

In conference with the Chief Economist and the Chief Counsel, consideration was given to the matter of requiring returns from certain delinquents in returning the Commission's questionnaire on the milk industry, sent out in response to Senate resolution, and upon motion of Mr. Colver it was ordered that the proper formal resolutions be prepared by the Chief Counsel for the Commission in every case where refusal is now made to respond to the Commission's order for the filing of any annual or special reports, the consideration of these resolutions to be made a special order of business before the Commission at 10 a.m. Wednesday, January 14, 1920.

Thereupon, at the hour of 1 p.m., the Commission adjourned to meet at 10.30 a.m., January 9, 1920.

Attest:

Secretary.

Orville H. ...
Chairman.

January 9, 1920.

MEETING OF FEDERAL TRADE COMMISSION

January 9, 1920 - 1:30 p.m.

Victor Murdock, Chairman
Euston Thompson

Mr. Oliver absent on official business.

In the matter of Docket No. 207, F.T.C. vs. Cleveland Macaroni Company, upon application of respondent the Commission heard final oral argument of Attorney Moore for the Commission and Attorney John G. White for the respondent. The hearing continued until the hour of 4:30 and concluded and the case taken under advisement by the Commission.

In the matter of Docket No. 338, F.T.C vs. U.S. Food Products Corporation, it was ordered that J.J. Dunham, an examiner of the Commission, be and is hereby appointed in the stead of Alfred P. Thom, Jr., to hear testimony and receive evidence.

Upon receipt of recommendation from the Chief Economist, the Commission authorized the re-instatement of Mr. Lee D. O'Brien, a former employee returning from the military service, as an examiner at a salary of \$1800 per annum, plus the bonus, the same to be effective upon taking the oath of office and entering on duty. This appointment is made on authority of the Commission's resolution of November 6, 1919, directing the Chief Economist to bring his regular staff up to the full strength warranted by his budget.

Thereupon at the hour of 5 p.m., the Commission adjourned to meet at 10:30 a.m., January 12, 1920.

Attest:

Secretary.

Victor Murdock

Chairman.

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January 12, 1920.

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January 10, 1920 - No Meeting held.

January 11, 1920 - No Meeting held - Sunday.

MEETING OF FEDERAL TRADE COMMISSION

January 12, 1920 - 10:30 a.m.

Victor Hardsch, Chairman
Eugene Thompson
William B. Oliver

The Commission conferred with the Chief Counsel with reference to matters pertaining to the Chief Counsel's office.

It was directed that Mr. Lincoln Brownell, representing the knit underwear industry, be invited to meet with the Commission on Tuesday, January 13, 1920, at 2 o'clock p.m. Commissioner Thompson was requested to get into connection with Mr. Brownell by telephone.

Thereupon, at the hour of 11 a.m., the Commission adjourned to meet at 10:30 a.m., January 13, 1920.

Attest:

Victor Hardsch
Chairman

Secretary.

January 13, 1920.

STPBD

MEETING OF FEDERAL TRADE COMMISSION

January 13, 1920 - 10:30 a.m.

Victor Hardock, Chairman
Huston Thompson
William B. Colver.

The Chairman presented letter of December 22, 1919, from the Farmers Lumber Company, Omaha, Nebraska, in the matter of the cement combination. It was directed that the letter be transmitted to the Department of Justice and the Chief Counsel was asked to prepare the correspondence.

The Chairman laid before the Commission letter of December 19th from Mr. W. A. Collings, Kansas City, Missouri, transmitting a map illustrating statements made before the Commission at the Pittsburgh steel basing point hearing. It was directed that the letter and the map be made a part of the record in the case, and Mr. Collings so advised by letter, to be prepared for the Chairman's signature by the Chief Counsel.

With reference to the Commission's direction of December 8, 1919, memoranda was received from the Chief Economist in the matter of proposed cotton-seed oil inquiry together with memorandum from F. L. Hawes of the staff. The Chief Economist reported that it does not seem either feasible or desirable

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to pursue the matter further. The report from Dr. Walker was received and the matter referred to Mr. Colver.

Mr. Murdock laid before the Commission copy of resolution adopted by the American Mining Congress, in the matter of the Commission's formal proceedings against Minerals Separation, Ltd. Such resolution was received by the Commission and ordered to be filed.

Pursuant to the Commission's request under date of January 8, 1920, Mr. Colver reported in the matter of the employment of Mr. S. Leon Levy. Report was accepted and Mr. Levy's appointment, as set out in the record of January 8, 1920, was confirmed.

Pursuant to the Commission's request of January 8th, Mr. Colver submitted form of letter asking the Tariff Commission to detail Mr. W. A. C. Clarke for work with the Commission on its textile report. Letter was approved, signed by the Chairman, and forwarded.

Upon motion of Mr. Colver, the Commission approved recommendation dated January 7, 1920, from the Chief Economist and authorized and directed the appointment of Mr. James Lee Love as temporary examiner at the rate of \$1800 per annum plus the bonus, the same to be effective upon taking the oath of office and entering on duty.

Upon motion of Mr. Colver the Commission approved memorandum of January 10th from the Chief Economist, and authorized and directed the re-instatement of Mr. C. H. Watts as examiner, temporary, at a salary of \$1600 per annum, plus the bonus, the same to be effective upon taking the oath of office and entering on duty.

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Mr. Murdock laid before the Commission the following Executive Order:

EXECUTIVE ORDER

In order that the commission consisting of Henry M. Robinson, Rembrandt Peale and John P. White, appointed by me on December 19, 1919, to consider questions of wages, working conditions and other matters in the bituminous coal fields, may avail itself of data and information in the possession of the several executive departments, independent government establishments, boards, commissions, or other agencies of the government, it is hereby ordered that such data and information as may be asked for by the commission shall be furnished

WOODROW WILSON

The White House.
8 January, 1920.

The Chairman was requested to acknowledge the order and to advise the President that the same would be complied with by the Commission.

The Secretary laid before the Commission recommendations for salary increases among the staff of the Administrative Division, based upon recommendations by the chiefs of the several divisions and the following listed increases were approved by the Commission and ordered to be effective as of January 1, 1920:

Office of the Secretary

Herrity, Jane	\$1200	\$1400
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Mails & Files

Bell, Hazel	\$1500	\$1740
Trott, Frances	1080	1320
Support, Grace	1140	1200
Corrigan, Owen	1080	1140
Parnell, John S.	1260	1320

Publications

Fricke, Blair B.	\$1560	\$1800
Crittenden, John B.	1440	1520
Joyce, Helen C.	1320	1400

Disbursing Office

Schwickardi, E. B.	\$1800	\$2000
Rosson, Vivien L.	1440	1560
Heeler, Kathryn S.	1400	1520

Docket Division

Bloem, John S.	\$1440	\$1560
Galloway, Agnes J.	1200	1400
Hoffman, Chas. G.	1400	1520
Foley, Florence E.	1200	1320

Chief Clerk's Office

Bradley, Geo. A.	\$1260	\$1320
Dalwick, Geo. F.	1380	1440
Henderson, T.M.	720	780
Lang, John E.	840	900
Meadows, Wm. C.	1200	1320
Smith, J.H.	660	780
Stewart, Lloyd	840	900

Appointment Section

Vincel, E. B.	\$1800	\$1920
Adams, A. S.	1560	1620
Moore, E. J.	1680	1740
Husted, M.E.	1320	1380

Stenographic Division

Charvoz, Ellis	\$1400	\$1800
Hirshman, Simon	1380	1500
Owen, Edw. J.	1320	1400
Dalute, Rose A.	1260	1380
Hackett, Gertrude M.	1260	1380
Murray, Mae R.	1260	1380
Honkala, Esther, A.	1260	1320
Pleckham, Mertie I.	1260	1320
Baron, Mary	1200	1260
Klauser, Geneva	1200	1260
White, Jessie	1200	1260

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RECEIVED

The Chairman laid before the Commission letter of from Secretary Lane of the Department of the Interior, inviting the Commission to be represented at a gas utilization conference. The Chairman was asked to accept the invitation on behalf of the Commission and to advise Secretary Lane that representatives would attend the meeting.

The Secretary laid before the Commission memorandum of from the Chief Economist, suggesting that letter be addressed to the Secretary of the Navy in the matter of the services rendered the Food Purchase Board during the war period by Lt. Commander Stanley. It was agreed that the Chairman address such a letter to the Secretary of the Navy as suggested by the Chief Economist.

In the matter of Docket No. 227, F.T.C. vs. Helvetia Milk Condensing Company, et al, upon motion of Mr. Colver it was ordered that respondent's motion to dismiss the Commission's complaint and to rule on evidence, and the motion of intervening respondents to dismiss the Commission's complaint, be and same is hereby dismissed, to be heard at the close of the case on the merits.

The Commission recessed at the hour of 1 and reassembled at 2 p.m.

Upon invitation of the Commission, Mr. Lincoln Cromwell, on behalf of the Spint Goods Manufacturers of America, met with the Commission to discuss Orders to be issued in certain formal cases, and also relative to a statement of retraction to be made by Mr. Cromwell. The conference was attended by the Chief Counsel and by Attorney Kane. A form of order to be issued in the following complaints:

Docket No.	214	-	Winsted Hosiery Company
"	"	345	- H. E. Bradford
"	"	405	- Moore & Tierney
"	"	407	- G. H. McPowell
"	"	408	- The Faith Knitting Co.
"	"	409	- Black Cat Textiles Company
"	"	410	- William Moore Knitting Co.
"	"	411	- W. E. Tillotson
"	"	412	- Hope Knitting Co.
"	"	417	- The Lackawanna Mills
"	"	418	- Atlas Knitting Co.
"	"	419	- The Broadalbin Co.
"	"	420	- Glastonbury Knitting Co.

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Docket No. 421 - New England Knitting Co.
" " 422 - Clarke & Holsapple Mfg. Co.
" " 423 - Root Manufacturing Co.,

was substantially agreed upon and it was directed that the Chief Counsel prepare and submit to the Commission, for issuance, such proposed Orders.

As to the statement to be made by Mr. Cromwell, Mr. Cromwell was informed that if he desired to make a voluntary statement it would be appreciated by the Commission, but that the Commission did not feel disposed to request a statement from him.

Thereupon, at the hour of 5 p.m., the Commission adjourned to meet at 10:30 a.m., January 14, 1920.

Attest:

Arthur H. Hurdock
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

January 14, 1920 - 10:30 a.m.

Victor Hurdock, Chairman
Euston Thompson
William B. Colver

Mr. Thompson presented the resignation of Examiner James Woodrow, to be effective at the close of business January 15, 1920, and the same was accepted by the Commission.

Mr. Thompson laid before the Commission letter of January 5th from Attorney--Examiner Beebe of the staff, in the matter of witness fees. Upon recommendation of the Chief Counsel, the Commission directed that witness fees be paid only upon appli-

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cation of the witnesses.

Mr. Thompson laid before the Commission draft of formal complaint drawn by the Chief Counsel in the matter of file 9-1464, Wreed, Abbott & Morgan application against Ex-Fact Food Products Company, and asked that the issuance of the complaint be held for the reasons that it is not clear that an unfair method of competition is set forth, and that it appears that there is insufficient evidence to support the allegations of the complaint. It was directed that the matter go to the unfinished business calendar.

On motion of Mr. Thompson the Chief Counsel was directed to prepare for the signature of the Chairman, letters to the President of the Senate and to the Speaker of the House of Representatives, in the matter of commercial bribery setting forth the Commission's position in the matter, and urging the passage of federal legislation.

Upon motion of Mr. Thompson, the Board of Review appeared and was heard in the matter of file 9-1470, Bureau of Paint & Varnish Industries application against the Philadelphia Textile Soap Company. Report of the Board of Review approved. Ordered that formal complaint be prepared by the Chief Counsel, issue as of this date and be served without further action by the Commission. Resolution directing issuance and service adopted.

Consideration was given to form of contract proposed to be used by the Sinclair Refining Company, respondents in the matter of Docket No. 334, F.T.C. vs. Sinclair Refining Company, and on motion of Mr. Thompson, the Chief Counsel was directed to advise this respondent that this contract is not satisfactory.

Mr. Thompson presented file 9-1458, application of American Oil Company of Massachusetts for complaint against Tidewater Oil Company of Massachusetts. Ordered that the contract of the Tidewater Company be submitted to the Chief Counsel for opinion as to whether or not it will be satis-

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factory to the Commission for this company to use the same.

Mr. Murdock submitted file 9-1009, application of Wm. T. Hughes for complaint against West Publishing Company. Board of Review heard. Upon motion of Mr. Thompson it was ordered that the case be returned to the Chief Examiner to obtain evidence from the Chicago publisher as to whether he actually refused to publish the books of the applicant because of fear of threats made by the West Publishing Co.

Consideration was given to memorandum of December 10 from the Acting Chief Examiner, in the matter of a proposed inquiry concerning Mitsui & Company, lumber dealers, Seattle, Washington, upon request of the Department of State. The Commission agreed that this matter appears to be one coming more properly within the jurisdiction of the Department of Justice, as it appears to be a monopoly, and on motion of Mr. Thompson, it was directed that Dr. Note of the staff prepare a letter for the Chairman's signature, inquiring of the Secretary of State whether or not there is objection to the Commission's referring this matter to the Department of Justice.

Upon receipt of memorandum from the Chief Counsel, the Commission fixed 10 a.m., January 16, 1920, as the time for final argument in the matter of Docket No. 104, F.T.C. vs. Federal Hope Company, and directed that the parties be notified.

Upon receipt of memorandum from the Chief Counsel, the Commission fixed 2:30 p.m., January 21, 1920, as the time for hearing final argument in the matter of Docket No. 416, F.T.C. vs. Jay Printing Ink Company, Inc., and directed that the parties be notified.

Upon motion of Mr. Thompson, Mrs. Wilson was called into conference and consideration was given by the Commission to certain matters arising under the Trading with the Enemy Act, and thereafter action as indicated was taken.

(a) The petition of the Abbott Laboratories that license

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No. 6 be revised by striking out section (d) of the stipulation relative to labelling the licensed product was denied, and the Chairman was requested to advise the company's attorney that the Commission sees no reason to revise this license.

(b) Consideration was given to the application of the New Jersey Machine Corporation that license No. 64 be amended to revise the rate of royalty so as to permit the payment of royalty at the rate of \$125 for each machine manufactured and sold, and upon motion of Mr. Thompson it was ordered that the royalty rate remain unchanged pending further evidence as to the patentability and the practicability of the improvement on the machine.

(c) In the matter of License No. 69, issued to Frederick F. Schaefer, the Commission approved memorandum of this date from the Trading With the Enemy Section and entered the following order refunding application fee of \$100.

IT IS ORDERED: That application fee of \$100 deposited with the Commission under date of June 30, 1919, by Frederick F. Schaefer, in connection with application for license under Patent No. 878,413, covering "Calculating Machine", be refunded to said Frederick F. Schaefer.

(d) Issued the following order that the rate of royalty payable on certain licenses to the du Pont Company shall be at the rate of 2% of gross amount of sales from August 1, 1919.

IT IS HEREBY ORDERED: That licenses 18; 19; 20 and 21 issued to the E. I. du Pont de Nemours & Co. under certain patents covering the production of dyes (such patents being identified in each instance by schedule annexed to the license) be so revised and amended that from and after August 1, 1919, royalty payable thereunder in lieu of the present rate shall be at the rate of 2% of the gross amounts received by the licensee from the sale of the products included in the license.

Thereupon, at the hour of 1:30 p.m., the Commission adjourned to meet at 10:30 a.m., January 15, 1919.

Attest:

Secretary.

John A. ...
Chairman.

January 15, 1920 - No meeting held
January 16, 1920 - No meeting held
January 17, 1920 - No meeting held
January 18, 1920 - No meeting held - Sunday
January 19, 1920 - No meeting held
January 20, 1920 - No meeting held

MEETING OF FEDERAL TRADE COMMISSION

January 21, 1920 - 11 a.m.

Victor Murdock, Chairman
Huston Thompson, Mr. Colver absent on account of illness.

Upon recommendation of the Secretary, the Commission authorized the appointment of Mr. H.L. Perry as a temporary clerk at \$1,000 per annum, plus the bonus, to be effective upon taking the oath of office and entering on duty. It was directed that Mr. Perry be assigned to assist Mr. Caswell and be subject to call by Mr. Burdette when needed.

Upon recommendation of the Secretary, the Commission authorized and directed the employment of an additional multi-graph operator from the Civil Service multigraph operators register, the same to be effective upon taking the oath and entering on duty.

Upon motion of Mr. Thompson, consideration was given to certain matters as shown on the calendar, submitted to the

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Commission by the Chief Examiner, and action as indicated was taken:

(1) File-
1-751 - Application of Lodi Corporation for complaint against Traub Rubber Company, et al. Consideration given to memorandum from the Assistant Chief Examiner submitting agreement to Cease and Desist, signed on behalf of respondents. The agreement was approved and accepted by the Commission, and it was ordered that the application be and the same is hereby dismissed.

(2) Recommendation from the Chief Examiner approved, and it was ordered that the correspondence from Sweet-Orr & Co. Inc., be docketed as an application for complaint on behalf of the Commission.

(3) File
9-1465 - Knickerbocker Knitting Mills vs. Scalpax Company of Baltimore. Consideration given to memorandum of November 20, 1919 from Attorney W. A. Southerland approved by the Chief Examiner and it was directed that applications for complaint be docketed on behalf of the Federal Trade Commission in accordance with Mr. Southerland's memorandum.

(4) Consideration given to memorandum from Attorney J.A. Burdeau in the matter of files relating to Uncle Sam Oil Company, blue sky cases, and it was ordered (1) that in the case of Uncle Sam Oil Company no investigation be made and (2) that in the case of the General Graphite Company, an application be docketed on behalf of the Federal Trade Commission.

(5) Upon consideration of memorandum of January 3, 1920, from the Chief Examiner with reference to the segregation of accounts in the several divisions of the Commission, upon motion of Mr. Thompson, it was ordered that when an employee is detailed from one division of the Commission to another, that such employee's salary be charged to the allotment of the division to which such employee is detailed; and further that the salary of Attorney W. T. Roberts be charged to the allotment of the Board of Review from July 1, 1919, as requested by the Chief Examiner and agreed to by the Board of Review.

(6) Upon receipt of memorandum of December 24, 1919, from the Chief Examiner in the matter of communications from Ward Baking Company, alleging that certain competitors are engaged in a free bread campaign and asking the Commission to stop the practice or grant the Ward Baking Company permission to meet this competition, it was ordered that the Chief Ex-

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aminer address a letter to the Warl Paking Company advising that if they submit evidence to the Commission that competitors engaged in this practice are doing an interstate business, the Commission will docket the matter as an application for complaint for investigation in the regular way.

Consideration was given to motion by Nellie P. Mitchell to intervene in the matter of Docket No. 24, F.T.C. vs. the Galena Signal Oil Company, and it was ordered (1) that the motion be and the same is hereby denied and (2) that the same be docketed as a separate application for complaint.

Upon receipt of memorandum of January 6, 1920, from the Chief Examiner, with reference to statement by Mr. T. A. McCann, president of the Western Pine Association, as published in "Lumber", December 29, 1919, concerning a statement alleged to have been made by one of the Commission's examiners, the Chief Examiner was directed to prepare for the Chairman's signature, a letter to the Southern Pine Association substantially along the lines as suggested by the Chief Examiner, advising that Mr. McCann's statements are entirely erroneous. See file.

Upon receipt of memorandum of September 2, 1919, from the Chief Examiner in the matter of file 1-296, Bennett Oven Company vs. Hubbard Portable Oven Company, it was directed that the case remain on the suspense calendar.

Upon consideration of file of correspondence, etc., secured by the Chicago office from the files of the Armour Grain Company, relative to that company's relation with various railroads, the Chief Counsel was directed to confer with officials of the Interstate Commerce Commission, and

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after reciting the facts, to inquire as to whether or not the Commission wishes the matter sent to them, and report back to the Commission.

Memorandum of November 3, 1919, from the Chief Examiner, transmitting file from Attorney Dougherty was approved and it was directed that applications for complaint be docketed on behalf of the Commission in connection with alleged combination of beet sugar companies of southern California.

Memorandum of September 13, 1919, from the Chief Examiner, transmitting memorandum from Attorney Woerner was approved, and it was ordered that an application for complaint on behalf of the Commission against the Lincoln Silk Knitting Mills, Philadelphia, Pa., on a charge of misbranding be docketed.

Memorandum of September 12, 1919, from the Chief Examiner, transmitting memorandum from Attorney Hawkins was approved and it was directed that an application for complaint be docketed on behalf of the Commission against the Stanley Hooking Corporation and the Famous Players-Lasky Corporation for alleged violation of Sections 7 and 8 of the Clayton Act.

Memorandum from the Chief Examiner, transmitting memorandum of October 26, 1919, from Attorney McCrary was approved and it was directed that applications for complaints be docketed on behalf of the Commission against twenty-two certain firms engaged in the ship chandlery business at Norfolk and Newport News, Va., with regard to giving of bribes, as set forth in Mr. McCrary's memorandum.

Upon recommendation of the Chief Counsel, and on motion of Mr. Thompson, the Commission authorized the following appointments for assignment as indicated:

(1) Henry Ward Beer, Attorney at \$4200 per annum, effective February 1, 1920. Assigned to the Chief Counsel's

office as trial attorney.

(2) John Leland Mechem, Attorney at \$3000 per annum effective upon taking the oath of office and entering on duty. Assigned to the Chief Counsel's office as trial attorney.

(3) Harold Cohn as examiner, at the rate of \$2100 per annum, flat, to be effective upon taking the oath of office and entering on duty. Assigned to the investigation work of the Legal Division.

Mr. Murdock submitted file 9-1473, application of Bureau of Paint and Varnish Industries vs. Rieco Mfg. Company. Recommendation by Mr. Murdock approved. Report of Board of Review approved. Ordered (1) that the files be referred to the Chief Counsel to prepare formal complaint and (2) that formal complaint issue as of this date without further action by the Commission and be served. Resolutions directing issuance and service adopted.

The Commission approved recommendation of Mr. A.F. Busick, chairman of the Board of Review, and ordered that the salary of Walter J. Patri be increased from \$1400 to \$1500, plus the bonus, the same to be effective as of January 10, 1920.

In accordance with the Commission's memorandum of January 3, 1920, the Commission approved recommendation of the Chief Economist and authorized and directed the appointment of Mr. Lewis Bleetstein as examiner, at a salary of \$1200 per annum plus the bonus, the same to be effective upon taking the oath and entering on duty.

Upon recommendation of the Chief Economist, the Commission authorized the employment of one stenographer at \$1200, and three statistical clerks at \$1200 each, for temporary work on the newsprint paper inquiry, undertaken at the request of the Attorney General. The employment of this force is authorized

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under authority of the Commission's resolution of November 5, 1919.

The Chief Economist submitted the Commission's report on the cost of gasoline, engine distillate, fuel oil, and gas oil on the west coast for the period July - December 1918, and the same was ordered forwarded to the Secretary of the Navy.

The Commission recessed at 1 p.m., to reassemble at 3 p.m.

Pursuant to arrangements, Mr. Frederick P. Randolph, counsel for respondent in Docket No. 416, F.T.C. vs. Jay Printing Ink Company, and Attorney Moore representing the Commission, appeared before Chairman Murdock and made final argument in the case. The argument continued until the hour of 3:30 p.m. and was concluded, and the case was taken under advisement by the Commission. See stenographic report.

Thereupon, at the hour of 3:30 p.m., the Commission adjourned to meet at 10:30 a.m., January 22, 1920.

Attest:

John H. Murdock
Chairman.

Secretary.

January 22, 1920 - No meeting held.

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MEETING OF FEDERAL TRADE COMMISSION

January 23, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver

Mr. Colver reported to the Commission and read memorandum of January 22, 1920 from the Chief Economist as to increases in the personnel of the Economic Division, with special reference to the Commission's resolutions of November 6 and December 15, 1919, and January 5, 1920. The report was accepted and the memorandum was received and ordered to be filed.

Mr. Colver laid before the Commission memorandum of January 16 from the Chief Economist, in response to the Commission's resolution of January 8, 1920, in the matter of Economic work to be completed by March 1, 1920. The report was accepted and ordered to be filed. Upon consideration of the Chief Economists' memorandum and report by Mr. Colver, it was directed (1) that reports with reference to the following inquiries be submitted to the Commission by March 1, 1920:

Meat	Southern Livestock
Grain Trade, 4 Volumes	Wyoming Oil
Flour	Tobacco
Farm Implements	Food Boarding
Coal War Costs	Rag War Prices

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(2) that the following inquiries be continued and report submitted thereon as soon as possible:

Grain Trade, 2 volumes	Feeds
California Oil	Shoes
Milk	Paper
Sugar	Lumber War Costs.

As to the continuation of the lumber cost work, Mr. Murdock voted in the negative and Messrs. Thompson and Colver voted in the affirmative; and (3) on motion of Mr. Thompson it was ordered that the work with respect to the following inquiries be discontinued immediately:

Petroleum War Costs	Cement War Costs
Textile War Costs	Brick War Costs

Memorandum of January 17 from the Chief Economist recommending salary increases in the Economic Division was laid before the Commission by Mr. Colver, and on motion of Mr. Colver the following increases were ordered by the Commission to be effective February 1, 1920. No increase was allowed Mr. E. O. Brownell for the reason that he was transferred to the Legal Division, nor to Mr. C. A. Bennett resigned:

	Present Salary.	Increase Recommended.
1. Abel, Lois G.	1200	Bonus only.
2. Dillin, Mary L.	1200	" "
3. Finn, Ethel E.	1200	" "
4. McGenegal, Walter H.	1200	" "
5. Moore, Thelma S.	1200	" "
6. Harrington, Eliz.	1200	" "
7. Nichols, Ross M.	1200½	120
8. Hyde, C.V.	1200½	120
9. Mangum, Mary E.	1200½	120
10. Thompson, Agnes F.	1200½	120

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	Present Salary	Increase Recommended.
11. Stein, Mrs. H.J.	1200&	120
12. Brown, Louise A.	1200&	120
13. Corbett, Lillian	1200&	120
14. Harper, Mary H.	1200&	120
15. Hobbs, Ethel B.	1200&	120
16. Steiner, Bessie M.	1200&	120
17. Biddle, Wm.	1200&	180
18. Erdahl, Leonard	1200&	180
19. Fearis, Lucy M.	1320&	60
20. Moncure, D.C.	1320&	60
21. Weiss, Edward A.	1320&	60
22. Williams, Hazel V.	1320&	60
23. Bruneau, Lucille	1320&	60
24. Farnsworth, Lavinia P.	1320&	60
25. Justice, Margaret	1320&	60
26. Greer, Emma	1320&	60
27. Harkness, M. E.	1320&	60
28. Fader, Helen E.	1320&	60
29. Keneaster, Elsie M.	1320&	60
30. Sherman, M. L.	1320&	60
31. Thomas, Rachel	1320&	60
32. Steinhauser, F.B.	1320&	60
33. Logan, Grace, T.	1320&	60
34. Hill, Mildred T.	1320&	60
35. Shenhon, Eleanor N.	1320&	60
36. Fesler, Rachel	1200	240&
37. Bardwell, Homer F.	1200	240&
38. Kistler, Mrs. Emma	1200&	240
39. Campbell, Anna, M.	1320&	120
40. James, W. V.	1320&	120
41. Davis, Helen C.	1320&	120
42. Faust, Leroy H.	1320&	120
43. Rucker, Maybelle	1320&	120
44. Russell, Margie	1320&	120
45. Waite, Ethel W.	1320&	120
46. Kurtz, M. Vernon	1320&	120
47. Lovejoy, Wm. B.	1320&	120
48. Boyd, Marion E.	1320&	120
49. Simmons, Marguerite	1400&	40
50. Smith, Milton L.	1200&	300
51. Baxter, Dorothy H.	1320&	180
52. Marriott, Geoffrey	1320&	180
53. Smith, Bessie V.	1320&	180
54. Cook, Eva. M.	1320&	180
55. Weber, Erma S.	1320&	180
56. Aldred, Margaret	1320&	180
57. Batiste, Daniel	1320&	120
58. Hutchison, John E.	1400&	100
59. Alexander, Helen B.	1320&	360
60. Moore, H. H.	1320&	360
61. Kessenich, Gregory J.	1440&	240
62. Carter, H. H.	1440&	240
63. Novak, Albert J.	1440&	240

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	Present Salary.	Increase Recommended.
64. Loveless, Ward	1520¢	220
65. Erwin, Frank Jr.	1600¢	120
66. Buckingham, Frank	1400¢	400
67. Olsczewski, L.	1550¢	240
68. Booth, W. H.	1600¢	200
69. Simmons, Eugene	1620¢	180
70. Keeler, Jos.	1680¢	120
71. Evans, Louis	1740¢	60
72. Brown, Wm. F.	1800¢	120
73. Mullock, John D.	1500¢	500
74. Lambrecht, Clarence E.	1740¢	260
75. Feamster, O.T.	1800¢	200
76. Hauck, John F.	1800¢	200
77. Moler, Harry M.	1800¢	200
78. Ballow, E. B.	1800¢	200
79. Mayo, Wm. L.	1920¢	80
80. Solem, Arne S.	1800¢	300
81. Baney, J. J.	2040¢	120
82. Connell, D. E.	1920¢	300
83. Richards, Raymond	1920¢	300
84. Thibodeau, T. A.	1920¢	360
85. Lyddane, Arthur L.	1920¢	360
86. Biggs, John S.	2100¢	180
87. Frost, C. K.	2150¢	120
88. Ogle, R. K.	1800¢	540
89. Burton, Ismael	2220¢	180
90. Miles, N.	2220¢	180
91. Snyder, Alva	1800¢	700
92. McCleery, Robt. B.	1800¢	700
93. Flews, Harold F.	1800¢	700
94. Fischer, Edward	1920¢	580
95. Szold, H. J.	2100¢	400
96. Childs, W. W.	2220¢	280
97. Tackett, Anderson H.	2280¢	220
98. Cyr, Lee	2400¢	420
99. Barrett, N. M.	2400¢	420
100. Herde, Geo. F.	2450¢	360
101. Addison, John W.	2500¢	380
102. Haines, Earl S.	2540¢	240
103. Brown, Edmund, Jr.	2280¢	720
104. Adams, J. W.	2400¢	600
105. Friebe C. W.	2400¢	600
106. Parry, Byron P.	2400¢	600
107. Graves, John Temple, Jr.	2450¢	540
108. Anderson, L. B.	2450¢	540
109. Sterns, W. P.	2500¢	500
110. Hawes, Francis L.	2750¢	250

111. Bays, W.W.	2880	120
112. Dynes, John H.	2880	120
113. Simpson, Kemper	2580	720
114. Black, J.E.	2750	550
115. Carroll, T. A.	3000	300
116. Arnold, John Knox	3000	300
117. Bone, Lewis F.	3000	600
118. Fisher, Teasdale	3500	300
119. Stephens, G. A.	3300	1200
120. Eaton, James S.	4200	300
121. Watkins, George P.	4500	300

The Chief Economist was directed to submit to Commissioner Colver a separate memorandum relative to the salaries of Messrs. Kravitz, Chase, Tator & Ohsol.

Mr. Colver submitted memorandum of January 22nd from the Chief Economist in the matter of transferring to the roll of the Commission certain accountants now on the War Department roll, working under direction of the Commission, and it was ordered that the following reappointments be made effective at the time such employees are returned to the Commission:

For Reappointment

Dunsworth, M. J.	\$1920&
Himmelwright, C.S.	1600&
Martin, G.A.	1800&
Pears, W.	3000
Thomas, K. F.	3000
Thornton, J.W.	3000
Trinkle, H.	1680&
Zimmerman, Paul	1680&
Halstead, Robt.	1600&
Sinclair, C. G.	2700

and that the following reappointments and promotions be made effective at the time such employees return to the Commission:

For Reappointment & Promotion

Hearmans, N.H.	\$2400	Salary Recommended.
Herminghaus, R.	2280	\$2400 & bonus
		2500 " "

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Scribner, W. C.	\$1320½	\$1500 & bonus
Stone, O. W.	2400½	2500 " "
Clark, W. A.	2000	2500 " "
Johnson, Jane	1200½	1320 " "

Upon motion of Mr. Colver the Secretary was directed to submit to the Commission a statement of all the Commission's reports or bulletins that are in manuscript form, and as to all reports that have been ordered to be printed and not yet issued.

In the matter of Docket No. 272, F.T.C. vs. William Waltke & Company, it was ordered that J.J. Dunham, an examiner of the Commission be and is hereby designated examiner to receive and hear testimony and take evidence.

Consideration was given to joint memorandum of January 16, 1920 by Messrs. Busick and Hudson, with reference to the number of the forthcoming volume of "Decisions of the Commission" which should be printed, and Mr. Colver moved that 300 copies of such volume be printed. As to the foregoing motion, Messrs. Murdock and Thompson voted in the negative and Mr. Colver voted in the affirmative, whereupon the Chairman declared the motion lost.

Mr. Murdock moved that 250 copies of this volume be printed. As to the foregoing motion Messrs. Murdock and Thompson voted in the affirmative and Mr. Colver voted in the negative. The Chairman thereupon declared the motion carried.

Mr. Thompson moved that Mr. W. R. Turner be named as a member of the Board of Review. As to the foregoing motion Messrs. Thompson and Colver voted in the affirmative and Mr. Murdock voted in the negative. It was thereupon ordered that Mr. Turner sit as a member of the Board of Review, such appointment to be immediately effective.

Mr. Murdock moved that Mr. Millard F. Hudson be named as Chief Examiner of the Commission. As to the foregoing motion Messrs. Murdock and Colver voted in the affirmative and Mr. Thompson voted in the negative. It was thereupon ordered that Mr. Hudson be the Chief Examiner of the Commission, the same to be effective immediately.

It was directed that Attorney-Examiner W. T. Roberts be assigned to the office of the Chief Counsel.

Anticipating the lack of a quorum, due to Mr. Thompson's absence at Denver, on motion of Mr. Colver the Chairman appointed Commissioners Murdock and Colver a committee to transact the urgent and necessary business of the Commission during the absence of a quorum, and report to the Commission upon the reestablishment of a quorum.

Upon motion of Mr. Colver it was directed that a letter be addressed to the War Department asking the release of Major Charles H. MacDonald, Judge Advocate, Camp Sherman.

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Chillicothe, Ohio, from the army, for reemployment with the Commission as trial counsel, at the salary which he received from the Commission at the time of entering the military service, to wit, \$5000.

The Chairman laid before the Commission letter of January 19, 1920, from Mr. C. B. Ames, Assistant to the Attorney General, Department of Justice, Washington, requesting certain identified cost of production figures covered by the Commission in its oil inquiry on the Pacific Coast, and also a list of the stock-holders of certain mentioned companies. The Commission directed the letter referred to the Chief Economist with instructions to prepare reply for the Chairman's signature, advising the Department of Justice that the material in possession of the Commission is not in shape to be transmitted to the Department of Justice.

A letter to Congressman D.J. Riordan, as submitted by the Chairman, furnishing certain figures with reference to royalties paid under the Commission's licenses to manufacture arsphenamine, under the Trading With the Enemy Act, was approved and ordered forwarded.

Upon motion of Mr. Murdock it was ordered that Miss Henrietta Epstein be granted indefinite leave of absence without pay, from December 1, 1919.

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Upon motion of Mr. Colver, the Commission authorized the appointment as Examiner of Mr. Guy H. Jones, at a salary of \$2500 per annum, flat, to be effective upon taking the oath of office and entering on duty.

The Chairman submitted memorandum from Dr. W.H.S. Stevens, Assistant Chief Economist, protesting against the action of the Chief Counsel's office in allowing the Commission to go to the Circuit Court of Appeals in resale price maintenance cases on arguments which are almost entirely legal, which develops little or nothing of the economic practices. The memorandum was received and ordered filed.

Upon motion of Mr. Murdock, consideration of file 9-1011 application of F.T.C. vs. Wilson & Company in re Austin-Nichols & Company was made a special order of business before the Commission on February 2, 1920, at 2:30 p.m., and the Board of Review was invited to appear at that time and be heard.

Mr. Colver submitted memorandum with respect to the storage of bituminous coal and how it may help to stabilize the coal industry of the United States, prepared pursuant to verbal request of Mr. Harry H. Robinson of the President's Coal Commission. The Chairman was requested to forward such memorandum to Mr. Robinson.

The Chairman submitted form of reply to letter dated

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January 19, 1920, from the National Coal Association making inquiry as to the special appropriation under which the Commission is calling for monthly cost reports from coal operators, and such reply, giving a reference to the First Deficiency Act, 1920, was approved, signed by the Chairman and forwarded.

The Chief Economist submitted manuscript of Chapters 3, 4, 7 and 9, having to do with profits, costs, manufacturers association and dissolution of the International Harvester Company, portions of the Farm Implement Report, and the same were referred to the Chairman.

The Commission recessed at the hour of 1 p.m., and reassembled at the hour of 2 p.m.

Victor Murdock, Chairman,
Houston Thompson
Mr. Colver absent on account of illness.

Pursuant to arrangements the Commission heard Mr. John J. Fitzgerald, counsel for respondent, and Mr. Wm. J. Dowd counsel for the Commission, on final argument in the matter of Docket No. 164, F.T.C. vs. Federal Rope Company. The argument was continued until the hour of 4:10 p.m., and concluded, and the case taken under advisement by the Commission.

January 23, 1920.
February 2, 1920.

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Thereupon, at the hour of 4:10 p.m., the Commission adjourned to meet at 10:30 a.m., January 24, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

January 24, 1920 to February 1, 1920, both inclusive -No meetings.

MEETING OF THE FEDERAL TRADE COMMISSION

February 2, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill

Mr. Nelson B. Gaskill of New Jersey, having been duly appointed by the President and confirmed by the Senate, was present, and having qualified on February 1, 1920, entered upon duty as a member of the Federal Trade Commission vice Mr. John Franklin Fort, for a term of office ending at the close of day September 25, 1924. See memorandum by Mr. W. R. Choate attached.

The general business of the Commission was discussed.

The Chairman laid before the Commission a letter dated January 28, 1920, from Honorable Charles E. Townsend, asking that a list of the postoffice addresses of all parties defendants in complaints heretofore filed by the Commission be supplied to the Senate Interstate Commerce subcommittee.

February 2, 1920.

The Secretary was directed to have such a list prepared, to be forwarded, as requested, by the Chairman.

The Chairman was directed to advise the Senate subcommittee that the access requested to the records of the Commission be given.

Commissioner Murdock reported to the Commission that he had read its report on the Southern livestock prices, prepared in response to Senate Resolution of July 28, 1919, and submitted the report in its final form for transmittal to the Senate. The report was approved and signed by the several Commissioners and ordered transmitted to the President of the Senate.

It was agreed that the hearing of the Board of Review, heretofore set for 1:30 today, be advanced to 2:30 February 3rd.

At the hour of 1:30 p.m., the Commission recessed and reassembled at 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver

Arguments were heard in the matter of the petition of Wappler Electric Company for cancellation of license granted to Green & Bauer under enemy patents (X-ray apparatus).

APPEARANCES:

For Commission:

Claude R. Porter, Chief Counsel
Mrs. M.H. Wilson, Chief Enemy Trace Division
J.M. Brinson, Attorney.

For Wappler Electric Co.:

R.H. Wappler, President, 173 East 87th Street,
New York.
Walton Harrison, Attorney, 47 West 42nd Street,
New York.

For Green & Bauer, Inc.:

Francis J. Farrelly, President and Treasurer,
234 Pearl Street, Hartford, Conn.
Alfred Greiner, Vice President, 234 Pearl Street,
Hartford, Conn.
T. Clay Lindsey, of Counsel, 741 Connecticut
Mutual Building, Hartford, Conn.

For The Chemical Foundation, Inc.:

Ramsay Hoguet, Attorney, 81 Fulton Street, New York.

For Alien Property Custodian:

Robert C. Goldstein, Chief Division of Patents.

The matters presented were taken under advisement by
the Commission.

Thereupon at the hour of 4:15 p.m. the Commission
adjourned to meet at 10.30 a.m., Tuesday, February 3, 1930.

Attest:

Walter W. Wappler
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

February 3, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill

The Chairman submitted the following report of action taken by Commissioners Murdock and Colver, a Committee to transact the business of the Commission in the absence of a quorum, of action taken under date of January 29, 1920. After reading, and on motion of Mr. Thompson, the report was accepted and ratified by the Commission and ordered to be made a part of the minutes of the meeting of February 3, 1920.

REPORT OF COMMISSIONERS MURDOCK AND
COLVER, A COMMITTEE, OF ACTION TAKEN
January 29, 1920.

Victor Murdock, Chairman
William B. Colver

The minutes of the meetings of December 31, 1919, January 3, 5, 6, 7, 8, 9, 12, 13, 14, 21 and 23, 1920, respectively, were read and after certain additions and corrections were approved.

In the matter of docket Nos. 285, F.T.C. vs. Butterick Company, et al, and 286, F.T.C. vs. Pictorial Review Company, it was ordered (1) that for the purpose of taking testimony only, the above entitled proceedings be and they are hereby

joined, and (2) that J. J. Dunham an examiner of the Commission be and is hereby designated to receive and hear testimony and take evidence.

In conference with Attorney Kane, the Commission considered certain applications for complaint, assigned to former Commissioner Fort, and action as indicated was taken by the Commission.

(a) Files -

1-312 - Edwin N. Freeland vs. Thomas A. Edison, Inc.
1-813 - F.T.C. vs. American Tobacco Company, et al
Memoranda by Attorney Kane approved. Ordered that the applications be and the same are hereby dismissed without prejudice.

(b) Files -

9-1490 - Richard L. Thompson vs. Daynes-Beebe Music Co.
Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(c) File -

9-966 - F.T.C. vs. Western Elevating Association.
Pursuant to Commission's action of December 23, 1919, the Chief Examiner reports that there is no grain or ware-house commission in the state of New York which has jurisdiction over elevating companies and there is, therefore, no state body to whose attention the facts in this case could be called. The report was received, accepted and filed.

Mr. Colver presented the following listed applications for complaint, and action as indicated was taken by the Commission:

(a) File -

9-1458 - Siff Bros. Company vs. Leon Benn, Wegman Company.
Memorandum by Commissioner Colver approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(b) File -

9-1432 - George Borgfeldt & Co. vs. Hyman & Oppenheim.
Memorandum by Mr. Colver approved. Ordered that the application be and the same is hereby dismissed.

(c) File -

9-1520 - Calumet Baking Powder Company vs. Royal Baking Powder Company.
Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that the files be referred to the Chief Counsel with instructions to prepare and submit to the Commission draft of formal complaint.

On motion of Mr. Colver the Clerk of the Commission was directed to report to the Commission the status of

File -

9-1013-2-4	- F.T.C. vs. Swift & Co. in re Hurni Packing Co.
2-9	- Grant Bros. Co.
2-11	Ceres Creamery
2-14	Mullen-Blackledge
	Nellis Co.
2-15	Anderson Product Co.
2-16	Pattonsburg Produce Co.
2-17	Thomas Pineapple Co. Ltd.
2-18	Koolau Fruit Co.
2-19	Kahala Pineapple & Ranch Co.
2-20	Honolulu Pineapple Co., Ltd.

in which formal complaints were ordered to be prepared by the Chief Counsel under dates of October 9, 15 and 17, 1919.

The Clerk was also directed to report to the Commission the status of -

File -

9-1494 - Pearsal Butter Co. vs. Wilson & Co., et al in which formal complaints were ordered to be prepared by the Chief Counsel under date of December 24, 1919.

The Board of Review was invited to appear and be heard Monday, February 2, 1920, at 1:30 p.m., in the matter of the following applications for complaint:

Mr. Murdock - File 9-1011
 Mr. Thompson - File 1-229, 1-264 and 9-1406
 Mr. Fort - File 1-815, 9-1121, 9-1417 and 9-1212.

Findings as to the Facts, Conclusions and Orders to Cease and Desist, as prepared and submitted to the Commission by the Chief Counsel, were approved and entered of record by the Commission with the direction that the Orders be served forthwith.

Dockets Nos.

214 - Winsted Hosiery Company
 346 - H. E. Braeford
 406 - Moore & Tierney
 407 - C. H. McDowell
 408 - The Faith Knitting Company
 409 - Black Cat Textiles Company.

Dockets Nos.

410 - William Moore Knitting Company
 411 - W. E. Tillotson
 412 - Hope Knitting Company
 417 - The Lackawanna Mills
 418 - Atlas Knitting Company
 419 - The Broadalbin Company
 420 - Glastonbury Knitting Company
 421 - New England Knitting Company
 422 - Clarke and Holsapple Mfg. Company.
 423 - Root Manufacturing Company.

In the matter of Docket No. 445, F.T.C. vs. Louisville Soap Company, memorandum of January 15th was received from the Chief Counsel recommending that the case be dismissed for the reason that the respondent retired from business prior to filing of the complaint. The memorandum was approved and the Commission entered its order dismissing this complaint.

In the matter of Docket No. 446, F.T.C. vs. Van Camp Packing Company, memorandum of January 16, 1930, from the Chief Counsel was approved and it was ordered that this case be consolidated with Docket No. 227, F.T.C. vs. Helvetia Milk Condensing Company, et al.

In the matter of Docket No. 403, F.T.C. vs. Good Wear Tire & Tube Company, the Commission (1) entered its order amending this complaint in the matter of substituted respondents, and (2) approved and entered a record its findings as to the facts, conclusions and order to Cease and Desist, with the direction that the Order be served forthwith.

Findings as to the Facts, Conclusions and Orders to Cease and Desist, as prepared and submitted by the Chief Counsel in the following listed proceedings, were approved and entered of record by the Commission with the direction that the Orders be served forthwith.

Dockets Nos.

498, F.T.C. vs. Wm. McDonagh & Sons
 354, " " " " Spongeable Linen Collar Co.
 465, " " " " John Campbell & Co.
 491, " " " " Pennlubric Oil Company.
 466, " " " " Holliday-Kemp Company, Inc.
 495, " " " " Henry Johnson Company.

In the matter of Docket No. 507, F.T.C. vs. Arabian Coffee Company, the Commission approved memorandum of January 27th from the Chief Counsel, and entered its Order dismissing its complaint for the reason that the respondent has sold out his entire business and permanently left the country.

Thereupon at the hour of 4 p.m. the Committee adjourned.

John Murdock
W. S. Colver } Committee

The Chairman laid before the Commission letter of January 31, 1920, from Mr. John Walsh, with reference to the resolution of the Commission under which monthly reports are required from coal operators. In response to Mr. Walsh's letter it was directed that a copy of the Commission's resolution of December 15, 1919 be forwarded. The Chairman also laid before the Commission letter of January 31, 1920 from Mr. J.D.A. Morrow, Vice President, National Coal Association, together with other related correspondence with reference to the Commission's coal questionnaires requiring monthly reports from coal operators. Upon consideration the whole matter was referred to Commissioner Colver for conference with Dr. Walker and report.

Letter of January 28, 1920, from the Slack Cooperage Industrial Bureau, St. Louis, Mo., asking the advice of the Commission, was referred to Mr. Colver for reply.

Upon motion of Mr. Murdock the Chief Counsel was directed to expedite the proceedings in the matter of Docket No. 534, F.T.C. vs. A. A. Berry Seed Company, and Docket No. 533, F.T.C. vs. American Mutual Seed Company.

Letter of January 26, 1920, from Morris & Company, requesting copy of the stenographic report of conference on

January 5th with the Commission in the matter of southern livestock prices, was laid before the Commission by Mr. Murdock, and on motion the Chairman was directed to furnish copy of the hearings with the understanding that such copy be speedily returned to the Commission. As to the foregoing action of the Commission, Messrs. Murdock and Thompson voted in the affirmative and Mr. Colver voted in the negative and Mr. Gaskill did not vote.

Mr. Murdock laid before the Commission communication from Mr. A. P. Thom, via Mr. Hudson, asking the instruction of the Commission in the matter of publicity if formal complaint is issued in connection with file 9-1491, application of F. T. C. for complaint against United Retail Stores Corporation. On motion of Mr. Thompson the Chairman was requested to inform Mr. Thom that whatever information the Commission gathers is confidential up to the point when formal complaint is issued, except upon call from the Congress or the executive departments.

On motion of Mr. Murdock it was ordered that an application for complaint be docketed on behalf of the Commission against Libby, McNeill and Libby, in the matter of the acquisition of Chino Canning Company, et al.

Upon motion of Mr. Colver it was directed that Docket No. 215, F.T.C. vs. Minerals Separation, Ltd., be expedited.

Upon motion of Mr. Murdock it was directed that an application for complaint be docketed on behalf of the Commission against manufacturers of box shooks on the Pacific coast in re combination to fixed prices.

Upon receipt of recommendations from the Chief Economist and on motion of Mr. Colver, the Commission authorized and directed the appointment of Mr. Charles F. Dorney as temporary examiner at \$3600 per annum, and of Mr. John D. Roberts as temporary examiner at \$3000 per annum (senior accountants). Effective upon taking the oath of office and entering on duty.

On motion of Mr. Colver the Commission authorized the printing of 3000 additional copies of Part I, and of 2000 additional copies of Part III of the report on the meat packing industry.

The Commission recessed at the hour of 1 p.m. and reassembled at the hour of 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver

Pursuant to arrangements, Mr. Murdock submitted for consideration file 9-1011, application of F. T. C. for complaint against Wilson & Co., in re Austin-Nichols & Co., and in the matter of the Pacific Fisheries Corporation. The Board of Review and Atty. Haycraft appeared and were heard with reference to these cases. After discussion the cases were referred to Commissioner Thompson for consideration and report to the Commission at 2:30 p.m., February 10.

Mr. Thompson presented file 1-229, Forest City Paint & Varnish Company vs. Chadeloid Chemical Company, and file 1-234, Charles McAdam vs. Adams & Elting Co. Board of Review heard. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

In conference with Atty. Kane the Commission considered the following applications for complaint, assigned to former Commissioner Fort, and after hearing the Board of Review, action as indicated was taken:

Files -

9-1406 - Horace W. Reed vs. Cohen & Lang.
Board of Review heard. Reports of Board of Review approved. Ordered that the application be and the same is hereby dismissed without prejudice.

9-1212 - Sea Gull Specialty Company vs. General Chemical Co.
Board of Review heard. Majority report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

1-815 - J. G. Cadwalader et al vs. Broom Corn Buyers of Kansas, Oklahoma and Colorado.
Board of Review heard. Report of the Board of Review approved.
Ordered that the application be and the same is hereby dismissed.

9-1121 - The McCaskey Register Co. vs. Embrey Register Co.
Board of Review heard. Report of the Board of Review approved.
Ordered that the application be and the same is hereby dismissed.

9-1417 - Bureau of Paint & Varnish Industry vs. Fasdura Co.
Board of Review heard. Report of the Board of Review approved.
Ordered that the application be and the same is hereby dismissed.
As to the foregoing action of dismissal, Messrs. Murdock and Thompson voted in the affirmative and Mr. Colver voted in the negative.

Upon motion of Mr. Murdock it was ordered that from this date forward applications for complaint as received be assigned to Commissioner Gaskill in rotation, and that the Docket Division be instructed accordingly.

Upon receipt of memorandum from the Chief Counsel the Commission fixed February 13, at 2:30 p.m. as the time for hearing final argument in the matter of certain complaints against adding machine companies dockets numbers 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, and 368.

Thereupon, at the hour of 5 p.m., the Commission adjourned to meet at 10:30 a.m., February 4, 1920.

Attest:

Outs. L. L. L.
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

February 4, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Euston Thompson
William B. Colver

The minutes of the meeting of February 2, 1920, were read and approved.

In the matter of File 1-406, application of The Celluloid Company vs. C. J. Bates & Son, et al, on motion of Mr. Thompson it was ordered that the Commission invite representatives of the entire celluloid industry for conference relative to trade practice submittal. The meeting was set for 10:30 a.m., Monday, March 8, 1920.

Mr. Thompson laid before the Commission communication of January 26, 1920, from the Secretary of State, transmitting excerpt from annual "Report on Commerce and Industries", from S. T. Lee, American Consul, Porto Alegre, Brazil, under date of December 10, 1919, with reference to shipments of spoiled prunes under the brand of "Losgatos", shipped by "The Sargent Corporation", New York City; and communication from American Consul at Bergen, Norway, in the matter of alleged improper advertising of American tire manufacturers in foreign trade. On motion of Mr. Thompson, these papers were referred back to Mr. Thompson for conference with Dr. Notz of the Export Trade, and report action to be taken by the Commission.

Mr. Thompson presented file 9-1441, application of Forman, Ford & Company vs. Chicago Paint Works. Ordered that the application be and the same is hereby dismissed. Board of Review approved.

Letter of January 26, 1920 from the Northern West Virginia Coal Operators Association, with reference to the Commission's questionnaires requiring monthly cost reports was received and referred to Mr. Colver for consideration and report to the Commission.

In the matter of Docket No. 92, F. T. C. vs. Standard Oil Company of New York in re Magnolia Petroleum Company, upon recommendation of the Chief Counsel the Commission fixed February 20, 1920, at 10 a.m. as the time for hearing final argument and directed that the parties be notified.

Upon recommendation of the Chief Counsel, and on motion of Mr. Thompson, the following salary increases were ordered to be made by the Commission, to be effective February 15, 1920:

Millard F. Hudson	\$4500 to \$5000
Joseph A. Burdeau	4200 to 4500
Daniel J. Dougherty	3300 to 3600
Wm. J. Dowd	3000 to 3300
G. Edwin Rowland	2820 to 3000

On motion of Mr. Colver the Commission fixed Monday, February 16 at 10 o'clock, as the time for hearing G. R. Plante of Morris, Plante & Saxe, in the matter of Docket No. 82, F.T.C. vs. Photo Engravers Club of Chicago.

At the hour of 1 p.m., the Commission recessed and reassembled at 2 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver.

In conference with the Chief Counsel, the Commission considered certain matters arising in the Chief Counsel's office, and the following action was taken:

(1) File 1-818, F.T.C. vs. Royal Baking Powder Co. Draft of formal complaint submitted by the Chief Counsel, approved by the Commission and ordered to be issued. Resolution directing issuance and service adopted. As to the foregoing action of the Commission in issuing formal complaint, Messrs. Murdock and Colver voted in the affirmative and Mr. Thompson voted in the negative.

In the following listed proceedings, drafts of formal complaint as submitted by the Chief Counsel, were approved by the Commission and ordered to be issued and served. Resolution directing issuance and service adopted.

F. T. C. vs. Royal Baking Powder Co.	(file 9-1520)
" " " " Cement Securities Co.	(" 9-958)
" " " " Vacuum Oil Company	(" 9-1352)
" " " " Big Four Grocery Co.	(" 9-1439)
" " " " National Wire Wheel Works, Inc.	(" 9-1408)
" " " " Abrahams Brothers	(" 9-1351)
" " " " Valvoline Oil Co.	(" 9-1409)
" " " " Riceco Company, Inc.	(" 9-1473)
" " " " Philadelphia Textile Chemical Works	(" 9-1470)
" " " " Story & Clarke Piano Co.	(" 9-1271)

(Mr. Thompson excused from any consideration of the Cement Securities case.)

Pursuant to the Commission's direction of November 28, 1919, the Chief Counsel submitted draft of formal complaint in the matter of file 9-1315, application of Bond Brothers & Company for complaint against Austin Bond. Upon consideration of the entire record it was ordered that the application be and the same is hereby dismissed.

Draft of formal complaint submitted by the Chief Counsel in the matter of file 9-1466, application of Golden & Company for complaint against Holston-Lewis & Gordon, Inc., was referred to Mr. Gaskill for consideration and report back with recommendation as to issuance of complaint.

Upon motion of Mr. Murdock it was ordered that file 1-461-7 application of Inderrieden Company for complaint against California Associated Raisin Company be placed on the suspense calendar.

Upon recommendation of the Chief Economist, and on motion of Mr. Colver, the Commission authorized and directed the following appointments, as additions to the Economic Staff:

John A. Lawless, Temporary Examiner at	\$1380 p.a., plus bonus
Benedict Gordon,	" " 4000
Warren B. Scott,	" " 3000
Charles Yarmis,	" " 2400, flat
R. N. Hutchinson,	" " 4500

In the matter of Docket No. 358, F.T.C. vs. United States Food Products Corporation, it was ordered that A. P. Thom, Jr., an examiner of the Commission, be designated in place of J. J. Dunham to hear testimony and receive evidence, etc.

In the matter of Docket No. 469, F.T.C. vs. Geigy Co., Inc., it was ordered (1) that J. J. Dunham, an examiner of the Commission be appointed to receive and hear evidence and take testimony, and (2) that the hearing of the proof of the charges begin at the offices of the of the Commission, Washington, D.C., February 12, 1920, at 10:30 a.m.

In the matter of Docket No. 467, F.T.C. vs. A. Klipstein & Company, it was ordered (1) that J. J. Dunham, an examiner of the Commission be appointed to receive and hear testimony and take evidence, and (2) that the hearing of the proof of the charges of the complaint begin at the Commissions offices, Washington, D. C., February 12, 1920, at 2:30 p.m.

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

to meet Thursday, February 5, 1920 at 10:30 a.m.

Attest:

Victor Murdock

Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

February 5, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver

Upon recommendation of the Chief Economist, and on motion of Mr. Colver the Commission authorized and directed the appointment of the following men for accounting work:

Miroslav Novak, Temporary examiner,	at	\$3000
John H. Torvestad, "	"	1500
Walter L. Drummond, "	"	3900
Daniel V. McGeehan, "	"	2000, flat
Albert A. Hartley, "	"	3500

these appointments to be effective upon taking the oath of office and entering on duty.

Mr. Colver reported to the Commission with reference to objections raised by coal operators to the form of the Commission's questionnaire for monthly coal cost reports, and also in the matter of conforming the Commission's schedule to the forms used by the Treasury Department and the Fuel Administration. After discussion and on motion of Mr. Colver

the chairman was asked to arrange a conference with representatives of the National Coal Association and certain West Virginia operators. It was agreed that a copy of the Commission's resolution of December 15, 1919, authorizing the monthly coal cost returns be sent to Mr. J. D. A. Morrow, vice president of the National Coal Association.

Upon recommendation of the Chief Economist and on motion of Mr. Colver the Commission authorized and directed the employment of Mr. Karl G. Karsten, graphic chart expert, from time to time as the needs of the Commission's work demand, at a rate of \$15.00 per day when actually employed.

Mr. Colver presented the following listed applications for complaint, and action as indicated was taken by the Commission:

Files -

- 9-1527 - Nathan Proper vs. Stillwell Laboratories, Inc. et al.
- 9-1497 - F.T.C. vs. Norden Ship Supply Company, Inc.
- 9-1429 - General Laboratories vs. The Gonso Chemical Co.
- 9-1529 - F.T.C. vs. Marine Equipment Company, Inc.
- 9-1531 - J. S. Torrence Sales Company vs. Morgan Hazer Works, et al.

Memoranda by Commissioner Colver approved. Reports of the Board of Review approved. Ordered that the files be referred to the Chief Counsel with instructions to prepare and submit to the Commission draft of formal complaint.

File - 9-1508 - Assn. of Ship Store Dealers of North Atlantic Seaboard vs. S. W. Goston & Co. Report of Board of Review approved. Ordered that the files be referred to Chief Counsel with instructions to prepare and submit to Commission draft of formal complaint.

Upon receipt of memorandum from the Secretary advising that the supply of the Commission's pamphlet entitled "A System of Accounts for Retail Merchants" is almost exhausted, it was directed that a reprint as of February, 1920 of 10,000 copies of this pamphlet be authorized.

Mr. Thompson raised the question of a reprint of the report of the Commission on the Beet Sugar Industry in the United States, dated May 24, 1917, and Mr. Colver was requested to take up with the Chief Economist the question of the expense, etc. incident to additional beet sugar reports and also the question of the desirability of bringing down to date the report. Mr. Colver was asked to submit recommendations to the Commission.

The Secretary presented memorandum from the Publications Section setting out the need of an additional stencil machine operator and an additional temporary clerk. The Commission authorized such appointments at salaries to be determined by the Secretary, the same to be effective, upon taking the oath of office and entering on duty.

In response to request in letter of recent date from Senator Townsend, Chairman of the Senate Interstate Commerce Sub-committee, the Commission forwarded a list of the names and addresses of parties respondent in each formal complaint filed by the Commission to date.

The Commission recessed at the hour of 1 p.m., and reassembled at 2 p.m.

Victor Murdock, Chairman,
Huston Thompson
William B. Colver

Mr. Colver reported in the matter of the Commission undertaking the publication of additional monthly cost bulletins as to certain basic industries, and after full discussion, on Mr. Colver's motion, the Commission authorized and directed that such work be undertaken with reference to -

- (1) Lumber Industry
- (2) Cotton Textiles
- (3) Shoes and Leather
- (4) Flour

The following resolution formally authorizing the work were unanimously adopted:

RESOLVED, That the Federal Trade Commission by virtue of Section 6, Paragraph a and b, of the Federal

Trade Commission Act, approved September 26, 1914, proceed to the collection and publication of current information with respect to the distribution, ownership, manufacture and storage, relating to the lumber industry, the cotton textile industry, the leather industry including leather products, especially footwear, and the flour industry, together with figures of cost in proper detail and sale prices. The same to be published currently and at such times and in such manner as the Commission may hereafter direct. The work herein contemplated is similar to that undertaken by direction of the Commission on December 15, 1919, with respect to the coal and steel industries.

In conference with the Chief Counsel, the Commission considered matters arising in the Chief Counsel's office and the following action was taken:

(a) File -
9-1455 - F. T. C. vs. Shotwell Mfg. Company
Draft of formal complaint submitted by the Chief Counsel against the Shotwell Mfg. Company and against Reuckheim Bros. & Eckstein, were approved by the Commission and ordered to issue. Resolutions adopted.

(b) File -
9-1224, Gem Mountain Pen Corporation vs. Lion Pen Co., et al.
Upon recommendation of the Chief Counsel, the Commission ordered the Chief Examiner to make further investigation in the matter of the application for complaint against Shatkum & Kahn, particularly as to the question of interstate commerce. (Under date of December 23, 1919 formal complaints were ordered issued in connection with this file 9-1224 against Berk Brothers; Turner & Harrison Pen Manufacturing Co., Inc.; C. Howard Hunt Company and Shatkum & Kahn.)

Docket No. 513, F.T.C. vs. Champion Blower & Forge Co.
The Chief Counsel transmitted respondent's motion for a bill of particulars and request for extension of time for filing answer. On motion of Mr. Colver the bill of particulars was denied and order entered extending the time for filing answer to February 16, 1920.

Docket No. 504, F.T.C. vs. F. Hecht & Co., et al.
The Chief Counsel submitted motion by respondent for bill of particulars together with memorandum re the necessity of making

arrangements to take depositions in various South American countries to substantiate the Commission's charges. The Commission entered its order denying motion for bill of particulars and directed that depositions of witnesses in South America be taken under direction of the Chief Counsel by way of interrogatories or thru the Consular service.

Docket No. 416, F.T.C. vs. Jay Printing Ink Co., Inc. The Commission entered its order dismissing its complaint, the respondent having made a sufficient showing of defense.

Docket No. 278, F.T.C. vs. Lokheim Oil Tank & Pump Company Upon consideration of memorandum of Attorney Alvord and memorandum by Mr. Busick, the Commission entered its order dismissing its complaint.

Docket No. 468, F.T.C. vs. H.A. Metz & Co., Inc. The Chief Counsel submitted respondent's motion for a bill of particulars. Upon consideration the Commission entered its order denying such motion.

Docket No. 276, F.T.C. vs. Jacob Lanski. Findings as to the Facts, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, were approved by the Commission and entered of record with the direction that the Order be served forthwith. As to the foregoing action of the Commission, Messrs. Murdock and Colver voted in the affirmative and Mr. Thompson voted in the negative.

Findings as to the Facts, Conclusions and Orders to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission, with the direction that the Orders be served forthwith in the following listed proceedings:

Docket Numbers -
463 - F.T.C. vs. John McAteer
470 - " " Himes Underwear Company
493 - " " Sanitary Turpentine Company

Docket No. 505, F.T.C. vs. C. D. Kenny Company. Ordered (1) that Herbert L. Anderson, an examiner of the Com-

mission be and is hereby appointed to receive and hear testimony and receive evidence, and (2) that the hearings of the complaint begin at the offices of the Commission, Washington, D. C., February 12, at 2:30 p.m.

At the suggestion of the Chief Counsel the Commission fixed February 16, 1920, at 2:30 p.m., as the time for hearing final argument in the matter of Docket No. 128, F.T.C. vs. Vaudeville Managers Protective Association, and directed that interested parties be advised.

At the suggestion of the Chief Counsel the Commission fixed February 18, 1920, at 2 p.m., as the time for hearing final argument in the matter of Dockets Numbers 131, 134, 309, 311, 312, 313, 316, 320, 331, 333, 335, 337, and 373, and directed that interested parties be advised.

The Commission considered certain matters arising in the office of the Chief Examiner, and action as indicated was taken.

(1) Upon receipt of recommendation from the Chief Examiner approved by the Chief Counsel, the Commission authorized the appointment of Mr. Francis M. White, as examiner, in the investigation work of the Legal Division, at a salary of \$2100 per annum, flat, the same to be effective upon taking the oath of office and entering on duty.

(2) Memorandum of January 28th was received from the Chief Examiner, laying before the Commission sample labels entitled "Wool Process", used by the Clayville Knitting Company on goods consisting of 94 and 95 % cotton, plus 5 and 6 % wool shoddy, and the instruction of the Commission was asked as to whether or not application for complaint should be docketed. Upon consideration it appears that in Docket No. 418, F.T.C. vs Atlas Knitting Co. the Commission had issued its order ruling against the use of the words "Wool Process" and the Chief Counsel was directed to forward a copy of this order to the Clayville Knitting Company and negotiate for a discontinuation of the use of the labels "Wool Process."

(3) Memorandum of January 29th was received from the Chief Examiner, asking the instruction of the Commission in the matter of docketing an application on behalf of the Commission in the matter of certain alleged unfair practices in connection with caustic soda shipments in export trade, against E.F.Drew & Co..

of New York City. It was directed that an application be so docketed.

(4) Memorandum of January 25th was received from the Chief Examiner transmitting certain papers in connection with complaint of Black Hills Wholesale Grocery Company in re sugar contracts with the Great Western Sugar Company, and asking instructions in re docketing an application for complaint. Upon consideration it was directed that the papers be referred to the Chief Economist for consideration in connection with the pending Economic inquiry into the sugar industry under Congressional Resolution.

(5) File 9-1449, application of Universal Battery Company for complaint against Universal Products Company, et al. The Chief Examiner submitted memorandum of December 8th reporting in re respondent's claim to have registered the word "Universal" as a trade-mark in the year 1916. Upon consideration of this report and of the report of the Board of Review, on motion of Mr. Colver, the report of the Board of Review with respect to its recommendation that complaint issue was approved and the files were referred to the Chief Counsel with instructions to prepare and submit to the Commission draft of formal complaint.

(6) In the matter of file 9-1009, application of Wm. T. Hughes for complaint against West Publishing Company, pursuant to the Commission's direction of January 14, 1920, to inquire whether the parties refused to publish applicant's books because of fear of threats by the respondent, the Chief Examiner submitted letter of January 23, 1920, from Atty. Wooden, reporting in the negative. Upon consideration the Commission approved recommendation under date of November 20, 1919, by Mr. Murdock and upon motion of Mr. Murdock it was ordered that the application be and the same is hereby dismissed.

In the matter of Docket No. 502, F.T.C. vs. Mercantile & Financial Times Publishing Company, it was ordered (1) that Alfred P. Thom, Jr., an examiner of the Commission be appointed to receive testimony, etc., and (2) that the hearing begin at New York City, February 18, 1920, at 10 o'clock, a.m.

Thereupon at the hour of 5 p.m. the Commission adjourned to meet Friday, February 6, at 10:30 a.m.

Attest:

John W. Wood
Chairman.

Secretary.

February 6, 1920 - No meeting held.
February 7, 1920 - No Meeting held.
February 8, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

February 9, 1920 - 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson

Mr. Colver absent on account of illness.

In the matter of Docket No. 277, F.T.C. vs. Boston Piano and Music Company, final argument was had before the Commission. Mr. Wm. T. Kelley appeared for the Commission and Mr. Alfred Holman appeared for the respondent. The hearing continued until the hour of 4:20 p.m. and was concluded, and the case taken under advisement by the Commission.

Thereupon at the hour of 4:20 p.m. the Commission adjourned to meet at 10:30 a.m., February 10, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

February 10, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson Gaskill.

The minutes of the meetings of February 6, 4, and 5, 1920, respectively, were read and after certain corrections approved.

The following matters were laid before the Commission by the Chairman and action as indicated taken:

- (1) Letter of February 9, 1920, from the Postmaster General, requesting the Commission to determine the cost of production of certain supplies furnished under contract to the Postoffice Department by the Middle West Supply Co. It was agreed that this cost work be undertaken and the matter was referred to the Chief Economist with instructions to submit report to the Commission. Preparation of reply to the letter of February 9th was ordered.
- (2) Telegram of February 7th from James Murdock, Canadian Paper Controller, in the matter of embargo placed on shipments of paper by the U. S. Railroad Administration. Wire advising that newsprint paper is excepted in the Railroad Administration's order was approved and forwarded. File
- (3) Telegram of February 7th from Mr. W. A. Sutherland, attorney for the California Associated Raisin Company, requesting extension of time to February 25th for filing of brief. The extension was granted and the Chief Counsel was directed to prepare letter to this effect for the Chairman's signature.
- (4) Letter of February 7th to the U. S. Sugar Equalization Board making formal request upon the Board for cooperation in connection with the Commission's inquiry into the sugar situation in response to House Resolution No. 150, dated October 1, 1919, was approved by the Commission, signed by the Secretary and forwarded.
- (5) Letter of January 28, 1920, from the National Wool Growers Assn., relative to the practice in the wool trade of buying wool on two or four months dating, and also making inquiry as to what extent wool commission dealers are interested in woolen mills. Form of reply as submitted by the Chairman was approved and ordered to be forwarded. See file
- (6) Letters of January 17 and 21, 1920, from the U. S. Wheat Director at Chicago, in the matter of charges against the Cortin Flour Company. Form of reply as submitted by the Chairman was approved and forwarded. File
- (7) Pamphlet issued by the Illinois Manufacturers Assn. containing opinion of Mr. C. C. H. Pyffe, general counsel in the matter of inquiry into the cost of the Mount Vernon Car Manufacturing Company, together with memorandum transmitted by the Chief Economist was laid before the Commission by the Chairman and referred to the several Commissioners in turn for consideration.

(8) Letter of February 6, 1920, from the Southern Pine Association, in the matter of the Commission granting to its field examiners further authorization in the matter of hearings, etc. Letter was considered and ordered to be filed, and the Chairman was requested to acknowledge the same.

Upon recommendation of the Chief Economist, and on motion of Mr. Colver, the Commission authorized and directed the following appointments to the Economic staff, the same to be effective upon taking the oath of office and entering on duty:

John Van Hosen, Temporary examiner,	\$2700 per annum
Vassa Raymond Holt, "	1800 flat
Frank Kaufmann, Jr., "	2400
Frank E. Manning, "	2100

The Chairman stated that he had received report from Mr. Colver that conference had been arranged between the Commission's Economic staff and representatives of the National Coal Association, in the matter of monthly coal cost reports required by the Commission from coal operators. See File

Mr. Colver reported to the Commission with reference to letter of January 26 from the West Virginia Coal Operators Association, in the matter of monthly coal cost reports required by the Commission, and submitted for the Chairman's signature, form of reply to such letter, which was approved by the Commission, signed by the Chairman and forwarded. See file

Pursuant to the Commission's direction of January 29, 1920 the Clerk reported in the matter of the status of formal complaints ordered to be prepared in the matter of certain portions of file 9-1013 and file 9-1494. The report was received and filed.

Pursuant to the Commission's direction, the Secretary submitted memorandum in the matter of the Commission's reports ordered to be printed but not yet published. The memorandum was received and ordered to be filed and on motion of Mr. Colver the Secretary was directed to push forward these various reports which are in manuscript and proof form and report progress one week from today.

In the matter of the woolen rag report, on motion of Mr. Murdock, it was directed that the report be sent to the Government Printing Office at the earliest moment.

On motion of Mr. Thompson, consideration of file 9-1011, F.T.C. vs. Wilson & Company, in the matter of Austin-Nichols & Company, set for consideration this afternoon, was postponed until 2:30 p.m., February 11, 1920.

Thereupon at the hour of 12:45 p.m., the Commission adjourned to meet at 10:30 a.m., February 11, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

February 11, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson

In conference with the Chief Counsel, the Commission considered certain matters arising in the Chief Counsel's office as follows:

(1) Docket No. 212 - F.T.C. vs. A. T. McClure Glass Co. Consideration given to respondent's application for a modification of the Commission's order heretofore entered, and also to memorandum by Attorney Hawkins opposing such

modification, and the matter was referred back to the Chief Counsel with direction to bring to the Commission a suggested redraft of paragraph 1 of the Commission's order of September 25, 1919.

(2) Docket No. 89 - F.T.C. vs. L. E. Waterman Co. Consideration was given to draft of amended complaint involving charges re respondent's profit sharing plan as developed in file 1-790, application of F.T.C. for complaint against L. E. Waterman & Co. Upon consideration the Commission directed that a separate formal complaint be prepared involving the charges of file 1-790, as ordered by the Commission under date of January 11, 1919, and the files were referred back to the Chief Counsel for that purpose.

(3) File 9-1438 - American Oil Company of Massachusetts vs. Tidewater Oil Company of Massachusetts. Upon consideration of draft of formal complaint prepared by the Chief Counsel and form of contract submitted by the respondent, the case was referred to Commissioner Thompson for conference with respondent and report back to the Commission.

Chairman Murdock laid before the Commission a letter of February 10, 1920, from Senator Joseph S. Prellinghuysen requesting the Commission to furnish for the record a copy of certain analysis of wages by the Federal Trade Commission which is referred to in the testimony before the Senate Committee on coal hearings by E. V. Morris, formerly of the Fuel Administration. It was agreed that the table be furnished and the Chairman was requested to forward the same to the Senator.

The Commission recessed at the hour of 12:30 and reassembled at 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson

In the matter of Docket No. 502, F.T.C. vs. Mercantile & Financial Times Publishing Company, it was ordered that the hearings of the complaint begin at the Federal Trade Commission office in New York city, February 18, 1920, at 10 o'clock a.m., and that Alfred P. Thom, Jr., an examiner of the Commission be and is hereby designated to receive and hear testimony, etc.

In conference with the Chief Counsel and the Chief Examiner, consideration was given to recommendations for salary increases in the staff of the Chief Examiner, and upon motion of Mr. Thompson the following increases were ordered, the same to be effective as of February 1, 1920:

Miss Marguerite Auld,	\$1800 to \$1800 ,	plus bonus
Robert O. Brownell	1500 " 1800,	" "
Clarence T. Sadler,	1860 " 1800,	" "
Byron L. Shinn,	3500 " 3600,	" "
George F. Soter, Jr.	2100 flat	" "
	to 2100,	" "
Otto E. Woerner,	2280 " 2460,	" "
Anna Yarnis,	1400 " 1500,	" "
Baldwin B. Bane,	2100 " 2280,	" "
Miss Eleanor Forman	1200 " 1320,	" "
Miss Mildred C. Denny,	1000 " 1200,	" "

Upon motion of Mr. Thompson the Commission authorized the appointment of Mr. Frank B. Lent, as Attorney-Examiner at the rate of \$2700 per annum, with the direction that Mr. Lent be assigned to the trial of cases, to be effective upon taking the oath of office and entering on duty.

Upon motion of Mr. Thompson, the Commission authorized an increase in the salary of Henry Miller from \$1800 to \$2100, plus the bonus, and also authorized the assignment of Mr. Miller as special attorney, to the investigating work of the Legal Division, such assignment and salary increase to be effective February 10, 1920.

In conference with the Chief Examiner, the Commission considered certain matters arising in the Chief Examiner's office, and action as indicated was taken:

Memorandum of February 6th was received from the Chief Examiner, asking the instruction of the Commission in the matter of Docketing an application for complaint on behalf of the Commission against Bernheimer Brothers, Baltimore, Md., re selling sugar below cost in combination with other groceries. On motion of Mr. Thompson it was directed that the papers be docketed as an application on behalf of the Commission.

Memorandum of February 4th from the Chief Examiner, asking the instruction of the Commission in the matter of docketing an application on behalf of the Commission against John H. Wilkins Company of Washington, in re selling sugar conditioned upon simultaneous purchase of coffee. On motion of Mr. Thompson it was directed that the papers be docketed as an application on behalf of the Commission.

Memorandum of February 10th from Attorney Shinn, concurred in by the Chief Examiner, calling the attention of the Commission to form of contract in use by the Standard Oil Company of Indiana, respondents in Docket No. 85, in connection with the leasing of pumps and tanks to customers of the Oil Company. Upon motion of Mr. Thompson the entire file was referred to the Chief Counsel for consideration and report back to the Commission on recommendations.

Memorandum of January 20, 1920, from the Chief Examiner transmitting synopsis of statement by Mr. F.C. Henderson, Boston, Massachusetts, relative to conditions in the sewing machine industry. Upon motion of Mr. Thompson, it was directed that the matter be referred to the Department of Justice and the Chief Examiner was directed to prepare letter of transmittal for the Chairman's signature.

Memorandum of January 17th from the Chief Examiner, transmitting petition of The Cutlers Company of Sheffield, England, to prevent the official registration as a trademark of the word "Sheffield" by Fairbanks, Morse & Company of Chicago, in Uruguay and Argentina. Upon motion of Mr. Thompson it was directed that the file of papers be referred to Mr. Notz of the Export Trade Division to prepare letter for the Chairman's signature, transmitting the petition to the "Bureau pour l'enregistrement, International des marques" Berne, Switzerland.

Anticipating absence from the city on official business at the time of hearing of the Shredded Wheat case, Mr. Porter asked the authority of the Commission to employ Mr. John Walsh to present final argument on behalf of the Commission in the matter of Docket No. 5, Federal Trade Commission vs. the Shredded Wheat Company. On motion of Mr. Thompson such authority was granted and Mr. Porter was authorized to negotiate with Mr. Walsh for this purpose and report to the Commission.

In conference with Mrs. Wilson of the staff, the Commission considered certain matters arising under the Trading With the Enemy Act, and on motion of Mr. Thompson, action as indicated was taken:

(1) Approved supplemental order from the Trading With the Enemy Section and entered the following supplemental order in the matter of copyright license No. 12, to Joseph W. Herbert:

IT IS ORDERED:

1. That the petition of Joseph W. Herbert that license No. 12 (Copyright) be made exclusive in character, be denied.
2. That License No. 12 (Copyright) issued to Joseph W. Herbert on April 14, 1919 for the Dramatic Composition "Der Seerauber" be so amended as to enable the licensee in the usual form to authorize the production for him of the matter covered by the license.
3. That License No. 12 (Copyright) be further so amended that the royalty prescribed therein shall be at the rate of \$12.50 for each performance (exclusive of charity performances), such revised rate to become effective from the passage of this order; said rate to be subject to further revision in the discretion of the Commission.

(2) Approved supplemental order from the Trading With the Enemy Section and entered the following supplemental order in the matter of trade-mark license No. 1 to Lehn & Fink, Inc:

IT IS ORDERED:

That surrender be accepted of License (Trade Mark) No. 1, issued to Lehn & Fink, Inc., on December 17, 1917, under registration No. 61,678 to P. Reiersdorf & Company, dated April 2, 1907, covering "Pebeco" for tooth paste and tooth powder, such surrender to become effective as of March 24, 1919, all royalty accruing under said license to be paid in full up to and including said date.

(3) Approved letter of this date to Hector Chemical Co. Inc., New York City, with reference to the use of the names "Procaine" and "Barbital", and ordered the same forwarded.
See File -

(4) Considered draft of letter of this date to Fay, Oberlin, & Fay, Cleveland, Ohio, in reply to their letter of February 3, with reference to license No. 26, granted to American Parlograph Company with reference to the sale in the United States of machines made in foreign countries, and referred the matter to the Chief Counsel with request for preparation of brief and opinion.

The Chief Economist laid before the Commission draft of the Commission's report on the Cost of Production of Coal for the States of Ohio, Indiana and Michigan, and the same was ordered forwarded to the Public Printer for galley proof.

Thereupon, at the hour of 4:30 p.m. the Commission adjourned to meet at 10:30 a.m., February 12, 1920.

Attest:

Out. Hurdock
Chairman.

Secretary.

February 12, 1920 - No meeting held.

February 13, 1920 - No Meeting held.

February 14, 1920 - No meeting held.

February 15, 1920 - No meeting held - Sunday.

MEETING OF FEDERAL TRADE COMMISSION

February 16, 1920 - 10 a.m.

Victor Hurdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Caskill.

In conference with the Chief Counsel the general business of the Commission was discussed.

Mr. Gaskill was excused from the meeting.

At the hour of 10:30, pursuant to arrangements Mr. Guthrie B. Plante, appeared and discussed with the Commission Docket No. 82, P. T. C. vs. Photo-Engravers Club of Chicago.

Upon receipt of recommendations from the Chief Economist and on motion of Mr. Colver, the Commission authorized and directed the following appointments, effective upon taking the oath of office and entering on duty:

C. E. Markley, Temporary examiner at	\$2500	plus bonus.
John W. Barnett, " " "	2400	" "
Robert Grant, " " "	2000	" "
L. S. Richardson, " " "	2400	" "
Arthur Connors, " " "	2500	" "
Fred Edgar Pierce, " " "	3600	" "
William Joseph Murphy, " " "	2700	" "
James Dillard Draper, " " "	2200	" "
Fred Crumpelt, " " "	2400	" "
John H. Bossert, " " "	1800	" "

Upon recommendation of the Chief Economist and on motion of Mr. Colver, the following reinstatements were authorized by the Commission, same to be effective upon taking the oath of office and entering on duty:

M. P. O'Donnell at	\$2100	plus the bonus.
L. M. Cosen, " "	3600	" "
Chas. H. Rodgers, " " "	2000	" "

At the hour of 12:30 the Commission recessed and re-assembled at the hour of 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver.

Pursuant to arrangements, the Commission heard final argument in the matter of Docket No. 128, P.T.C. vs. Vaudeville

Managers Protective Association. Mr. John Walsh attorney for the Commission was heard. The hearing continued until the hour of 6 p.m., at which time an adjournment was taken until the hour of 9:30 a.m., February 17. See stenographic report.

Mr. Thompson reported to the Commission that on February 13, 1920, at 2 o'clock, p.m., in the matter of Dockets Nos. 355, 361, 362, 364, 365, 366, 367, 369, and 370, complaints of the Federal Trade Commission against certain adding machine companies, final argument was had before Commissioner Thompson; that Attorney R. H. Kane appeared on behalf of the Commission, Attorney F. A. Hood appeared for the Burroughs Adding Machine Company, and H. S. MacLean appeared for the Wales Adding Machine Company. The hearing continued until the hour of 3:10 and was concluded, and the matter taken under advisement. Stenographic reports were made for the information of the absent commissioners.

Thereupon, at the hour of 6 p.m., the Commission adjourned to meet at 9:30 a.m., February 17, 1920.

Attest:

Orin M. ...
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

February 17, 1920 - 9:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver

Final argument in Docket No. 128, F.T.C. vs. Vaudeville Managers Protective Association, continued from the previous day, was resumed before the Commission, continued until the hour of 12:30 and concluded, and the case taken under advisement by the Commission.

The Commission recessed at the hour of 12:30 and
reassembled at 2 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver.

In the matter of Docket No. 505, F.T.C. vs. C. D.
Kenny Company, it was ordered that Joe J. Dunham, an examiner
of the Commission be and is hereby appointed in place of
Herbert L. Anderson to hear testimony and receive evidence.

Pursuant to arrangements, the Commission heard final
argument of counsel for the Commission and counsel for the
respondent in the matter of Docket No. 5, F.T.C. vs. The
Shredded Wheat Company. The hearing continued until the
hour of 4 p.m., at which time an adjournment was taken
until the hour of 9:30 a.m., February 18, 1920. See
stenographic report.

Thereupon, at the hour of 4 p.m. the Commission
adjourned to meet at 9:30 a.m., February 18, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

Conference adjourned at 10:30 a.m. See stenographic report.

The Chief Economist submitted the Commission's report to the Postmaster General, relative to the increase in market prices and cost of manufacture of envelopes furnished under contract with the Postoffice Department by the Samuel Cupples Envelope Company, as requested by the Postmaster General under date of December 26, 1919. The report was ordered forwarded.

Thereupon at the hour of 11 a.m., the Commission adjourned to meet at 10:30 a.m., February 23, 1920.

Attest:

Victor Murdock
Chairman

[Signature]
Secretary.

February 22, 1920 - No meeting held - Sunday.

February 23, 1920 - No meeting held - Holiday.

February 24, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

February 25, 1920 - 10:45 a.m.

Victor Murdock, Chairman
Huston Thompson
Nelson B. Gaskill

Mr. Colver absent on official business in appearing before the House Sub-committee.

Mr. Thompson presented the following listed applications for complaint and upon his motion action as follows was

Conference adjourned at 10:30 a.m. See stenographic report.

The Chief Economist submitted the Commission's report to the Postmaster General, relative to the increase in market prices and cost of manufacture of envelopes furnished under contract with the Postoffice Department by the Samuel Cupples Envelope Company, as requested by the Postmaster General under date of December 26, 1919. The report was ordered forwarded.

Thereupon at the hour of 11 a.m., the Commission adjourned to meet at 10:30 a.m., February 23, 1920.

Attest:

Victor M. Murdock
Chairman

J. H. Thompson
Secretary.

February 22, 1920 - No meeting held - Sunday.

February 23, 1920 - No meeting held - Holiday.

February 24, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

February 25, 1920 - 10:45 a.m.

Victor Murdock, Chairman
Huston Thompson
Nelson B. Caskill

Mr. Colver absent on official business in appearing before the House Sub-committee.

Mr. Thompson presented the following listed applications for complaint and upon his motion action as follows was

(b) Files -

9-1404 - Horace W. Reed vs. I. Freedman & Company
9-1356 - C. W. Helstrom vs. Liveright, Greenwald & Co.
9-1429 - McMullen Bros., Inc., vs. S. Nevech & Co., Inc.

Recommendations by Mr. Murdock approved. Ordered that the applications be and the same are hereby dismissed.

(c) Files -

9-1512 - Rosenthal & Heermance vs. James H. Rhoades & Co.

Recommendation by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed. It was further ordered that the Chief Examiner prepare for the signature of the Chairman, letter to the Rhoades Company, calling attention to the fact that this application against them has been made and is dismissed but that the Commission believes that the language of their letter to the trade carried an improper inference as to the attitude of this Commission, which has not notified any one to discontinue loading sponges.

(d) File -

9-920 - F.T.C. vs. E. F. Houghton & Company

Report of the Board of Review approved. Ordered that the files be referred to the Chief Counsel with instructions to prepare and submit to the Commission draft of formal complaint.

(e) File -

9-1525 - The Menmen Company vs. Philadelphia Wholesale Drug Co.

Board of Review heard. Upon motion of Mr. Murdock it was ordered that the application be and the same is hereby dismissed. Mr. Gaskill asked that the record show that he voted for the dismissal of this case for the reasons expressed in Mr. Busick's dissenting opinion dated February 20, 1920.

(f) File -

9-1463 - Philadelphia Wholesale Drug Co. vs. The Menmen Co.

Board of Review heard. Consideration given to memorandum of February 24 by Commissioner Murdock. Ordered that the files be referred to Mr. Gaskill for consideration and report of recommendations back to the Commission.

(g) File -

9-1469 - Barham & Bailes Company, Inc. vs. Larabee Flour Mills Corporation.

Consideration given to recommendation by Commissioner Murdock under date of February 24. Ordered that the files be referred to Mr. Gaskill for consideration and report back to the Commission.

The Commission recessed at 1 p.m., and reassembled at 3:30 p.m.

Victor Murdock, Chairman
Huston Thompson

Mr. Colver absent on official business.

Mr. Thompson presented the resignation of Mr. Elias Powell, special expert in the Export Trade Section, to be effective at the close of day February 29, 1920. Upon motion of Mr. Thompson the resignation was accepted with regret, and the Secretary was asked to so advise Mr. Powell in writing.

Upon motion of Mr. Thompson, the Commission authorized the appointment of Miss Ellen Love as examiner, at the same salary she is now receiving in another branch of the government, and directed her assignment to the Export Trade Section. Such appointment to be effective upon taking the oath and entering on duty.

Upon motion of Mr. Thompson, the Commission approved recommendation of the Chief Examiner and authorized the appointment of Mr. Gerald V. Weikert as examiner in the Legal Division, at a salary of \$3100 per annum, flat, the same to be effective upon taking the oath and entering on duty.

In the following listed formal proceedings, Findings of Fact, Conclusions and Orders to Cease and Desist, as submitted by the Chief Counsel, were approved by the Commission and entered of record with the direction that the Orders be served forthwith:

Consideration given to recommendation by Commissioner Murdock under date of February 24. Ordered that the files be referred to Mr. Gaskill for consideration and report back to the Commission.

The Commission recessed at 1 p.m., and reassembled at 3:30 p.m.

Victor Murdock, Chairman
Euston Thompson

Mr. Colver absent on official business.

Mr. Thompson presented the resignation of Mr. Elias Powell, special expert in the Export Trade Section, to be effective at the close of day February 29, 1920. Upon motion of Mr. Thompson the resignation was accepted with regret, and the Secretary was asked to so advise Mr. Powell in writing.

Upon motion of Mr. Thompson, the Commission authorized the appointment of Miss Ellen Love as examiner, at the same salary she is now receiving in another branch of the government, and directed her assignment to the Export Trade Section. Such appointment to be effective upon taking the oath and entering on duty.

Upon motion of Mr. Thompson, the Commission approved recommendation of the Chief Examiner and authorized the appointment of Mr. Gerald V. Weikert as examiner in the Legal Division, at a salary of \$2100 per annum, flat, the same to be effective upon taking the oath and entering on duty.

In the following listed formal proceedings, findings of fact, conclusions and orders to cease and desist, as submitted by the Chief Counsel, were approved by the Commission and entered of record with the direction that the orders be served forthwith:

Docket Numbers -

527 - F.T.C. vs. Andreykovich & Dunk, Inc.
467 - " " A. Klipstein & Company
469 - " " Geigy Company, Inc.
442 - " " Ohio State Linseed Company, et al
521 - " " H. Behlen & Bro., Inc.

In the matter of Docket No. 4, F.T.C. vs. A. R. Dick Company, et al, memorandum of February 21, 1920, was received from the Chief Counsel advising the Commission that he fails to find in this file sufficient evidence to warrant proceeding against this respondent, charging them with violation of the Commission's Order to Cease and Resist. The memorandum was accepted and ordered to be filed.

In the matter of File 9-1024, application of L. C. Boyle for complaint against Peter J. Seippel Lumber Company, the Commission approved the report of the Board of Review and ordered that the application be and the same is hereby dismissed.

It was directed that all pending applications for complaints assigned to former Commissioner Fort as of February 1, 1920, be reassigned to Commissioner Gaskill for supervision as of that date.

Thereupon, at the hour of 5:30 p.m., the Commission adjourned to meet at 10:30 a.m., February 26, 1920.

Attest:



Chairman

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

February 26, 1920 - 4 p.m.

Victor Mardock, Chairman
Huston Thompson

Mr. Colver absent on official business
in attendance upon House Committee.

Mr. Thompson presented the following listed applications for complaint and on his motion action as indicated was taken by the Commission:

(a) Files -

9-1321 - F.T.C. vs. Hermit Coal & Oil Company
9-1325 - " " The Tex-Petroleum Company
9-1317 - " " Billy Burk Petroleum Company
9-1377 - " " Get-More Oil Company

Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(b) File -

0-1732 - McQuiddy Printing Company vs. Dexter Folder Company.

Report of the Board of Review approved. Ordered (1) that the application be and the same is hereby dismissed and (2) that the files be referred by the Chief Examiner to the Department of Justice.

(c) File -

9-1315 - Dr. C. H. Berry Co. vs. Ella A. Berry Pharmacal Co.

Ordered that the files be referred to the Chief Examiner with instructions to get from the respondents a stipulation to cease and desist from the alleged unfair practices and report to the Commission.

(d) File -

9-1312 - F.T.C. vs. Big Diamond Oil & Refining Company

Ordered that the files be referred back to the Chief Examiner to secure further evidence as to how respondent's prospectus was used, and that on the various points where there is evidence lacking, as suggested by the Board of Review, it should be supplied by further examination.

(e) File -
9-1593 - F.T.C. vs. Wichita-Engle Oil Company

Ordered that the file be referred back to the Chief Examiner for further evidence to cover points where it is suggested by the Board of Review that the investigation was incomplete.

Thereupon, at the hour of 5:15, the Commission adjourned to meet at 10:30 a.m., February 27, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

February 27, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

February 28, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill

Mr. Thompson reported to the Commission in the matter of a trade practice submittal conference with representatives of the rebuilt and second hand typewriter industry at the office of the Commission on February 27, 1920. The trade, by resolution, agreed upon sixteen separate practices as unfair methods. A resolution was adopted requesting the Commission to prepare in formal language the findings of the conference and submit such findings in the form of a letter

to the trade for individual signature, such findings to be advisory only upon the Commission. See stenographic report.

Upon motion of Mr. Thompson, it was directed that additional 2,000 paper bound copies of the Federal Trade Commission's Decisions, June 30, 1919, be ordered from the Government Printing Office and that the Public Printer be notified that the Commission will take these 2,000 copies.

The Chief Counsel submitted the resignation of Attorney-Examiner Wm. J. Dowd, to be effective at the close of day February 29, 1920, and the same was accepted by the Commission.

Upon recommendation of the Chief Counsel, and on motion of Mr. Thompson, the Commission authorized the appointment as Attorney-Examiner of Mr. Issac Diggs, at a salary of \$4,000 per annum, and of Mr. James T. Clark as Attorney-Examiner at \$3,500 per annum, such appointments to be effective upon taking the oath of office and entering on duty. These attorneys are assigned to the trial of cases.

On motion of Mr. Thompson, letter of February 9, 1920, from Robert P. Stephenson, New York City, Special Assistant to the U. S. Attorney General, requesting certain information re the internal management and names of various employees, etc., of Armour & Company and Swift & Company, was referred to Mr. W. Y. Durand of the staff with instructions to prepare tentative reply for the signature of the Chairman, for consideration by the Commission prior to being sent.

In conference with the Chief Counsel, the Commission considered certain matters arising in the Chief Counsel's office.

(1) Docket No. 156 - F.T.C. vs. Purity Preserving Co. et al.

It was ordered that the case be referred to Mr. Gaskill for consideration and that the same be made a special order of business before the Commission at 10:30 a.m., Wednesday, March 3rd, and to continue before the Commission until disposed of.

to the trade for individual signature, such findings to be advisory only upon the Commission. See stenographic report.

Upon motion of Mr. Thompson, it was directed that additional 2,000 paper bound copies of the Federal Trade Commission's Decisions, June 30, 1919, be ordered from the Government Printing Office and that the Public Printer be notified that the Commission will take these 2,000 copies.

The Chief Counsel submitted the resignation of Attorney-Examiner Wm. J. Dowd, to be effective at the close of day February 29, 1920, and the same was accepted by the Commission.

Upon recommendation of the Chief Counsel, and on motion of Mr. Thompson, the Commission authorized the appointment as Attorney-Examiner of Mr. Issac Diggs, at a salary of \$4,000 per annum, and of Mr. James T. Clark as Attorney-Examiner at \$3,500 per annum, such appointments to be effective upon taking the oath of office and entering on duty. These attorneys are assigned to the trial of cases.

On motion of Mr. Thompson, letter of February 9, 1920, from Robert P. Stephenson, New York City, Special Assistant to the U. S. Attorney General, requesting certain information re the internal management and names of various employees, etc., of Armour & Company and Swift & Company, was referred to Mr. W. Y. Durand of the staff with instructions to prepare tentative reply for the signature of the Chairman, for consideration by the Commission prior to being sent.

In conference with the Chief Counsel, the Commission considered certain matters arising in the Chief Counsel's office.

(1) Docket No. 156 - P.T.C. vs. Purity Preserving Co. et al.

It was ordered that the case be referred to Mr. Gaskill for consideration and that the same be made a special order of business before the Commission at 10:30 a.m., Wednesday, March 3rd, and to continue before the Commission until disposed of.

(2) File 1-642 - application of Sydney Morris & Company for complaint against Chicago Stationers Association, et al.

Draft of formal complaint was submitted by the Chief Counsel. Upon consideration of the whole case, and on motion of Mr. Thompson, it was directed that the files be referred by the Chief Counsel to the Department of Justice for action in the premises.

On motion of Mr. Colver, the Commission approved and issued the following direction, in re special report to Congress on commercial bribery.

It was directed that a special report be prepared and forwarded to the Congress, reviewing the Commission's former suggestions of the need for legislation making commercial bribery an offense against the United States and calling attention to the decision in the Second Circuit of the United States, denying the Commission jurisdiction in commercial bribery matters.

The Chairman requested Mr. Colver to prepare this report and bring it to the Commission.

Upon recommendation of the Secretary Mr. Colver moved and it was duly seconded, that Mr. Warren E. Clardy be promoted from \$1600 to \$2000 per annum. As to the foregoing motion Messrs. Burdock and Gaskill voted in the negative and Messrs. Colver and Thompson voted in the affirmative. The Chairman thereupon declared the motion lost.

In the matter of Dockets Numbers -

508 - F.T.C. vs. C. H. Kroneberger & Company
509 - " " John H. Wilkins Company, Inc.
510 - " " Levering Coffee Company

it was ordered (1) that Joe J. Dunham, an examiner of the Commission, be and is hereby designated examiner, and (2) that the hearings begin at Washington, D. C., March 6, 1920, at 11 o'clock.

The Commission recessed at the hour of 1 p.m., and re-assembled at the hour of 2 p.m.

Euston Thomson, Acting Chairman
 William R. Colver
 Nelson B. Gaskill

Mr. Murdock excused on official business.

On recommendation of the Secretary, the Commission authorized and directed the following salary increases in the Administrative Division, the same to be effective as of February 16, 1920:

Warren E. Choate,	\$4250	to	\$4500	
C. G. Eugene,	3300	"	3500	
L. H. Waring,	3000	"	3300	
C. H. Becker,	5000	"	5250	
J. W. Nichol,	2620	"	3000	
O. B. Johnson,	3460	"	3000	
J. W. Burdette,	2520	"	3000	
W. H. Galbraith,	2460	"	2880	
A. H. Ross,	2460	"	2880	
W. H. Mason,	2160	"	2520	plus the bonus
H. B. Stamm,	1200	"	1500	" " "
Wm. H. Crawford,	780	"	900	" " "

Upon motion of Mr. Gaskill, and by unanimous vote the Commission reconsidered its action at the morning session in the matter of the promotion of Warren E. Clardy, and upon motion of Mr. Colver it was ordered, by unanimous vote that Mr. Clardy's salary be increased to \$2000 per annum plus the bonus, effective February 16, 1920.

In conference with the Chief Counsel, the Commission considered matters arising in the Chief Counsel's office, and action as indicated was taken:

(1) In the matter of Docket No. 504, F. T. C. vs. F. Hecht & Co., et al, the Chief Counsel submitted form of orders authorizing the taking of depositions in certain Central American and South American countries. The Commission approved the orders and authorized the taking of these depositions in the manner recommended by the Chief Counsel.

(2) File 9-1400, Stone-Ordean-Wells Co. vs. Liberty Wholesale Grocers. Formal complaint against Liberty Wholesale Grocers, as submitted by the Chief Counsel, was approved by the Commission and ordered to issue. Resolution adopted.

(3) File 9-1184, Jonkopings Och Vulcans, etc., vs. Cupples Co. Draft of formal complaint as submitted by the Chief Counsel was approved by the Commission and ordered to issue. Resolution approved.

(4) File 9-1176, Jonkopings Och Vulcans, etc. vs. Consaco Sales Company, Inc. Draft of formal complaint against Consaco Sales Company, as submitted by the Chief Counsel, was approved by the Commission and ordered to issue. Resolution adopted.

(5) File 9-1445, Rochester Germicide Co. vs. Plunkett Chemical Company. Draft of formal complaint, submitted by the Chief Counsel, was approved by the Commission and ordered to issue. Resolution adopted.

At this time Chairman Murdock entered the meeting.

(6) Docket No. 355, F.T.C. vs. The Adder Machine Co. et al.
" " 277, " Boston Piano & Music Co.
Upon motion of Mr. Gaskill, consideration and disposition of these dockets was made a special order of business before the Commission at 10 a.m., Tuesday, March 2nd, to remain before the Commission until disposed of.

(7) File 9-948, F.T.C. application against Owens Bottle-Machine Company, et al. Draft of formal complaint, submitted by the Chief Counsel, charging Owens Bottle-Machine Company and L. S. Stoehr with violations of Sections 7 and 8 of the Clayton Act, were approved by the Commission and issued. Resolution adopted.

(8) File 9-1448, Bicycle Manufacturers' Association vs. B. Rosenzarten, et al. Consideration given to draft of formal complaint against B. Rosenzarten, et al, as submitted by the Chief Counsel, and upon motion of Mr. Thompson, duly seconded it was ordered that the application be and the same is hereby dismissed.

(9) File 9-1271, application of Better Business Bureau for complaint against The Story & Clark Piano Co., et al. Draft of separate formal complaints against Waverly Brown, et al; Household Storage Company; P. A. Stark Piano Co.; and Holland Piano Company, were approved by the Commission and issued. Resolution adopted.

(10) File 9-1013-2-17, F. T. C. vs. Swift & Co., et al, in the matter of Thomas Pineapple Company, Ltd. Draft of formal complaint, submitted by the Chief Counsel, charging Swift & Co., Libby, McNeill & Libby of Illinois, and Libby, McNeill & Libby, Ltd., of Honolulu, with violations of Section 5 of the F.T.C. Act and Section 7 of the Clayton Act, were approved by the Commission and issued. Resolution adopted.

(11) File 9-1013-2-4; 2-9; 2-11; 2-14; 2-15; and 2-16, F.T.C. vs. Swift & Company. Draft of formal complaints prepared by the Chief Counsel, charging Swift & Company, United Dressed Beef Company, and Libby, McNeill & Libby with violation of Section 5 of the Federal Trade Commission Act, was submitted to the Commission, and after consideration of the whole matter, upon motion of Mr. Murdock, duly seconded, it was ordered that these applications be and the same are hereby dismissed. As to the foregoing motion of dismissal, Messrs. Murdock, Thompson and Gaskill voted in the affirmative and Mr. Colver voted in the negative.

(12) File 9-1142, Unity Grocery Company vs. Walker Brothers Company, et al. Draft of formal complaint, submitted by the Chief Counsel, charging the Atlanta Wholesale Grocers, et al, with violation of Section 5 of the Federal Trade Commission Act, was approved by the Commission and issued. Resolution adopted.

Mr. Colver presented the following listed applications for complaint, and upon motion action as indicated was taken by the Commission.

(a) Files -

0-1552 - F.T.C. vs. J. Layner & Sons, Inc.
 0-1555 - " " T. C. Hurst & Son
 0-1553 - " " E. Hampshire Sons & Co., Inc.
 9-1469 - Bureau of Paint and Varnish Industries vs. Ernst Bischoff Company

Upon motion of Mr. Colver it was ordered that these applications go to the suspense calendar in view of the recent decision in the U. S. Circuit Court of Appeals for the Second Circuit, in the case of New Jersey Asbestos Company vs. F. T. C., re commercial bribery.

(b) File -

9-1503 - Mebane Bedding Company, Inc., vs. Mebane Iron Bed Company.

Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that the files be referred to the Chief Counsel with instructions to prepare and submit to the Commission draft of formal complaint.

Upon motion of Mr. Colver the Commission ordered that twenty-seven certain applications for complaints, instituted by parties in the creamery industry, be all assigned to Commissioner Colver for supervision, without regard to the Commission's general order of assigning applications in rotation among the commissioners. These applications are numbered from 1794 to 1820 inclusive.

In conference with Attorney Lane of the staff, the Commission considered certain applications for complaint, assigned to former Commissioner Fort. Memorandum in each case, as prepared by Attorney Kane, was signed by Commissioner Colver and submitted to the Commission. Action as indicated was taken by the Commission:

- (a) File 9-1434 - E. Seaboldt Corp. vs. The Fortney Mfg. Co.
- 9-1270 - Maull Bros. vs. Southern Macaroni Mfg. Co.
- 1-712 - Howard P. Denison vs. Onepiece Bifocal Lens Company

Memoranda by Commissioner Colver approved. Reports of the Board of Review approved. Ordered that the files be referred to the Chief Counsel with instructions to prepare and submit to the Commission draft of formal complaint.

- (b) File 9-1510 - Universal Battery Co. vs. Universal Battery Corporation.
- 9-1029 - North Carolina State College vs. Peanut Trust
- 1-686 - The Milford Company vs. Binder Twine Manufacturers.
- 9-1357 - C. W. Holstrom vs. Simon, Cohn & Co.
- 9-1308 - Flexlume Sign Company Inc., vs Federal Sign System.

Memoranda by Commissioner Colver approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

- (c) File 9-1430 - McMullen Bros., Inc. vs. Cohen, Endel & Co.
- 9-1405 - Horace W. Reed vs. Cohn, Brown & Co.

On motion of Mr. Colver, the reports of the Board of Review were approved and it was ordered that the applications be and the same are hereby dismissed.

Upon motion of Mr. Gaskill it was ordered that formal complaints wherein final argument has been had before the Commission, appear upon the Commission's daily action calendar at the expiration of two weeks from date of such final argument for final determination by the Commission, and remain before the Commission until disposed of.

Mr. Colver moved adoption of the following direction in the matter of the commercial bribery decision in the U. S. Circuit Court of Appeals for the Second Circuit, and the same was unanimously adopted by the Commission:

It was directed that, in view of the decision of the Circuit Court of Appeals, of the Second Circuit, in the case of the New Jersey Asbestos Company vs. Federal Trade Commission, that all matters involving, solely, questions of commercial bribery, be held in their present status until a determination of the law may be had on appeal, and it was further directed that the Chief Counsel, the Chief Examiner and the Board of Review be advised of the direction and that they govern themselves accordingly.

Thereupon, at the hour of 5:15 p.m., the Commission adjourned to meet at 10:30 a.m., March 1, 1920.

Attest:

Victor Murdock
Chairman

Secretary.

February 29, 1920 - No meeting held - Sunday.
March 1, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

March 2, 1920 - 10 a.m.

Victor Murdock, Chairman
Euston Thompson
William B. Colver
Nelson B. Gaskill

Pursuant to arrangements, the Commission met to consider certain formal docket cases awaiting final decision.

and after full discussion of the following cases, action as indicated was taken:

Docket No. 277 - F.T.C. vs. Boston Piano & Music Co.
Ordered that the case be referred to the Chief Counsel with instructions to prepare and submit to the Commission draft of Findings, Conclusion and Order.

Docket Numbers -

355 - F.T.C. vs. Adder Machine Company
361 - " " Accounting Machine Company, Inc.
362 - " " Burroughs Adding Machine Company
364 - " " Dalton Adding Machine Company
365 - " " Ellis Adding-Typewriter Company
366 - " " International Money Machine Company
367 - " " Marchant Calculating Machine Company
369 - " " Rockford Milling Machine Company
370 - " " Teeter Adding Machine Company

It was ordered that the cases be referred to the Chief Counsel with instructions to prepare and submit to the Commission draft of Findings, Conclusions and Orders.

Upon motion of Mr. Colver, duly seconded, the Commission suspended its direction of February 28th, instructing the staff to discontinue its work in connection with commercial bribery.

Upon motion of Mr. Murdock, the Commission designated Dr. Walker as its representative to attend meeting of the Division of Government Relations of the National Research Council, March 4th at 2 p.m., for discussion of statistics in Federal scientific bureaus, as requested in letter of February 28th from Mr. Charles D. Walcott.

Commissioner Thompson reported to the Commission in the matter of trade practice submittal on the hosiery industry held in Washington, D. C., March 1, 1920. See stenographic report.

The Commission authorized the employment of Mrs. Mabel L. Wilson at a salary of \$1500 per annum, plus the bonus, to be effective upon taking the oath of office and entering on duty. Mrs. Wilson was temporarily assigned to the Docket Division.

Thereupon, at the hour of 12:30, the Commission adjourned to meet at 10:30 a.m., March 3, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 3, 1920 - 10:30 a.m.

Victor Murdock, Chairman.
William B. Colver
Nelson B. Gaskill

Mr. Thompson absent on official business.

The Chief Economist submitted the Commission's Coal Cost report No. 6 for the cost of production in the states of Maryland, West Virginia and Virginia, of bituminous coal as of June 30, 1919, and the same was ordered forwarded to the Public Printer for galley proof.

The Chief Economist submitted drafts of two volumes of the Commission's report on the grain trade. The volumes covering (1) Terminal Markets and Grain Exchanges, and (2) Nature and Extent of Future Trading in the United States, were received by the Commission and referred to Commissioner Colver for reading and for transmittal to the Public Printer for galley.

Upon recommendation of the Chief Economist, and on motion of Mr. Colver, the Commission authorized the following appointments, effective upon taking the oath and entering on duty:

Earl Thillen, temporary examiner, \$2500 plus bonus

Albert L. Watters, Jr., temporary examiner,	"	"	\$2000
Harry T. Colgan,	"	"	3000
Hugh Bailey Conner,	"	"	1320
Burr W. Brown,	"	"	5000
Geo. Leland Townsan,	"	"	2400
Prescott Smith,	"	"	2400
John Wesley Stel,	"	"	3600
Charles C. Potter,	"	"	2400
Vernon E. Reynolds,	"	"	1600
Wm. S. Crowder,	"	"	1200
Joseph Henry Trainor,	"	"	2000

In conference with the Chief Counsel, the Commission considered certain matters arising in the Chief Counsel's office:

(1) File -

1-518 - Robert Whitney vs. Albert E. Davidson, et al
Draft of formal complaint against the New York Scaffolding Company, submitted by the Chief Counsel. Upon consideration of the whole record, and on motion of Mr. Colver, it was ordered that the application be and the same is hereby dismissed without prejudice.

(2) File -

9-1411 - Levine Furnace Company, et al vs. Crocker Bros., et al
Draft of formal complaint, as submitted by the Chief Counsel was approved by the Commission and ordered to issue as of this day so as to include certain current statistics. Resolution directing issuance and service adopted.

(3) Docket No.

211 - F.T.C. vs. Henry Miller Foundry Company
Upon consideration of memorandum of February 28th from the Chief Examiner, and memorandum of March 2, 1920 by Attorney Roberts, as submitted to the Commission by the Chief Counsel, wherein it appears that respondent's offer of deferred accumulative rebates was used in only one state, it was ordered that the Commission's complaint be and the same is hereby dismissed.

(4) Docket No.

443 - F.T.C. vs. The Sport Shop
The case submitted to the Commission upon complaint, answer, agreed statement of facts and briefs by attorneys. Final argument was waived by respondent. The case was taken under advisement by the Commission.

(5) Docket No.

164 - F.T.C. vs. Federal Rope Company
Findings as to the facts, conclusions and Order to Cease and Desist, as submitted by the Chief Counsel and revised by

the Commission, were approved by the Commission and entered of record with the direction that the Order be served forthwith.

The following motion with reference to the issuance of formal complaints was offered by Mr. Gaskill and unanimously adopted, the same to be immediately effective:

MOVED, that upon the action of the Commission authorizing the issue of a complaint, the preparation of the formal complaint be remitted to the Chief Counsel who shall prepare the same and submit it to a single member of the Commission upon whose approval, the complaint shall issue without reference back to the Commission, unless so referred by the member of the Commission to whom it shall have been submitted for approval.

The Chairman laid before the Commission letter of February 24, 1920, from F. A. Hess, President, Northwest Mining Association, Spokane, Washington, transmitting copy of resolution adopted by that Association with reference to the Commission's proceedings against Minerals Separation, Ltd. Resolution was received and ordered to be filed, and the Chairman was requested to acknowledge the same.

The Commission recessed at the hour of 1 p.m., and re-assembled at the hour of 3 p.m.

Victor Hardeck, Chairman
William B. Colver
Nelson B. Gaskill

In the matter of Docket No. 273, F.T.C. vs. Pan Motor Co., et al, upon recommendation of the Chief Counsel, it was ordered that C. A. Woerner, an examiner of the Commission be and is hereby designated to receive and hear testimony and take evidence.

At his request Mr. John Walsh appeared and was heard by the Commission in the matter of file 1-716, application of Galt, Williams & Hall for complaint against Hulse & Allen.

Thereupon, at the hour of 4:30 p.m. the Commission adjourned to meet at the hour of 10:30 a.m., March 4, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 4, 1920 - 3 p.m.

Victor Murdock, Chairman
William B. Colver

Mr. Thompson excused on official business.

At their request Mr. Jarecki, President of the Jarecki Chemical Co. and Mr. John L. Schindel, counsel, appeared and were heard by the Commission in the matter of the purchase of the stock of the Jarecki Company by the Armour Fertilizer Works. The Commission was advised that the Armour Fertilizer Works was willing to purchase the Jarecki Company if in the opinion of the Commission such a purchase would not be in violation of Section 7 of the Clayton Act. Mr. Murdock read to these gentlemen the provisions of the act in question and stated that the position of the Commission to be that it was without authority of law to give any ruling in advance. A statement of fertilizer tonnage was left with the Commission. For correspondence and statement see file (General Bul 5 - Wai 5).

In the matter of Docket No. 255, F.T.C. vs. Butterick Company, et al, and Docket No. 268, F.T.C. vs. Pictorial Review Company, upon recommendation of the Chief Counsel, the Commission fixed Tuesday, March 9, at 2:30 p.m. as a time for hearing respondent's motion for severance of these cases and vacation of the Commission's order of January 29, 1930, joining these proceedings.

Docket No. 164, F.T.C. vs. Federal Rope Company, Inc. Findings as to the Fact, Conclusions and Order to Cease and Desist as submitted by the Chief Counsel, approved by the Commission and entered of record with direction that order be served forthwith.

In the matter of Docket No. 505, F.T.C. vs. C. F. Kenny Company, the Commission entered its order appointing George McCorkle an examiner of the Commission to receive testimony, etc.

In the matter of Docket No. 338, F.T.C. vs. U. S. Food Products Corporation, et al, the Commission entered its order appointing J. J. Dunham, an examiner of the Commission in the place and stead of Alfred P. Thom, Jr. to hear testimony and receive evidence.

In the matter of Docket No. 157, F.T.C. vs. Saenger Amusement Company, the Commission entered its order appointing W. T. Roberts, an examiner of the Commission to receive testimony and take evidence, etc.

Upon receipt of recommendation from the Secretary, the Commission adopted the following resolution:

RESOLVED, that the underscored portion of paragraph 3 of the Travel Regulations of the Federal Trade Commission, quoted below, be eliminated, effective as of March 4, 1930, and that the Secretary be instructed to advise the members of the staff accordingly.

"However, no allowance of per diem will be made to persons whose domicile is at some place other than their official post of duty when in the performance of their official duties it is necessary for them to visit their place of domicile.

Thereupon, at the hour of 5 p.m. the Commission adjourned to meet at 10:30 a.m., March 5, 1920.

Attest:

John W. Murdock
Chairman.

Secretary.

March 5, 1920 - No meeting held.

March 6, 1920 - No meeting held.

March 7, 1920 - No meeting held - Sunday.

MEETING OF FEDERAL TRADE COMMISSION

March 8, 1920 - 11 a.m.

Victor Murock, Chairman
Eustice Thompson
William B. Colver.

Mr. Thompson conducting trade practice
submittal with celluloid industry.

Chairman Murock reported to the Commission that Mr. John Garland Pollard of Virginia having been appointed by the President and confirmed by the Senate, was present at the Office of the Commission on March 8, 1920, at 10 o'clock noon, and having qualified entered upon duty at that time as a member of the Federal Trade Commission, vice Joseph A. Davies, for term of office ending at the close of day September 25, 1921.

Thereupon, at the hour of 5 p.m. the Commission adjourned to meet at 10:30 a.m., March 5, 1920.

Attest:

John W. Murdock
Chairman.

Secretary.

March 5, 1920 - No meeting held.

March 6, 1920 - No meeting held.

March 7, 1920 - No meeting held - Sunday.

MEETING OF FEDERAL TRADE COMMISSION

March 8, 1920 - 11 a.m.

Victor Murdock, Chairman
Eugene Thompson
William B. Colver.

Mr. Thompson conducting trade practice
submittal with celluloid industry.

Chairman Murdock reported to the Commission that Mr. John Garland Pollard of Virginia having been appointed by the President and confirmed by the Senate, was present at the Office of the Commission on March 8, 1920, at 12 o'clock noon, and having qualified entered upon duty at that time as a member of the Federal Trade Commission, vice Joseph A. Davies, for term of office ending at the close of day September 25, 1921.

The following wire was sent to Mr. W. B. Wooden at Chicago:

March 6, 1920.

Walter B. Wooden,
1508 Lytton Building,
Chicago, Illinois.

Please notify Egan owing to decision of Circuit Court Appeals in New Jersey Asbestos Company case regarding commercial bribery Commission is attempting to work our procedure step. Will probably not have hearings stop. Notify you definitely Monday.

Huston Thompson

Chairman Murdock reported to the Commission that on March 6, 1920, he had forwarded, as requested, to the United States Bituminous Coal Commission, statement of the percentage which the margins form of the 1916 yearly sales realization in the different districts in the United States, together with two copies of the galley proof of the report on Ohio, Indiana and Michigan. These statements were transmitted for the confidential use of the Commission.

It was ordered that L. T. Gowie be appointed as Attorney-Examiner at a salary not to exceed \$3300, same to be effective upon taking the oath and entering on duty, Mr. Gowie to be assigned to the investigation work of the legal division.

Upon recommendation of the Chief Counsel, the hearing set for Tuesday, March 9, in the matter of Docket No. 265, F.T.C. vs. Bitterick Company, et al, and Docket No. 266, F.T.C. vs. Pictorial Review Company, was changed to Friday, March 12, at 2:30.

Upon recommendation of the Chief Economist and on motion of Mr. Selver, the Commission authorized the following appointments, the same to be effective upon taking the oath of office and entering on duty:

A. R. Towner,	temporary examiner,	\$1800, plus the bonus
Francis M. Scanlon,	"	2100, flat
A. C. Larsen,	"	3000,
A. C. Adams,	"	3000
A. T. Geraci,	"	2250, flat
Thos. E. Andres,	"	2000
Stanley J. Taub,	"	1800

Samuel Rosescu, temporary examiner, \$2400, plus the bonus.

Thereupon at the hour of 11:45 the Commission adjourned to meet at 10:30 a.m., March 9, 1920.

Attest:

John H. ...

Chairman

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 9, 1920 - 10:30 a.m.

Victor Murdock, Chairman
William B. Colver
Nelson B. Gaskill

Mr. Thompson absent on official business.

The minutes of the meetings of February 9, 10, 11, 16, 17, 18, 20, 21, 25, 26, 1920, and March 2, 3, 4, 1920, respectively, were read and after certain corrections and additions were approved.

The Secretary submitted to the Commission wire of March 6th from Reid Newfoundland Company, St. Johns, Newfoundland, requesting copies of certain testimony of the news print hearing before the Commission, particularly evidence given by William Scott of Newfoundland. The Secretary was directed to refer the company to the official reporters for copies of this testimony.

Thereupon, at the hour of 12:00 , the Commission adjourned to meet at 10:30 a.m., March 10, 1920.

Attest:

Victor Murdock, Chairman

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 10, 1920 - 10:30 a.m.

Victor Murdock, Chairman
 Huston Thompson
 Nelson B. Gaskill
 John S. Pollard

The minutes of March 8 and 9, 1920, respectively, were read and approved.

Mr. Gaskill submitted written report in the matter of Docket No. 183, F.T.C. vs. Purity Preserving Company, et al. After discussion and on motion of Mr. Gaskill the case was referred to Mr. Pollard for consideration and report back to the Commission.

Mr. Gaskill submitted written report in the matter of file 9-1460, application of Golden & Company for complaint against Holston, Lewis & Gordon, Inc. Mr. Gaskill's report was approved by the Commission and it was ordered that the application be and the same is hereby dismissed.

Upon recommendation of the Chief Counsel, the hearing set for March 12, in the matter of Docket No. 205, F.T.C. vs. Butterick Company, et al, and Docket No. 206, F.T.C.

vs. Pictorial Review Company, was changed to Tuesday March 10 at 4:30 p.m.

Upon recommendation of the Chief Examiner, approved by the Chief Counsel, the Commission appointed Charles C. Parker, Attorney-Examiner in the Local Investigating Division, at a salary of \$2400 per annum, flat, and directed that Mr. Parker be assigned to the Chicago Office, appointment effective upon taking the oath and entering on duty.

Thereupon, at the hour of 10:30 p.m., the Commission adjourned to meet at 10:30 a.m., March 11, 1930.

Attest :

W. H. Thompson
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 11, 1930 - 10:30 a.m.

Victor Murdock, Chairman
William B. Colver
Nelson B. Gaskill
John C. Pollard

Mr. Thompson absent on official business.

The minutes of March 10, 1930, were read and approved.

Upon motion of Mr. Colver the Commission approved recommendation of the Chief Economist that Mr. Charles S. Himmelwright resign from the War Department, and authorized his reappointment at a salary of \$2400 per annum plus the bonus, the same to be effective upon taking the oath of office and entering on duty.

Mr. Selver laid before the Commission memorandum of January 18, 1940 from the Chief Economist, in re suggestion of Mr. A. C. Pearson, New York City, regarding propaganda to counteract the high cost of living. Upon consideration it appeared that the matter was one for the Department of Justice, and Mr. Selver was requested to prepare letter for the Chairman's signature re advising Mr. Pearson.

In the matter of Pocket No. 280, F.T.C. re. The Prost-Celite Company, Inc., it was ordered that Everett F. Hayward, an examiner of the Commission, be designated to receive testimony, etc.

On motion of Mr. Gaskill, the Chairman was requested to communicate with the Public Printer in an effort to expedite the printing of Part IV of the Commission's report on the meat industry, and its reports on the Marketing of Foods and on Private Car Lines.

On motion of Mr. Hardeck the Clerk was directed to submit a list of cases from the calendars of Messrs. Hardeck, Thompson and Selver, showing the assignment of every 14th case to Mr. Gaskill and every 15th case to Mr. Pollard.

The Commission recessed at the hour of 12:30 and reassembled at 2:30 p.m.

Victor Hardeck, Chairman
William B. Selver
Nelson H. Gaskill
John G. Pollard.

Mr. Gaskill offered the following motion amending his motion of February 26, 1940, and the same was unanimously adopted:

MOVED, that formal complaints wherein final argument has been had before the Commission or where the case is submitted to the Commission for final determination upon briefs or agreed statement of facts or in any other manner, appear

upon the Commission's daily action calendar at the expiration of two weeks from date of such submission for final determination by the Commission, and that such cases remain before the Commission until disposed of.

In conference with the Chief Counsel, the Commission considered certain matters arising in the Chief Counsel's office.

(1) Files -

- 1-705 - F.T.C. vs. MacBeth-Evans Glass Company, et al
1-808 - Isaac Sulzant vs. Cumberland Glass Mfg. Co., et al

In response to the Commission's direction of September 18, 1919, the Chief Counsel submitted memorandum by Attorney Reeves setting out the issues involved in these glass cases. Upon consideration of the whole record, and on motion of Mr. Murdock, the cases were referred to Mr. Pollard for consideration and report back to the Commission.

(2) File -

- 1-479 - Grocers Wholesale Company vs. Calumet Baking Powder Company, et al.

In response to the Commission's direction of November 29, 1919, draft of formal complaint was submitted by the Chief Counsel, and upon consideration such complaint was referred back to the Chief Counsel to be redrawn in accordance with verbal instructions given to the Chief Counsel.

(3) Docket -

- No. 261 - F.T.C. vs. American Sheet & Tin plate Company.

Memorandum of March 5, 1920, from the Chief Counsel submitting report from Attorney Kelley recommending dismissal of the case, was referred to Mr. Colver with request for consideration and report back recommendations to the Commission.

Thereupon, at the hour of 5:30 p.m. the Commission adjourned to meet at 10:30 a.m., March 12, 1920.

Attest:

W. J. Murdock
Chairman.

Secretary.

March 12, 1920 - No meeting held.

March 13, 1920 - No meeting held.

March 14, 1920 - No meeting held - Sunday.

March 15, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

March 16, 1920 - 10:30 a.m.

Victor Murdock, Chairman

William S. Mciver

Nelson H. Gushill

John Garland Pollard.

Mr. Thompson absent on official business.

The minutes of March 11, 1920 were read and approved.

Chairman Murdock laid before the Commission the following matters and action as indicated was taken by the Commission:

(a) Draft of reply to letters of January 28 and February 17, from the Secretary of the National Wool Growers Association, Salt Lake City, Utah, in the matter of extended datings upon wool sales. Reply as revised was approved by the Commission, signed by the Chairman and forwarded.

(b) Letter of March 2, 1920 from the Cincinnati Chamber of Commerce requesting copy of report filed with the Commission by the Virginia Fuel Company, covering the period April - November, 1917. It was agreed that the Chairman reply and say that the Commission is advised it has no such report in its files and if it had such report in its files same would not be available for the private inspection of identified returns made to the Commission.

The Secretary laid before the Commission the resignation of Mr. Alfred P. Thom, Jr. attorney-examiner in charge of the New York Office, same to be effective at the close of day, March 31, 1930. The resignation was accepted by the Commission.

The following motion directing the Secretary to make certain extracts from the minutes of the Commission was offered by Mr. Caskill and unanimously adopted:

MOVED, that the Secretary extract from the minutes of the Commission, all resolutions, motions or other acts of the Commission relating generally to the handling and disposition of the business of the Commission and submit the same to the members of the Commission in such form as will serve as a basis for codification, revision and amplification. The Secretary shall likewise collect and include in this compilation all instructions now in effect, issued to the Chief Counsel, the Chief Economist and the Chief Examiner by the Commission and by each of these officers to their respective personnel.

In the matter of Docket No. 373, P.T.O. vs. the Pan Motor Company, et al, it was ordered that John H. Dowlan an examiner of the Commission be hereby designated to receive testimony, etc.

The Commission recessed at 1 p.m. and reassembled at 3:30.

Victor Mardock, Chairman
William E. Solter
Nelson B. Caskill
Wm. Garland Bellard

Mr. Thompson absent on official business.

Pursuant to arrangements, Messrs. Herbert Noble, Hartwell Heath and James M. Sheehan of counsel for respondent in Docket No. 358, P.T.O. vs. The Butterick Company et al, appeared before the Commission and were heard upon respondents' motion to vacate the Commission's Order of January 29, 1930 joining the proceeding in Docket No. 358 P.T.O. vs. Butterick Co., et al, and Docket No. 359, P.T.O. vs. Pictorial Review Co., and also upon respondents' motion for a severance of these proceedings. These motions

are filed in the record. Attorney Alvord was heard on behalf of the Commission.

At the close of argument and upon consideration the Commission ordered (1) that its Order of January 29, 1920 joining proceedings pending before the Commission in Dockets Nos. 225 and 226 be vacated and set aside; (2) that proceedings in Docket No. 225 be dismissed as to respondents The Butterick Company and Federal Publishing Company; (3) that the second count of the Commission's complaint in Docket No. 225 insofar as it relates to an allegation of violation of the Clayton Act, be dismissed on the Commission's own motion; and (4) that the motion for severance of the remaining respondents in Docket No. 225, P.T.C. vs. Butterick Company Co., et al, be granted.

By appointment Representative Kendall of Pennsylvania appeared before the Commission in behalf of the coal operators with a small production in the matter of the form of the Commission's questionnaire.

Messrs. Porter and Alvord appeared before the Commission and asked for instruction as to further proceeding in Docket No. 225, and on motion of Mr. Cassill, it was ordered that the Attorney for the Commission in Docket No. 225, P.T.C. vs. Butterick Co., et al, amend the complaint by including with cause of action number one the allegation subsequently forth in cause of action number two as a violation of Section 5 of the P.T.C. Act.

Thereupon, at the hour of 5:30 p.m. the Commission adjourned to meet at 10:00 a.m. March 17, 1920.

Attest:

Victor W. Hunsicker
Chairman

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 17, 1920 - 10:30 a.m.

Victor Murdock, Chairman
William E. Colver
Nelson H. Gaskill
John C. Pollard

Mr. Thompson absent on official business.

Minutes of the meeting of March 16, 1920 were read and approved.

Pursuant to the Commission's request of February 25, 1920, Mr. Gaskill submitted written report recommending issuance of formal complaint in the matter of file 9-1489 application of Barham & Bailes Co., Inc., for complaint against Larabee Flour Mills Corp., and moved issuance of formal complaint. As to the foregoing motion, Messrs. Colver and Gaskill voted in the affirmative, Mr. Murdock voted in the negative and Mr. Pollard did not vote as he was not a member of the Commission when the case was submitted. The motion was adopted and it was thereupon ordered (1) that recommendation by Mr. Gaskill be approved, and (2) that formal complaint issue as of this date and be prepared and served. Report of the Board of Review approved.

Upon consideration of memorandum of March 16, 1920, submitted to the Commission by Mr. Gaskill in the matter of Docket No. 207, P.T.C. vs. Cleveland Macaroni Co., and upon discussion of the whole case it was ordered upon motion of Mr. Gaskill that counts numbers two and three of the Commission's complaint be and the same are hereby dismissed, and that the first count of the complaint be amended to conform with the suggestions contained in Mr. Gaskill's memorandum. The memorandum was transmitted to the Chief Counsel with instructions to prepare amended complaints and it was ordered that such amended complaint when prepared issue as of this date and be served without further action by the Commission. Mr. Gaskill was asked to supervise the preparation and issuance of the amended complaint.

Consideration was given to draft of formal complaint submitted by the Chief Counsel in the matter of files 1-647, Intertype Corp. vs. Mergenthaler Linotype Co. and 1-1160, Lanston Monotype Machine Company vs. Mergenthaler Linotype Co. et al. and upon motion of Mr. Murdock the files were referred to Mr. Gaskill with request that he submit to the Commission recommendations with reference to issuance of formal complaint together with re-draft of complaint if the issuance of a complaint appears to be warranted.

At this time Commissioner Thompson entered the meeting.

Victor Murdock, Chairman
 Huston Thompson
 William B. Colver
 Nelson E. Gaskill
 Chas. Garland Pollard.

In the matter of Docket No. 384, P.T.C. vs. Sinclair Refining Company, the Chief Counsel laid before the Commission the following three motions of respondent:

1. Motion for re-hearing and review, and to set aside order to Cease and Desist.
2. Motion to suspend order to Cease and Desist.
3. Application for extension of time to comply with order to Cease and Desist.

Upon consideration of the whole record and on motion of Mr. Thompson it was ordered, (1) that the above motions numbers one and two be and the same are hereby denied, and (2) that in response to motion number three the Commission hereby extends the time for compliance of its order to Cease and Desist for a period of 60 days beyond the time originally fixed in said order.

On motion of the Chairman consideration was given to Docket No. 108, P.T.C. vs. Vandalia Rubber and Protective Association, pending before the Commission for final determination. After discussion and a motion of Mr. Thompson, seconded by Mr. Gaskill it was ordered that the matter be referred to the Department of Justice. As to the foregoing motion Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Messrs. Murdock and Colver voted in the negative. The Chairman declared the motion carried.

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Mr. Colver moved that the Vandeville Memorandum case now be laid before the Commission for final determination. As to the foregoing motion Messrs. Murdock and Colver voted in the affirmative and Messrs. Thompson, Gaskill and Pollard voted in the negative. The Chairman thereupon declared the motion lost.

Mr. Gaskill moved and it was duly seconded and past that the Chairman designate a member of the Commission to prepare a memorandum with reference to the Vandeville case for publication and that such memorandum when prepared be submitted to the Commission for issuance. In response to this motion the Chairman designated Mr. Gaskill to prepare and submit to the Commission such memorandum.

The Chairman advised the Commission of the necessity of a reassignment of the work of the Commission due to the appointment of the two new members, among the five Commissioners. It was mutually agreed that the matter of reassignment of the work be left to the Chairman. The following reassignment of the work of the Commission was thereupon suggested by the Chairman and unanimously agreed to by the Commission and ordered to be immediately effective and to continue until further order of the Commission:

Mr. Murdock,	Administrative Division.
Mr. Thompson,	Work of the Chief Counsel's office and trial force.
Mr. Colver,	Trading With the Enemy Section, Export Trade Section and Board of Review
Mr. Gaskill,	Economic Division
Mr. Pollard,	Work of the Chief Examiner's office and legal examining force.

Thereupon, at the hour of 1 p.m. the Commission adjourned to meet at 10:30 a.m., March 18, 1920.

Attest:

Out. W. L. L.
Chairman.

Secretary.

MEETING OF PRINCIPAL TRADE COMMISSION

March 18, 1920 - 10:30 a.m.

Victor Murdock, Chairman
 Huston Thomson
 William B. Colver
 Nelson K. Cassill
 Jno. Garland Pollard

The minutes of the meeting of March 17, 1920 were read and approved.

In response to the Commission's direction of February 28, 1920, Mr. Colver laid before the Commission draft of special report to the Congress with reference to commercial bribery. The report was read, revised, approved and signed by the several Commissioners and ordered to be forwarded. See file -

Upon recommendation of the Chief Economist and on motion of Mr. Colver the Commission authorized the following appointments in the Economic Division, the same to be effective upon taking the oath of office and entering on duty.

Arthur A. Allen, Temporary Examiner,	\$2600, Flat,
J. J. Lheran,	3000
(Reinstatement)	
H. C. Day,	3300
(Reinstatement)	

Upon recommendation of the Chief Economist and on motion of Mr. Colver, the Commission authorized the purchase of five desk calculating machines of the Monroe type and one machine of the Hillsonian type.

Upon receipt of memorandum from the Chief Counsel, the Commission fixed Monday, March 22, 1920 at 2:30 p.m., as the time for hearing final argument in *Bochet No. 40*, P.F.C. vs. *Raymond Brothers - Clark Company*.

Upon notice of Mr. C over the following special orders of business were set down by the Commission:

March 12, Tuesday - 10:30 a.m. - Consideration of matter presented by the Jarecki Chemical Co., and thereafter consideration of final determination of Docket No. 8, P.T.O. vs. Shredded Wheat Company.

March 15, Thursday - 10:30 a.m. - Consideration of Docket No. 90, P.T.O. vs. Standard Oil Company of New York, re acquisition of Magnolia Petroleum Company.

Thereupon, at the hour of 12:30 p.m., the Commission adjourned to meet at 10:30 a.m., March 19, 1920.

Attest:

Chas. H. ...
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 19, 1920 - 10:30 a.m.

Walter Burdick, Chairman
Eugene Thompson
Nelson L. Rockhill
Thos. Carlane Pollard

Mr. Jolver absent on account of illness.

Mr. Thompson laid before the Commission confidential memorandum prepared for the Commission's report to the Attorney General in response to his request of January 7, 1920, to ascertain facts concerning the carrying out of

court's decree in the case of United States vs. Hiss, et al., known as the news print paper case. Conference was had with Messrs. Farrington and Sawyer of the staff. The memorandum was considered at length and referred back to Mr. Thompson with request that he prepare and bring to the Commission draft of report to the Attorney General.

Upon recommendation of the Chief Examiner and upon motion of Mr. Pollard, Mr. Byron L. Shinn, Attorney-Examiner of the staff, was placed in charge of the Commission's New York office, vice Alfred T. Thom, Jr., resigned. This appointment to be effective April 1, 1938.

Upon recommendation of the Chief Examiner and on motion of Mr. Pollard, the Commission designated Mr. Herbert L. Anderson, Attorney-Examiner of the staff, as Assistant Chief Examiner, in place of Mr. Byron L. Shinn. This designation to be effective April 1, 1938.

At the hour of 1 p.m., the Commission recessed and reassembled at 2:30 p.m.

Victor Hardeck, Chairman
 Arthur Thompson
 Jno. Garland Pollard

In conference with the Chief Counsel and Attorney Lane, the Commission considered findings, conclusions and orders submitted by the Chief Counsel at the Commission's direction in the following serial cases:

(1) Jacket Numbers -

355 -	"	"	U.S. vs. Rider Machine Company
361 -	"	"	Accounting Machine Co., Inc.
362 -	"	"	Burroughs Adding Machine Company
364 -	"	"	Ballou Adding Machine Company
365 -	"	"	Ellis Adding-Typewriter Company
366 -	"	"	International Money Machine Company
367 -	"	"	Marchant Calculating Machine Company
368 -	"	"	Lockford Milling Machine Company
370 -	"	"	Teeter Adding Machine Company

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(1111)

After discussion it was agreed that these cases be laid over for further consideration at another meeting.

- (2) Docket No. 340 - F.T.C. vs. The Electric Appliance Company.

Findings of Facts, Conclusion and Order to Cease and Desist were approved by the Commission, entered of record with the direction that the order be served. As to the foregoing action of the Commission, Messrs. Murdoch and Pollard voted in the affirmative and Mr. Thompson voted in the negative.

- (3) Docket No. 538 - F.T.C. vs. Hol-ray Hosiery Co.

Findings of the Facts, Conclusion and Order to Cease and Desist, approved by the Commission and entered of record with the direction that the order be served forthwith. Mr. Murdoch moved and it was duly passed, that the record show that he voted "no" upon the question of finding the use of the words "natural gray" as an unfair method of competition, and also voted "no" upon the question of ordering respondent to Cease and Desist the use of the words "natural gray" to designate its fabric.

Upon motion of Mr. Pollard it was ordered that the salary of Attorney-Examiner Byron L. Shinn be increased to \$4500 per annum, and that the salary of Attorney-Examiner Herbert E. Anderson be increased to \$3500 per annum, such increases to be effective as of April 1, 1920 and conditioned upon occupancy of the positions to which they were today promoted.

In the matter of Docket No. 515, F.T.C. vs. Champion Blower and Forge Company it was ordered that C. E. Woerner an examiner of the Commission, be designated to receive testimony, etc.

Thereupon, at the hour of 4:30 p.m. the Commission adjourned to meet at 10:30 a.m. March 30, 1920.

Attest:

W. H. Aldrich
Chairman.

Secretary.

March 20, 1930 - No meeting held.

March 21, 1930 - No meeting held - Sunday

MEETING OF FEDERAL TRADE COMMISSION

March 22, 1930 - 11 a.m.

Victor Mardock, Chairman
Jno. Garland Pollard

Mr. Thompson absent on official business.
Mr. Colver absent on account of illness.

Pursuant to arrangement Messrs. James H. Sheehan and Hartwell Heath, of counsel for respondent in Docket No. 265, Federal Trade Commission vs. Butterick Co., et al, appeared for a hearing upon respondent's motion for an order stating the issues upon which testimony may be taken and settling the form of complaint, etc. Messrs. Claude E. Porter and W. C. Alvord appeared for the Commission.

Due to the absence of Messrs. Colver and Caskill, argument on the motion was not made and the matter was adjourned until the hour of 2:30 p.m. this afternoon.

Thereupon, at the hour of 11:00 the Commission adjourned and reassembled at 2:30 p.m.

Victor Mardock, Chairman
Jno. Garland Pollard

Pursuant to adjournment the Commission met to hear argument in Docket No. 265, as set forth above, but due to the absence of Messrs. Colver and Caskill, argument was not heard, and upon mutual agreement the Commission fixed Friday, March 23 at 2:30 p.m., as the time for hearing of such motions, with the further understanding that following the completion of the argument on March 23 the Commission would fix the time when the taking of testimony in this case shall proceed.

The Chairman laid before the Commission the resignation of Attorney Robert E. Kane, and the same was accepted to be effective at the close of day March 22, 1930.

Thereupon, at the hour of 3 p.m., the Commission adjourned to meet at 10:30 a.m., March 23, 1930.

Attest:

Victor Hardeck
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

March 23, 1930 - 10:30 a.m.

Victor Hardeck, Chairman
Huston Thompson
William B. Colver
Nelson M. Gaskill
Jno. Garland Pollard

The minutes of March 17, 18, 19, and 22, 1930, respectively were read and approved.

The following matters were presented by Chairman Hardeck and action as indicated was taken by the Commission.

(1) Letter of March 22, 1930 from H. J. Macdonald of the Unfair Competition Bureau of the Paint & Varnish Industries, Washington, D.C., asking to be heard by the Commission on (a) the question of public interest in

commercial bribery as a method of competition, and (b) the steps necessary to prevent a return to the conditions existing prior to the investigation by the Commission. It was agreed that Mr. Macdonald be heard by the Commission at 2:30 p.m., on March 30, 1920.

(2) Memorandum of March 22, 1920 from Messrs. Busick and Hudson, recommending the employment of Mr. Richard S. Ely as Special Attorney at a salary of \$3600 per annum. The recommendation was approved and the employment of Mr. Ely authorized, the same to be effective upon taking the oath of office and entering on duty. Mr. Ely was assigned to the library and further assigned to the editing and publishing of the Commission's complaints and orders.

(3) Supplemental report submitted by the Chief Economist of the cost of paper in the case of the Samuel Cupples Company, prepared at the request of the Postmaster General. It was ordered that the report be forwarded to the Postmaster General.

In response to the Commission's direction of March 16, 1920, the Secretary submitted for each Commissioner a copy of extracts from the minutes of resolutions, motions or other acts of the Commission relating generally to the handling and disposition of the business of the Commission. The report was received and Mr. Gaskill moved the appointment of a committee of two Commissioners to codify and revise and if necessary to amplify such extracts from the minutes, etc., and submit a report to the Commission in the form of a code of rules and regulations. The motion was duly seconded and carried, and the Chairman appointed Messrs. Colver and Gaskill a committee on rules and regulations in accordance with the foregoing action.

Pursuant to arrangement the Commission gave consideration to the request of counsel for The Jarecki Chemical Company for advice from the Commission as to whether or not the proposed purchase of the stock of this company by the Armour Fertilizer Works would be in the opinion of the Commission a violation of Section 7 of the Clayton Act.

Consideration was given to correspondence submitted in the case and also to matters presented at conference with the Commission on March 4, 1920. After discussion Mr. Gaskill submitted the following motion which was seconded by Mr. Murdock:

A corporation actively engaged over a considerable period, in the manufacture and

sale in interstate commerce, of a commodity in general use, desires to sell its whole capital stock to another corporation which is an active competitor in the same line. Application is made to the Commission for a ruling of approval in advance of such sale.

Held first, That the Commission is without authority to rule upon a state of facts submitted in advance of actual consummation.

Second, That as a matter of opinion only, the Commission expresses the view that Section 7 of the Clayton Act prohibits a sale such as that proposed when the result "maybe to substantially lessen competition" between the two companies involved and that approval of such sale would require this Commission to negative the prohibition, i.e., to find as a fact that such sale might not result in a substantial lessening of competition. The facts presented do not warrant such conclusion. On the contrary, the probable result to be anticipated from the sale is the elimination of an influential element of competition, a situation which if actually presented would invoke the prohibition of the Clayton Act.

To the foregoing motion offered by Mr. Gaskill Mr. Murdock offered the following substitute motion, which was seconded by Mr. Thompson:

MOVED, that the Commission instruct Mr. Colver to notify counsel for the Jarecki Chemical Company that under its rules it cannot rule in advance, such letter of notification to be prepared for the Chairman's signature and to be laid before the Commission prior to being sent.

As to the foregoing substitute motion, Messrs. Murdock, Thompson and Pollard voted in the affirmative, Mr. Gaskill voted in the negative and Mr. Colver did not vote. The Chairman thereupon declared the substitute motion carried.

Mr. Pollard asked that it be stated in the record that inasmuch as he has so recently come on the Commission he is unwilling without further consideration to vote for a departure from important policy embodied in the existing rule against advance rulings.

In the matter of Docket No. 226, F.T.C. vs. Pictorial Review Company, it was ordered that J.J. Dunham, an examiner of the Commission, be designated to receive testimony, etc.

In the matter of Docket No. 215, F.T.C. vs. Minerals Separation, Ltd., et al, it was ordered (1) that George McCorkle, an examiner of the Commission, be designated to receive testimony, etc., and (2) that the hearing begin at New York City, April 7, 1920, at 10 o'clock a.m.

The Commission then proceeded to a consideration of final determination in Docket No. 5, F.T.C. vs. The Shredded Wheat Company, set down for a special order of business. In discussion of this case Mr. Pollard took no part for the reason that he was not a member of the Commission when the case was finally argued. The case was considered at length and laid over for further consideration at the next meeting.

Upon recommendation of the Chief Economist the Commission authorized the reinstatement at the salaries indicated of the following former employees, now serving with the Military Foods Division of the War Department. Such reinstatement to be effective March 24, 1920.

Wm. A. Clark, Examiner,	\$2500 , plus the bonus
Chas. C. Sinclair, "	2700 , per annum, flat
Robert A. Halsted, "	1600, plus the bonus.

Thereupon at the hour of 1:15, the Commission adjourned to meet at 10:30 a.m., March 24, 1920.

Attest:

Chas. C. Sinclair
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 24, 1920 - 10:30 a.m.

Victor Murdock, Chairman
William B. Colver
Welson B. Gaskill
Jno. Garland Pollard

Mr. Thompson absent on official business.

The minutes of March 23, 1920 were read and approved.

Mr. Murdock presented the following listed applications for complaint and upon his motion action as indicated was taken by the Commission.

- (a) Files -
- 9-1443 - Globe Wholesale Grocery Co. vs. Spreckles Sugar Co., et al
 - 9-1500 - Frankford Grocery Co., Inc., vs. Commonwealth Mail Order Company
 - 9-1509 - General Laboratories vs. North Star Chemical Works
 - 9-1760 - Federal Trade Commission vs. Columbia Dyestuff Company
 - 9-1762 - Federal Trade Commission vs. Lowe Aniline & Dyestuff Company
 - 9-1763 - Federal Trade Commission vs. Empire City Dye Products Company
 - 9-1765 - Federal Trade Commission vs. National Color & Chemical Company
 - 9-1768 - Federal Trade Commission vs. Felix Fezandie
 - 9-1775 - Federal Trade Commission vs. Althouse Chemical Co.
 - 9-1776 - Federal Trade Commission vs. Aniline Dye & Chemical Company, Inc.
 - 9-1782 - R. M. Loewenthal & Co., Inc., vs. Eastman Rubber Works, Inc.

Recommendations by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(b) Files -

O-1761 - Federal Trade Commission vs. American Dyewood Co.
 O-1764 - " " " " Bachmeier & Co., Inc.
 O-1766 - " " " " A. De Ronde & Co.
 O-1767 - " " " " The Widder Dyeing
 Chemical Company, Inc.
 O-1769 - Federal Trade Commission " United States Color
 and Chemical Company, Inc.
 O-1774 - Federal Trade Commission vs. Aniline Sales Corp.
 O-1777 - " " " " United Chemical Products
 Corporation.

In each of the above cases, which involved question of commercial bribery, Mr. Murdock submitted a recommendation, following the recommendation of the Board of Review, that formal complaint be prepared. Upon consideration and on motion of Mr. Gaskill, these cases were laid over for consideration in the afternoon of March 30, 1920.

In the matter of Docket No. 523, F.T.C. vs. Alben-Harley, it was ordered that the hearing begin before an examiner of the Commission, on March 26, 1920, at 10:30 a.m., in the city of Chicago, Illinois.

Upon motion of Mr. Gaskill, the Commission reconsidered its action of February 25, 1920, in dismissing file 9-1525, application of Hennen Company for complaint against Philadelphia Wholesale Drug Company, and directed that the case be referred to Mr. Gaskill and removed from Mr. Murdock's calendar.

The Commission proceeded to a further consideration of its final determination of Docket No. 5, F.T.C. vs. The Shredded Wheat Company, which was set down for a special order of business.

Mr. Pollard asked that the record show that he was excused in the consideration of this case as he was not a member of the Commission when the hearing was had.

After discussion Mr. Gaskill moved that an order issue substantially as follows. This motion was unanimously adopted by the Commission:

ORDERED, that the Shredded Wheat Company cease and desist from using, continuing or enforcing the

terms and provisions of a certain agreement or understanding evidenced by letters, that Brown and Sharpe Manufacturing Company would manufacture "shredded rolls" exclusively for the Shredded Wheat Company and release the Brown and Sharpe Manufacturing Company from the obligation of such agreement or understanding, a true copy of such release to be filed with the Federal Trade Commission.

And it is further ordered that the Shredded Wheat Company cease and desist from agreeing to and with or contracting with any manufacturer of non patented machinery or parts thereof, for the exclusive sale thereof or any part thereof to the Shredded Wheat Company.

The Chief Counsel was instructed to prepare and lay before the Commission Findings, Conclusion and Order substantially in accordance with the foregoing resolution.

Mr. Gaskill offered the following motion directing the preparation of organization and administration charts and the same was duly seconded and adopted by the Commission:

That there be prepared by a competent person to be selected by the Commission a series of organization and administration charts, as follows:

1st. A chart graphically showing the system of organization and administration of the Commission generally, without indication of personnel other than members of the Commission, their secretaries, heads of departments and their secretaries, principal officers in charge of subdivisions and their secretaries. No names to be inserted.

2nd. A similar chart of each department and subdivision of the Commission showing arrangement of personnel. No names to be inserted.

These charts to be so prepared that copies can be struck from the originals and names, room numbers and telephone numbers inserted.

That upon the adoption of such charts by the Commission, the Secretary cause the correct insertion of names, room and telephone numbers and personnel to be made in a

sufficient number of copies and distributed as follows:

- 2 copies of Chart No. 1 to each Commissioner and head of department,
- 2 copies of Chart No. 2 to each head of department and subdivision. Such additional copies else where in the Commission as maybe required.

These charts to be corrected as to personnel and issued on the first of each month.

The Secretary was designated by the Commission to prepare the charts in accordance with the foregoing resolution.

Mr. Murdock offered the following resolution with reference to the surrender by employees at the time of resignation of certain property of the Commission, and the same was duly seconded and adopted by the Commission.

MOVED, that hereafter employees must surrender to the Secretary all identification cards, credentials, transportation requests, and Commission property before their resignations are accepted, and that no payment of any salaries due be made until property and credential accounts are cleared.

Mr. Colver laid before the Commission recommendation of Mr. Holt in charge of the Export Trade Section, for increase in salary of Mr. Ernest H. Judd, and on motion of Mr. Colver the Commission increased Mr. Judd's salary to \$2040, plus the bonus, the same to be effective on March 10, 1920.

Upon motion of Mr. Colver the Commission directed that the salary of Mr. John L. Brown be increased from \$1320., plus the bonus to \$1440, plus the bonus, the same to be effective March 16, 1920.

Upon motion of Mr. Murdock, consideration of the Commission's report on the Farm Operating Equipment Industry was made a special order of business for Wednesday, March 23, at 1:30 p.m.

In the matter of Docket No. 503, F.T.C. vs. Utah-Idaho Sugar Company, et al, it was ordered that J.J.Dunham, an examiner of the Commission, be designated to receive testimony, etc.

In response to the Commission's direction of March 11, 1920, the Clerk submitted a list of applications for complaints selected from the calendars of Messrs. Murdock, Thompson and Colver, for assignment to Messrs. Gaskill and Pollard. Upon consideration the following transfer and assignment for supervision of applications for complaints was made, the same to be effective as of this date.

To Mr. Gaskill

From Mr. Murdock

- 1-218 - Swedish-American Telephone Mfg. Co., vs. Western Electric Co., et al.
- 1-255 - A. Theo. Abbott & Co. vs. Silk Assn. of America.
- 1-643 - Amsterdam Broom Co. vs. Leo Broom & Duster Co.
- 9-1272- Reichard-Coulston Inc., vs. L. H. Butcher Co., Inc. et al.
- 9-1277- E. H. Cone, Inc., et al vs. Louis K. Liggett Co., et al.
- 9-1507- Burton Preston & Co. vs. E. O. Townsend.
- 9-1450- Frings Bros. Co. vs. Phila. Jobbing Confectioners.
- 9-1467- Independent Oil Men's Assn. vs. Frank O'Brien, et al.
- 9-1461- Iowa-Nebraska Wholesale Grocery Assn. vs. Cudahy Packing Company.
- 9-1492- Smith, Kline & French Co. vs. Bayer & Co., Inc.
- 9-1504- Juvenile Shoe Corp. vs. Max Ettinger, et al.
- 0-1731- Hudson Motor Specialties Co. vs. Apco Mfg. Co., et al.
- 0-1773- F.T.C. vs. Hall-Hartwell Company.
- 9-1133- E.A.Saunders Sons Co. vs. H.K.Fairbank Company.

From Mr. Colver.

- 1-788 - F.T.C. vs. Photo Engravers Board of Trade, N.Y.C.
- 9-934 - F.T.C. vs. National Linseed Company
- 9-1005- F.T.C. vs. Schmidt Lithograph Company, et al
- 9-1028- Jacques Mfg. Co. vs. Calumet Baking Powder Co.
- 9-1522- Southern Millers Assn. vs. Calumet Baking Powder Co.
- 0-1564- The Alton Tank Line vs. Standard Oil Co. of Indiana.

From Mr. Thompson

- 1-412 - Selby Shoe Co. vs. United Shoe Machine Co.
- 9-1435- Allen Mfg. Co. et al vs. Rutting Cash & Door Co., et al.
- 9-1491- F.T.C. vs. United Retail Stores Corporation.
- 9-1530- American Ironing Machine Co. vs. Pittsburgh Electric and Mfg. Company.
- 9-1559- Cooper Underwear Co. vs. Collier Mfg. Co.
- 9-1754- Juvenile Shoe Corporation of America vs. Juvenile Shoe Company, Inc.
- 9-1543- F.T.C. vs. Simmonds Mfg. Company. et al.

To Mr. PollardFrom Mr. Murdock

- 1-685 - F.T.C. vs. Berlin Aniline Works, et al.
- 1-703 - Dill Mfg. Co. vs. A. Schraders' Sons, Inc.
- 9-935 - F.T.C. vs. Zone Oil Co.
- 9-941 - F.T.C. vs. Crystal Oil & Paint Company
- 9-995 - Auto Acetylene Light Co. vs. Bureau of Explosives.
- 9-1016- Kelly Springfield Tire Co. vs. Frank Brothers.
- 9-1217- Associated Advertising Clubs of the World vs. Led Shield Creamery Company.
- 9-1200- S.P. Lawlings Wall Paper Co. vs. Henry Bosch Co.
- 9-1749- F.T.C. vs. Los Alamitos Sugar Co. et al.
- 9-1774- F.T.C. vs. Aniline Sales Corporation.
- 9-1821- F.T.C. vs. American Aniline Products, Inc.
- 9-1836- Esco Hosiery Co., Inc. vs. Emery-Beers Co., et al.
- 9-1850- Trappey & Sons vs. McIlhenny Company.
- 9-1371- Goodyear Tire & Rubber Company vs. Firestone Tire

From Mr. Thompson

- 1-571 - Double Seal Tire Valve Company vs. A. Schraders' Sons, Inc.
- 9-1483- The Perfect Mfg. Co. vs. Wyeth's Chemical Co.
- 9-1496- F.T.C. vs. Complaint in re The matter of difficulties in securing supply of cans.
- 9-1533- Robbins Engineering Co. vs. Teller Mfg. Co.
- 9-1734- F.T.C. vs. General Graphite Company.
- 9-1758- Gillette Safety Razor Company vs. Auto Strop Safety Razor Company.
- 9-1539- The Seydel Mfg. Co. vs. Providence Drysalsters Mfg. Company.

From Mr. Selver.

- 9-1225 - Good Loads Machinery Company vs. Eastern Road Machinery Co.
- 9-1281 - Oklahoma Tool & Supply Co. vs. Kelly & Jones Co.

From Mr. Colver.

- 9-1468 - The Knickerbocker Knitting Mills Co. vs.
The Seulpax Company.
9-1534 - P.T.C. vs. Practice of Adding Moisture to Cats.
9-1540 - The Seydel Mfg. Co. vs. Arnold Hoffman Inc.
9-1560 - The Natl. Refg. Co. vs. Standard Oil of Indiana.

Thereupon, at the hour of 1 p.m., the Commission
adjourned to meet at 10:30 a.m., March 25, 1920.

Attest:

Out. H. H. H.
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 25, 1920 - 10:30 a.m.

Victor Murdock, Chairman
William H. Colver
Nelson E. Gaskill
Geo. Garland Pollard

The Chairman laid before the Commission draft of
reply to letter of March 17th from Henry J. Graves,
United States Forester, in which the Commission transmits
as requested, certain data re the lumber industry, from
the files of the Bureau of Corporations, for use by the
Forest Service in its investigation under the Capper
Resolution. After discussion it was agreed that these
data be forwarded under the confidential restrictions
set out in the Commission's letter. The letter was signed
by the Chairman and ordered forwarded. See file -

In the matter of Docket No. 523, P.T.C. vs. Alben-Harley, it was ordered that Walter B. Wooden, an examiner of the Commission, be designated to receive testimony, etc.

In the matter of Docket No. 538, P.T.C. vs. U.S. Food Products Corporation, et al, it was ordered that Walter B. Wooden, an examiner of the Commission be appointed in the place of J. J. Dunham to receive testimony, etc.

Upon motion of Mr. Murdock the Commission fixed Tuesday, March 30th, at 10:30 a.m., as the time for consideration as a special order of its report on Profits in Meat Industry.

At this time Mr. Thompson entered the meeting.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

The Commission thereupon proceeded to a consideration of its final determination of Docket No. 92, P.T.C. vs. Standard Oil Company of New York, re acquisition of Magnolia Petroleum Company.

Mr. Pollard asked that the record show that he was excused in the consideration of this case as he was not a member of the Commission when the final hearing was had.

After discussion Mr. Murdock offered the following motion, which was seconded by Mr. Thompson:

MOVED, that the Commission's complaint in this case be dismissed.

To the foregoing motion Mr. Colver offered the following amendment, which was seconded by Mr. Gaskill:

MOVED, that Mr. Murdock's motion be amended by the addition of the following words, "substantial lessening of competition between the Standard Oil Company of New York and the Magnolia Petroleum Company not having been established."

As to the amendment offered by Mr. Colver, Messrs. Murdock and Thompson voted in the negative and Messrs. Colver and Gaskill voted in the affirmative, and Mr. Pollard did not vote. The Chairman thereupon declared the motion lost.

A vote was then taken on Mr. Murdock's original motion to dismiss, and the same was unanimously carried as offered, and it was ordered that the complaint be and the same is hereby dismissed.

Consideration was then given to the final determination of Docket No. 128, F.T.C. vs. Vaudeville Managers Protective Assn., and after discussion, Mr. Colver offered the following motion, which was duly seconded and unanimously adopted by the Commission.

MOVED, that the complaint be and the same is hereby dismissed, violation of the Federal Trade Commission Act or Sections 2, 3, 7 and 8 of the Clayton Act not appearing.

Mr. Pollard asked that the record show that he was excused in the consideration of this case as he was not a member of the Commission when final hearing was had.

Mr. Gaskill presented written report in file 9-1001, application of F.T.C. for complaint against Lewis I. Lauterstein, recommending dismissal inasmuch as it appears that the respondent complied with certain conditions imposed by the Commission on June 10, 1919, under which the case was to be dismissed. Mr. Gaskill's report was approved and it was ordered that the application be and the same is hereby dismissed.

Thereupon at the hour of 1 p.m., the Commission adjourned to meet at 10:30 a.m., March 23, 1920.

At test:

Chairman
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 26, 1920 - 2:30 p.m.

Victor Marsack, Chairman
Nelson B. Gaskill
Jno. Garland Pollard

Pursuant to arrangements the Commission heard argument of counsel for the Commission and argument of counsel for respondent in Docket No. 208, F.T.C. vs. Butterick Company, et al upon respondent's motion for an order stating the issues upon which testimony may be taken in this proceeding and settling the form of complaint therein. The motion is filed in the record. Attorneys Claude A. Porter and E. C. Alvord appeared for the Commission and Attorneys Hartwell Heath and James E. Sheehan appeared for respondent. The argument was not stenographically reported. At the conclusion of argument, matters presented were taken under advisement of the Commission.

Thereupon at the hour of 4:15 p.m., the Commission adjourned to meet at 10:30 a.m., March 27, 1920.

Attest:

Victor Marsack
Chairman.

Secretary.

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March 27, 1920 - No meeting held.

March 28, 1920 - No meeting held - Sunday.

MEETING OF FEDERAL TRADE COMMISSION

March 29, 1920 - 2:30 p.m.

Victor Murdock, Chairman

Nelson B. Gaskill

Mr. Thompson absent on official business.

Mr. Colver absent on account of illness.

Mr. Pollard absent on official business.

Pursuant to arrangements the Commission heard final argument of counsel for the Commission and counsel for respondent in Docket No. 460, P.T.C. vs. Raymond Brothers-Clark Company. Attorney Wm. J. Reeves appeared for the Commission and Attorney Emmet Tinley appeared for respondent. The hearing was not stenographically reported. At conclusion of the argument the case was taken under advisement by the Commission.

Thereupon, at two hours and 45 minutes the Commission adjourned to meet at 2:30 p.m., March 30, 1920.

Attest:

Chairman

Secretary

MEETING OF FEDERAL BUREAU OF INVESTIGATION

March 22, 1938 - 1:30 p.m.

Walter C. Clegg, Chairman
Eugene Tamm
William C. Clegg
Robert E. Rusk
J. Edgar Hoover

The minutes of the meeting of March 17, 1938, as
amended, respectively were read and approved.

Mr. Clegg laid before the Commission form of
letter transmittal certain files in Enact No. 116,
P.O. vs. Tennessee Managers' Protective Association
at the Department of Justice. The letter was
approved, signed by the Chairman and ordered forwarded.

Mr. Clegg of Mr. Clegg, it was agreed that
investigation of Enact No. 116, P.O. vs. Tenn
Managers' Protective Association should be continued
for several days, until a final report is made.

The Secretary laid before the Commission letters
of March 17, 1938, from the Chief Inspector of
the Federal Bureau of Investigation, requesting the Commission
to furnish copies of original letters in its files
concerning the case of the United States Attorney
at Fort Worth, Texas, representing against the Big
Game Game of Fort Worth, Texas, alleging use of
the letters for fraudulent purposes. Memorandum from
Attorney General Clegg was also received.
Upon consideration the Secretary was directed to advise
the Fort Worth Inspector that the Commission is of
opinion that papers gathered in the course of its in-
quiries are highly confidential and cannot be turned
over to other branches of the Government for use in
cases involving criminal prosecutions except upon
process of court.

The Secretary laid before the Commission report of the Board of Review of its inquiry into the source from which a party outside of the Commission is alleged to have learned of the Board's recommendation in the Steel Rolling Point Case, File P-1460, together with certain recommendations of the Board. After discussion of the Board's report, the Secretary was charged with the duty of carrying out the recommendations of the Board with respect to handling its reports, and the Secretary was further directed to prepare and issue a general order following the recommendations of the Board that the reports and recommendations of the examining attorney, Chief Examiner and of the Board of Review with respect to applications for complaints are to be regarded at all times and at all stages of every case as confidential and are not to be disclosed to any person outside of the Commission under any circumstances, that the order be given to all employees of every class in the Commission, and that heads of departments, divisions be instructed to see that the rule is brought to the attention of every new employee immediately upon his entering the services of the Commission.

Upon motion of Mr. Thompson the following matters were set down as special orders of business before the Commission:

(1) New print report prepared at request of Attorney General, Friday, April 3, 1920, 10:30 a.m.

(2) Consideration of California Associated Lumber Company, Wednesday, April 7, 1920, 10:30 a.m.

(3) File P-1296, application of Western Association of Lumber Steel Consumers for complaint against United States Steel Corporation, et al, Tuesday, April 13, 1920, 10:30 a.m.

Mr. Gaskill submitted written report in the matter of File P-943, Application of F.T.C. for complaint against Warren Chemical & Refining Company, recommending that the application be dismissed. Upon consideration, recommendation by Mr. Gaskill was approved, report of the Board of Review was approved, and it was ordered that the application be and the same is hereby dismissed for failure of proof.

Mr. Gaskill submitted written report recommending that petition of counsel for applicant for reconsideration of file 1-715, application of Galt, Williams & Hull for complaint against Hulse & Allen be denied. After discussion, on motion of Mr. Gaskill, seconded by Mr. Murdock, the Commission ordered that such petition for reconsideration be and the same is hereby denied upon the ground that the contract was for services and therefore not within the jurisdiction of the Commission. The Chief Examiner was directed to prepare for the signature of the Secretary, a letter to counsel for applicant, in accordance with the foregoing action, such letter to be approved by Commissioner Gaskill prior to signature.

The Commission recessed at the hour of 1 and re-assembled at 2:30 p.m.

Victor Murdock, Chairman
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard

At his request Mr. M. J. Macdonald of the Unfair Competition Bureau of the Paint & Varnish Industries, appeared and was heard in the matter of commercial bribery, with particular reference to the effect on the Commission's work of the decision in the United States Circuit Court for the Second Circuit, in the case of New Jersey Asbestos Company vs. the Federal Trade Commission.

The Commission then proceeded to a consideration of matters presented by argument of counsel on March 20, in the matter of Docket No. 255, F.T.C. vs. Butterick Co., et al, and also to its action in Docket No. 265, F.T.C. vs. Butterick Company, et al, and Docket No. 256, F.T.C. vs. Pictorial Review Company, et al, under date of March 16, 1920, and thereafter the following orders were issued.

(1) That the Order of the Commission made March 16, 1920 be vacated entirely, and that an order of vacation be issued and served upon respondents;

(2) That the Order of the Commission dated January 29, 1930 joining proceedings pending before the Commission in Dockets Nos. 365, P.T.C. vs. Butterick Company, et al, 266, P.T.C. vs. Pictorial Review Co., et al, be rescinded, and that an order to that effect be issued and served upon the respondent;

(3) That the application of all respondents in Docket No. 365, P.T.C. vs. Butterick Co., et al, for severance be granted, and that an order to that effect be issued and served upon the respondents;

(4) That the foregoing orders of the Commission be immediately prepared by the Chief Counsel and delivered to the Docket Division in time to be placed in the mails by the Docket Division on March 31, 1930 for service upon the respondents.

Upon motion of Mr. Pollard which was unanimously adopted, it was directed that Attorney Alvord appear before the Commission at 10 o'clock a.m., March 31, 1930, and explain why the order of the Commission under date of March 12th in Docket No. 365, P.T.C. vs. The Butterick Co., et al, was not obeyed.

Thereupon, at the hour of 5:45 p.m., the Commission adjourned to meet at 10 a.m., March 31, 1930.

Attest:

John H. ...
Chairman

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

March 31, 1920 - 10 a.m.

Victor Hardock, Chairman
Huston Thompson
William E. Colver
Nelson S. Gaskill
Jno. Garland Pollard

In response to the Commission's direction of March 30th, Attorney B. C. Alvord appeared before the Commission in the matter of proceedings in Docket No. 255, F.T.C. vs. Bitterick Company, et al. The Chief Counsel attended the meeting at the suggestion of the Commission. After full hearing and discussion Mr. Pollard offered the following minute and the same was seconded by Mr. Colver and adopted by the Commission. Mr. Gaskill did not vote.

Mr. Alvord appeared before the Commission in response to the resolution of March 30th, and explained that his failure to obey the orders of the Commission of March 16th, in Docket No. 255, was the result of a mis-understanding of the Commission's instruction. The Chairman was thereupon requested to inform Mr. Alvord that in the opinion of the Commission he erred in undertaking to introduce in the record an amendment ordered by the Commission without a thorough understanding of the Commission's action, and that the Commission condemns as indiscreet the language used by him at the hearing of March 19, at New York City.

The following motion was offered by Mr. Gaskill, seconded by Mr. Thompson, and adopted by the Commission.

MOVED, that the hearing in Docket No. 255, F.T.C. vs. Bitterick Co., et al, be held at the offices of the Commission in Washington, D. C., commencing on Tuesday, April 6, 1920, at 2:30 p.m., and that an order to this effect issue and be served on respondent forthwith.

As to the adoption of the foregoing motion Messrs. Thompson, Colver, Gaskill and Pollard voted in the affirmative and Mr. Hardock voted in the negative.

The following order was offered by Mr. Gaskill, seconded by Mr. Pollard and unanimously adopted by the Commission:

ORDERED, that all hearings before the Commission or its examiners on formal complaints are hereby declared to be public hearings.

The Commission recessed at the hour of 1 p.m. and reassembled at 2:30 p.m.

Victor Hardeck, Chairman
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

The following salary increases were ordered by the Commission, the same to be effective April 1, 1930:

W. R. Turner, Member of Board of Review	-	\$4000	to	\$5000
Marvin Farrington	-	\$600	"	4000
Hollard Hudson	-	\$100	"	\$400, plus bonus.

Upon recommendation of the Chief Counsel the Commission authorized the appointment of Charles M. Hoff as Attorney - Examiner at \$4000 per annum, to be assigned to the trial of cases, such appointment to be effective upon taking the oath of office and entering on duty.

Mr. Gaskill presented file 0-1758, application of E. M. Loewenthal & Co., Inc., for complaint against Atlas Tire Company. Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

In conference with the Chief Counsel the Commission considered certain matters arising in the Chief Counsel's office.

(1) Docket No. 551, F.T.C. vs. Drabphen Text Book Co. Upon recommendation of the Chief Counsel, the case was

set down for final argument before the Commission on Monday, April 14, at 2:30 p.m.

(2) File 9-1449 - application of Universal Battery Co. for complaint against Universal Products Company, et al. Draft of formal complaint against Universal Products Company, as submitted by the Chief Counsel, was approved by the Commission and issued. Resolution directing issuance and service adopted.

(3) File 9-1137, application of F.T.C. vs. L. B. Silver Co. as submitted by the Chief Counsel, was approved by the Commission and issued. Resolution directing issuance and service adopted.

(4) File 9-1498, application of General Laboratories vs. The Ginsco Chemical Company.

Draft of formal complaint, as submitted by the Chief Counsel against The Ginsco Chemical Company was considered by the Commission, revised and referred back to the Chief Counsel to be redrawn in accordance with verbal instructions given to the Chief Counsel.

(5) Docket No. 5-2, F.T.C. vs. Mercantile & Financial Times Publishing Company.

Draft of findings, conclusion and order, as submitted by the Chief Counsel, were considered and revised by the Commission and referred back to the Chief Counsel to be redrawn in accordance with verbal instructions given the Chief Counsel.

Thereupon, at the hour of 4:30 p.m. the Commission adjourned to meet at 10:30 a.m., April 1, 1920.

Attest:

[Signature]
Chairman.

Secretary.

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MEETING OF FEDERAL TRADE COMMISSION

April 1, 1930 - 10:30 a.m.

Victor Haddock, Chairman
Eugene Thompson
William F. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

The minutes of the meetings of March 28 and March 31, 1930, were read and approved.

In response to the Commission's action on March 28, 1930, Mr. Colver laid before the Commission draft of letter to counsel for the Jarecki Chemical Company in answer to request for opinion of the Commission relative to the purchase of the stock of this company by the Armour Fertilizer Works. The letter was revised and approved by the Commission, signed by the Chairman and delivered to Mr. John H. Schindler, counsel for the Jarecki Company. (See file - Bul - S. Wai - B.)

Upon motion of Mr. Gaskill and upon recommendation of the Acting Chief Clerk the Commission authorized and directed the appointment of Mr. Lawrence J. Potter, examiner at salary of \$3,000, first, per annum, the same to be effective upon taking the oath of office and entering on duty.

Mr. Gaskill submitted file 1-585, application of C. A. Wood-Preserver Company, Inc. for complaint against Carlinwood Wood Preserving Company. Report by Mr. Gaskill approved. Ordered that the application be and it is hereby dismissed.

Upon motion of Mr. Gaskill, the Commission authorized and directed the Acting Chief Clerk to prepare a report on the Jarecki Chemical Company, and to submit the same to the Commission.

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Q1

There is a lot of work to do, the 300,000
people of the world are in a state of
anarchy.

Q2

The world is a very dangerous place,
it is a very dangerous place.

Q3

The world is a very dangerous place,
it is a very dangerous place.
The world is a very dangerous place,
it is a very dangerous place.
The world is a very dangerous place,
it is a very dangerous place.

The Commission has files in Grand Jury No. 1, 1971. The Honorable William J. Donovan advised that, at 11, with a request that the Department of Internal Security and the Federal Bureau of Investigation of the FBI be notified of the results of the investigation.

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

Walter Hurdock, Chairman
Walter Williams
William E. Jones
Deborah A. Gandy
John A. Smith, Director

Letter from the Department of Justice, dated 1/11/50, relating to the Commission's report on the Southern Railway Company, dated 1/11/50, and the Southern Railway Company, dated 1/11/50.

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Office of the Secretary of the Department of the Interior
Washington, D. C. 20540

Dear Sir:

Reference is made to your letter of the 10th instant, in which you requested that the Department of the Interior be kept advised of the progress of the work of the National Park Service in the field of the study of the geology of the National Park Service.

Very truly yours,
Director, National Park Service

Enclosed for the National Park Service are two copies of the report of the National Park Service on the geology of the National Park Service, which was prepared by the National Park Service and the National Park Service, and which was published by the National Park Service.

Very truly yours,
Director, National Park Service

Very truly yours,
Director, National Park Service

Very truly yours,
Director, National Park Service

I have enclosed herewith two copies of the report of the National Park Service on the geology of the National Park Service, which was prepared by the National Park Service and the National Park Service, and which was published by the National Park Service.



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[illegible]

MEETING OF THE FEDERAL TRADE COMMISSION

April 13, 1930 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson E. Gaskill
Jno. Garland Pollard.

The following matters were laid before the Commission by Chairman Murdock and action as indicated was taken by the Commission:

(a) Letter advising the Department of Justice that the Commission doubts the propriety of the Commission making further inquiry, as requested in the Department's letter of March 29, 1930, of the Johnson Brokerage Company of Pittsburgh in aid of another branch of the Government. See file.

(b) Letter from E. H. Chapman on behalf of The United Agency requesting permission to extract certain original papers from the files of the Capital Issues Committee now in the custody of the Commission. The Chairman was requested to advise Mr. Chapman that the Commission was of opinion that these files were received under confidential instructions and could only be released or examined upon court order.

Mr. Gaskill presented the following applications for complaints, and on his motion action as indicated was taken by the Commission.

Files -
S-839 - F. T. C. vs. Newton & Company.
S-1504 - Juvenile Shoe Corporation vs. Mark Ettinger & Preble Shoe Company.
C-1841 - Sone-Cunningham Reed & Patten Co., Inc., vs. Emerson Readcraft Company.

Reports by Mr. Gaskill approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

April 13, 1930.

The Commission then proceeded to a consideration of file S-1286, application of Western Association of Rolled Steel Consumers, et al, for complaint against United States Steel Corporation, et al, a special order of business before the Commission. The Board of Review was present. The report of the Board of Review was read. Oral report by Mr. Thompson, Commissioner in charge. Board of Review was heard. After discussion the case was continued and made a special order of business for Tuesday, April 20, 1930, at 10:30 a.m.

The following motion by Mr. Murdock was unanimously adopted:

MOVED, That Mary Needham be appointed an examiner, to be attached to the Secretary's office in charge of outgoing correspondence for the Commission, at a salary of \$2440, per annum, plus the bonus, the same to be effective upon taking the oath of office and entering on duty.

The Commission recessed at 1:00 and reassembled at 2:30.

Victor Murdock, Chairman
Huston Thompson
Nelson B. Gaskill
Jno. Garland Pollard.

In the matter of Docket No. 248, Federal Trade Commission vs. Aluminum Company of America, the Commission heard argument of Geo. B. Gordon of counsel for respondent and argument of Messrs. Claude R. Porter and E. L. Smith of counsel for the Commission upon respondent's motion to dismiss the Commission's complaint in this case for lack of proper prosecution. The motion is filed in the record. The matter was not stenographically reported.

Following the argument the Commission held executive session and considered matters presented and thereafter the Chairman announced from the bench that the Commission denies respondent's motion to dismiss the case for lack of prosecution but the Commission instructs counsel for the Commission to proceed immediately with this case and have the Government's part of the case completed by at least May 1, 1930, and so report to the Commission.

April 13, 14, 15, 1920.

3

Thereupon, at the hour of 4:15 the Commission adjourned
to meet at 10:30 a.m., April 14, 1920.

Victor Murdock
Chairman.

Attest:

Secretary.

April 14, 1920 - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

April 15, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William E. Colver
Nelson E. Gaskill
Jno. Garland Pollard.

Upon recommendation of the Chief Economist and on motion of Mr. Gaskill, the Commission authorized the following appointments at the salaries indicated, the same to be effective upon taking the oath and entering on duty. The appointees were assigned to the Economic Division.

Phillip H. Thomas - Temporary Examiner -	\$1650, plus bonus
Erwin F. Fitzpatrick -	" " - 1600, " "
James W. Welch -	" " - 1800, " "
Harry C. Roellig -	" " - 2400, flat
Judson Peele -	" " - 1320, plus bonus
John L. O'Leary -	" " - 1800, " "
Edward O. Miller -	" " - 3000, " "
Nat L. Leighton -	" " - 1800, flat
Clarence C. Lange -	" " - 2000, " "
Heber G. Hinckley -	" " - 1560, plus bonus
Jennie I. Gurney -	" " - 1200, " "
Linwood J. Card -	" " - 3000, " "
Wm. M. Buckley -	" " - 2160, plus bonus
Charles W. Bartlett -	" " - 3600, " "
Robert F. Brown -	" " - 3000, " "
Henry D. Mears -	" " - 2500, plus bonus

April 15, 1920.

Elizabeth Kinsey -	Temporary Examiner -	\$1200, plus bonus
Harry J. Landrus -	" "	1800, flat
H. E. Walden -	" "	2000, plus bonus
Joseph Q. Edwards -	" "	1440, " "
Frank J. Stritzinger -	" "	1200, " "
Ralph Lancaster -	" "	1440, flat
Leslie D. Staver -	" "	1800, " "
Ellwood Spicer -	" "	2100, " "

Upon recommendation of the Chief Economist and on motion of Mr. Gaskill, it was ordered that the salary of Mr. John D. Mullock be increased from \$2000 plus the bonus, to \$2500 plus the bonus, the same to be effective April 16, 1920.

Mr. Gaskill laid before the Commission memorandum from the Secretary to the Secretary of the Department of Agriculture (C. V. Whalin) making request for certain data re hides and shoes, cotton, bread, etc. Upon consideration the Commission expressed the opinion that it has not authentic data upon which reply to this request could be based, and Mr. Gaskill was requested to so inform Mr. Whalin.

Mr. Gaskill laid before the Commission letter of March 30, from the U. S. Forest Service, requesting access to certain files of the Commission re wholesale prices of the American Hardwood Manufacturers Association. It was agreed that agents of the Forest Service be permitted to examine these data provided such examination can be made without identification of individual companies, otherwise not.

Mr. Gaskill laid before the Commission Federal Trade Commission Bulletin No. 1 on bituminous coal, showing preliminary costs for January, 1920, as prepared by the Economic Division. The Report was approved and ordered issued.

Memorandum of April 15, from the Chief Economist re delinquent steel companies was submitted by Mr. Gaskill. The following motion offered by Mr. Gaskill and duly seconded, was unanimously adopted.

MOVED, That the Chief Counsel be instructed to take the necessary steps to cause mandamus proceedings to be brought against delinquent steel concerns to compel the filing of the special reports required by the Commission.

Mr. Gaskill submitted a written report with reference to form of order to be presented for the signature of the President

April 15, 1920.

5.

of the United States, rescinding his Order of July 3, 1918, transferring to the Fuel Administration power and authority to investigate and demand reports from the coal operators of the country.

After discussion it was agreed that this matter be held in abeyance pending the determination of the case of Maynard Coal Company vs. Federal Trade Commission now pending in the Supreme Court of the District of Columbia.

Mr. Thompson was excused from the meeting at this time.

Mr. Gaskill submitted file 9-1463, application of Philadelphia Wholesale Drug Company for complaint against The Mennen Company with written report recommending that complaint issue. The Board of Review was heard. After discussion, on motion of Mr. Pollard seconded by Mr. Gaskill, it was ordered that formal complaint issue as of this date and be served. Resolution of issuance and service adopted. As to the foregoing motion of the Commission, Messrs. Colver, Gaskill, and Pollard voted in the affirmative and Mr. Murdock voted in the negative, and asked that the record show that he was against the issuance of a complaint in this case because he did not believe that competition has been lessened. Report by Mr. Gaskill was approved.

Mr. Gaskill submitted file 9-1525, application of The Mennen Company for complaint against Philadelphia Wholesale Drug Company, with written report recommending that complaint issue. After discussion, and on motion of Mr. Pollard, seconded by Mr. Gaskill, it was ordered that formal complaint issue as of this date and be served. Resolution directing issuance and service adopted. As to the foregoing motion of the Commission Messrs. Thompson, Colver, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative and asked that the record show that he voted against the issue of a complaint in this case because he did not believe that there is a conspiracy. In Mr. Thompson's absence and at his request Mr. Murdock cast his vote in the affirmative. Report by Mr. Gaskill was approved.

In the matter of Pocket No. 248, F. T. C. vs. Aluminum Company of America, it was ordered (1) that William A. Sutherland, an examiner of the Commission, be designated to receive testimony, etc., and (2) that the hearing of the complaint begin at Cleveland, Ohio, April 20, 1920, at 10:30 a.m.

RUHBC

8.

April 15, 1920.

In the matter of Docket No. 273, F. T. C. vs. Pan Motor Company, et al, upon application of the respondent and on recommendation of the Chief Counsel, the Commission fixed April 30, 1920, at 10:30 a.m., to hear final argument instead of April 31, as heretofore fixed.

In the matter of Docket No. 350, F. T. C. vs. Liberty Paper Company, it was ordered that B. L. Shinn, an examiner of the Commission, be designated to receive testimony, etc., and that the hearing of the complaint begin in New York City, April 28, 1920, at 10 o'clock a.m.

The Commission recessed at 1 and reassembled at 2:30.

Victor Murdock, Chairman
Huston Thompson
William E. Colver
Nelson B. Caskill
Jno. Garland Pollard.

In conference with Messrs. Farrington and Snyder of the staff, further consideration was given to draft of the Commission's report in response to request of January 3, 1920, from the Attorney General of the United States, applying to the Commission to ascertain under paragraph c of Section 6 of the Trade Act, the manner in which the final decree in the case of the United States vs. Mead, et al, is being carried out. The Commission agreed upon certain revisions of the report and the same was referred back to the staff with instructions to incorporate such revisions and report back to the Commission at once.

Thereupon, at the hour of 5 p.m. the Commission adjourned to meet Friday, April 16, 1920, at 10:30 a.m.

April 15, 16, 17, 18, 19, 20, 1920.

7.

Victor Murdock

Chairman.

Attest:

Secretary.

April 16, 1920. No meeting held.

April 17, 1920. No meeting held.

April 18, 1920. Sunday.

April 19, 1920. No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

April 20, 1920 - 10:30 a.m.

Victor Murdock, Chairman.
William B. Colver
Nelson E. Gaskill

Mr. Thompson excused to appear before
the Supreme Court in the Gratz case.

The minutes of the meetings of April 9, 12, 13, and 15,
were read and approved.

Chairman Murdock laid before the Commission suggested reply
to letter of April 17, from Senator Gore, in regard to the increase
in prices of farm implements. The reply was approved and forward-
ed. See file.

Chairman Murdock submitted the following applications for
complaint and upon his motion action as indicated was taken by the
Commission.

April 20, 1920.

(a) File -
S-1307 - Burton Preston & Company vs. E. O. Townsend.
Recommendation by Mr. Murdock approved. Report of
the Board of Review approved. Ordered that the application
be and the same is hereby dismissed.

(b) File - 1-170
Silk Assn. of America vs. A. Theo Abbott & Co. Recommendation
by Mr. Murdock approved. Ordered that the application be
and the same is hereby dismissed.

Mr. Gaskill presented file S-1028, application of Jacques
Manufacturing Company for complaint against Calumet Baking Powder
Company, together with written report disagreeing with the recom-
mendations of the Board of Review, and recommending complaint.
The Board of Review was heard. After discussion, on motion of
Mr. Gaskill, it was ordered that Mr. Gaskill's recommendation that
complaint issue lay on the table and that the files be referred
back to the Chief Examiner to ascertain and report whether or not
the Calumet Baking Powder Company has ceased, and if so when it
ceased representations about its product being double the strength
of the usual or ordinary powders.

The secretary reported that on April 19, he had forwarded to
the War Department the Commission's report on the cost of production
of gauze by the Hathaway Manufacturing Company. The Secretary's
action in forwarding this report was approved by the Commission.

The Secretary submitted list of persons to receive cloth
bound copies of Volume I of the Decisions of the Commission, March
16, 1915, to June 30, 1918, and with certain additions and revi-
sions suggested by the Commission, the list was approved. See
file.

April 30, 31, 1930.

9.

The Secretary submitted five copies of galley proof of the Commission's forthcoming Report on Farm Implements, and copies of the galley were delivered to each Commissioner for reading.

Upon motion of Mr. Murdock it was directed that applications for complaint be assigned in rotation to the five Commissioners, with the provision that bogus independent cases be assigned to Mr. Murdock, and cases arising out of the creamery trade practice submittal be assigned to Mr. Colver out of order and that the assignment of bogus independent cases to Mr. Murdock and creamery cases to Mr. Colver relieve those Commissioners of a like number of cases which would have been received in regular order.

Thereupon, at the hour of 1 p.m., the Commission adjourned to meet at 10:30 a.m., April 31, 1930.

Victor Murdock
Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

April 21, 1930 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard

April 21, 1930.

Upon motion of Mr. Colver, the Commission authorized the appointment of Mr. John R. Bell, examiner at \$1800 per annum, plus the bonus, the same to be effective upon taking the oath and entering on duty. Mr. Bell was assigned to the Export Trade Section.

Upon recommendation of the Chief Examiner and upon motion of Mr. Pollard, the Commission authorized the following salary increases in the office of the Chief Examiner, the same to be effective April 16, 1930:

Headquarters:

Brownell, Robert O.,	\$1800 to \$1920,	plus bonus
Haycraft, E. F.,	2460 "	2840,
Larsen, R. J.,	2400 "	2640, plus bonus
Miller, Henry,	2100 "	2280, plus bonus

Chicago Office:

Bennett, J. W.,	\$2640 to \$2820,
McKeag, James,	3000 " 3300,
Soter, Geo. W.,	2100 " 2280, plus bonus.

Upon recommendation of the Chief Examiner and upon motion of Mr. Pollard, Mr. Otto E. Woerner was designated Attorney and Examiner instead of Examiner, the same to be immediately effective.

Upon recommendation of the Chief Examiner and on motion of Mr. Pollard, the Commission authorized the appointment of Mr. A. M. McDermott as examiner, at \$2500 per annum, plus the bonus, the same to be effective upon taking the oath of office and entering on duty. Mr. McDermott was assigned to the lumber work in charge of the Chief Examiner.

April 21, 22, 1920.

11

Upon recommendation of the Chief Economist and on motion of Mr. Gaskill, the Commission authorized the appointment of Mr. Wm. H. England, examiner at \$5000 per annum, the same to be effective upon taking the oath of office and entering on duty. Mr. England was assigned to the Economic Division.

Mr. Gaskill submitted the Commission's final report on the cost of production of cigarettes, smoking and chewing tobacco, by the American Tobacco Company, Liggett and Myers Tobacco Company, P. Lorillard Company, Phillip Morris and Company, Ltd., Inc., R. J. Reynolds Tobacco Company, Tobacco Products Company, Larus Brothers and R. J. Dill, as prepared by the Economic Division, and copies of such report were ordered forwarded to the War and Navy Departments for the confidential use of those departments.

Thereupon, at the hour of 1 p.m., the Commission adjourned to meet at 10:30 a.m., April 23, 1920.

Victor Murdock
Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

April 23, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Welson P. Gaskill
Jno. Garland Pollard

April 21, 22, 1930.

11

Upon recommendation of the Chief Economist and on motion of Mr. Gaskill, the Commission authorized the appointment of Mr. Wm. H. England, examiner at \$5000 per annum, the same to be effective upon taking the oath of office and entering on duty. Mr. England was assigned to the Economic Division.

Mr. Gaskill submitted the Commission's final report on the cost of production of cigarettes, smoking and chewing tobacco, by the American Tobacco Company, Liggett and Myers Tobacco Company, P. Lorillard Company, Phillip Morris and Company, Ltd., Inc., R. J. Reynolds Tobacco Company, Tobacco Products Company, Larus Brothers and R. J. Dill, as prepared by the Economic Division, and copies of such report were ordered forwarded to the War and Navy Departments for the confidential use of those departments.

Thereupon, at the hour of 1 p.m., the Commission adjourned to meet at 10:30 a.m., April 23, 1930.

Victor Murdock
Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

April 23, 1930 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson P. Gaskill
Jno. Garland Pollard

April 22, 1920.

Chairman Murdock presented the following applications for complaint and action as indicated was taken by the Commission.

Files -
S-1533 - Americolite Co. vs. Luminous Unit Company.
Q-1589 - F. T. C. vs. Armour & Co., in re Boston Terminal Refrigerator Company.

Recommendations by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

The Chairman submitted to the Commission memorandum from published sources, of information re interlocking directorates between the Virginia, Carolina Chemical Company and the American Cyanamid Company, prepared for Mr. Charles A. Lyman, Secretary, National Board of Farm Organizations, Washington, D. C., in response to his letter of April 15. The memorandum was approved and ordered forwarded.

The Secretary laid before the Commission copies of the opinion of the Supreme Court of the District of Columbia, in the case of the Maynard Coal Company vs. Federal Trade Commission, and the same was briefly discussed by the Commission, and thereafter Mr. Gaskill was requested to confer with Messrs. Porter and Walker of the staff, to determine procedure to be followed by the Commission in requiring monthly coal cost reports, and report their recommendations to the Commission.

The Secretary laid before the Commission its Annual Report for the period ending June 30, 1919, drawn in final form for transmittal to Congress. The Report was signed by Messrs. Murdock, Thompson and Colver and forwarded to the Congress.

April 22, 1920.

13.

The following matters were laid before the Commission by Mr. Gaskill and upon consideration action as indicated was taken by the Commission.

(a) Article by S. Leon Levy, of the staff, entitled "Preparedness and War Burdens," submitted to the Commission by the Chief Economist for approval for publication. Mr. Gaskill was asked to read Mr. Levy's article and report to the Commission relative to its publication.

(b) The matter of interviewing new appointees to the staff, in accordance with the Commission's action of November 6, 1919, was raised by Mr. Gaskill, and it was agreed that hereafter the Chairman of the Commission interview each prospective appointee on behalf of the Commission prior to appointment, and that the Commission's prior order be amended to this effect.

(c) Memorandum of April 15, from the Chief Economist in re delinquent sugar dealers. The memorandum was approved and the Commission authorized the issuance of notices to delinquents that if they do not duly make returns they will be subject to suit for the penalties provided by law.

(d) Memorandum of April 16, from the Chief Economist in re editorial expert to examine the reports of the Commission and to assist in putting them in proper form for the Printing Office. The memorandum was approved, and on motion by Mr. Gaskill, duly seconded, the Commission authorized Dr. Walker to establish an editorial section.

(e) Memorandum of April 19, from the Chief Economist in re hearing for the Standard Oil Company of California in connection with the Commission's report under the Poindexter Resolution, as requested by the Company in their letter. Mr. Gaskill was requested to advise the Oil Company that an opportunity will be afforded them to meet with the Commission prior to the publication of its report.

In the matter of Docket No. 534, F. T. C. vs. A. A. Perry Seed Company, the Commission fixed May 4, at 2:30 p. m., as the time for final argument and directed that the parties be notified.

In the matter of Docket No. 530, F. T. C. vs. Vacuum Cleaner Specialty Company, Inc., et al, ordered that B. B. Bane, an examiner of the Commission, be designated to receive testimony, and that the hearing of the complaint begin at New York City on April 26, 1920, at 10:30 a.m.

April 23, 1920.

It was agreed that the Commission meet at 10 o'clock Friday, April 23, for consideration of complaints to issue and the Chief Counsel was asked to be present.

The Commission requested the Chairman to read the memorandum dated March 3, 1920, from the Board of Review, with reference to bogus independents, and report to the Commission thereon.

In response to the Commission's instructions the Secretary reported in re assembling machine. The report was accepted by the Commission.

In response to the Commission's instructions the Secretary reported re the installation of dictaphone machines, and recommended that such machines be not installed. The report was received and accepted by the Commission.

Upon motion of Mr. Thompson, it was ordered that Volume I of the Decisions of the Commission, be given out only through the Secretary of the Commission.

File of papers from the Legal and Economic Division with reference to the refusal of Armour & Co., et al, to furnish data required by the Commission in its milk inquiry under Congressional resolution was referred to Mr. Gaskill with request that he submit recommendations in the matter to the Commission.

EUBO

April 23, 23, 1930.

15.

The Commission recessed at 1:00 and reassembled at 2:30.

Victor Murdock, Chairman
Houston Thompson
William P. Colver
Nelson S. Gaskill
Jno. Garland Pollard.

In the matter of Docket No. 307, F. T. C. vs. St. Louis
Lightning Rod Company, et al, the Commission heard final argu-
ment of Attorney Kelley on behalf of the Commission, and argument
of Richard A. Jones on behalf of respondent. The hearing was not
reported. At the conclusion thereof the case was taken under ad-
visement by the Commission.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned
to meet at 10 a.m., April 23, 1930.

Victor Murdock
Chairman

Attest:

Secretary.

April 23, 1920.

MEETING OF FEDERAL TRADE COMMISSION

April 23, 1920 - 10 a.m.

Victor Murdock, Chairman
Huston Thompson
William F. Colver
Nelson E. Caskill
Jno. Carland Pollard.

In conference with the Chief Counsel, the Commission considered matters arising in the Chief Counsel's office, as follows:

(1) Dockets Numbers 374 to 396, both inclusive. Proceedings of the F. T. C. against certain sponge companies re loading of sponges. The Chief Counsel asked the instruction of the Commission as to further proceedings in these cases. Attorney Kelley was heard. Upon motion of Mr. Murdock, seconded by Mr. Pollard, it was ordered that the cases proceed under regular procedure in accordance with law.

(2) Docket No. 459, F. T. C. vs. United Typothetae of America. The Chief Counsel asked the instruction of the Commission as to further proceedings. Attorney Brinson was heard. Upon motion of Mr. Thompson, duly seconded, the Chief Counsel was directed to proceed with the Commission's case in regular order, and that further inquiry be made by the Chief Examiner's office, in accordance with verbal instructions given the Chief Counsel. As to the foregoing action of the Commission, Messrs. Murdock, Thompson, Caskill and Pollard voted in the affirmative and Mr. Colver voted in the negative.

(3) File - 9-1434 - application of Seaboldt Corporation for complaint against Fortney Manufacturing Company. Draft of formal complaint, as drawn by the Chief Counsel, together with memorandum from Attorney James T. Clark re change in personnel of respondent co-partnership, was received and considered by the Commission and thereafter Mr. Colver offered the following motion, which was seconded by Mr. Pollard.

MOVED, That the case be dismissed, by reason of the reorganization of respondent and discontinuance of practices alleged, without prejudice to the right of the Commission to institute another proceeding with respect of the same subject matter. As to the foregoing motion, Messrs. Murdock, Thompson and Pollard voted in the negative and Messrs. Colver and Caskill voted in the affirmative. The motion was thereupon declared lost.

April 23, 1920.

17.

Mr. Pollard reported to the Commission in the matter of letter of April 3, 1920, from Mr. C. E. Ames, Department of Justice, transmitting complaint on behalf of the American Grocers' Society against the Southern Wholesale Grocers' Association, and recommended that the same be entered as an application for complaint. The recommendation was approved and it was ordered that the matter be docketed and handled in the regular manner.

The Chief Economist submitted the Commission's report showing the cost of production on the west coast of gasoline, engine distillate, fuel oil and gas oil, for the period January to June, 1918, prepared in response to request of January 5, 1920, from the Secretary of the Navy. The report was forwarded to the Navy Department.

The Commission recessed at the hour of 1:00 p.m. and reassembled at 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson
William F. Colver
Nelson E. Gaskill
Jno. Garland Pollard.

In conference with the Chief Counsel the Commission gave further consideration to matters arising in the Chief Counsel's office and action as indicated was taken.

File -
S-1428 - General Laboratories vs. Gineco Chemical Company.
Formal complaint against Gineco Chemical Company approved by Commission and issued. Resolution directing issuance and service adopted.

April 23, 1920.

File -

9-1270 - Maul Bros. vs. Southern Macaroni Manufacturing Co.
Formal complaint as submitted by the Chief Counsel against Southern Macaroni Manufacturing Company approved by Commission and issued. Resolution directing issuance and service adopted. As to the foregoing action of the Commission in issuing this complaint, Messrs. Thompson, Colver, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

File -

1-780 - F. T. C. vs. H. E. Waterman & Company.
Draft of formal complaint re profit sharing plan submitted by the Chief Counsel in response to Commission's direction of February 11, 1920. Upon consideration of the record and upon motion of Mr. Pollard, it was ordered that the application be and the same is hereby dismissed. As to the foregoing action of dismissal, Messrs. Murdock, Thompson, Colver and Pollard voted in the affirmative and Mr. Gaskill voted in the negative.

File -

9-1527 - Nathan Proper vs. Stillwell Laboratories, Inc.
Draft of formal complaint as submitted by the Chief Counsel against John Rene & Sons, Inc., was approved by the Commission and ordered to issue. Resolution directing issuance and service adopted.

In the matter of Docket No. 344, F. T. C. vs. The Oakes Company, it was ordered, (1) that George McCorkle, an examiner of the Commission, be designated to receive testimony, etc., and, (2) that the hearing of the complaint begin at Indianapolis, Indiana, on May 3, 1920, at 10 a.m.

Upon motion of Mr. Gaskill it was agreed that the Commission meet Monday, April 26, at 3:30 p.m., to consider as special order of business, (1) proposed amendment to form of the Commission's complaints, and, (2) proposed schedule of daily calendar and orders of business before the Commission.

April 23, 26, 1920.

19

In the matter of Rocket No. 343, F. T. C. vs. Guarantees Veterinary and George L. Owens, it was ordered (1) that Walter B. Toddler an examiner of the Commission be designated to receive testimony, etc., and (2) that the hearing of the complaint begin on May 6, 1920, at 10 a.m., in Chicago, Ill.

Thereupon, at the hour of 5:00 p.m., the Commission adjourned to meet at 2:30 p.m., Saturday, April 24, 1920.

Victor Murdock
Chairman

Attest:

Secretary.

April 24, 1920 - no meeting held.

April 25, 1920 - no meeting held - Sunday.

MEETING OF THE FEDERAL TRADE COMMISSION

April 26, 1920 - 3:30 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

The Commission met to consider as a special order of business, (1) revision of its order of business and, (2) proposed new form of complaint.

Separate drafts of schedule for the routine of the Commission's work were submitted by Mr. Gaskill and Mr. Pollard. These plans

April 26, 27, 1930.

50KBC

were discussed at length by the Commission and upon motion of Mr. Pollard, seconded by Mr. Colver, it was ordered that this matter be referred to Messrs. Gaskill and Pollard, a committee to harmonize the plans and bring back a single plan to the Commission.

Suggested forms for formal commencement and conclusion of complaint were submitted by Mr. Thompson and by Mr. Gaskill. These forms were discussed by the Commission and laid over for further consideration at another meeting.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned to meet at 10:30 a.m., April 27, 1930.

Victor Murdock
Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

April 27, 1930 - 10:30 a.m.

Victor Murdock, Chairman
Ruston Thompson
William E. Colver
Wilson E. Gaskill
Jno. Garland Pollard

April 37, 1930.

21.

Chairman Murdock submitted the following listed applications for complaint and action as indicated was taken by the Commission.

(a) Files -

C-1547 -	P. T. C. va.	Swift & Co.,	in re	Hatchkiss Beef Co.
C-1585 -	"	"	"	Armour & Co.,
C-1608 -	"	"	"	"
C-1610 -	"	"	"	"
C-1612 -	"	"	"	"
C-1636 -	"	"	"	"
C-1673 -	"	"	"	"
C-1682 -	"	"	"	"
C-1644 -	"	"	"	"

" Kentucky Creameries.
" Hyas Wheeler Company.
" New England Beef Co.
" Cortland Beef Company.
" Demsey & Sibley Co.
" W. A. Miller & Company.
" Earlham Produce Company.
" George Eye.

Recommendations by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(b) File -

C-1609 - P. T. C. va. Armour & Co., in re Keystone Hotel Supply Co. Attorney Hayercraft and the Board of Review heard. Consideration given to recommendation by Mr. Murdock that the case be dismissed.

The following motion was offered by Mr. Thompson and seconded by Mr. Gaskill:

MOVED, That representatives of Armour & Company be invited to meet with the Commission on the suggestions that they put on their letterheads and advertising matter the words, "Armour owned," and otherwise disclose their ownership of the Keystone Company.

As to the foregoing motion, Messrs. Thompson and Gaskill voted in the affirmative and Messrs. Murdock and Colver voted in the negative, and Mr. Pollard did not vote. The Chairman thereupon declared the motion lost.

Mr. Pollard asked that the record contain the following statement which he made to the Commission to explain why he did not vote on cases wherein Armour & Co. is respondent.

"In December, 1917, more than two years before I became a member of the Commission, I purchased a building at Richmond, Va., subject to a lease of Armour & Company expiring in 1931. I now own that building and receive a monthly rental from Armour & Company. I am not conscious that this fact would influence my action in any matter in which Armour & Company is interested, but I feel that the safer course to pursue under the circumstances is to inform the Commission of the fact stated and to ask to be excused from participating in proceedings in any case in which Armour & Company is interested.

April 27, 1930.

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Mr. Murdock thereupon moved that the application be dismissed and such motion was seconded by Mr. Thompson. As to the foregoing motion of dismissal, Messrs. Murdock and Thompson voted in the affirmative and Messrs. Colver and Gaskill voted in the negative. Mr. Pollard did not vote. The Chairman thereupon declared the motion lost.

Mr. Colver thereupon moved that complaint issue in this case and such motion was seconded by Mr. Murdock. As to the foregoing motion Messrs. Murdock and Thompson voted in the negative and Messrs. Colver and Gaskill voted in the affirmative. Mr. Pollard did not vote. The Chairman thereupon declared the motion lost.

The case was left in the custody of the Clerk.

(c) File -

O-1548 - F. T. C. vs. Morris & Co., in re J. M. Wilson Company. Attorney Havercraft heard. Board of Review heard. Upon motion of Mr. Murdock, seconded by Mr. Thompson, it was ordered that the application be and the same is hereby dismissed. As to the foregoing motion of dismissal, Messrs. Murdock, Thompson and Pollard voted in the affirmative and Messrs. Colver and Gaskill voted in the negative. Recommendation by Mr. Murdock approved. Report of the Board of Review approved.

(d) File -

O-1640 - F. T. C. vs. Swift & Co., in re N. F. Hollis & Co. Attorney Havercraft heard. Board of Review heard. Upon motion of Mr. Murdock, seconded by Mr. Thompson, it was ordered that the application be and the same is hereby dismissed. As to the foregoing motion of dismissal, Messrs. Murdock, Thompson and Pollard voted in the affirmative and Messrs. Colver and Gaskill voted in the negative. Recommendation by Mr. Murdock approved. Report of the Board of Review approved.

(e) File -

O-1642 - F. T. C. vs. Swift & Co., in re Vermont Supply Company. Attorney Havercraft heard. Board of Review heard. Upon motion of Mr. Murdock, seconded by Mr. Thompson, it was ordered that the application be and the same is hereby dismissed. As to the foregoing motion of dismissal, Messrs. Murdock, Thompson and Pollard voted in the affirmative and Messrs. Colver and Gaskill voted in the negative. Recommendation by Mr. Murdock approved. Report of the Board of Review approved.

(f) File - O-1606, F. T. C. vs. Armour & Co. in re Columbia Hotel Supply Co.

Attorney Havercraft heard. Board of Review heard. Upon motion of Mr. Murdock, seconded by Mr. Gaskill, it was ordered that formal complaint be prepared and issued as of this date. Resolution directing issuance and service of complaint was adopted. As to the foregoing motion of the Commission in issuing complaint, Messrs. Murdock, Colver and Gaskill voted in the affirmative and Mr. Thompson voted in the negative. Mr. Pollard did not vote. Recommendation by Mr. Murdock approved.

(g) File - O-1642, F. T. C. vs. Hub & Volk Company.

Board of Review heard. Upon motion of Mr. Murdock, seconded by Mr. Colver, it was ordered that the application be and the same is hereby dismissed. Recommendation by Mr. Murdock approved.

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April 27, 1930.

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(c) File -
C-1286 - Federal Color & Chemical Company vs. United Indigo
& Chemical Co., Ltd.

Recommendation by Mr. Colver approved. Report of the Board of Review approved. Upon motion of Mr. Colver, duly seconded, it was ordered that formal complaint be prepared and issued as of this date. Resolution directing issuance and service of the complaint was adopted. As to the foregoing action of the Commission in issuing complaint, Messrs. Thompson, Colver, Gaskill and Pollard voted in the affirmative and Mr. Murock voted in the negative, and made the following statement for the record explaining his vote:

"I think it is unfair for the Commission to proceed in this case in localities where there is hope of favorable court action and not to proceed in districts where there is no hope of favorable court action."

(d) File -
S-1463 - Columbia Dairy Products Company vs. Hazelwood Co., et al.
Memorandum by Mr. Colver approved. The following motion offered by Mr. Colver and duly seconded was unanimously adopted:

"I move that the case be sent back to the Board of Review with the direction that it be returned to the Chief Examiner with the request that it be assigned to the attorney in charge of the creamery applications for complaint, in order that it may be so handled as not to impede or embarrass the orderly examination and presentation of those cases."

With reference to the publication of an article entitled "Preparedness and War Burdens," by Mr. S. Leon Levy of the Economic Staff, Mr. Gaskill reported that he had read the article and recommended that Mr. Levy be informed that the consent of the Commission for publication is not required because the subject matter is not within the scope of the Commission's rule of October 21, 1915. Mr. Gaskill's report and recommendation were accepted and approved by the Commission. See file. To the foregoing action of the Commission, Mr. Thompson voted "No," and submitted the following statement for the record explaining his vote:

April 27, 1930.

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"I register objection to the recommendation by Mr. Caskill on the ground that I do not agree with what is contained in the article as stated by Mr. Caskill. I further object on the ground that you cannot separate actions of employees of the Commission from the Commission itself."

The Commission recessed at 1:00 p.m., and reassembled at 3:30 p.m.

Victor Vurdick, Chairman
Euston Thompson
William B. Colver
Jno. Garland Pollard

Mr. Thompson reported to the Commission in the matter of conference re respondent's contract in file 9-1438, application of American Oil Co., of Mass., for complaint against Tidewater Oil Company, of Mass., and recommended the issuance of formal complaints prepared by the Chief Counsel in response to the Commission's direction of January 7, 1930. Upon motion of Mr. Thompson, duly seconded, the Commission approved and issued formal complaint as of today. Resolution directing issuance and service of complaint was adopted.

In the matter of the following listed formal complaints:

Booklet Numbers -

131	-	F. I. C. vs. Atlantic Refining Company
134	-	" " Standard Oil Company of New York
309	-	" " Maloney Oil & Mfg. Company
311	-	" " Sterling Oil Company
313	-	" " Bavaria Oil Company
313	-	" " Red "C" Oil & Mfg. Company
316	-	" " Vandalia Refining Company
320	-	" " Gulf Refining Company
333	-	" " Suez Oil Products Corporation
331	-	" " Elmer F. Harrie & Company
335	-	" " Louis Blaustein (American Oil Co.)
337	-	" " Standard Oil Co. of New Jersey
373	-	" " The Texas Oil Company

April 27, 1920.

25.

"I register objection to the recommendation by Mr. Caskill on the ground that I do not agree with what is contained in the article as stated by Mr. Caskill. I further object on the ground that you cannot separate actions of employees of the Commission from the Commission itself."

The Commission recessed at 1:00 p.m., and reassembled at 3:30 p.m.

Victor Vardock Chairman
Huston Thompson
William T. Colver
Jno. Garland Pollard

Mr. Thompson reported to the Commission in the matter of conference re respondent's contract in file 9-1438, application of American Oil Co., of Mass., for complaint against Tidewater Oil Company, of Mass., and recommended the issuance of formal complaints prepared by the Chief Counsel in response to the Commission's direction of January 7, 1920. Upon motion of Mr. Thompson, duly seconded, the Commission approved and issued formal complaint as of today. Resolution directing issuance and service of complaint was adopted.

In the matter of the following listed formal complaints:

Packets Numbers -

131	-	P. T. O. vs. Atlantic Refining Company
134	-	" " Standard Oil Company of New York
308	-	" " Maloney Oil & Mfg. Company
311	-	" " Sterling Oil Company
312	-	" " Pavana Oil Company
313	-	" " Red "C" Oil & Mfg. Company
316	-	" " Vardall Refining Company
320	-	" " Gulf Refining Company
333	-	" " Soca Oil Products Corporation
331	-	" " Elmer F. Harris & Company
335	-	" " Louis Blaustein (American Oil Co.)
337	-	" " Standard Oil Co. of New Jersey
373	-	" " The Texas Oil Company

April 27, 1930.

the Chief Counsel was directed to prepare Findings as to the Facts, Conclusions and Orders to Cease and Resist, and submit the same to Mr. Thompson for approval on behalf of the Commission, and upon such approval the same to be issued as of this date. As to the foregoing action of the Commission, Mr. Pollard did not vote as he came upon the Commission subsequent to the hearing of the cases.

In the matter of Docket No. 344, F. T. C. vs. The Oakes Company, it was ordered, (1) that Gerald V. Weikert, an Examiner of the Commission, be designated in place of George McCorkle to receive testimony, etc.

The Commission further considered as a special order of business its report to the Attorney General in response to his application of September 30, 1919, for an inquiry concerning the California Associated Raisin Company.

Thereupon, at the hour of 4:30 the Commission adjourned to meet at 10:30 a.m., April 28, 1930.

Walter H. Anderson
Chairman

Attest:

Secretary.

April 29, 1920.

27.

April 28, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

April 29, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Jno. Garland Pollard

Mr. Thompson presented the following listed applications for complaint and action as indicated was taken by the Commission.

(a) File -

9-1326 - F. T. C. vs. Tex-La-Homa Oil Corporation.
Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(b) File -

9-1300 - National Varnish Mfrs' Assn., vs. Sealwood Company.
Report of the Board of Review approved. Ordered that formal complaint be prepared, issue as of this day and be served. Resolution directing issuance and service adopted. As to the foregoing action of the Commission in issuing complaint, Messrs. Thompson, Colver and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

(c) File -

0-1843 - Moore-Shenkberg Grocer Co. vs. Everybody's Mercantile Co.
Report of the Board of Review approved. Ordered that formal complaint be prepared, issue as of this day and be served. Resolution directing issuance and service adopted.

(d) File -

1-159 - National Enameling & Mfg. Co., vs. National Tube Company.
Memorandum of April 6, 1920, from the Chief Examiner, approved. Ordered that the application be and the same is hereby dismissed.

(e) File -

9-1499 - Iowa Oil Co. vs. Leader Oil Co.
Upon motion of Mr. Murdock it was ordered by the Commission that this file be transferred to the supervision of Commissioner Pollard from this time forward.

April 29, 1920.

Mr. Pollard presented the following listed applications for complaint and action as indicated was taken by the Commission.

(a) File -

9-1225 - Good Roads Machinery Co. vs. Eastern Road Machinery Co. Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaint be prepared and issue as of this date. Resolution directing issuance and service of complaint adopted. As to the foregoing action of the Commission in issuing complaint, Messrs. Thompson, Colver and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

(b) File -

0-1758 - Gillette Safety Razor Co. vs. Auto Strop Safety Razor Co. Recommendation by Mr. Pollard approved. Ordered that the case go to the Suspense Calendar in accordance with the rules.

(c) File -

9-1496 - F. T. C. vs. Difficulties in Securing Supplies of Cans.
0-1540 - The Seydel Mfg. Company vs. Arnold Hoffman Co., Inc.
9-935 - F. T. C. vs. Zone Oil Company.
0-1821 - F. T. C. vs. American Aniline Products Co., Inc.
0-1539 - Seydel Mfg. Co. vs. Providence Drysalers Mfg. Co.
9-1533 - Robbins Engineering Co. vs. Weller Mfg. Co.

Recommendations by Mr. Pollard approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(d) File -

9-1217 - Associated Advertising Clubs of the World vs. Red Shield Creamery Company.

Upon motion of Mr. Pollard, duly seconded, it was ordered that the files be transferred to the supervision of Mr. Colver from this date forward.

In the matter of Docket No. 534, F. T. C. vs. A. A. Berry Seed Company, wire was received from respondent requesting that final argument be fixed for May 14th instead of May 4th. Upon motion of Mr. Murdock, it was directed that the respondent be notified that final argument will be held before the Commission at 2:30 p.m., May 14, 1920. As to the foregoing action of the Commission, Mr. Colver voted in the negative.

April 29, May 4, 1920.

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The Chairman laid before the Commission letter of April 23rd from Mr. C. B. Ames, Assistant to the Attorney General, Department of Justice, requesting that the minutes of the National Association of Cotton Fabrics, filed with the Commission, be furnished the Department of Justice. The Commission granted this request and the Chairman was requested to so advise Mr. Ames.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet at 10:30 a.m., April 30, 1920.

Victor Murdock
Chairman

Attest:

Secretary.

April 30, 1920 - No meeting held.

May 1, 1920 - No meeting held.

May 2, 1920 - No meeting held - Sunday.

May 3, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

May 4, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

May 4, 1920.

The minutes of the meetings of April 20, 21, 22, 23, 26, 27, 29, and 30, 1920, respectively, were read and approved.

Chairman Murdock submitted the following listed applications for complaint and upon consideration, action as indicated was taken by the Commission.

(a) Files -

9-941 - F. T. C. vs. Crystal Oil & Paint Company.
O-1829 - American Fair Trade League vs. Cole & Dumas Music Co.
9-1433 - Hearst Mercantile Company vs. Schwartz & Jaffee, Inc.
Recommendations by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(b) File -

O-1753 - J. G. Cohen vs. Sears-Roebuck & Company.
Consideration given to Mr. Murdock's recommendation that the case be dismissed. Board of Review heard. After discussion, upon motion of Mr. Gaskill, seconded by Mr. Thompson, it was agreed that the Commission accept respondent's offer to eliminate the practices charged and the Chairman was requested to communicate with respondent to this end. As to the foregoing action of the Commission, Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Messrs. Murdock and Colver voted in the negative. Mr. Murdock offered the following statement for the record, explaining his negative vote:

"I voted 'No' because I do not believe that an unfair method of competition is shown by the record."

Mr. Colver offered the following statement for the record, explaining his negative vote:

"I voted 'No' because I do not believe in bargaining with anyone to cause them to do something which the Commission is not empowered under the law to require them to do."

(c) Files -

O-1770 - The Atlanta Journal vs. International Fur Exchange.
O-1535 - Todd Protectograph Co. vs. Check Writer Mfrs., Inc., et al.
O-1842 - Franklin Knitting Mills, Inc., vs. Franklin Knitting Mills.

Recommendations by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that formal complaints be prepared by the Chief Counsel and issued as of this date without further action by the Commission. Resolution directing issuance and service of complaints adopted.

May 4, 1920.

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Mr. Pollard submitted the following listed applications for complaints and upon consideration thereof, action as indicated was taken by the Commission.

(a) File -

9-1483 - Perfect Mfg. Co. vs. Wyeth's Chemical Company.

Consideration given to Mr. Pollard's recommendation that the case be dismissed. Board of Review heard. Upon motion of Mr. Pollard, seconded by Mr. Colver, it was ordered that the application be and the same is hereby dismissed. As to the foregoing action of the Commission, Messrs. Thompson, Colver and Pollard voted in the affirmative and Messrs. Murdock and Gaskill voted in the negative. Memorandum by Mr. Pollard approved.

(b) File -

9-1499 - Iowa Oil Co. vs. Leader Oil Co.

Memorandum by Mr. Pollard approved. Ordered that the case be sent to the Suspense Calendar with instructions to the Secretary to bring it again to the attention of the Commission after the result of the approaching trade practice submittal to be held in Chicago is known.

At this time Mr. Gaskill was excused from the meeting.

Mr. Thompson submitted the following listed applications for complaint, and after consideration thereof, action as indicated was taken by the Commission.

(a) File -

9-1011- F. T. C. vs. Wilson & Co., in re Austin-Nichols & Co. Inc.
(File 9-1011-2-12) and in re Pacific Fisheries Corp.
(File 9-1011-3-5)

After discussion, on motion of Mr. Pollard, seconded by Mr. Murdock, it was ordered that these files be referred to Mr. Gaskill for consideration and report of recommendations to the Commission. As to the foregoing action of the Commission, Messrs. Murdock, Thompson and Pollard voted in the affirmative and Mr. Colver voted in the negative. Mr. Gaskill absent.

(b) File -

0-1537 - Northwestern Steel & Iron Corp. vs. Hart-Parr Co.

Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(c) File -

9-1302 - F. T. C. vs. Fawn Creek Oil & Gas Company.

Report of the Board of Review approved. Ordered that formal complaint be prepared by the Chief Counsel and issued as of this date. Resolution directing issuance and service of complaint adopted.

May 4, 1920.

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The following matters were laid before the Commission by the Secretary and action as indicated was taken by the Commission.

(a) Memorandum of April 30th from the Docket Section, recommending the appointment of Mr. Wm. B. Hitt as stenographer, at \$1400 flat. The recommendation was approved and assignment of Mr. Hitt to the Docket Section was authorized to be effective upon taking the oath and entering on duty.

(b) Memorandum of April 29, 1920, from the Personnel Section, recommending the appointment of additional clerical help. The appointment was approved and the Commission authorized the appointment and assignment to the Personnel Section, of two stenographers at salaries of from \$1200 to \$1400 per annum, to be effective upon taking the oath and entering on duty.

The Commission recessed at 1:00 and reassembled at 2:30.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

Mr. Gaskill submitted memorandum of May 3, from the Chief Economist, recommending that the Commission authorize the submittal of galley proof to the Bureau of Farm Management of the Department of Agriculture, of Chapter X, on Farmers' Profits, of the Commission's Report on Farm Implements. The recommendation was approved and the authority granted to submit this galley proof.

Mr. Gaskill laid before the Commission galley proof of its Report on Farm Implements in 1918, and stated that he had read the Report and moved the adoption of the Report except the summary as it now stands in the galley proof. The motion was duly seconded and adopted by the Commission.

As to the summary and the recommendations therein, the Commission suggested for the consideration of the Chief Economist, the following substitute recommendations.

(1) The Commission believes that judicial proceedings should be instituted against associations who have been active in restraining trade in the farm implement industry.

May 4, 1920.

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The Commission also believes that the International Harvester Case should be reopened as provided for in the final decree, so that a plan of dissolution be arrived at that will restore competitive conditions in the harvesting machine business.

Mr. Thompson laid before the Commission final draft of its report of the manner in which the final decree in the case of the United States vs. Mead, et al, known as the News Print Paper Case, has been and is being carried out, which report was prepared in response to application of January 3, 1920, by the Attorney General, under the provisions of Paragraph c of Section 6 of the Federal Trade Commission Act.

In conference with Messrs. Snyder and Farrington of the staff, the report was considered by the Commission, and thereafter Mr. Thompson offered the following motion which was seconded by Mr. Gaskill and unanimously adopted.

"Moved, that the News Print Paper Report be adopted as it now stands and forwarded to the Attorney General."

Upon motion of Mr. Murdock, duly seconded, it was ordered that the Report be sent to the Attorney General without publicity from the Commission, and that inquiries with reference to the Report made after publication by the Attorney General, be referred to the Attorney General.

Mr. Gaskill submitted the following listed applications for complaints and upon consideration the following action was taken by the Commission.

(a) Files -
9-1501 - F. B. Sulleberger vs. Warren Aniline Company
1-643 - Amsterdam Broom Company vs. Lee Broom & Duster Co.
0-1860 - Bureau of Paint & Varnish Industries vs. U. S. Lacquer Co.

34.

May 4, 5, 1920.

Memoranda by Mr. Gaskill approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(b) File -
9-1370 - Great Lakes Refining Co. vs. Montgomery Ward & Co.
Memorandum by Mr. Gaskill approved. Ordered that formal complaint be prepared by the Chief Counsel and issued as of this date, without further action by the Commission. Resolution directing issuance and service of complaint adopted.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned to meet at 10:30 a.m., May 5, 1920.

Victor Murdock

Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

May 5, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

Mr. Thompson presented file O-1830, application of A. N. Marquis & Company for complaint against Federal Press, Inc., et al. Report of the Board of Review approved. Ordered that formal complaint be prepared by the Chief Counsel and issued as of this day without further action by the Commission. Resolution directing issuance and service adopted.

May 5, 1920.

35.

Mr. Colver presented file O-1849, application of Sona-Cunningham Reed & Rattan Company, Inc., against Universal Willow and Reed Corporation. Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

In conference with the Chief Counsel the Commission considered certain matters arising in the Chief Counsel's office and action as indicated was taken.

(1) Docket No. 226, F. T. C. vs. Kinney-Rome Company. Draft of Findings, Conclusions and Order to Cease and Desist as submitted by the Chief Counsel were considered by the Commission and referred back to the Chief Counsel for revision of the Findings with respect to the question as to the knowledge of the public of the premiums given by respondent.

(2) Docket No. 279, F. T. C. vs. Chamberlin Cartridge and Target Company. Findings of Fact, Conclusions and Order to Cease and Desist as submitted by the Chief Counsel were considered by the Commission and after revision of paragraph 6 of the Findings with respect to the wide use of respondent's targets throughout the United States, upon motion of Mr. Thompson seconded by Mr. Murdock, such Findings, Conclusions and Order were approved and entered of record by the Commission with the direction that the Order be served forthwith. Messrs. Gaskill and Pollard did not take part in the consideration or disposition of this case as the case was finally presented to the Commission prior to their appointment to the Commission.

The Commission recessed at the hour of 1:00 p.m. and reassembled at the hour of 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

In conference with the Chief Counsel the Commission resumed consideration of matters arising in the Chief Counsel's office and thereafter action as indicated was taken.

May 5, 1920.

- (1) Docket No. 273, F. T. C. vs. Pan Motor Company & Samuel C. Pandolfo.

Mr. Pollard laid before the Commission suggested draft of Findings, Conclusion and Order prepared by Attorney Burdeau dismissing the Commission's complaint as to the Pan Motor Company and directing an order to Cease and Desist to issue against Samuel C. Pandolfo, and moved the adoption of such orders, etc. As to the foregoing motion, Messrs. Murdock, Thompson, Colver, and Gaskill voted in the negative and Mr. Pollard voted in the affirmative. The Chairman thereupon declared the motion lost and thereafter the Commission instructed the Chief Counsel to prepare draft of Findings, Conclusion and Order to Cease and Desist, directed both to the Pan Motor Company and Samuel C. Pandolfo and submit same to the Commission.

At this time Chairman Murdock was excused from the meeting.

- (2) Docket No. 443, F. T. C. vs. The Sport Shop.

This case was submitted to the Commission for final determination upon complaint, answer, agreed statement of facts and briefs by attorney, oral argument being waived. Ordered that Findings, Conclusion and Order to Cease and Desist be prepared by the Chief Counsel and submitted to the Commission.

The Commission agreed to meet at 2:30 p.m., Friday, May 7, for consideration as special order of business, certain Findings, Conclusions and Orders in Docket cases and the Clerk was directed to transmit copies of Findings, etc., in cases to be considered to the several Commissioners.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned to meet at 10:30 a.m., May 6, 1920.

Victor W. Murdock

Chairman

Attest:

Secretary.

SUBC

May 6, 1920.

37.

MEETING OF FEDERAL TRADE COMMISSION

May 6, 1920 - 10:30 a.m.

Victor Murdock, Chairman
Huston Thompson
William E. Colver
Nelson B. Gaskill
Jno. Garland Pollard

The minutes of the meetings of May 4, and 5, 1920, respectively, were read and approved.

The Chairman laid before the Commission letter of May 4, from Senator Kenneth McKellar, requesting a list of the Commission's employees for the last year, and the salaries paid each. It was agreed that the data be furnished as requested. Personnel File.

The following matters were submitted by Mr. Gaskill, and after consideration and on motion of Mr. Gaskill, action as indicated was taken by the Commission.

(a) Memorandum of April 21, from the Chief Economist, suggesting a conference with representatives of the coal trade regarding possible modifications in the Commission's coal reports, required from anthracite companies. Upon consideration, authority was given the Chief Economist to carry through conference as suggested in his memorandum.

(b) Memoranda were received from the Chief Economist, recommending the following appointments in the Economic Division. The memoranda were approved and the appointments authorized, effective upon taking the oath of office and entering on duty.

Charles I. Haycraft,	Temporary Examiner,	\$1800 p.a., flat
Fuller Waite Greenlee,	" "	3000 " "
Dean W. Switzer,	" "	1500 " "
Marvin A. Tyler,	" "	1560 " plus bonus
Carrie Ellen Demeritt,	" "	1440 " " "

May 6, 1920.

(c) Memorandum of April 27, from the Chief Economist with reference to periodic reports for the cotton textile industry. Memorandum approved by the Commission and the Chief Economist was given authority to negotiate with the trade as suggested in his memorandum and report back to the Commission the results of such negotiations. It was further directed that proceedings in connection with file 1-695, application of Federal Trade Commission for complaint against Southern Cotton Growers Association, be held in abeyance pending results of such negotiations.

(d) Manuscript of the Commission's report on the cost of producing bituminous coal in the trans-Mississippi states (Coal Report No. 7) dated June 30, 1919. The report was approved by the Commission, ordered to be printed and issued. Prior to the printing of the report the Chief Economist was directed to remove quotation marks from the words "revised" and "claimed" costs wherever such words appear within quotation marks and further that there be inserted a paragraph which will clearly explain that margins are not profits.

Mr. Colver laid before the Commission manuscript of the following report and upon his motion such manuscript was approved and ordered forwarded to the Public Printer for galley proof.

- (1) Report of the Federal Trade Commission on Commercial Flour Milling, a part of the General Food Investigation.

Chairman Murdock submitted the following listed applications for complaints, and after consideration, upon motion of Mr. Murdock, the following action was taken by the Commission.

- (a) Files -
O-1576 - F. T. C. vs. Morris & Co., in re Eby-Rologna Company.
O-1718 - F. T. C. vs. Libby, McNeill & Libby in re Statson & Ellison Company.

Recommendations by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that formal complaints be prepared by the Chief Counsel and issued as of this date without further action by the Commission. Resolutions directing issuance and service of complaints were adopted.

May 6, 1920.

39.

(b) File -

C-1680 - F. T. C. vs. Morris & Co., in re Donnelly & Co., Inc.

Recommendation by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(c) File -

C-1679 - F. T. C. vs. Morris & Co., in re Corwin-Wild Co.

Attorney Haycraft heard. Board of Review heard. Recommendation by Mr. Murdock approved. Report of the Board of Review approved. Upon motion of Mr. Murdock, seconded by Mr. Thompson, it was ordered that the application be, and the same is hereby, dismissed. As to the foregoing action of dismissal, Messrs. Murdock, Thompson and Pollard voted in the affirmative and Messrs. Colver and Gaskill voted in the negative.

(d) File -

C-1675 - F. T. C. vs. Morris & Co., in re Wm. F. Mosser Company.

Attorney Haycraft heard. Board of Review heard. Recommendation by Mr. Murdock approved. Upon motion of Mr. Murdock, it was ordered that formal complaint be prepared by the Chief Counsel and issue as of this date without further action by the Commission. Resolution directing issuance and service of complaint adopted. As to the foregoing action of the Commission in issuing complaint, Messrs. Murdock, Colver and Gaskill voted in the affirmative and Messrs. Thompson and Pollard voted in the negative.

(e) File -

C-1646 - F. T. C. vs. Swift & Co., in re Louis Schaefer.

Attorney Haycraft heard. Board of Review heard. Recommendation by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed. As to the foregoing action of dismissal, Messrs. Murdock, Thompson and Pollard voted in the affirmative and Messrs. Colver and Gaskill voted in the negative.

(f) File -

C-1635 - F. T. C. vs. Swift & Co., in re F. & C. Crittenden Co.

Attorney Haycraft heard. Board of Review heard. Recommendation by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed. As to the foregoing action of dismissal Messrs. Murdock, Thompson and Pollard voted in the affirmative and Messrs. Colver and Gaskill voted in the negative.

(g) File -

C-1570 - F. T. C. vs. Morris & Co., in re Chamberlain & Co., Inc.

Recommendation by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed. As to the foregoing action of dismissal, Messrs. Murdock, Thompson and Pollard voted in the affirmative and Messrs. Colver and Gaskill voted in the negative.

May 6, 1930.

File 9-1286, application of Western Association of Rolled Steel Consumers for complaint against the United States Steel Corporation, et al, was further discussed by the Commission and the Board of Review was heard.

The Commission recessed at 1:00 and reassembled at 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard

The Chairman laid before the Commission reply to letter of April 29, 1930, from the Secretary of the Interior, requesting data as to alien ownership of companies holding oil and gas producing properties in the United States. The reply containing information from published sources was approved by the Commission, signed by the Chairman and forwarded. See file.

Chairman Murdock also submitted to the Commission draft of letter to Mr. J. W. Cooper, Altadena, Calif., furnishing certain information re the sugar industry, at the request of Hon. Geo. H. Tinkham. The letter was ordered forwarded. See file.

The Chairman laid before the Commission letter of May 3, 1930, from Mr. R. J. Stewart, Assistant Attorney General, Department of Justice, requesting the Commission to furnish pertinent information in re the Commission's docket No. 212, F. T. C. vs. A. T. McClure Glass Company. Form of reply also submitted by the Chairman, transmitting testimony in the case of Mr. Stewart, was approved by the Commission and forwarded. See file.

E/1180

May 6, 1920.

41.

In the matter of Docket No. 248, F. T. C. vs. The Aluminum Company of America, in response to the Commission's direction that the Government's case be closed prior to May 1, 1920, the Chief Counsel reported that testimony in support of the Commission's complaint was concluded on April 28, 1920.

In the matter of Docket No. 351, F. T. C. vs. Armour & Company, it was ordered that Daniel M. Dougherty, an Examiner of the Commission, be designated to receive testimony, etc., and that the hearing of the complaint begin at Spokane, Washington, May 13, 1920, at 10 o'clock, a. m.

The Secretary laid before the Commission resignation of Assistant Chief Economist David L. Wing, to take effect at the close of business May 31, 1920. The resignation was accepted and the Chairman was asked to address a letter to Mr. Wing advising of the Commission's regret that he is leaving the service, and expressing appreciation of his services.

In the matter of Docket No. 501, F. T. C. vs. Wholesale Grocers Assn. of El Paso, Texas, et al, it was ordered that Clarence T. Sadler, an Examiner of the Commission, be designated to receive testimony, etc.

The Commission's report of inquiry re the California Associated Raisin case, was thereupon taken under consideration and discussed until the hour of 4:30 p.m., and set down as a special order of business for May 13, 1920, at 2:30 p.m.

May 6, 7, 1920.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned to meet at 10:30 a.m., May 7, 1920.

Victor Murdock
Chairman

Attest:

- Secretary.

MEETING OF FEDERAL TRADE COMMISSION

May 7, 1920 - 2:30 p.m.

Victor Murdock, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill

The Chairman laid before the Commission, letter of May 6, 1920, from the Bureau of Foreign & Domestic Commerce of the Department of Commerce, suggesting that proceedings in Docket No. 504, F. T. C. vs. Hecht & Company be suspended. Upon consideration, the Commission was of opinion that no reason had been offered warranting the suspension of the orderly proceeding in the case, and directed the Chief Counsel to prepare a letter to this end. See file.

At this time Mr. Pollard entered the meeting.

The Commission then considered the following docket cases, pending for final determination.

May 7, 1930.

Docket No. 5, F. T. C. vs. The Shredded Wheat Company.
Findings of Facts, Conclusions and Order to Cease and Desist, as prepared by the Chief Counsel at the Commission's direction, were laid before the Commission.

After discussion and upon consideration of the entire case, on motion of Mr. Thompson, seconded by Mr. Colver, it was ordered that the complaint be and the same is hereby dismissed. As to the foregoing action of the Commission in dismissing the case, Messrs. Thompson, Colver and Pollard voted in the affirmative and Messrs. Murdock and Gaskill voted in the negative.

At this time Mr. Pollard was excused from the meeting.

Docket No. 271, F.T.C. vs. Fruit Growers' Express.

Draft of Findings as to the Facts, Conclusion and Order to Cease and Desist, as drawn by the Chief Counsel, were submitted to the Commission. Upon consideration and on motion of Mr. Thompson, seconded by Mr. Gaskill, such Findings of Fact, Conclusion and Order to Cease and Desist, were approved by the Commission entered of record with the direction that the Order be served forthwith.

In the matter of Docket No. 375, F. T. C. vs. Joseph Bloch, Inc., it was ordered that Harold Cohn, an Examiner of the Commission, be designated to receive testimony, etc.

In the matter of Docket No. 550, F. T. C. vs. B. S. Peareall Butter Co., it was ordered that the hearing of the complaint begin at Chicago, Ill., May 11, 1930, at 10 o'clock a.m., and that George McCorkle, an Examiner of the Commission, be designated to receive testimony, etc.

May 7, 11, 1920.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned to meet at 10:30 a.m., May 8, 1920.

Walter H. Murdock

Chairman

Attest:

Secretary.

May 8, 1920 - No meeting held

May 9, 1920 - No meeting held - Sunday

May 10, 1920 - No meeting held

MEETING OF FEDERAL TRADE COMMISSION

May 11, 1920 - 10:30 a.m.

Huston Thompson, Acting Chairman
William E. Colver
Nelson B. Casshill
Jno. Garland Pollard

Mr. Murdock upon leave of absence.

The minutes of the meetings of May 6, and 7, 1920, were read, revised by the Commission, and approved.

At the suggestion of the Chief Counsel, the Commission fixed Friday, May 28, 1920, at 2:30 p.m., as the time for hearing final argument in Docket No. 31, F. T. C. vs. The National Biscuit Company, and directed that parties be notified.

May 11, 1930.

The Secretary submitted memorandum of May 5, from the Personnel Section, recommending salary increases for Miss Adams and Miss Husted. The memorandum was approved and salaries fixed as follows, the same to be effective as of May 1, 1930.

Miss Agnes S. Adams, \$1620 to \$1740, plus the bonus
" Mildred E. Husted, \$1380 " \$1500, " " "

Upon receipt of memorandum from the Publications Section, advising that the supply of certain reports was exhausted, and on recommendation of the Secretary, the Commission authorized reprints of its reports as follows:

Trust Laws and Unfair Competition	--- 250 copies
Annual Report, June 30, 1918	--- 100 "
Special Report to Congress on March 18, 1930, dealing with Commercial Bribery	--- 250 "

Mr. Gaskill laid before the Commission manuscript of a doctoral dissertation on capitalization of Industrial good-will, submitted to the Commission for approval prior to publication, together with recommendation from Dr. Walker that consent for publication be given. Upon motion of Mr. Gaskill, the Secretary was directed to advise Dr. Simpson that the consent of the Commission to publish this article is not required, as the article does not come within the rule of the Commission dated October 21, 1915. As to the foregoing action of the Commission, Mr. Thompson voted in the negative.

May 11, 1930.

Upon recommendation of the Chief Economist, and on motion of Mr. Gaskill, the Commission authorized the appointment of Milton L. Leffler, special expert, at \$2000 per annum, plus the bonus. Mr. Leffler was assigned to editorial work for reports of the Economic Division.

The Acting Chairman submitted reply to letter of May 8, from Secretary of the Western Association of Rolled Steel Consumers, applicants in file 9-1296, against the U. S. Steel Corporation, et al, re Pittsburgh Steel Basing Point, inquiring when a decision may be reached. The reply was approved and forwarded. See file.

The Acting Chairman submitted the following applications for complaint and action as indicated was taken by the Commission.

(a) File -
9-1523 - Advertising Club of Baltimore, Inc., vs. Esco Hosiery Company.

Draft of formal complaint against Esco Hosiery Company, Inc., as submitted by the Chief Counsel and revised by Mr. Thompson at the request of the Commission, was approved by the Commission and issued as of this day. Resolution directing issuance and service adopted.

(b) File -
9-1506 - Bureau of Paint & Varnish Industries vs. Detroit Graphite Company, et al.

Report of the Board of Review approved. Application dismissed.

(c) File -
9-1303 - F. T. C. vs. Amoco Oil Co. of Kansas.

Report of the Board of Review approved. Ordered that formal complaint be prepared by the Chief Counsel and issue as of this day, without further action by the Commission. Resolution directing issuance and service adopted by the Commission.

5/11/30

May 11, 12, 1920.

Mr. Colver offered the following motion and the same was unanimously adopted.

MOVED, That the Chief Counsel be requested to bring to the Commission for final action as soon as may be, any matter now pending on final complaint turning on the tying of coffee to sugar in sales.

Thereupon, at the hour of 12:30 p.m., the Commission adjourned to meet at 10 o'clock, May 12, 1920.

Huston Thompson
Acting Chairman

Attest:

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

May 12, 1920 - 10 a.m.

Huston Thompson, Acting Chairman
Nelson B. Gaskill
Jno. Garland Pollard

Mr. Murdock on leave of absence.

Mr. Thompson submitted file C-1783, application of M.Q. Macdonald for complaint against Liberty Oil Products Company. Upon motion of Mr. Thompson, the report of the Board of Review was approved by the Commission and it was ordered that formal complaint be prepared by the Chief Counsel and issue as of this day without further action by the Commission. Resolution directing issuance and service adopted.

May 12, 1920.

Mr. Gaskill submitted the following applications for complaint and action as indicated was taken by the Commission.

- (a) File -
9-1401 - National Sales Company vs. Federal Rubber Company.
Memorandum by Mr. Gaskill approved. Ordered that the case go to the Suspense Calendar and come up after the decision in the Beechout Case.
- (b) File -
O-1559 - Cooper Underwear Co. vs. Collier Manufacturing Company.
Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.
- (c) File -
9-1223 - National Wholesale Grocers Association of the U. S., vs. H. C. Heckerman.
Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that formal complaint be prepared by the Chief Counsel and issue as of this day without further action by the Commission. Resolution directing issuance and service adopted.

In the matter of Docket No. 277, F. T. C. vs. Boston Piano & Music Company, the Commission considered draft of Findings of Facts, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, and thereafter such Findings, etc., were revised by the Commission and referred back to the Chief Counsel to be redrawn.

In conference with the Chief Counsel, the Commission considered draft of formal complaints, as submitted by the Chief Counsel in the following cases, and action as indicated was taken by the Commission.

May 12, 1920.

(a) File -

9-1464 - Breed Abbott & Morgan vs. Ex-Tact Food Products Co.
Draft of formal complaint against the Ex-Tact Food Products Company, as submitted by the Chief Counsel, was revised and approved by the Commission and issued as of this day. Resolution directing issuance and service adopted.

(b) File -

9-1070 - F. T. C. vs. Bankers Petroleum & Refining Company.
Draft of formal complaint against Bankers Petroleum & Refining Company, as submitted by the Chief Counsel, was approved by the Commission and issued as of this date. Resolution directing issuance and service adopted.

(c) File -

1-712 - Howard P. Denison vs. Onepiece Bifocal Lens Co.
Draft of formal complaint against Onepiece Bifocal Lens Company, as submitted by the Chief Counsel, was approved by the Commission and issued as of this day. Resolution directing issuance and service adopted.

(d) File -

1-766 - F. T. C. vs. General Electric Company and Hoskins Manufacturing Company.
Draft of formal complaint, as submitted by the Chief Counsel, was considered by the Commission. Memorandum of March 2, 1920, by Attorney M. E. Clark read to the Commission. Chief Counsel and Attorney Clark heard. Upon consideration of the whole case and on motion of Mr. Gaskill, seconded by Mr. Thompson, it was ordered that the application for complaint be and the same is hereby dismissed.

(e) File -

9-1353 - P. D. Rich vs. Southern Hardware Jobbers Association.
Draft of formal complaint against Southern Hardware Jobbers Association, et al, as submitted by the Chief Counsel, was revised and thereafter approved by the Commission and issued as of this day. Resolution directing issuance and service adopted.

The Commission recessed at 12:30 and reassembled at 2:30.

Huston Thompson, Acting Chairman
Nelson B. Gaskill
Jno. Garland Pollard

May 12, 1930.

In response to the Commission's direction of May 11, that the Chief Counsel bring to its attention any complaint turning on the tying of coffee to sugar in sales, the Chief Counsel reported re the C. D. Kenny case, the only complaint of this character now pending. The Commission fixed Wednesday, May 26, at 2:00 p.m., as the time for final argument in this case and directed that parties be notified.

In compliance with the Chief Counsel, the Commission resumed consideration of matters arising in the Chief Counsel's office, and thereafter action as indicated was taken in the following cases.

(a) File -

9-1503 - Application of Mebane Bedding Co., Inc., vs. Mebane Iron Bed Company.

Draft of formal complaint against the Mebane Iron Bed Company, as submitted by the Chief Counsel, was revised and approved by the Commission and issued as of this date. Resolution directing issuance and service adopted.

(b) File -

9-1457 - Application of Peaslee-Gault Co. vs. U. S. Salvage Company.

Draft of formal complaint against U. S. Salvage Company as submitted by the Chief Counsel, was approved by the Commission and issued as of this day. Resolution directing issuance and service adopted.

(c) File -

9-1434 - E. Seaboldt Corporation vs. Fortney Manufacturing Co.

Draft of formal complaint submitted by the Chief Counsel. Memorandum submitted by Attorney J. T. Clark. Upon consideration of the entire record, it was ordered that the application be and the same is hereby dismissed.

(d) File -

9-1487 - Western Oil Refining Co. vs. Great Western Oil Co.

Draft of formal complaint against Great Western Oil Company as submitted by the Chief Counsel was revised by the Commission, approved and issued as of this day. Resolution directing issuance and service was adopted.

May 12, 1920.

(e) File -

8-1531 - J. S. Torrence Sales Co. vs. Morgan Razor Works, et al.
Draft of formal complaint submitted by the Chief Counsel.
Memorandum received from the Chief Counsel recommending that
prior to issuance of complaint the parties be given an opportunity to quit branding their product. Upon consideration of the entire record and on motion of Mr. Gaskill, the memorandum was approved and it was ordered that the file be referred to the Chief Counsel with instructions to negotiate with respondents to discontinue the practices complained of and report back to the Commission the results of such negotiations.

(f) File -

1-731 - F. T. C. vs. Commercial News.
Redraft of formal complaint, drawn in response to the Commission's direction of March 25, 1920, was submitted by the Chief Counsel, considered and laid over for further consideration at a time when Commissioner Colver is present.

(g) File -

1-478 - Grocers Wholesale Co. vs. Calumet Baking Powder Co., et al.
Draft of formal complaint against the Iowa-Nebraska-Minnesota Wholesale Grocers Association, et al, was considered by the Commission and referred back to the Chief Counsel for revision in accordance with verbal instructions given the Chief Counsel.

(h)

Draft of formal complaint against the Butterick Company, et al, as submitted by Commissioner Gaskill, was approved by the Commission and issued as of this date. Resolution directing issuance and service adopted.

(i) File -

2-1083 - F. T. C. vs. Dove Oil Company.
Draft of formal complaint, as submitted by the Chief Counsel, was revised and approved by the Commission and ordered to issue as of this date. Resolution directing issuance and service was adopted.

Thereupon, at the hour of 5:00 o'clock, the Commission adjourned to meet at 10:30 a.m., May 13, 1920.

Horton Thompson
Acting Chairman

Attest;

Secretary

May 13, 1920.

MEETING OF FEDERAL TRADE COMMISSION

May 13, 1920 - 10:30 a.m.

Huston Thompson, Acting Chairman
Melson B. Caskill
Jno. Garland Pollard

The minutes of the meetings of May 11, and 12, 1920,
respectively, were read and approved.

On April 27, 1920, the Commission directed the prepara-
tion of Findings of Facts, Conclusions and Orders to Cease
and Desist in the following formal complaints.

Docket Numbers	
131 -	F. T. C. vs. Atlantic Refining Company
134 -	" " Standard Oil Company of New York
309 -	" " Maloney Oil & Manufacturing Company
311 -	" " Sterling Oil Company
312 -	" " Pavana Oil Company
313 -	" " Red "C" Oil & Manufacturing Company
316 -	" " Kendall Refining Company
320 -	" " Gulf Refining Company
333 -	" " Super Oil Products Corporation
331 -	" " Elmer E. Harris & Company
335 -	" " Louis Blaustein (American Oil Co.)
337 -	" " Standard Oil Co. of New Jersey
373 -	" " The Texas Oil Company

and ordered that the same be submitted to Mr. Thompson for ap-
proval on behalf of the Commission, and upon such approval such
Findings to be issued as of April 27th.

Pursuant to the foregoing action of the Commission, Mr.
Thompson reported today that he had examined Findings and Orders
in the foregoing cases, that the same were approved by him as
drawn and their service recommended. Ordered by the Commission
that such Findings and Orders be approved and entered of record
by the Commission as of April 27, 1920.

May 13, 1930.

In the matter of Docket No. 341, Federal Trade Commission vs. W. A. Case & Son Manufacturing Company, Inc., it was ordered that E. L. Shinn, an Examiner of the Commission, be designated to take testimony, etc., and that the hearing of the complaint begin on May 19, 1930, at 10:30 o'clock a.m., at the office of the Commission in New York City.

Pursuant to the request of the Commission, Mr. Caskill reported with reference to file of papers from the Economic and Legal Divisions, concerning the refusal of certain milk companies to make returns to the Commission's questionnaire in the milk inquiry, in response to Senate Resolution No. 431. Form of resolution, as prepared by the Chief Counsel, to lay a basis for formal demand, was also submitted. In conference with the Chief Economist, the Chief Counsel and Dr. Keaper Simpson of the staff, procedure to be followed was discussed by the Commission. Thereafter, on motion of Mr. Caskill, it was ordered that the matter be laid on the table.

Mr. Pollard asked that the record show that he was excused from consideration of this and all other matters involving Armour & Company, and referred to his statement made for the record under date of April 27, 1930.

Upon motion of Mr. Thompson, the Commission considered the following applications for complaints, assigned to Mr. Murdock and submitted by Mr. Murdock to the Commission on March 24, 1930, with memorandum in each case approving the report of the Board of Review and recommending the preparation of formal complaints.

May 13, 1930.

Files -
O-1777 - F. T. C. vs. United Chemical Products Corporation
O-1774 - " " Aniline Sales Corporation
O-1762 - " " United States Color & Chemical Co., Inc.
O-1767 - " " The Widdier Dyeing Chemical Co., Inc.
O-1766 - " " A. De Ronde & Co.
O-1764 - " " Bachmeier & Company, Inc.
O-1761 - " " American Eyewood Company.

After discussion of policy to be followed in bribery cases, it was ordered, upon motion of Mr. Thompson, that these cases go to the Suspense Calendar to await action in certain pending court proceedings on bribery matters.

Upon motion of Mr. Pollard it was directed that the Suspense Calendar be called completely at the first meeting of the Commission in each month, and the Clerk of the Commission was directed to furnish the Commission with a list of matters pending on the Suspense Calendar together with the reasons assigned by the Commission for placing matters thereon, and submit a statement of the status of each matter.

In the matter of Docket No. 561, F. T. C. vs. Berk Bros., Findings of Fact, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission, with the direction that the Order be served forthwith.

In the matter of Docket No. 443, F. T. C. vs. The Sport Shop, draft of Findings of Fact, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, were considered by the Commission and referred to Mr. Pollard for report of recommendations as to Order to be issued.

May 13, 1920.

The Commission fixed Tuesday, May 18th, at 2:30 p.m., as the time to consider Findings, Conclusion and Orders submitted by the Chief Counsel for final determination in the following cases:

Docket 503	-	F. T. C. vs. Mercantile & Financial Times Publishing Co.
" 511	-	" " Draughon Text Book Company
" 546	-	" " National Wire Wheel Works, Inc.
" 558	-	" " McKnight-Keaton Grocery Company

At the hour of 12:30 the Commission recessed and assembled at the hour of 2:30 p.m.

Huston Thompson, Acting Chairman
Nelson B. Caskill
Jno. Garland Pollard.

The Commission thereupon proceeded to a consideration of certain matters arising in the Chief Examiner's office, as presented by the Secretary, and action as indicated was taken.

(a) File -
C-1732 - McQuiddy Printing Co. vs. Dexter Folder Company.
In response to the Commission's direction of February 28, 1920, memorandum was received from the Chief Examiner, reporting that the files in this case had been submitted to the Department of Justice and returned by that department with the statement that the matter presents no violation of federal law. The memorandum was received and ordered filed.

(b)
Memorandum of May 4, from the Chief Examiner recommending that applications for complaints be docketed on behalf of the Commission against the Standard Pattern Co., Butterick Publishing Company, New Idea Pattern Company, Designer Publishing Company, Butterick Company and Federal Publishing Company. The memorandum was approved and it was ordered that such applications be docketed.

(c)
Memorandum of April 28, 1920, from the Chief Examiner, was approved and it was ordered that application for complaint 1-601, F. T. C. vs. Swift & Company, assigned to Mr. Murdock, and application for complaint C-1798, Mutual Creamery Co., against Swift & Company, assigned to Mr. Colver, be consolidated under C-1798, and assigned from this time forward to the supervision of Mr. Colver.

May 13, 1920.

(d)

Memorandum of May 6, was received from the Chief Examiner, transmitting file of papers and recommending the docketing on behalf of the Commission of a complaint against Old Dominion Oil Company. The Chief Examiner's memorandum was approved and the docketing of such complaint directed.

(e)

Memorandum of April 15, 1920, was received from the Chief Examiner and approved, and it was ordered that applications for complaint on behalf of the Commission, be docketed against 22 certain concerns located in Texas and Louisiana, as listed in the Chief Examiner's memorandum, on a charge of commercial bribery in connection with the sale of ships' stores.

(f)

Memorandum of February 19, 1920, was received from the Chief Examiner, recommending the docketing of applications for complaints on behalf of the Federal Trade Commission against Armour & Company and Swift & Company on account of the operation of bogus independents. Memorandum was approved and it was ordered that the applications for complaints be docketed as recommended by Examiner Haycraft in memorandum of February 12, 1920.

(g)

Upon receipt of memorandum of February 16, 1920, from the Chief Examiner, the Commission directed that application for complaint be docketed on behalf of the Commission against the Corset Manufacturers' Association on account of giving of gratuities to clerks, as recommended by the Chief Examiner.

(h)

Upon receipt of memorandum of February 4, 1920, from the Chief Examiner, the memorandum was approved and it was ordered that an application for complaint in the name of the Commission be docketed against M. E. Swing Company of Washington, D. C., for selling sugar conditioned upon the simultaneous purchase of coffee.

(i)

Memorandum of February 25, 1920, from the Chief Examiner, advising the Commission, in response to its direction of August 12, 1919, that in the matter of file 1-445, application of Ketchum & Company vs. National Wholesale Druggists' Association, the Department of Justice has been advised of the reported violation by the National Wholesale Druggists' Association of the decree entered in the United States Circuit Court for the District of Indiana in 1907, and that the Department had replied that successful prosecution of the members of this Association is not possible. Memorandum was received and filed.

May 13, 1920.

57.

(j)

Memorandum from the Chief Examiner, transmitting reports of interview with the trade in the matter of file 9-1030, application of American Manufacturing Company for complaint against Baldwin & Company, Ltd., et al, for the purpose of ascertaining what the trade understands by the term "belt rope." Upon consideration of the entire record, on motion of Mr. Gaskill, seconded by Mr. Thompson, it was ordered that the application be and the same is hereby dismissed. As to the foregoing action of dismissal, Messrs. Thompson and Gaskill voted in the affirmative and Mr. Pollard voted in the negative.

In the matter of Docket No. 212, F. T.C. vs. A. T. McClure Glass Company, in response to the Commission's direction of February 11, 1920, the Chief Counsel laid before the Commission suggested re-draft of Paragraph 1 of its Order to Cease and Desist, dated September 25, 1919. The Chief Counsel was heard. Attorney Hawkins heard. Upon motion of Mr. Gaskill, duly seconded, the Commission rescinded its order of September 25, 1919, and issued its amended order as submitted by the Chief Counsel.

In the matter of Docket No. 345, F. T. C. vs. New England Bakery Company, memoranda were received from the Chief Counsel and from the Commission's Attorney M. B. Clarke, recommending dismissal of the complaint. The Chief Counsel was heard. Upon consideration of the whole record, memorandum from the Chief Counsel and memorandum by Attorney Clarke were approved, and upon motion of Mr. Thompson, seconded by Mr. Gaskill, it was ordered that the complaint of the Commission be and the same is hereby dismissed without prejudice.

May 13, 1920.

In the matter of file 9-1384, application of F. T. C. vs. Du Pont Oil Company, the Chief Counsel laid before the Commission draft of formal complaint prepared in response to its direction of December 23, 1919, and also laid before the Commission memorandum from Attorney Brinson advising the Commission that he believes the allegations of the complaint cannot be sustained by the evidence. Chief Counsel heard. Attorney Brinson heard. Ordered that the application for complaint be and the same is hereby dismissed.

In response to the Commission's direction of February 5, 1920, the Chief Counsel submitted memorandum advising the Commission that the Clayville Knitting Company, Utica, N. Y., had expressed a willingness to comply with the Commission's request with reference to the misbranding of cotton goods, but desired to continue the use of certain labels for 90 days. Upon consideration the Chief Counsel was directed to inform the company that the Commission was of opinion that the practice of misbranding should be discontinued at once, and the Commission does not approve of the use of the labels for a period of 90 days, as requested.

In the matter of Docket No. 566, F. T. C. vs. the F. J. O'Neill Medicine Company, the Chief Counsel submitted memorandum from the Commission's attorney, James T. Clarke, together with form of amended and substitute complaint recommended by the attorney. Upon consideration the memorandum from Attorney Clarke was approved and amended complaint as submitted by the Chief Counsel was revised and approved by the Commission and issued as of this

FURBC

May 13, 14, 1920.

day. Resolution directing issuance and service was adopted.

Upon recommendation of the Chief Counsel, the Commission fixed Thursday, May 20, at 2:30 p.m., as the time for hearing final argument in the following formal cases.

Dockets -
508 - F. T. C. vs. C. H. Kroneberger & Company.
509 - " " John Wilkins
510 - " " Levering Coffee Company.

and directed that parties be notified.

Thereupon, at the hour of 5:30 p.m., the Commission adjourned to meet at 10:30 a.m., May 14, 1920.

Huston Thompson
Acting Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

May 14, 1920 - 10:30 a.m.

Huston Thompson, Acting Chairman
Nelson B. Gaskill
Jno. Gariand Pollard

May 14, 1920.

In conference with the Chief Counsel, the Commission considered certain matters arising in the Chief Counsel's office, and action as indicated was taken in the following cases.

(1) - Memorandum from Attorney Rowland suggesting that applications for complaints be docketed on behalf of the Commission against certain manufacturers of pens alleged to be stamping their boxes or containers with excessive and fictitious prices, as condemned by the Commission in Docket 531, F. T. C. vs. Berk Brothers. The memorandum was approved and it was ordered that applications, as suggested, be docketed against firms listed in the memorandum.

(2) - In the matter of Docket No. 230, F. T. C. vs. Prest-O-Lite Company, the Commission considered memorandum of May 3, from Attorney James T. Clarke. The Chief Counsel was heard. Attorney Clarke heard. After discussion, Mr. Pollard offered the following motion which was duly seconded.

MOVED, that the case go to the Suspense Calendar to await decisions of the courts.

As to the foregoing motion Messrs. Thompson and Caskill voted in the negative and Mr. Pollard voted in the affirmative. The Acting Chairman declared the motion lost.

Mr. Caskill thereupon offered the following motion which was seconded by Mr. Thompson.

MOVED, that the complaint in this case be dismissed by the Commission on its own motion without prejudice to the right of the Commission to issue another complaint with respect of the same subject matter directed to such respondents as the Commission may elect, if subsequent developments in pending litigation in the courts involving similar matters at issue here shall make such action desirable.

As to the foregoing action of dismissal, Messrs. Thompson and Caskill voted in the affirmative and Mr. Pollard voted in the negative. The motion was thereupon carried.

In the matter of Docket No. 35, F. T. C. vs. Standard Oil Company of Indiana, the Commission considered - (1) Memorandum of February 10, 1920, from Assistant Chief Examiner Shinn, together with file of papers alleging that the Commission's Order to Cease and Desist was being violated by respondent, and also submitting

May 14, 1920.

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new form of contract being used by respondent; and, (2) Memorandum of February 14, 1920, by Attorney Burdeau, suggesting further investigation. The Chief Counsel was heard. After discussion the papers were referred back to the Chief Examiner to cause an investigation to be made, as suggested in Attorney Burdeau's memorandum, to ascertain and report the facts.

At the hour of 12:30 p.m., the Commission recessed and assembled at the hour of 2:30.

Huston Thompson, Acting Chairman
Nelson B. Gaskill
Jno. Garland Pollard

In the matter of Docket No. 534, F. T. C. vs. A. A. Berry Seed Company, the Commission accepted respondent's amended answer and ordered the same filed, and thereafter heard final argument of Attorney Rowland on behalf of the Commission, and argument of H. J. Campbell on behalf of respondent. The hearing was not reported. At the conclusion of the hearing the case was taken under advisement by the Commission.

In the matter of Docket No. 398, F. T. C. vs. American Dental Trade Association, et al, it was ordered that Gerald B. Weikert, an Examiner of the Commission, be designated to receive testimony, etc., and that the hearing of the complaint begin on Tuesday, May 25, 1920, at 10:30 a.m., at Chicago, Ill.

May 14, 20, 1920.

Letter of March 29, 1920, from the Associated Business Papers, Inc., New York City, re the Photo-Engravers case was referred to Mr. Colver with request that he report to the Commission on May 20, 1920, the status of Docket No. 82, F. T. C. vs. Photo-Engravers Club of Chicago.

Thereupon, at the hour of 4:00 o'clock the Commission adjourned to meet at 10:30 a.m., May 15, 1920.

Huston Thompson
Acting Chairman

Attest:

Secretary.

May 15, 1920 - No meeting held
May 16, 1920 - No meeting held
May 17, 1920 - No meeting held
May 18, 1920 - No meeting held - Sunday
May 19, 1920 - No meeting held

MEETING OF FEDERAL TRADE COMMISSION

May 20, 1920 - 10:30 a.m.

Huston Thompson, Acting Chairman
William E. Colver
Nelson E. Gaskill
Jno. Garland Pollard

Mr. Murdock on leave of absence.

May 20, 1920.

The minutes of May 14, 1920, were read and approved.

The following report of Messrs. Thompson and Gaskill, a committee, of action taken on May 18, 1920, was read to the Commission, ratified and ordered to be incorporated and made a part of the minutes of May 20, 1920.

COMMITTEE MEETING - May 18, 1920 - 10:30 a.m.

Report of Messrs. Thompson and Gaskill, a Committee appointed to transact the business of the Commission during the absence of a quorum and submit report to the Commission for ratification.

Huston Thompson)
Nelson B. Gaskill) Committee.

The minutes of the meeting of May 13, 1920, were read and approved.

The Secretary submitted a statement of the financial condition of the Commission as of April, 1920, and the same was accepted and ordered to be filed.

Upon recommendation of the Secretary, it was ordered that the salary of Clarence Williams be increased from \$900 to \$1200 per annum, plus the bonus, the same to be effective as of May 1, 1920.

In the matter of Docket No. 567, F.T. C. vs. Acme Coal Mining Company, upon recommendation of the Chief Counsel the Commission fixed Tuesday, June 1, at 2:30 p.m., as the time for hearing final argument and directed that parties be notified.

In the matter of Docket No. 540, F. T.C. vs. Royal Baking Powder Company, upon recommendation of the Chief Counsel, the Commission fixed Monday, June 7, at 2:30 p.m., as the time to hear motion of counsel for the Commission to strike out certain portions of respondent's answer.

May 20, 1920.

Mr. Gaskill laid before the Commission file of papers including memorandum of May 7, 1920, from the Chief Counsel, concerning the complaint of the Arkansas Brokerage Company, et al, against the Lima Bean Growers Association of California. Upon motion of Mr. Gaskill, it was ordered that the matter be docketed as an application for complaint and handled in the regular course.

In conference with the Chief Counsel, the Commission thereupon considered Findings of Facts, Conclusions and Orders to Cease and Desist in certain docket cases, as follows, which were set down as a special order of business and action as indicated was taken.

(1) Docket 288 - F. T. C. vs. McKnight-Keaton Grocery Co. et al. Chief Counsel heard. Findings of Fact, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, were revised by the Commission, approved and entered of record with the direction that the Order be served forthwith. After revision and prior to service, it was directed that the Findings be approved by Mr. Thompson. Mr. Thompson cast the vote of Mr. Colver in favor of the foregoing action of the Commission.

(2) Docket 511 - F. T. C. vs. Draughon Textbook Company. Chief Counsel heard. Attorney Mechem heard. Findings of Fact, Conclusions and Order to Cease and Desist, as submitted by the Chief Counsel, after revision were approved by the Commission and entered of record with the direction that the Order be served forthwith.

After revision and prior to service, it was directed that such Findings, etc., be submitted to Mr. Gaskill for approval on behalf of the Commission.

Mr. Thompson cast the vote of Mr. Colver in favor of the foregoing action of the Commission.

(3) Docket 502 - F. T. C. vs. Mercantile & Financial Times Publishing Company.

Chief Counsel heard. Findings of Facts, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, after revision, were approved by the Commission and entered of record with the direction that the Order be served forthwith. Mr. Thompson cast the vote of Mr. Colver in favor of the foregoing action of the Commission.

(4) Docket 546 - F. T. C. vs. National Wire Wheel Works, Inc. Draft of Findings of Facts, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, were considered. The Chief Counsel and Attorney Mechem were heard. Upon motion of Mr. Thompson, it was ordered that the complaint of the Commission be and the same is hereby dismissed.

May 20, 1920.

Thereupon, at the hour of 12:30 p.m., the Committee adjourned.

Huston Thompson
Wm. B. Gaskill
 Committee.

Upon motion of Mr. Gaskill, following the recommendation of the Chief Economist, the Commission authorized the following salary increases in the Economic staff, the same to be effective as of May 16, 1920.

Loveless, Ward	\$1740 to \$1800, flat
Biddle, Wm.	1380 " 1800, "
Hoover, Wm.	1800 " 3000

As to the foregoing action of the Commission in authorizing salary increases, Messrs. Thompson, Colver and Gaskill voted in the affirmative and Mr. Pollard voted in the negative.

Mr. Gaskill laid before the Commission memorandum of May 19, 1920, from the Chief Economist, together with form of lumber schedule to be sent out for the purpose of securing monthly data relative to production, cost, sales and general economic conditions in the lumber industry, so that periodic reports may be issued somewhat similar to those now being prepared in coal. The Chief Economist recommended that conference be held with the industry for the purpose of discussing the schedule and receiving suggestions to meet the reasonable convenience of the industry. After discussion, and on motion of Mr. Gaskill, the plan of procedure, as suggested by the Chief Economist together with the

May 20, 1920.

schedule as submitted was approved by the Commission and the Chief Economist was authorized to hold the conferences suggested and to send out the schedule.

Mr. Thompson reported to the Commission with reference to a trade practice submittal held with representatives of the celluloid industry on May 17, 1920, and submitted and read to the Commission (1) a report of the committee of the whole of the industry, and (2) draft of acceptance of the committee's report drawn by Mr. Thompson.

After a full discussion, upon motion of Mr. Colver, the Commission accepted the statement submitted by the industry together with the form of acceptance submitted by Mr. Thompson, and Mr. Thompson was requested to forward the same to the trade.

Upon motion of Mr. Pollard it was ordered that a copy of the statement prepared for the trade be sent to each applicant in applications for complaints in this industry now pending before the Commission, for the information and comment of such applicants.

In the matter of Docket No. 92, F. T. C. vs. Standard Oil Co., of New York and Magnolia Petroleum Company, the Chief Counsel submitted amended and substituted order of dismissal, naming Magnolia Petroleum Company as respondent as well as the Standard Oil Company of New York. The Order as submitted was approved and issued by the Commission.

ENCLOSURE

May 20, 1920.

Mr. Thompson laid before the Commission letter from counsel for respondent in Docket No. 505, F. T. C. vs. Kenny Company, requesting additional time in which to prepare brief. Upon consideration it was ordered that final argument now set for May 26, be advanced to June 8, 1920, at 2:00 p.m., and that parties at interest be notified.

At the request of Mr. Murdock, Mr. Colver laid before the Commission file O-1575, application of the Federal Trade Commission for complaint against Armour & Company in re Wabash Packing Company. Upon consideration, the report of the Board of Review was approved and it was ordered that the application be and the same is hereby dismissed.

Mr. Pollard asked that the record show that he refrained from voting in this case and any other matters touching Armour & Company, for the reasons given in his memorandum of April 27, 1920.

At the request of Mr. Murdock, Mr. Pollard submitted the following listed applications for complaints assigned to Mr. Murdock for supervision, and action as indicated was taken by the Commission.

(a) Files -
O-1701 - F. T. C. vs. Wilson & Co., Inc., in re John Beardon & Sons Company.
O-1708 - F. T. C. vs. Wilson & Co., Inc., in re Standard Reef Co.

Upon motion of Mr. Pollard, the reports of the Board of Review were approved and it was ordered that the applications be and the same are hereby dismissed. As to the foregoing action of dismissal, Messrs. Murdock, Thompson and Pollard voted in the affirmative and Messrs. Colver and Gaskill voted in the negative. By consent of the Commission Mr. Murdock's vote was counted in the affirmative, his views being reported by Mr. Pollard.

May 20, 1920.

(b) Files -
O-1696 - F. T. C. vs. Wilson & Co., Inc., in re United States
Fertilizer Company.
O-1698 - F. T. C. vs. Wilson & Co., Inc., in re Mississippi
Packing Company, Inc.

Upon motion of Mr. Pollard the reports of the
Board of Review were approved and it was ordered that the applica-
tions be and the same are hereby dismissed.

In response to the Commission's request of May 14, 1920, Mr.
Colver reported with reference to the status of Docket No. 82,
F. T. C. vs. Photo-Engravers' Club of Chicago, and also with refer-
ence to other applications for complaints before the Commission in-
volving similar subject matter. The Chief Counsel was heard.
Upon consideration and on motion of Mr. Colver, it was ordered
in the matter of file 1-542, application of the Associated Busi-
ness Papers, Inc., against the New York Photo-Engravers' Club, et
al, that the Chief Counsel prepare and submit to the Commission
draft of formal complaint. As to the foregoing action in ordering
the preparation of formal complaint, Messrs. Thompson, Colver and
Pollard voted in the affirmative and Mr. Gaskill voted in the nega-
tive.

The Commission recessed at 1:00 p.m., and reassembled at
2:30.

William B. Colver, Acting Chairman
Nelson B. Gaskill
Jno. Garland Pollard.

May 21, 1930.

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The Commission met to hear final argument of counsel for respondents and counsel for the Commission in the matter of:

Dockets -
508 - F. T. C. vs. C. H. Kroneberger & Company.
509 - " " John H. Wilkins & Co., Inc.
510 - " " Levering Coffee Company

due notice of such hearing having been served upon respondents' counsel.

Counsel for respondents failed to appear. Attorney Hawkins, counsel for the Commission, appeared and advised the Commission that counsel for respondents had waived argument and agreed to submit the case for final determination upon answer and brief. Attorney Hawkins was heard by the Commission in support of the allegations of the complaints. After the hearing the cases were taken under advisement by the Commission. Stenographic report was not made.

Mr. Thompson asked that the record show that he was excused from sitting to hear these cases.

Thereupon, at the hour of 3:00 p.m., the Commission adjourned to meet at 10:30 a.m., May 31, 1930.

Huston Thompson
Acting Chairman

Attest:

Secretary.

May 21, 1920.

MEETING OF FEDERAL TRADE COMMISSION

May 21, 1920 - 10:30 a.m.

Huston Thompson, Acting Chairman
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

Mr. Murdock on leave of absence.

The Commission further considered as a special order of business, its report to the Attorney General in response to his request of September 30, 1919, of an inquiry of the California Associated Raisin Company. Draft of report as submitted by Mr. Gaskill was considered, revised and laid over for further consideration at a meeting this afternoon.

The Commission recessed at 1:00 p.m., and reassembled at 2:30.

Huston Thompson, Acting Chairman
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

The Commission resumed consideration of its report to the Attorney General concerning the California Associated Raisin Company, and continued the subject until the hour of 4 o'clock, at which time it was agreed that the matter be made a special order of business for further consideration at 2:00 p.m., Monday May 24.

-LUBC

May 31, 1930.

In the matter of Docket No. 456, F. T. C. vs. Western Meat Company, it was ordered that D. N. Dougherty, an Examiner of the Commission, be designated to receive testimony, etc., and that the hearing of the complaint begin at Reno, Nevada, May 27, 1930, at 10 o'clock.

In the matter of Docket No. 457, F. T. C. vs. Western Meat Company and Nevada Packing Company, it was ordered that D. N. Dougherty, an Examiner of the Commission, be designated to receive testimony, etc., and that the hearing of the complaint begin at Reno, Nevada, May 27, 1930, at 10 o'clock.

Thereupon, at the hour of 4:15 p.m., the Commission adjourned to meet at 10:30 a.m., May 28, 1930.

Winston Thompson
Acting Chairman

Attest:

Secretary.

May 22, 1930 - No meeting held

May 23, 1930 - No meeting held - Sunday

May 24, 1920.

MEETING OF FEDERAL TRADE COMMISSION

May 24, 1920 - 2:30 p.m.

Huston Thompson, Acting Chairman
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard

Mr. Murdock on leave of absence

The Commission further considered as a special order of business its report to the Attorney General in response to his request of September 30, 1919, for an inquiry with reference to the California Associated Raisin Company. Suggested further amendments thereof were discussed and in some instances approved, and it was agreed that the report be further considered at another meeting.

Thereupon, at the hour of 4:00 p.m., the Commission adjourned to meet at 10:30 a.m., May 25, 1920.

Huston Thompson
Acting Chairman

Attest:

Secretary.

May 25, 1920.

MEETING OF FEDERAL TRADE COMMISSION

May 25, 1920 - 2:30 p.m.

Huston Thompson, Acting Chairman
Nelson B. Gaskill
Jno. Garland Pollard.

Mr. Murdock on leave of absence.
Mr. Colver excused to work on Raisin case.

The minutes of the meetings of May 20, and May 21, 1920,
were read and approved.

Mr. Gaskill advised the Commission as to the situation with
respect to monthly coal cost reports and raised the question as
to whether or not the Commission should continue to serve default
notices upon bituminous operators failing to file reports. Upon
consideration Mr. Gaskill was requested to lay before the Commis-
sion draft of letter to the coal trade setting forth the Commis-
sion's views, it being agreed that the Commission would not con-
tinue to serve default notices.

The Secretary submitted recommendation from the Chief of
the Publications Section for certain salary increases, and upon
recommendation of the Secretary the following increases were au-
thorized the same to be effective May 16, 1920.

Blair E. Fricke - \$1800 to \$2000, plus the bonus
Harold E. Stamm - 1800 " 1800, " " "

In response to the Commission's request of March 10, 1920,
Mr. Pollard reported to the Commission in the matter of Docket

May 25, 1930.

No. 156, F. T. C. vs. Purity Preserving Company, et al, and moved the dismissal of the case. The motion was duly seconded and after discussion it was ordered that the complaint of the Commission be and the same is hereby dismissed.

Upon recommendation of the Chief Counsel and on motion of Mr. Thompson, the Commission authorized the following salary increases, the same to be effective on June 1, 1930.

J. A. Burdeau,	\$4500 to \$4800
H. W. Beer,	4200 " 4500
W. C. Reeves,	3750 " 4000

Upon recommendation of the Chief Economist and on motion of Mr. Gaskill, the salary of John T. Hutchinson was increased from \$1500 to \$1600 per annum, flat, the same to be effective May 16, 1930.

Letter of May 31, from Senator Hale, requesting the 1917, and 1918, report of the Food Administration into the cost and manufacture of binder twine in the U. S., was referred to the Chief Economist for preparation of reply.

Thereupon, at the hour of 5:00 p.m., the Commission adjourned to meet at 10:30 a.m., May 26, 1930.

Frederick Thompson
Acting Chairman

Attest:

Secretary.

May 26, 1920.

MEETING OF FEDERAL TRADE COMMISSION

May 26, 1920 - 10:30 a.m.

William B. Colver, Acting Chairman
Nelson B. Gaskill
Jno. Garland Pollard

Mr. Murdock on leave of absence
Mr. Thompson excused on official business

Upon receipt of memorandum of April 17, 1920, from the Chief Examiner, transmitting file of papers recommending that application be docketed in the name of the Commission against Andrews & Company on the ground of misrepresentation and concealment in the sale of various stocks, it was ordered that such application be docketed.

Upon receipt of memorandum of May 15, 1920, from the Chief Examiner, transmitting file of papers and recommending that an application on behalf of the Commission be docketed against Invader Oil & Refining Company, the Commission directed that such application be docketed.

Findings of Facts, Conclusions and Orders to Cease and Desist, as prepared by the Chief Counsel at the direction of the Commission, were submitted by the Chief Counsel in the following formal cases. Upon consideration such Findings, etc., were revised by the Commission, approved and entered of record with the direction that the Orders be served forthwith.

May 28, 1920.

Dockets -
508 - F. T. C. vs. C. H. Kroneberger & Company
509 - " " John H. Wilkins Co., Inc.
510 - " " Levering Coffee Company.

At this time Mr. Thompson entered the meeting.

Findings of Facts, Conclusions and Order to Cease and Desist, in the matter of Docket No. 534, F. T. C. vs. A. A. Berry Seed Company, as redrawn by the Chief Counsel at the direction of the Commission, were submitted to the Commission, and upon consideration, such Findings, etc., were approved and the Order was revised and referred back to the Chief Counsel to be redrawn and again brought to the attention of the Commission.

Pursuant to the Commission's action of May 25, 1920, Mr. Gaskill submitted letter addressed to Mr. J. D. A. Morrow, Vice-President, National Coal Association, advising that the Commission will not serve notices of default in filing coal production cost reports against bituminous operators who choose not to file such reports, pending vacation of the injunction in the Maynard case, etc. Letter was approved by the Commission, signed by Mr. Gaskill and forwarded. See file.

Thereupon, at the hour of 12:30 p.m., the Commission adjourned to meet at 10:30 a.m., May 27, 1920.

Huston Thompson
Acting Chairman

Attest:

Secretary.

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May 27, 1920.

MEETING OF FEDERAL TRADE COMMISSION

May 27, 1920 - 10:30 a.m.

Euston Thompson, Acting Chairman
William B. Colver
Nelson P. Gaskill
Jno. Garland Pollard.

Mr. Murdock on leave of absence.

Mr. Gaskill laid before the Commission form of report prepared by the Economic Division in response to H. R. 501, dated April 5, 1920, calling upon the Commission for an immediate inquiry re prices of fuel oil, etc. It was agreed that consideration of report be made a special order of business for 10:00 a.m., Saturday, May 29, 1920.

Mr. Thompson laid before the Commission letter of May 26, 1920, from the U. S. Bituminous Coal Commission asking that representatives from the Commission be designated to attend the conference of various Federal Agencies to discuss the coordination of coal information required by the Government. Upon motion of Mr. Gaskill the Commission named Messrs. David L. Wing and Walter V. Durand as its delegates to this conference.

Mr. Gaskill laid before the Commission one copy (in sections) of the Commission's report on cost of producing cigarettes and smoking tobaccos by various companies, and upon motion of Mr. Gaskill, the report was forwarded to Director of Purchase, Subsistence Division, War Department. The report was forwarded in response to letter of May 11, 1920, from the War Department, requesting additional copies of the report for use by the individual companies reported

May 27, 1920.

upon, each of such companies to have copy of ^{its} own costs as found by the Commission and none other.

Mr. Gaskill laid before the Commission, galleys of Volume II and Volume V of the Commission's report on Grain Exchanges and Grain Marketing, together with memorandum of May 22, from the Chief Economist suggesting conference with the trade. After discussion, on motion of Mr. Gaskill, it was agreed that such conference be held and that the Chief Economist be instructed to arrange a tentative date for such conference and report back to the Commission. The galley proofs were ordered held by the Chief Economist pending conference with the trade.

In response to the Commission's request of March 11, 1920, Mr. Pollard reported in the matter of file 1-705, application of F. T. C. against MacBeth-Evans Glass Company, et al, and 1-803, Isaac Bulifant application for complaint against Cumberland Glass Manufacturing Company, et al. Upon consideration, Mr. Pollard's report was accepted and the cases recommitted to Mr. Pollard for conference with the Chief Counsel and report back to the Commission recommendations of action to be taken.

Mr. Colver submitted the following listed applications for complaints, and upon his motion action as indicated was taken by the Commission.

SHUBC

May 27, 1930.

(a) File -

O-1790 - United States Willow Furniture Company vs. Universal Willow & Reed Corporation.

Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(b) File -

1-595 - F. T. C. vs. General Electric Company.

Memorandum by Mr. Colver approved. Ordered that the application be and the same is hereby dismissed.

(c) File -

9-1471 - Bureau of Paint & Varnish Industries vs. Quaker Oil Products Company.

Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that formal complaint be prepared by the Chief Counsel and issue as of this day without further action by the Commission. Resolution directing issuance and service adopted.

In conference with the Chief Counsel the Commission considered Findings of Fact, Conclusion and Order to Cease and Desist in the matter of Docket No. 273, F. T.C. vs. Pan Motor Company, et al, redrawn by the Chief Counsel and directed to respondents, Pan Motor Company, and Samuel C. Pandolfo. Such Findings, Conclusion, and Order were revised by the Commission, approved and entered of record with direction that the order be served forthwith. As to the foregoing action of the Commission, Messrs. Thompson, Colver and Gaskill voted in the affirmative, and Mr. Pollard voted in the affirmative as to the Order directed to Samuel C. Pandolfo, and voted in the negative as to any Order issued against respondent, Pan Motor Company.

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May 27, 1920.

in the matter of file 9-1463, Philadelphia Wholesale Drug Company vs. The Mennen Company, and file 9-1525, The Mennen Company vs. Philadelphia Wholesale Drug Company. After consideration final forms were agreed upon and Attorney Reeves instructed as to their preparation. Mr. Gaskill was requested to review the final form prior to service. The complaints in both these cases were issued by the Commission under date of April 15, 1920.

(d) In the matter of Docket 345, F. T. C. vs. New England Bakery Company, dismissed by the Commission on May 13, 1920, the Chief Counsel submitted draft of Order of Dismissal and the case was referred back to the Chief Counsel with the instruction that the attorney prepare tentative Findings of Facts and Conclusions to support the Order of Dismissal.

(e) Findings as to the Facts, Conclusions and Order to Cease and Desist, in the matter of Docket 562, F. T. C. vs. Shotwell Manufacturing Company, and Docket 563, F. T. C. vs. Reuckheim Bros. & Eckstein, Inc., as submitted by the Chief Counsel, were considered by the Commission, revised and referred back to the Chief Counsel to be redrawn to include a Finding with respect to public knowledge of premiums given to salesmen.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned to meet at 10:00 a.m., May 28, 1920.

Huston Thompson
Acting Chairman

Attest:

Secretary.

May 28, 1930.

MEETING OF FEDERAL TRADE COMMISSION

May 28, 1930 - 10:00 a.m.

Victor Lundbeck, Chairman
Huston Thompson
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

The minutes of the meetings of May 24, 25, 26, and 27, 1930, respectively, were read and approved.

The Commission considered as a special order of business its report to the Attorney General of the United States in response to his request of September 30, 1919, for an inquiry with reference to the California Associated Raisin Company. Final draft of the report, as redrawn by Mr. Colver at the request of the Commission, was submitted and read by Mr. Colver.

The Commission recessed at 12:30 and reassembled at 2:00 p.m.

Huston Thompson, Acting Chairman
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

In the matter of Docket No. 31, F. T. C. vs. National Biscuit Company, the Commission heard final argument of Attorney

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May 28, 28, 1920.

Roberts on behalf of the Commission in support of its complaint, and argument of Mr. Sumner Ford on behalf of respondent. The hearing was not reported. At the conclusion of the hearing the matters as presented were taken under advisement by the Commission.

Thereupon, at the hour of 12:30 the Commission adjourned to meet at 10:00 a.m., May 28, 1920.

W. H. Thompson
Chairman.

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

May 28, 1920 - 10:00 a.m.

Huston Thompson, Acting Chairman
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

Mr. Mumlock on leave of absence.

Mr. Thompson reported further with reference to applications for complaints involved in the trade practice submitted on the Pyroxylin plastics industry, held May 17, 1920, and advised the Commission that there was but one application pending, to-wit, file 1-406, application of the Celluloid Company for complaint against C. J. Bates & Son, et al. On motion of Mr. Thompson it was ordered, in view of the trade practice submittal which has been executed in this industry, that the above application be

May 28, 1930.

and the same is hereby dismissed without prejudice.

It was directed that the records show that Major Chas. H. McDonald, who has been absent from his position as attorney at \$5,000 in the Commission on indefinite leave of absence without pay since September 8, 1918, being in the military service, reported for duty. It was directed that Mr. McDonald be assigned to work in the Commission when he shall have reported to the Secretary of the Commission that he has been released from the War Department.

In the matter of Docket No. 577, F. T. C. vs. Holland Piano Manufacturing Company, it appearing that respondent has failed to file answer and the proceedings being ready for the taking of testimony, it is ordered, (1) that Gerald V. Weikert, an Examiner of the Commission, be designated to receive testimony, and (2) that the hearing of the complaint begin at Minneapolis, Minnesota, June 10, 1930, at 10:30 a.m.

The Commission further considered its report on prices of gasoline, etc., prepared in response to W. R. 501, (The Dyer Resolution). The report was read, revised and referred back to the Chief Economist to incorporate such revision and for final typing, with the direction that report in final form be submitted to the Commission for signature on June 1.

May 29, June 1, 1930.

Thereupon, at the hour of 12:30 the Commission adjourned to meet at 2:00 p.m., June 1, 1930.

Huston Thompson
Chairman

Attest:

Secretary.

May 30, 1930 - No meeting held - Sunday

May 31, 1930 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

June 1, 1930 - 2:00 p.m.

Huston Thompson, Acting Chairman
William B. Colver
Nelson F. Goskill
Jno. Garland Pollard

Mr. Burdock on leave of absence.

Mr. Colver asked the record to show that a check for \$250, received by him from the National Wholesale Grocers Association, was an advance on his personal expenses in attending their annual convention. Accounting to be made to the Association after the convention.

June 1, 1930.

The Secretary laid before the Commission final typed form of its report to the House of Representatives pursuant to H. R. 501, dated April 5, 1930, directing the Commission to make an immediate inquiry into the causes of the recent advances in the price of fuel oil, kerosene, gasoline and other petroleum products, and report to the House not later than June 1, 1930. The Commission added to the report its conclusions and recommendations, and thereafter the entire report was finally approved, signed by the Commissioners, and delivered to the House of Representatives.

Upon recommendation of the Secretary, Miss Rachel Fesler was transferred from the Economic Division and assigned to the office of the Secretary, with a salary increase to \$1800 per annum, plus the bonus, such transfer and salary increase to be effective June 1, 1930.

Mr. Gaskill advised the Commission of the resignation of his secretary, Miss Ethel H. Andrews, and of the selection of Miss Anna I. Monohan as his private secretary, such appointment to be effective on June 1, 1930.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned, to meet at 10:00 a.m., June 2, 1930.

Huston Thompson

Acting Chairman

Attest:

Secretary.

June 3, 1930.

MEETING OF FEDERAL TRADE COMMISSION

June 3, 1930 - 10:00 a.m.

Huston Thompson, Acting Chairman
Nelson P. Caskill
Jno. Garland Pollard

Mr. Murdock on leave of absence.

The minutes of the meetings of May 28, 29, and June 1, 1930, were read and approved.

Pursuant to the Commission's resolution of June 13, 1930, the Suspense Calendar was called completely, and it was ordered that the following listed files now on the Suspense Calendar be referred to the Chief Examiner for brief statement of facts and recommendation for Commission action.

Files -

- 1-336 - Bennett Oven Co. vs. Hubbard Portable Oven Co.
- 1-326 - Ralph Harris & Co. vs. Eastman Kodak Company.
- 1-461 - J. B. Inderrieden Co. vs. California Associated Raisin Company.
- 1-412 - Selby Shoe Co. vs. United Shoe Machinery Corporation.
- 1-441 - Benham Costfinding Co. vs. United Typotheta & Franklin Clubs of America.
- 1-726 - Federal Trade Commission vs. St. Paul Building Material Exchange & National Retail Lumber Dealers' Association.
- 1-803 - Isaac Bulifant vs. The Cumberland Glass Mfg. Co., et al.
- 9-933 - F. T. C. vs. Benjamin Moore & Company.
- 9-1105- The H. Lansdown Co. vs. Quammen & Austad Lumber Company, et al.
- 9-1116- F. T. C. vs. Maple Flavoring Manufacturers' Association.
- 9-1401- National Sales Co. vs. The Federal Rubber Company.
- 9-1489- Unfair Competition Bureau of the Paint & Varnish Industries vs. Ernst Bischoff Company.
- 9-1495- Iowa Oil Company vs. Leader Oil Company.
- 9-1552- F. T. C. vs. J. Reynier & Son, Inc.
- 9-1553- F. T. C. vs. E. Hogshire Son & Company, Inc.
- 9-1555- F. T. C. vs. T. C. Hurst & Son.
- 9-1758- Gillette Safety Razor Company vs. Auto Strop Safety Razor Company.

June 2, 1920.

Files (Contd)

O-1761 - F. T.C. vs. American Dyewood Company.
O-1764 - " " Bachmeier & Company, Inc.
O-1766 - " " A. DeBonde & Company.
O-1767 - " " The Widdier Dyeing Chemical Company, Inc.
O-1768 - " " United States Color & Chemical Co., Inc.
O-1774 - " " Aniline Sales Corporation.
O-1777 - " " United Chemical Products Corporation.

The Secretary advised the Commission of verbal request from Mr. J. D. Woods, Income Tax Unit, Treasury Department, for access to report made by the Commission in 1919 of an examination of the records of the J. A. Bell Lumber Company, Lake Charles, Louisiana. Upon consideration it was the opinion of the Commission that such request as this could only be considered when presented to the Commission in writing from the head of the Government department desiring the data, and the Secretary was instructed to so advise Mr. Woods, and to get in touch with the Treasury Department to ascertain their wishes in the matter.

At the request of Mr. Colver the Secretary submitted to the Commission letter of May 21, 1920, from Mr. A. L. Spellmeyer, Los Angeles, California, giving information regarding the decline of prices to California cattle producers, etc., together with form of letter transmitting the matter to the Department of Justice. Ordered that Mr. Spellmeyer's letter go to the Department of Justice, as suggested by Mr. Colver. See file. Meat Cor 5 Ju 5

June 2, 1920.

In response to request in letter of May 26, from the United States Tariff Commission, it was agreed that a copy of "a preliminary examination of the manufacture of cordage and manufactures of vegetable fibre, including bags and bagging, and excluding other cotton textiles," dated October 30, 1913, be loaned for the confidential use of the Tariff Commission with request for its prompt return to the Federal Trade Commission. Memorandum of June 1, 1920, was received from the Chief Economist advising the Commission that he saw no objection to making this confidential loan.

Upon receipt of memorandum of June 1, from the Chief Economist it was ordered that Mr. E. L. Oliver upon completion of his present work with the Legal Division, be transferred to the Economic Division as Examiner temporary, at his present compensation, to assist on the lumber investigation for about 10 weeks.

Upon motion of Mr. Thompson, it was ordered that budget for the fiscal year ending June 30, 1921, be prepared. The Secretary was directed to send notice to the heads of the several divisions instructing them to submit to the Secretary by June 15, 1920, a tentative budget for their respective divisions based upon an anticipated appropriation of \$600,000 for the Commission.

Mr. Caskill submitted the resignation of Miss Ethel M. Andrews, his private secretary, and the same was accepted by the Commission to be effective at the close of business May 31, 1920.

June 3, 1930.

Mr. Gaskill advised the Commission that he had selected Miss Anne R. Monohan of the Commission's staff to be his private secretary, such appointment to be effective June 1, 1930.

Mr. Gaskill laid before the Commission its final report of cost inquiry with respect to stamped envelopes and wrappers furnished the Postoffice Department by the Middle West Supply Company on contract beginning July 1, 1919, as prepared by the Economic Division. It was ordered that the report be forwarded to the Postmaster General.

The Commission thereupon proceeded to a further consideration of its report to the Attorney General in response to his request of September 30, 1919, for an inquiry with respect to the California Associated Raisin Company. Portions of the report were read, revised and agreed upon. The Commission agreed to meet at 3:30 this afternoon and continue work on this report.

The Commission recessed at the hour of 12:30 and reassembled at 2:30.

Huston Thompson, Acting Chairman
Melson B. Gaskill
Jno. Garland Pollard.

Mr. Murdock on leave of absence.

June 3, 3, 1930.

Consideration of the Balzin Case continued from the morning session was resumed by the Commission. Portions of the report were read and revisions agreed upon. It was agreed that the revisions be made and adopted and the matter further considered by the Commission at another meeting.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned to meet at 10:00 a.m., June 3, 1930.

Huston Thompson
Acting Chairman

Attest:

Secretary.

REPORT OF FEDERAL TRADE COMMISSION

June 3, 1930 - 10:00 a.m.

Victor Murdock, Chairman
Huston Thompson
Jno. Garland Pollard.

Mr. Caskill excused from this meeting
to work on the Balzin Case.

The minutes of the meeting of June 2, 1930, were read, revised and approved by the Commission.

In conference with the Chief Counsel the Commission considered certain matters arising in the Chief Counsel's office and action as indicated was taken:

June 3, 1920.

In the matter of Docket No. 158, F. T. C. vs. Purity Preserving Company, et al, which was dismissed by the Commission on May 25, 1920, the Chief Counsel submitted form of order of Dismissal and explained to the Commission reasons for not drawing Findings in this case to support the Order. The Commission agreed that Findings should not be drawn in this case. The Order of Dismissal was approved by the Commission and issued as of May 25, 1920. As to the dismissal of this case Mr. Murdock voted in the negative.

In the matter of Docket No. 345, F. T. C. vs. New England Iceery Company, dismissed by the Commission May 13, 1920, the Chief Counsel submitted form of Order of Dismissal and explained to the Commission reasons for not drawing Findings in this case to support the order. The Commission agreed that Findings should not be drawn. The Order as submitted was approved and issued as of May 13, 1920.

The Chief Counsel laid before the Commission memorandum from Attorney Alvord in the matter of Docket 514, F. T. C. vs. Webb Publishing Company, et al, and transmitting copy of decree of the Supreme Court of the United States in Blumenstock Brothers Advertising Agency vs. Curtis Publishing Co. In his memorandum Attorney Alvord recommends that the Commission's complaint be dismissed. Upon consideration, on motion of Mr. Thompson, seconded by Mr. Murdock, it was ordered that the case be referred to Mr. Pollard with request that he submit report recommending action to be taken by the Commission.

In the matter of Docket No. 540, F. T. C. vs. Royal Baking Powder Company, the Chief Counsel submitted memorandum advising of request from respondent that motion to strike from respondent's answer be heard by the Commission at 3:00 p.m., June 9, 1920, instead of June 7, 1920. The Commission agreed to this change in date and directed that interested parties be notified.

June 3, 1930.

In the following listed formal cases, at the direction of the Commission, the Chief Counsel submitted draft of Finding of Facts, Conclusions and Orders to Cease and Desist and upon consideration such Findings, Conclusions and Orders were approved by the Commission and entered of record with the direction that the orders be served forthwith:

Dockets -
 132 - F. T. C. vs. Standard Oil Company of Ohio.
 318 - " " The Paragon Refining Oil Company.
 323 - " " The Canfield Oil Company.
 327 - " " The Lily White Oil Company.

In the matter of file 1-479, application of Grocers' Wholesale Company for complaint against Calumet Baking Powder Company, et al, draft of formal complaint against Iowa-Nebraska-Minnesota Wholesale Grocers' Association, its officers and members, as revised by the Chief Counsel in accordance with the Commission's instruction of May 12, 1930, was submitted by the Chief Counsel, revised and approved by the Commission and issued as of this day. Resolution directing issuance and service adopted.

In the matter of Docket No. 226, F. T. C. vs. Kinney-Rome Company, upon motion of Mr. Thompson, revised Findings, Conclusion and Order to Cease and Desist were submitted by the Chief Counsel in accordance with the Commission's instruction and were approved and entered of record by the Commission with the direction that the order be served forthwith. As to the foregoing action of the Commission, Messrs. Murdock and Thompson voted in the affirmative and Mr. Pollard voted in the negative.

June 3, 1920.

In the matter of Docket No. 333, F. T. C. vs. Richardson Lubricating Company, Findings of Fact, Conclusion and Order to Cease and Desist were submitted by the Chief Counsel. Upon consideration of the entire record in this case it was ordered that the complaint be and the same is hereby dismissed without prejudice.

The following motion was offered by Mr. Pollard and after discussion was laid over for consideration at a meeting when full membership of the Commission shall be present. It was directed that copy be sent to each Commissioner.

MOVED, that when any Commissioner shall move for the issuance of complaint he shall accompany his motion with a draft of the form of complaint, drawn by the Chief Counsel, and which the Commissioner recommends for issuance.

Upon motion of Mr. Thompson it was ordered that the two following matters charged to Mr. Colver be set down as a special order of business on Tuesday, June 8, 1920, at 10:00 a.m., and that Mr. Colver be requested to report to the Commission at that time:

Docket No. 351, F. T. C. vs. American Sheet & Tin Plate Co., and
Dockets Nos. 356, 357, 358, 359, 360, 363, 365, 368, and 369, complaints alleging use of cumulative discounts by certain typewriter companies.

Upon receipt of memoranda of June 3, 1920, from the Chief Economist in re conferences with the Grain Trade and with the Lumber Industry, the hearing room was reserved for the Economic Division on June 17, and 18, for the Grain Trade Conferences, and on June 24, and 25, for the Lumber Industry Conferences.

June 3, 1920.

The Commission approved recommendation of the Chief Economist that the Department of Agriculture be requested to send representatives to the Grain Trade hearing.

The appointment of Mr. Geo. F. Porter as clerk at \$1,000 per annum, plus the bonus, was authorized by the Commission, the same to be effective upon taking oath and entering on duty. Mr. Porter was assigned to the office of the Secretary.

The Commission recessed at the hour of 12:30 and reassembled at 3:30.

Victor Murdock, Chairman,
Huston Thompson
Jno. Garland Pollard.

In the matter of Docket No. 567, F. T. C. vs. Anne Coal Mining Company, the Commission heard final argument. Attorney Wachen appeared for the Commission and Attorney Lewis Blum for the respondent. The matter was not reported. At the conclusion of the argument the case was taken under advisement by the Commission.

Thereupon, at the hour of 4:30 p.m., the Commission adjourned to meet at 10:00 a.m., June 8, 1920.

Victor Murdock
Chairman

Attest:

Secretary.

June 5, 1920.

June 4, 1920 - No meeting held.

MEETINGS OF FEDERAL TRADE COMMISSION

June 5, 1920 - 10:00 a.m.

Victor Murdock, Chairman
Huston Thompson
Nelson E. Gaskill
Jno. Garland Pollard.

The Commission further considered as a special order of business its report to the Attorney General in response to his request of September 30, 1918, for an inquiry with respect to the California Associated Raisin Company. Draft of report, as submitted by Mr. Gaskill, was considered, revised and laid over for further consideration at a meeting this afternoon.

The Commission recessed at 1:00 and reassembled at 2:30.

Victor Murdock, Chairman
Huston Thompson
Nelson E. Gaskill
Jno. Garland Pollard.

Consideration of the Raisin case was resumed and continued until the hour of 4 o'clock, at which time it was agreed that the case be made a special order of business for further consideration at 10:00 a.m., Monday, June 7, 1920.

June 5, 7, 1930.

Thereupon, at the hour of 4:00 p.m., the Commission adjourned to meet at 10:00 a.m., June 7, 1930.

Victor Murdock
Chairman

Attest:

Secretary.

June 6, 1930 - No meeting held - Sunday.

MEETINGS OF FEDERAL TRADE COMMISSION

June 7, 1930 - 10:00 a.m.

Victor Murdock, Chairman
Euston Thompson
William E. Colver
Melvin B. Caskill
Jno. Carland Pollard

In the matter of Docket No. 338, F. T. C. vs. United States Food Products Corporation, et al, it was ordered, (1), that the briefs by attorneys for respondents be filed in the Commission not later than June 22, 1930, and, (2), that the case be set down for oral argument before the Commission at Washington, D. C., on Wednesday, June 26th, at 9 o'clock p.m., and that interested parties be notified.

June 7, 1930

In the matter of Docket No. 530, F. T. C. vs. Vacuum Cleaner Specialty Company, Inc., et al, it was ordered that hearing of respondent's motion to dismiss be heard by the Commission on June 15, at 2 o'clock p.m., and that interested parties be notified.

In the matter of Docket No. 458, F. T. C. vs. Armour & Co., it was ordered that F. H. Dougherty, an Examiner of the Commission, be designated to receive testimony.

In the matter of Docket No. 540, F. T. C. vs. Vacuum Oil Company, it was ordered that George McCorkle, an Examiner of the Commission, be designated to receive testimony.

In the matter of Docket No. 413, F. T. C. vs. American Hosiery Company, it was ordered that George McCorkle, an Examiner of the Commission, be designated to receive testimony.

In the matter of Docket No. 458, F. T. C. vs. D. A. Winslow, et al, it was ordered that George McCorkle, an Examiner of the Commission, be designated to receive testimony.

In the matter of Docket No. 570, F. T. C. vs. Consaco Sales Company, Inc., the Commission entered its order denying respondent's motion for a bill of particulars.

June 7, 1930.

In the matter of Dockets Nos. 374 to 398, both inclusive, it was ordered that Wm. A. Sutherland, an Examiner of the Commission, be designated to receive testimony, etc.

Mr. Murdock laid before the Commission letter of June 4, 1930, from the Bureau of Mines, inviting the Commission to name delegates to attend conference on conservation in the production, transmission and utilization of natural gas. Upon action of Mr. Murdock, Messrs. Walker, England and Carroll of the staff, were designated on behalf of the Commission to attend this convention.

The Commission thereupon proceeded to a further consideration of Draft of its report to the Attorney General in response to his request of September 30, 1919, for an inquiry with respect to the California Associated Gasin Company.

Draft of separate reports submitted by Messrs. Colver and Gaskill were laid before the Commission.

Mr. Gaskill moved the adoption of draft of report as submitted by him. See file.

Mr. Colver moved to amend so as to substitute another draft of report as submitted by him. See file.

As to Mr. Colver's motion to amend, Messrs. Murdock and Colver voted in the affirmative and Messrs. Thompson, Gaskill and Willard voted in the negative. The Chairman thereupon declared the motion to amend lost.

June 7, 1930.

Upon motion by Mr. Gaskill the vote was unanimously in the affirmative, and the draft as submitted by Mr. Gaskill was approved by the Commission and forwarded to the Attorney General. See file.

Mr. Colver moved that file 9-1366, application of Western Association of Police Steel Consumers, et al, vs. United States Steel Corporation, et al, steel casing point case, be denied.

On motion of Mr. Thompson motion was laid on the table.

On motion of Mr. Thompson this application for consent was made a special order of business for June 13, at 10:30 a.m.

Upon motion of Mr. Colver it was ordered that the heads of the several departments submit material for the Annual Report to the Secretary on July 10.

Chairman Burdock laid before the Commission a true copy of House Resolution No. 533, dated June 5, 1930, requesting the Federal Trade Commission to investigate the facts relating to violations of the anti-trust act, by corporations or individuals with relation to the cause of the decline in the price of loose-leaf tobacco and other unmanufactured tobacco during the years 1918, and 1920, and especially since October, 1918, etc., and report to the House of Representatives and the Department of Justice not later than the first Monday in December, 1930.

Upon motion of Mr. Thompson it was ordered that the resolution

June 7, 1930.

be referred to the Economic Division. As to the foregoing motion, Messrs. Harbock and Cassill voted in the negative and Messrs. Thompson, Colver and Pollard voted in the affirmative.

Copy of resolution follows:

H. Res. 533.

IN THE HOUSE OF REPRESENTATIVES

June 3, 1930.

Whereas the prices of tobacco in the loose-leaf variety of the country have declined since the harvesting of the 1918 crop to figures below the cost of production and such decline in prices is not warranted by overproduction of tobacco or a decrease in the prices of the manufactured product: Therefore be it

Resolved, That the Federal Trade Commission is hereby requested to investigate the facts relating to violations of the antitrust laws by corporations or individuals in relation to the cause of the decline in the prices of loose-leaf tobacco and other unmanufactured tobaccos during the years 1918 to 1929, and especially since October 1918; to ascertain the cause of such decline; to ascertain the prices of loose-leaf or unmanufactured tobacco on the one hand and the prices of the manufactured product on the other; and to report to the House of Representatives and the Department of Justice at the earliest practicable date, not later than the first Monday in December, 1930, the result of the investigation, together with such recommendations as the Commission may deem appropriate and proper.

Attest:

(Signed) T. Tyler Tamm,
Clerk

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet at 10:00 a.m. June 8, 1930.

Attest:

John H. ...
Chairman.

Secretary.

June 2, 1930.

MEETING OF FEDERAL TRADE COMMISSION

June 2, 1930 - 10:30 a.m.

Victor Murdock, Chairman
Houston Thompson
Pearson C. Caskill
Jno. Daniel Pollard.

The Secretary submitted memoranda from the Personnel Section, dated June 3, 1930, as to the lump sum appropriation that will be available for the payment of salaries in the Commission for the year beginning July 1, 1930. Copies of the memoranda were handed to the several Commissioners and copy ordered filed.

The Secretary reported to the Commission with reference to the further operation of the cafeteria, and presented memorandum of June 4, from Mr. Bogueau advising that he was seeing out. Operation of the cafeteria was discussed by the Commission, and on motion of Mr. Thompson, the Secretary was instructed to take the matter up with the Personnel and report back to the Commission.

Pursuant to the Commission's request of May 13, 1930, Mr. Pollard submitted written report recommending dismissal of Beck et al, Federal Trade Commission vs. The Great City. Upon motion of Mr. Pollard the Commission approved Mr. Pollard's recommendation and ordered that the complaint be and the same is hereby dismissed. As to the foregoing motion, Messrs. Thompson, Caskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

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June 9, 1937.

The Commission took under consideration the final determination of Pocket 31, Federal Trade Commission vs. National Transit Company, final argument in which case was held May 26, 1936. Memorandum prepared in this case by Mr. Colver was read to the Commission by Mr. Thompson. After consideration and action of Mr. Thompson, it was ordered that the Commission's complaint be and the same is hereby dismissed for the reason that it appears that the respondent practices a method of competition in interstate commerce generally known as the "cumulative quantity discount," that is to say, discounts from the price of goods purchased from it a discount rate established by it, upon condition that such purchaser shall have bought within a given period a certain quantity of goods, which method of competition is alleged to have the intent and tendency of an exclusive dealing contract within the meaning of Section 3 of the Clayton Act; but, without now passing upon that question, it appearing that the respondent in the pending case confines its calculation of the quantity discount allowances to periods not in excess of one calendar month, and that therefore the tendency of such practice to create an exclusive dealing relationship and to restrict competition is negligible. (See Order of Dismissal.)

Messrs. Thompson and Gashill were requested to prepare form of order of dismissal, following the reasons given above; such order to be used also as press statement.

The following cases set down as a special order of business were then taken under consideration by the Commission:

June 8, 1930.

(1) Dockets Nos. 356, 357, 358, 359, 360, 363, 365, 368 and 369, complaints of the Commission against certain typewriter companies on a charge of cumulative discounts. Report by Mr. Solver in response to the Commission's motion of June 3, 1930, with respect to these cases was read to the Commission by Mr. Thompson. After discussion, on motion of Mr. Pollard, it was ordered that these cases be set down as a special order of business for 10:30 a.m., June 26, 1930, and that Mr. Solver be requested to report to the Commission at that time with respect to memorandum on the cases by Attorney Wheat.

(2) Docket 251, Federal Trade Commission vs. American Sheet & Tin Plate Company.

Mr. Murdock read to the Commission memorandum in this case in response to the Commission's action of June 3, 1930. Upon consideration the whole case was referred to the Chief Counsel with request to report to the Commission the following day, June 9, 1930, 10:30 a.m.

Mr. Murdock laid before the Commission letter from the Department of State with respect to communication from U. S. Consul at Rome. It was agreed that the letter be returned to the State Department with the statement that it does not touch the work of the Commission and with the suggestion that it be referred to the Treasury Department.

The Commission recessed at 12:30 and reassembled at 2:00.

Victor Murdock, Chairman
Fulton Thompson
Nelson P. Caskill
Jno. Garland Pollard.

In the matter of Docket No. 505, F. T. C. vs. C. D. Kenny Company, the Commission heard final argument. Attorney Hawkins appeared for the Commission and Attorney Eugene O'Dunne appeared

June 8, 8, 1930.

for the respondent. The hearing was not reported. At the conclusion the case was taken under advisement by the Commission.

Thereupon, at the hour of 4 o'clock the Commission adjourned to meet at 10:30 a.m., June 10, 1930.

Victor Varadock
Chairman.

Attest:

Secretary.

MEETINGS OF FEDERAL TRADE COMMISSION

June 8, 1930 - 10:30 a.m.

Victor Varadock, Chairman
Euston Thompson
Nelson W. Chalkin
Jno. Garland Rolland.

The minutes of June 8, 1930, were read and approved.

In response to the Commission's action of June 8, 1930, the Secretary reported with reference to the operation of the cafeteria by the Petracom. The report was accepted and the Secretary was requested to report further and submit proposition for approval of the Commission.

The Secretary presented a memorandum from the Chief Counsel asking the Commission to fix June 24, at 2:00 p.m., as the time for hearing final argument in the matter of Pocket No. 505.

June 9, 1920.

F. T. C. vs. Larabee Flour Mills Corporation. This date was agreed to by the Commission and it was directed that parties be notified.

Upon motion of Mr. Thompson, it was agreed that the Commission suspend formal hearings on final oral arguments during the months of July and August, 1920.

The Commission further considered House Resolution No. 533, June 3, 1920, (Congressman Fields) with respect to inquiry as to decline in prices of loose-leaf tobacco and thereafter, upon motion of Mr. Thompson, the Commission requested Mr. Calkins to ascertain from the Chief Economist information with regard to data already obtained by the Government, and report to the Commission on June 23, 1920, as to time, expense and men necessary to do the work required by the resolution.

Mr. Porter reported to the Commission in the matter of Packet No. 251, F. T. C. vs. American Sheet & Tin Plate Co. The report was accepted and the case referred back to the Chief Counsel for conference with the chief counsel of respondent.

The Commission recessed at the hour of 12:30 and reassembled at 2:00 p.m.

Victor Murdock, Chairman
Fuston Thompson
Nelson B. Caskill
Jno. Garland Pollard

FHBG

June 9, 1920.

In the matter of Docket No. 540, F. T. C. vs. Royal Baking Powder Company, the Commission heard argument of Attorney M. E. Clarke for the Commission in support of motion by the Commission's counsel to strike out certain portions of respondent's answer, and argument of Attorney Cox on behalf of respondent in opposition to to such motion. At the conclusion of the argument, the motion was taken under advisement by the Commission.

In the matter of Docket No. 539, F. T. C., vs. Royal Baking Powder Company, the Commission heard argument of Attorney Cox in support of respondent's motion to stay the proceedings in this case pending the determination of a case involving the same matters now pending in the Circuit Court of Appeals for the Eighth Circuit, and argument of Attorney M. E. Clarke for the Commission in opposition to such motion. At the conclusion of the argument this motion was taken under advisement by the Commission.

Thereupon, at the hour of 4:30 the Commission adjourned to meet at 10:30 June 10, 1920.

John H. ...

Chairman

Attest:

Secretary.

June 10, 1930.

MEETING OF FEDERAL TRADE COMMISSION

June 10, 1930 - 10:30 a.m.

Victor Murdock, Chairman
Nelson F. Gaskill
Jno. Garland Pollard

Mr. Thompson excused to work on
the steel basing point case.

The minutes of the meeting of June 9, 1930, were read and after revision were approved by the Commission.

In the matter of Docket No. 539, F. T. C. vs. Royal Baking Powder Company, the Commission considered respondent's motion to stay the proceedings, as orally agreed on June 1, 1930, and thereafter, upon motion of Mr. Pollard, the Commission entered its order denying respondent's motion for a stay of proceedings.

Mr. Gaskill presented memorandum of June 1, from the Chief Economist, transmitting memorandum by Examiner Simpson saying that the completion of the milk inquiry in response to Senate Resolution No. 431, was obstructed by the refusal of Swift & Company either to furnish the information requested by the Commission or allow the representatives of the Commission to examine its books; and that Armour & Company had expressed its willingness to supply information desired only upon the condition that the Commission pay for the clerical services involved.

After discussion of this matter by the Commission, Mr. Gaskill offered the following motion which was adopted:

June 10, 1920.

Moved, that the Chief Economist be instructed to complete the milk inquiry as speedily as possible without relation to the Swift and Armour data, and to prepare a report thereon, stating in the report the attitude of the Swift and Armour companies, for the information of Congress.

Certain questions with respect to policy to be followed by the Commission in making necessary reduction in the personnel, due to limitation of appropriations, were raised by Mr. Gaskill and discussed at length by the Commission. Thereafter, the following motion was offered by Mr. Gaskill, seconded by Mr. Pollard, and adopted.

Moves, (1), that in the reduction of personnel due recognition shall be given to length of service, but as between individuals whose period of service has not been extensive, preference shall be given to the more efficient; and, (2), as between two individuals one of whom has a record of service in the United States Army, Navy or Marine Corps, preference shall be given to the individual with the service record.

As to the foregoing action of the Commission, Messrs. Gaskill and Pollard voted in the affirmative and Mr. Harlock voted in the negative.

The Chief Counsel and Attorney Taylor of the staff were called into conference, and the Commission considered draft of tentative Findings and Order, prepared in Docket No. 24, U. T. C. vs. Galena Signal Oil Company. After discussion copies of the Findings and Order were handed to the several Commissioners for reading, and it was agreed that the same be further considered at a later meeting.

June 10, 14, 1930.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet at 10:30 a.m., June 11, 1930.

Victor Murdock
Chairman.

Attest:

Secretary.

June 11, 1930 - No meeting held.

June 12, 1930 - No meeting held.

June 13, 1930 - No meeting held - Sunday.

MEETING OF FEDERAL TRADE COMMISSION

June 14, 1930 - 10:30 a.m.

Victor Murdock, Chairman,
Huston Thompson
William E. Colver
Jno. Garland Pollard.

The minutes of the meeting of June 10, 1930, were read and after revision were approved by the Commission.

Mr. Murdock laid before the Commission letter of June 11, 1930, from John Walsh, in re proposed trade practice submittal of macaroni manufacturers. Letter was referred to Mr. Colver to arrange trade practice submittal for Friday, June 25, 1930, if possible.

June 14, 1920.

Mr. Murdoch laid before the Commission letter of June 11, 1920, from the National Association of Window Glass Manufacturers inviting the Commission to name a representative to attend annual meeting at Atlantic City, July 7, 8, and 9. Letter was referred to Mr. Colver for preparation of reply.

The Commission accepted service of subpoena in the case of the Claire Furnace Company, et al, vs. Federal Trade Commission, in the Supreme Court of the District of Columbia, No. 17334. Upon motion of Mr. Murdoch the matter was referred to the Chief Counsel with instructions to appear and represent the Commission on June 21, and it was directed that the Economic and Legal Divisions and other divisions involved in this case comply strictly with the terms of the injunction.

The Secretary presented memorandum of June 11, from the Enemy Trade Division in re matters pending before the Commission. After consideration, the memorandum was referred to Mr. Colver for further consideration on Thursday, June 17, 1920.

Mr. Thompson submitted the following applications for complaint and action as indicated was taken by the Commission.

(a) Files -
C-1555 - E. H. Dunley & Co., et al, vs. Great Atlantic & Pacific Tea Co.
C-1863 - Unfair Competition Bureau of the Paint & Varnish Industries vs. E. C. Miller Co., Inc.
Memoranda by Mr. Thompson approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

June 14, 1920.

(b) File -

O-1563 - Vafford Oil Co. vs. Gulf Refining Company.

Memorandum by Mr. Thompson approved. Ordered that the application be and the same is hereby dismissed.

(c) File -

O-1558 - Dr. Francis R. Mahony et al, vs. Stanley Griffin Co.

Memorandum of June 14, was submitted by Mr. Thompson recommending complaint. Board of Review heard. Motion by Mr. Thompson, seconded by Mr. Colver, recommending complaint. As to the foregoing motion, Messrs. Thompson and Colver voted in the affirmative and Messrs. Murdock and Pollard voted in the negative, whereupon the matter was referred to Mr. Gaskill for his vote.

In the matter of Docket No. 514, F. T. C. vs. Webb Publishing Company, the Commission approved memorandum of June 12, by Mr. Pollard recommending dismissal. Ordered that the complaint be and the same is hereby dismissed.

Mr. Pollard submitted the following applications for complaint and action as indicated was taken by the Commission.

(a) File -

O-1728 - F. T. C. vs. John Wilkins Company.

Memorandum of June 14, by Mr. Thompson recommending dismissal approved. Ordered that the application be and the same is hereby dismissed. Mr. Thompson was excused from voting.

The Secretary was instructed to call in heads of divisions separately on budget hearing tomorrow.

Mr. Thompson asked that the record show, in the matter of Docket No. 542, F. T. C. vs. Royal Baking Powder Company, that he would vote to deny motion of Chief Counsel for the Commission to strike out certain portions of respondent's answer relating to the "Reussen Board phase of case," and further, that he will vote to dismiss when case finally comes up.

JUN 15 1920

June 14, 15, 1930.

Thereupon, at the hour of 12:45 p.m., the Commission adjourned to meet at 10:00 a.m., June 15, 1930.

Vict. Murdock
Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

June 15, 1930 - 10:00 a.m.

Victor Murdock, Chairman
Euston Thompson
William E. Colver
Nelson B. Caskill
Jno. Garland Pollard.

Mr. Thompson submitted the following applications for complaint and action as indicated was taken by the Commission.

(a) File -
C-1779-S - Leggett & Platt Spring Fed & Manufacturing Co., vs.
Carthage Superior Spring Fed Company.
Memorandum by Mr. Thompson approved. Ordered that the application be and the same is hereby dismissed.

(b) File
S-1346-S - Federal Trade Commission vs. Peop. Wells Oil Co.
Memorandum by Mr. Thompson approved. Report of the Board of Review approved. Ordered that formal complaint be prepared by the Chief Counsel and issued as of this day without further action by the Commission. Resolution directing issuance and service adopted.

The Commission directed that all Mr. Thompson's cases coming from the Board of Review, beginning today, be distributed among

June 15, 1930.

other Commissioners during Mr. Thompson's absence on official business during the summer of 1930.

Mr. Murdock submitted memorandum with respect to appropriations as follows:

Economic -----	\$372,900
Administrative -----	217,500
Chief Examiner -----	145,000
Chief Counsel -----	135,000
Trading with the Enemy -----	3,200
Export Trade Division -----	9,400
Board of Review -----	18,000
	<u>\$800,000</u>

The following motion was offered by Mr. Murdock and seconded by Mr. Thompson:

I move that the above sums be allocated less five per cent, the proportion of allocation to endure for six months.

As to the foregoing motion, Messrs. Murdock, Thompson and Gaskill voted in the affirmative and Messrs. Colver and Pollard voted in the negative. Motion carried.

In the matter of Docket No. 399, F. T. C. vs. American Dental Trade Association, et al, it was ordered, (1), that S. L. Shinn, an Examiner of the Commission, be designated to receive testimony and take evidence, and, (2), that the hearing take place at New York City on June 17, 1930, at 10:30 a.m.

Thereupon, at the hour 12:30 p.m., the Commission adjourned to meet at 10:00 a.m., June 18, 1930.

W. H. L. L.
Chairman.

Attest:

Secretary.

June 15, 1920.

MEETING OF FEDERAL TRADE COMMISSION

June 16, 1920 - 10:00 a.m.

Victor Murdock, Chairman
Huston Thompson
William E. Colver
Nelson P. Gaskill
Jno. Garland Pollard.

The Commission considered, as a special order of business, file 9-1296, application of Western Association of Rolled Steel Consumers, et al, vs. United States Steel Corporation, et al. Mr. Thompson submitted form of complaint which was discussed at length, and laid over for further consideration at a later meeting.

The Commission recessed at 1:00 and reassembled at 2:15.

Victor Murdock, Chairman
Huston Thompson
William E. Colver
Nelson P. Gaskill
Jno. Garland Pollard.

In the matter of Docket No. 34, F. T. C. vs. Galena Signal Oil Company, Findings of Fact, Conclusion and Order to Cease and Desist were submitted by the Chief Counsel, and on motion of Mr. Gaskill, such Findings, etc., were returned to the Chief Counsel for amendment as shown in paragraph 4. The Chief Counsel was directed to resubmit such amended Findings to the respondent.

June 16, 1920.

Pursuant to the Commission's action of May 20, 1920, Mr. Gaskill laid before the Commission revised Findings of Facts, Conclusion and Order to Cease and Desist, in the matter of Docket No. 511, F. T. C. vs. Draughton Text Book Company. Upon consideration, such Findings, etc., were approved by the Commission and entered of record as of May 20, 1920, with the direction that the Order be served. Upon motion of Mr. Colver, seconded by Mr. Murdock, it was ordered that motion filed by respondent to dismiss the case be and the same is hereby overruled.

In the matter of Docket No. 514, F. T. C. vs. Text Publishing Company, the Secretary laid before the Commission form of Order of Dismissal, as drawn by the Chief Counsel in accordance with the Commission's action of June 14, 1920, in dismissing its complaint in this case. The Order as submitted was approved and entered by the Commission as of June 14, 1920. As to the foregoing action of the Commission, Messrs. Colver, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative. Mr. Thompson did not vote.

In the matter of Docket No. 443, F. T. C. vs. The Sport Shop, the Secretary laid before the Commission Order of Dismissal, drawn by the Chief Counsel pursuant to the Commission's action of June 8, 1920, in dismissing its complaint in this case. The Order as drawn was approved by the Commission and entered of record as of June 8, 1920. Messrs. Thompson, Colver and Pollard voted in favor of the Order, and Messrs. Gaskill and Murdock voted in the negative. Messrs.

June 16, 1920.

Thompson and Gaskill asked that the record show that they were in favor of inserting in the Order the reason for dismissal, to-wit, that the proceeding was not in the public interest.

In the matter of Docket No. 413, F. T. C. vs. American Hosiery Company, the Secretary submitted draft of Findings of Facts, Conclusion and Order to Cease and Desist, as prepared by the Chief Counsel. After consideration, on motion of Mr. Pollard, seconded by Mr. Murdock, such Findings, Conclusion and Order to Cease and Desist were approved by the Commission and entered of record with the direction that the Order be served forthwith.

In the matter of Docket No. 458, F. T. C. vs. D.A. Winslow, et al, the Secretary submitted an order appointing John B. Cowles, an Examiner of the Commission, to receive and hear testimony and take evidence in this case, instead of George McCorkle, previously appointed. The Order was approved and entered by the Commission as of this day.

In the matter of Docket No. 215, F. T. C. vs. Minerals Separation, Ltd., et al, the Secretary submitted an order prepared by the Chief Counsel, appointing Huston Thompson, a Commissioner of this Commission, to receive and hear testimony and consider evidence in this case, instead of George McCorkle, previously appointed, and because of assignment of Mr. McCorkle to other cases. The Order as submitted was approved and entered by the Commission.

June 16, 1920.

Mr. Colver moved, seconded by Mr. Gaskill, that the following be reaffirmed:

- (a) Resolution adopted by the Commission on October 26, 1916:

WHEREAS, The nature of the work of the Commission has rendered inadequate the present system of cost accounting, and

WHEREAS, An accurate knowledge of the cost of carrying on the work of the Commission is essential to its efficient management,

RESOLVED, That the Secretary is hereby directed to put into effect November 1, a cost accounting system which will show the cost of conducting economic investigations, disposing of complaints and carrying on the other work of the Commission in such detail as the Secretary may deem desirable for the efficient conduct of the work of the Commission.

WHEREAS, An accurate report of the work done by each employee is essential to any adequate cost system,

RESOLVED; That from and after November 1, every employee of the Commission, except the Secretary, and such employees as may be exempted by him, shall turn in daily a report of his work on the forms and in the manner prescribed by the Secretary.

and,

- (b) Item with respect to cost bills found on page 30 of the Rules on Pocket, etc., adopted October 11, 1917:

There shall be kept in the file of each application for complaint a cost bill upon which shall be noted each month all expenses involved in such case as to time, travel, etc., and a record of hours worked. There shall similarly be kept a cost bill in the file of each economic investigation.

Mr. Colver moved, seconded by Mr. Gaskill:

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1947, 1948.

The following table shows the number of persons who have been employed by the Government of the District of Columbia in the various departments and divisions, from 1947 to 1948.

Department or Division	1947	1948	Total
Administration	1,200	1,300	2,500
Finance	800	850	1,650
Public Works	1,500	1,600	3,100
Police	2,000	2,100	4,100
Fire	1,000	1,100	2,100
Health	1,200	1,300	2,500
Education	1,500	1,600	3,100
Public Safety	1,000	1,100	2,100
Conservation	1,200	1,300	2,500
Transportation	1,000	1,100	2,100
Other	1,000	1,100	2,100
Total	12,000	13,000	25,000

The following table shows the number of persons who have been employed by the Government of the District of Columbia in the various departments and divisions, from 1947 to 1948.

June 18, 1920.

Upon motion of Mr. Gaskill it was ordered that a general search be instituted by the Docket Section throughout the Washington office and branch offices of the Commission for the files in this case, and that the search be continued until such files are found.

Mr. Gaskill laid before the Commission memorandum of June 15, from the Chief Economist with respect to the status of Mr. C. H. Rogers. Upon his motion it was directed that Mr. C. H. Rogers, Examiner temporary, be changed to a permanent appointment from this date.

The Chairman presented a letter from Mr. C. B. Carter, secretary of the National Association of Hosiery and Underwear Manufacturers, dated June 17, 1920, and a draft of reply thereto. The reply was approved and forwarded. See file.

It was directed that when a formal complaint reaches the point in the procedure that it is before the Commission for final action, there accompany the record a statement by each attorney to whom such formal complaint has been assigned, setting out the date of such assignment; the hours devoted by such attorney to the complaint and the activity of the attorney during each such allotment of time.

Ordered that an application for complaint be docketed in the name of the Commission against the Imperial Production Company.

The Secretary reported to the Commission in the matter of selection of official reporter for the fiscal year 1921, and laid be-

June 18, 1930.

fore the Commission bids as submitted by a number of reporting firms. See file. Upon consideration the bid of Messrs. Hulse & Allen, the lowest bidder, was accepted as submitted, and this concern was named the official reporter for the Commission for the period beginning July 1, 1930, and ending June 30, 1931.

The Secretary reported to the Commission with respect to employees who are eligible for retirement under the Retirement Act, and submitted a memorandum from the Assistant Secretary setting out that Mr. J. Kennedy Stout, is the only employee who has reached the age of 70 years and is otherwise eligible for retirement. Upon recommendation of the Secretary the Commission agreed that the services of Mr. Stout be retained in accordance with the provisions of the Act, and directed that the necessary steps to this end be taken.

The Commission recessed at the hour of 1:00 and reassembled at 2:00.

Victor Murdock, Chairman
William B. Colver
Nelson E. Gaskill
Jno. Garland Pollard.

Mr. Thompson absent on official business.

Mr. Gaskill advised the Commission of difficulties encountered by its accountants in securing access to records of certain New England textile companies in connection with the monthly cost reports in the textile industry. Suggested letter of instructions to the

June 18, 1920.

Commission's agent (Mr. Gordon) in the field, prepared by the Chief Economist, was submitted by Mr. Gaskill and forwarded.

In conference with the Chief Counsel the Commission considered the following listed matters arising in the Chief Counsel's office as presented by the Secretary.

(1) Docket No. 33, F. T. C. vs. American Radiator Company. Consideration given to memorandum of April 19, 1920, from Attorney Roberts and memorandum of May 5, 1920, from the Chief Counsel recommending dismissal. Upon motion of Mr. Colver, seconded by Mr. Gaskill, the Commission ordered that its complaint in this case be and the same is hereby dismissed. Form of Order of Dismissal, as submitted by the Chief Counsel, was amended by the Commission and thereafter approved.

(2) Docket No. 519, F. T. C. vs. Benjamin Moore & Company. The Commission considered memorandum of June 5, 1920, prepared by Attorney Mechem and submitted by the Chief Counsel, as well as tentative findings, conclusion and order to cease and desist. Upon consideration and on motion of the Chief Counsel, the Commission entered its order dismissing its complaint in this case.

Mr. Gaskill submitted the following listed applications for complaints and on his motion action as indicated was taken by the Commission.

(a) Files -
 8-1505 - The Automotive Publishing Company vs. Thomas P. Hallock,
 0-1993 - R. B. Kensington Co., Inc., vs. Lever Brothers Company.
 1-145 - Pyramid Mercantile Company vs. J. S. Brown Mercantile Co.,
 at St.

Memoranda by Mr. Gaskill approved. Ordered that the applications be and the same are hereby dismissed.

Thereupon, at the hour of 3:00 p.m., the Commission adjourned to meet at 10:30 a.m., June 21, 1920.

Charles H. Gaskill
 Chairman

Attest:

Secretary.

June 22, 1920.

June 19, 1920 - No meeting held.
June 20, 1920 - No meeting held - Sunday.
June 21, 1920 - No meeting held.
June 22, 1920 - No meeting held.
June 23, 1920 - No meeting held.
June 24, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

June 25, 1920 - 10:00 a.m.

Victor Murdock, Chairman.
William E. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

Mr. Thompson absent on official business.

The following report of Messrs. Murdock and Gaskill, a committee, of action taken on June 22, 1920, was read to the Commission, ratified, and ordered to be incorporated and made part of the minutes of June 25, 1920.

COMMITTEE MEETING - June 22, 1920 - 10:30 a.m.

Report of Messrs. Murdock and Gaskill, a Committee appointed to transact the necessary and urgent business of the Commission during the absence of a quorum and to report to the Commission when a quorum shall have been established.

Victor Murdock)
Nelson B. Gaskill) Committee.

Mr. Gaskill submitted memorandum of June 11, 1920, from the Chief Economist suggesting that the Tanners' Council be given a hearing by the Commission prior to the publication of the Commission's report on leather and shoes

June 22, 1920.

June 19, 1920 - No meeting held.
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June 21, 1920 - No meeting held.
June 22, 1920 - No meeting held.
June 23, 1920 - No meeting held.
June 24, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

June 25, 1920 - 10:00 a.m.

Victor Murdock, Chairman.
William B. Colver
Nelson E. Gaskill
Jno. Garland Pollard.

Mr. Thompson absent on official business.

The following report of Messrs. Murdock and Gaskill, a committee, of action taken on June 22, 1920, was read to the Commission, ratified, and ordered to be incorporated and made part of the minutes of June 25, 1920.

COMMITTEE MEETING - June 22, 1920 - 10:30 a.m.

Report of Messrs. Murdock and Gaskill, a Committee appointed to transact the necessary and urgent business of the Commission during the absence of a quorum and to report to the Commission when a quorum shall have been established.

Victor Murdock)
Nelson E. Gaskill) Committee.

Mr. Gaskill submitted memorandum of June 11, 1920, from the Chief Economist suggesting that the Tanners' Council be given a hearing by the Commission prior to the publication of the Commission's report on leather and shoes

June 28, 1920.

as prepared in response to House Resolution No. 217.

Dr. Walker suggested that the Commission agree to a hearing in which it would explain the general scope of the report, the methods used in determining costs, profits, etc., and make plain that the report will show both the results as found in the Tanners' books, and the results arrived at by the Commission after such revision as may appear to it desirable. This plan is not to include any disclosure of general results or conclusions.

It was agreed that the Tanners' Council be afforded an opportunity to meet with the Commission and Mr. Gaskill was asked to make the arrangements. It was further agreed that the plan followed in the recent grain conference be adopted for the leather conference.

The Secretary presented orders as indicated in the following formal docket, as drawn by the Chief Counsel, and the same were approved and entered of record by the Commission:

Docket 536 - Federal Trade Commission vs. Taiyo Trading Company, Inc. - Ordered, (1), That Byron L. Shinn, an Examiner of the Commission, be designated to receive testimony, and, (2), that a hearing of the complaint begin at New York City on June 28, 1920, at 10:30 a.m.

Docket No. 570 - Federal Trade Commission vs. Consaco Sales Company, Inc. - Ordered, (1), That Byron L. Shinn, an Examiner of the Commission, be designated to receive testimony, etc., and, (2), that hearing of the complaint begin at New York City, on June 28, 1920, at 10:30 a.m.

Docket No. 557 - Federal Trade Commission vs. Shioakawa Co., Inc. - Ordered, (1), That Byron L. Shinn, an Examiner of the Commission, be designated to receive testimony, and, (2), that the hearing of the complaint begin at New York City on June 28, at 10:30 a.m.

Docket 458 - Federal Trade Commission vs. B. A. Winslow, et al - Ordered, That the hearing of the complaint begin at Norfolk, Va., at 2 o'clock, June 14, 1920.

Docket No. 551 - Federal Trade Commission vs. The L. S. Silver Co. - Ordered, (1), That George McCorkle, an Examiner of the Commission, be designated to receive testimony, etc., and (2), that the hearing of the complaint be continued at Chicago, Ill., June 28, at 9 o'clock, a.m.

June 25, 1930.

Docket No. 394 - Federal Trade Commission vs.
American Dental Trade Association, et al - Order, That
Henry Miller, an Examiner of the Commission, be designated
to receive testimony.

Thereupon, at the hour of 11 a.m., the committee adjourned.

Victor W. Miller
Henry R. Miller
Committee.

Mr. Gaskill reported to the Commission the result of a conference held Thursday afternoon at the office of the Attorney General at which were present on behalf of the Commission, Mr. Gaskill, Mr. Burdeau, Mr. Farrington and Mr. Reeves.

The conference took place in the office and in the presence of the Solicitor General and with Mr. Mitchell, Assistant to the Attorney General. The purpose of the conference was to discuss the procedure to be followed with respect to the two writs of mandamus issued by the Attorney General against the Bethlehem Steel Company and the Republic Steel Company and also with reference to the proceedings for contempt taken by the attorneys for the steel companies alleging violation by the Commission of the terms of a restraining order issued by Justice Bailey of the United States District Court of the District of Columbia.

Mr. Gaskill stated that it was manifest at this conference that there was considerable doubt whether the Attorney General would carry out the tentative plan proposed at a conference between Mr. Porter and Mr. Mitchell, namely, that as the Attorney General was not a party to the restraining order, the Attorney General would, without regard to the restraining order, proceed on the two writs of mandamus.

une 25, 1920.

It was suggested by Mr. Frierson, the Solicitor General, that in all probability the Attorney General would prefer, while not yielding his independent jurisdiction and right of action, to recognize the situation as one in which the Federal Trade Commission was the real party in interest and that it would be improper for the Attorney General to seek to compel the two steel companies to report to the Federal Trade Commission when that Commission itself was restrained from proceeding to that end.

As a result of this discussion, it was suggested by the Solicitor General that in all probability upon a disclosure of the facts, the counsel for the steel companies might be willing to stipulate that the Federal Trade Commission had not committed any violation of the restraining order and dismiss the contempt proceedings and that the Attorney General would thereupon instruct the District Attorneys in charge of these two proceedings to suspend action thereon so long as the restraining order or preliminary injunction issued by Justice Bailey should be in effect.

It was the sense of the Commission that the Commission should avoid putting itself in the position of making a deal with the attorneys of the steel companies for the dismissal of the contempt proceedings and that Mr. Gaskill should at another conference to be held on Friday morning, June 25, lay the merits of the situation before the representatives of the steel companies and state to them that if, upon those facts, the steel companies should dismiss the proceedings for contempt, the Federal Trade Commission would consent to such dismissal provided such dismissal include a statement of record that there had been no contempt of the restraining order, but that if the attorneys of the steel companies did not see fit to

June 25, 1920.

take this action, the Commission would meet them upon the issue raised by the contempt proceedings and that if any suggestion should be made as to the disposition of the pending writs of mandamus Mr. Gaskill should inform the steel companies that the control of those proceedings lay entirely in the hands of the Attorney General.

If the suggestion be made by the Attorney General that he will recognize the wishes of the Federal Trade Commission as to the disposition of the pending writs of mandamus, that a reply be made to the effect that the Commission regards any expression of a wish with reference to the disposition of those cases as a probable violation of the restraining order which prohibits it from taking any step with relation to those proceedings and it will make no such expression.

At this time, Mr. Gaskill was excused from the meeting for a conference with the Department of Justice with respect to the foregoing report.

Victor Murdock, Chairman
William B. Colver
Inc. Garland Pollard.

At the hour of 11:00 a.m., the Commission met with representatives of the Package Goods Macaroni Manufacturers in a trade practice submittal conference, arranged by Mr. Colver, at the request

June 23, 1920.

of the industry. Among those present were: Representatives of the National Macaroni Manufacturers Association; Cleveland Macaroni Company, Cleveland, Ohio; E. C. Granelle Company, Chicago, Ill.; Conditage Macaroni Company, Cleveland, Ohio; American Macaroni Company, Philadelphia, Pa.; Riggs Cereal Product Company, Cincinnati, Ohio; A. Berge's Sons, Incorporated, Brooklyn, N. Y.; The Florida Milling Company, Chicago, Ill.; and representatives of the Armstrong Bureau of Cotton Industries, Chicago, Ill. The Bureau of Chemistry of the Department of Agriculture was represented by Mr. Augustini, Chicago.

At the hour of 1:15 p.m., Messrs. Lupton and Quinn were excused from the conference to conduct another hearing, and the trade practice submittal was continued by Mr. Coiver without adjournment until the hour of 3:15 p.m. The conference of the industry disapproved of certain practices set forth in the stenographic report, and adjourned with the adoption of a resolution requesting the Commission to carry the findings of the conference in the form of a letter to each representative, incident to the minutes generally. See stenographic report.

The Commission reconvened at 3:15 p.m.

Victor Furace, Chairman
Helson B. Gaskill
Jno. Carlisle Rollard.

Mr. Coiver excused to conduct trade practice submittal on macaroni.

Upon motion, duly seconded, the inquiry with respect to the lumber industry undertaken by the Commission on November 17, 1918, upon application of the Attorney General of the U. S., and which is

June 25, 1920.

being conducted by the Chief Examiner's office, was assigned to Mr. Willard for supervision for the Commission.

At the request of the Commission Mr. Washburn reported with reference to the second conference on the disposition of the contempt proceedings that he met the Solicitor General at the latter's office at 11:00 o'clock a.m., Friday, June 25, and was then informed by the Solicitor General that that official had called into conference that morning, Mr. Levy Cook, a local representative of the complainant, and had stated to him that there did not appear to be any merit in the contempt proceeding for the reason that neither the Federal Trade Commission nor the Attorney General had made any move with reference to the suit against the Bethlehem Steel Company and the Republic Iron and Steel Company subsequent to the date of the issue of the restraining order; that the Attorney General did not regard it as fitting for him to proceed with action for the benefit of the Federal Trade Commission when the Federal Trade Commission was not particularly restricted in that regard, and that the complainant need have no concern about the proceedings by the Attorney General so long as the restraining order and preliminary injunction was still remained in effect; that the Attorney General suggested that application be made to the court in accordance with the terms of the stipulation made between the counsel of the Federal Trade Commission and the counsel of the complainant for an interpretation or modification or dissolution of the restraining order, and temporary injunction, for the reason that the bill of complaint and the restraining order were

June 25, 1930.

no reference to previously existing litigation, but seemingly contemplated the restraint of the Commission against the institution of a multiplicity of suits which the Commission had no intention of instituting, nor had the Attorney General.

The Solicitor General told me that he had suggested to Mr. Cock the propriety of the discharge of the contempt proceedings in view of the facts, and informed me that Mr. Cock had stated that these proceedings and the course which the Attorney General outlined with reference to the pending equity suit, was agreeable to him, but that not being in sole charge, it was necessary for him to consult with the Assistant Counsel, which he would endeavor to do by telephone, but failing that, he stated that one of the counsel in charge would appear in court Saturday morning, and the matter could then be disposed of.

We stated to the Solicitor General that the Federal Trade Commission felt the necessity of having upon the record a denial of the allegation that it was in contempt, and a statement of the facts on which this denial was based, and that consequently we would file such an answer and urge the dismissal of the contempt proceedings upon the merits. The Solicitor General stated that he believed no objection would be made to this course. There followed some discussion with reference to the scope of the answer, and the conference closed.

Mr. Cassin further stated that he had on his return to the office of the Commission, prepared an answer and submitted the same to the Attorney General's Department for approval and was prepared to file the same on the return of the order on Saturday morning.

June 25, 1939.

Pursuant to arrangements in the matter of Docket No. 530, F. T. W. vs. Vacuum Cleaner Specialty Co., the Commission heard argument of Attorney William T. Chantland in support of respondent's motions to dismiss the case as to certain respondents, and argument of Attorney E. W. Alvord for the Commission in opposition to said motions. The arguments were not reported.

Mr. Chantland moves on behalf of the respondent, the Vacuum Cleaner Specialty Co., Inc., that as to that respondent, the complaint be dismissed and the respondent be relieved from the necessity of defense for the reasons alleged, first, that the testimony introduced on behalf of the Commission failed to establish any unfair method of competition in commerce; and, second, that no transactions in interstate commerce were shown and that the only incident upon which the complaint could be rested did not establish a method adopted by the respondent but, at most, was an incidental use by a salesman, of practices not in accord with the respondent's policy.

Mr. Chantland also moves that the complaint be dismissed as to the Imperial Vacuum Cleaner Company, F. B. Quensen, W. H. Kappels, J. P. McGrath, A. J. Quensen, J. W. Leady, and J. C. Whelan, for the reason that there was no allegation in the complaint upon which an order against any of these respondents could lawfully be entered.

The Commission having heard arguments of Counsel and having considered the several motions, thereupon, it was ordered that the motion to dismiss the complaint as to the Vacuum Cleaner Specialty

F.T.W.C.

June 25, 1930.

Company, Inc., be and the same is hereby denied, and that the motion to dismiss the complaint as to the following respondents: Imperial Vacuum Cleaner Company, F. R. Muenzen, T. H. Wappels, J. P. McGrath, A. J. Muenzen, J. M. Liddy, and C. C. Washen, be granted, and that orders be entered accordingly.

The following orders in formal docket cases, prepared by the Chief Counsel, were submitted by the Secretary and approved and entered by the Commission:

(1) Docket 353, F. T. C. vs. Errant-Knight Co., et al. - Ordered that Randall J. Larson, an Examiner of the Commission, be designated to receive testimony, etc., in this case, at Chicago, Ill., on June 21, 1930, at 10:30 a.m.

(2) Docket 374, F. T. C. vs. Lasker & Bernstein,
 Docket 376, F. T. C. vs. Max Fuchs Company,
 Docket 377, F. T. C. vs. American Sponge & Chamolis Co.,
 Docket 383, F. T. C. vs. National Sponge & Chamolis Co.,
 Docket 384, F. T. C. vs. Atlantic Sponge Co.,
 Docket 385, F. T. C. vs. A. Isaacs & Company,
 Docket 390, F. T. C. vs. S. Periman & Son,
 Docket 393, F. T. C. vs. Emil Bloch,
 Docket 393, F. T. C. vs. Florida Sponges & Chamolis Co.,
 Docket 394, F. T. C. vs. Levy Brothers,
 Docket 398, F. T. C. vs. R. E. Blaum.

Ordered that Harold Cohn, an Examiner of the Commission, be designated to receive testimony, etc.

(3) Docket 581, F. T. C. vs. The L. E. Silver Company - Ordered that George McCorkle, an Examiner of the Commission, be designated to receive testimony, etc.

(4) Docket 582, F. T. C. vs. Universal Motor Co., et al. - Ordered that Gerald V. Weikert, an Examiner of the Commission, be designated to receive testimony and that the hearing of the complaint begin at Chicago, Ill., July 6, 1930, at 10:00 a.m.

Thereupon, at the hour of 4:00 p.m., the Commission adjourned to meet at 10:30 a.m., June 26.

John H. ...
 Chairman

Attest:

Secretary.

June 22, 1920.

MEETING OF FEDERAL TRADE COMMISSION

June 22, 1920 - 11:30 a.m.

Victor Murdock, Chairman
William E. Colver,
Nelson C. Gaskill,
Jno. Carland Pollard.

Mr. Thompson absent on official business.

The Chairman laid before the Commission the following letters and action as indicated was taken by the Commission:

(a) Letter of June 17, from J. Barton Payne, Director General of the U. S. R. R. Administration, requesting the Commission to examine the books of the Cambria Steel Company with respect to the cost of manufacturing rails in aid of determining the claim of the company against the Railroad Administration. Reply advising that it would seem inadvisable for the Commission to undertake this work was submitted by the Chairman, approved by the Commission and forwarded. See file.

(b) Letter of June 25, 1920, from the office of the Commissioner of Internal Revenue, Treasury Department, requesting the Commission to furnish certain data with respect to the People's Coal Company, Scranton, Pa. Reply stating that the Commission is unable to furnish the data requested, as dictated by Mr. Gaskill for the signature of the Chairman, was approved by the Commission and ordered to be forwarded. See file.

(c) Letter of June 12, 1920, from Hon. George W. Edmonds, Chairman of the Committee on Claims, House of Representatives, transmitting copy of H. R. 14350 (Mr. Rows) for the relief of Perley Morse & Co., for overtime accounting work on newsprint paper inquiry, under contract for the Federal Trade Commission.

It appears that as no provision was made in the contract for overtime work, the company's claim for overtime work done at the request of the Commission, was disallowed.

Reply indicating the Commission's willingness to pay the claim, and recommending that the claim be submitted to Congress for favorable action was approved by the Commission, signed by the Chairman and forwarded. See file.

June 25, 1920.

(d) Letter of June 23, from Mr. Charles A. Lyman, requesting 1800 copies of the Commission's findings in Docket No. 534, F. T. C. vs. A. A. Perry Seed Co. Reply advising that the Commission is unable to furnish these copies was approved by the Commission, signed by the Chairman and forwarded. See file.

(e) Letter of June 18, from the Department of Justice requesting the loan of transcript of testimony of certain witnesses in Docket No. 303, F. T. C. vs. Utah-Idaho Sugar Co., et al. It was agreed that copy of the testimony be loaned as requested.

Mr. Colver laid before the Commission letter of June 15, 1920, from the Bureau of Foreign and Domestic Commerce, Department of Commerce, relative to unsalable condition of shipments of scissars by W. B. Grace & Co., to Santiago, Chile. It was ordered that the matter be docketed as an application for complaint in the name of the Commission and that it be referred to the Export Trade Division for inquiry, and report to the Commission in the regular order through the Chief Examiner.

Mr. Colver laid before the Commission certain facts with respect to the allocation of appropriation to the Board of Review, the Export Trade Division and the Trading with the Enemy Division, and thereafter offered the following action which was unanimously adopted by the Commission:

MOVED, that the reservation of 5% with respect to the Board of Review, the Export Trade Division and the Trading With the Enemy Division, be relieved.

Upon motion of Mr. Colver, it was ordered that salaries in the clerical staff of the Board of Review be increased as follows, same to be effective as of June 18, 1920:

Walter J. Patri	- from \$1500 plus \$240 bonus
	to \$1680 plus the bonus.
Geneva Yeager	- from \$1500 plus \$240 bonus
	to \$1680 plus the bonus.

--

June 28, 1930.

Mr. Colver submitted letter to the Bureau of Foreign and Domestic Commerce, Department of Commerce, in reply to their letter of June 17, 1930, with respect to a circular issued by the Chamber of Commerce of Auckland, N. Z., in the matter of the Export Trade Act. The letter was approved by the Commission, signed by the Chairman and forwarded.

The Secretary submitted the following orders in formal docket cases, as drawn by the Chief Counsel, and the same were approved and entered by the Commission:

Docket 587, F. T. C. vs. International Flaxol Co. - Ordered that (1) Bryon L. Shinn, an Examiner of the Commission, be designated to receive testimony, and, (2) that the hearing of the complaint begin at New York City, July 12, 1930, at 10:00 o'clock a.m.

Mr. Caskill submitted list prepared by the Chief Economist of the following listed employees, whose services are recommended for termination on June 30, 1930, because of limitation of appropriation. The list as submitted was approved by the Commission and the Administrative Division was directed to give notice of release to the employees listed:

Warner, V. B.	Drummond, W. L.	Dorney, C. F.	Novak, W.
Roberts, J. V.	Brown, B. W.	Sinclair, C. G.	Mears, H. D.
Jones, G. W.	Heermans, H. R.	Yarmis, C. P.	Grumpelt, F.
Kauffman, F. J.	Manning, F. E.	Watters, A. L.	Trainor, J. H.
Keeler, J. M.	Weiss, Mrs. G.	Naiman, L. G.	Wine, Louis D.
Colden, K. V.	Harrington, E. T.	Duffy, Eileen M.	Dohoney, L.
Roland, H. G. E.	Martin, G. A.	Walstead, R. A.	

FBI/DOJ

June 26, 25, 1920.

Thereupon, at the hour of 12:30 p.m., the Commission adjourned to meet at 10:30 a.m., June 28, 1920.

Victor Murdock
Chairman

Attest:

Secretary.

June 27, 1920 - No meeting held - Sunday.

MEETING OF FEDERAL TRADE COMMISSION

June 28, 1920 - 10:30 a.m.

Victor Murdock, Chairman.
William B. Colver
Nelson B. Gaskill

Mr. Thompson absent on official business.

Upon motion of Mr. Gaskill, duly seconded, the Secretary was given authority to extend, for a time not to exceed two, (2) weeks, the period of notice of dismissal to those Examiners and Accountants whose services have been ordered terminated as of June 30, 1920. Extensions to be made only in exceptional cases.

The Secretary was further directed to take the responsibility of judging any appeals that may come from these employees in this matter and decide them on their merits.

Thereupon, at the hour of 11:00 a.m., the Commission adjourned to meet at 10:30 a.m., June 29, 1920.

Victor Murdock
Chairman.

Attest:

Secretary.

June 28, 1920.

MEETING OF FEDERAL TRADE COMMISSION

June 28, 1920 - 10:30 a.m.

Victor Mordock, Chairman,
William B. Colver,
Nelson B. Caskill.

Mr. Thompson absent on official business.

Under the provisions of the Trading with the Enemy Act and the Executive Order of October 13, 1917, upon motion of Mr. Colver, the Commission issued the following supplemental order in the matter of License No. 31 to Robert Heiner Importing Co.

"The licensee hereunder is authorized and empowered to sue in its own name any infringer of the said patents or either of them, for an injunction and for the recovery of damages and profits, and upon the recovery of any damages or profits said licensee shall report the same to the Federal Trade Commission and hold the same subject to its order."

Chairman Mordock submitted the following listed applications for complaints and upon his motion, action as indicated, was taken by the Commission:

(a) Files -

O-1890 -	F. T. C. vs.	Appollo Aniline & Chemical Co.
O-1633 -	" "	Swift & Co. in re Northern Rendering Co.
O-1691 -	" "	Swift & Co., in re Atlantic Produce Co.
O-1667 -	" "	Swift & Co., in re North Western Glue Co.
O-1691 -	" "	Armour & Co. in re Adams Brothers Co.
O-1710 -	" "	Wilson & Co., Inc., in re Altamont Produce & Packing Co.
O-1667 -	" "	Swift & Co., in re Clinton Market & Provision Co.
O-1681 -	" "	Morris & Co., in re Glenn & Anderson Co.
O-1680 -	" "	Swift & Co., in re Wm. Schulze.
O-1816 -	" "	Swift & Co., in re Omaha Packing Co.
O-1684 -	" "	Morris & Co., in re Hess & Co.
O-1546 -	" "	Armour & Co., in re Nicholson Ice & Produce Co.

June 29, 1930.

- O-1531 - F. T. C. vs. Wilson & Co., Inc., in re Bell Sporting Goods Co.
 - O-1553 - " " Swift & Co., in re W. A. Schwartz Produce Co.
 - O-1529 - National Refining Co. vs. Omaha Refining Co.
 - O-1534 - F. T. C. vs. Wilson & Co., Inc., in re South Dakota Provision Co.
 - O-1557 - Hunt Bros. Packing Co. vs. Morris & Co.
- Memorandum by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(b) Files -

- O-1632 - F. T. C. vs. Swift & Co., in re Northern Reduction Co.
- O-1623 - " " Morris & Co., in re S. Hess.
- O-1703 - " " Wilson & Co., Inc., in re Drexel Packing Co.
- O-1634 - " " Swift & Co., in re Union Sederling Co.
- O-1686 - " " Morris & Co., in re Middletown Beef & Provision Co.
- O-1615 - " " Swift & Co., in re S. H. Hammond Co.
- S-1412 - Fruit Growers of California, Inc., vs. Armour & Company, et al.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed. As to the foregoing action of the Commission in dismissing these applications, Messrs. Murdock and Gaskill voted in the affirmative and Mr. Colver voted in the negative.

(c) Files -

- O-1690 - F. T. C. vs. Morris & Co., in re Smith Wright Co.
- O-1671 - F. H. Hanlon vs. Autographic Register Co.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that formal complaints issue as of this day without further action by the Commission and that the files be referred to the Chief Counsel with instructions to prepare such formal complaints and return the same to the office of the Secretary for service.

(d) Files -

- O-1676 - F. T. C. vs. Armour & Co., in re Bathborne, Hair & Ridgeway Co.

Board of Review heard. Memorandum by Mr. Murdock approved. Ordered that formal complaint issue as of this day without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such formal complaint and return the same to the office of the Secretary for service. As to the foregoing action of the Commission in issuing formal complaint, Messrs. Murdock and Colver voted in the affirmative and Mr. Gaskill voted in the negative.

(e) Files -

- O-1594 - F. T. C. vs. Armour & Co. in re Friedman Manufacturing Co.
- O-1621 - " " Swift & Co., in re E. K. Pond Packing Co.
- O-1637 - " " Swift & Co., in re Samuel Supply Co.

June 28, 1930.

EUMBC

Board of Review heard. Memoranda by Mr. Burdock approved. Ordered that formal complaint issue as of this day without further action by the Commission and that the files be referred to the Chief Counsel with instructions to prepare such formal complaint and return the same to the office of the Secretary for service.

(f) Files -

O-1846 - Paul Forbriger & Co. vs. Singer Bros., et al.

Board of Review heard. Memoranda by Mr. Burdock approved. Ordered that the application be and the same is hereby dismissed. Ordered further, that an application for complaint in the name of the Commission be docketed against Paul Forbriger & Co., and the record in O-1846 transferred to the new application.

(g) Files -

O-1638 - F. T. C. vs. Swift & Co. in re L. L. Hardy Co.

Attorney Maycraft heard. Board of Review heard. Memorandum by Mr. Burdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed. As to the foregoing action of the Commission in dismissing this application, Messrs. Burdock and Caskill voted in the affirmative and Mr. Colver votes in the negative.

Mr. Caskill submitted the following listed applications for complaint and upon his motion action as indicated was taken by the Commission:

(a) Files -

S-1438 - Smith, Kline & French Co. vs. Bayer Co., Inc.

O-1890 - Royal Baking Powder Co. vs. Calumet Baking Powder Co.

S-1392 - Reichardt-Soultan, Inc., vs. L. H. Butler Co., Inc., et al.

Reports of the Board of Review approved. Memoranda by Mr. Caskill approved. Ordered that the applications be and the same are hereby dismissed.

(b) Files -

S-1461 - F. C. Henderson Co. vs. White Sewing Machine Co., et al.

Board of Review heard. Memorandum by Mr. Caskill approved. Ordered that formal complaint issue with respect to the charge of false advertising, as of this day, without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such formal complaint and return the same to the office of the Secretary for service.

Ordered that the further charges with respect to bogus independents be and the same are hereby dismissed.

June 28, 1920.

(c) Files -

S-1440 - Bread, Abbott & Morgan vs. Southern Manufacturing Co.
C-1878 - The Rogers Co., Inc., vs. Wood & Co., Inc, et al.
Reports of the Board of Review approved. Memoranda by Mr. Gaskill approved. Ordered that formal complaint issue as of this day without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare and submit such formal complaints and return the same to the office of the Secretary for service.

In the matter of Rocket M, F. T. C. vs. Calena Signal Oil Co., Attorney Taylor of this staff appeared and presented tentative Findings as to the Facts, Conclusions and Order to Cease and Desist, as agreed upon by counsel for the respondent. Mr. Taylor also presented stipulation between counsel closing the case and authorized the Commission to proceed to make its Findings and Order and waiving rights to submit brief and to be heard. Upon consideration, such Findings, Conclusions and Order were approved by the Commission and entered of record with the direction that the order be served forthwith.

The Commission recessed at 1:00 p.m., and reassembled at 3:00 p.m.

Victor Murdock, Chairman
William F. Colver,
Nelson E. Gaskill.

At his request, Attorney C. S. Moore of the Commission's staff appeared and informed the Commission with respect to the pending proceedings in Docket No. 458, F. T. C. vs. D. A. Winslow & Company, a complaint charging commercial bribery in the ship chandler business at Norfolk, Va. Mr. Moore presented memorandum

June 23, 1930.

with respect to the following listed applications charging commercial bribery at Norfolk, Va., and recommended that formal proceedings be instituted in these cases:

9-1355, F. T. C. vs. E. C. Hurst & Son.
9-1523, F. T. C. vs. Marine Equipment Co., Inc.
9-1457, F. T. C. vs. Norden Ship Supply Co., Inc.

Upon consideration it was ordered that formal complaints issue in the above cases, as of this day without further action by the Commission.

Mr. Murdock laid before the Commission letter of June 24, from the U. S. Beet Growers' Federation, Salt Lake City, Utah, transmitting petition of the Federation against the organized sugar refiners and manufacturers in the U. S. A. Such petition was referred to Mr. Gaskill with request that report be made back to the Commission.

The following matters arising in the Economic Division were laid before the Commission by Mr. Gaskill and upon his motion action as indicated was taken by the Commission.

(1) Memorandum of June 22, from the Chief Economist recommending the promotion of Mr. R. M. Nichols. The memorandum was approved and it was ordered that Mr. Nichols' salary be increased to \$1800 flat, per annum, the same to be effective as of June 16, 1930.

(2) Memorandum of June 27, from the Chief Economist with respect to the return to the packers and others of certain documents gathered in the course of the meat inquiry, and requesting legal opinion. It was directed that the matter be referred to the Chief Counsel for opinion as to the propriety of the present return of these papers, and if they are to be returned, what steps the Commission should take to reserve copies to be used as evidence, particularly as to the use of photostat copies.

June 22, 1930.

(3) Memorandum of June 21, 1930, from the Chief Economist transmitting memorandum from Mr. William H. S. Stevens of the staff in re the gathering of cost reports in view of the decision in the Maynard case. This memorandum was considered by the Commission and thereafter, on motion of Mr. Gaskill the recommendations by Dr. Stevens were adopted with the modification that the Commission does not commit itself to the statement involved in proposition No. 5 that the Commission may not have the authority to require reports on intrastate business when the intrastate business is a phase of an interstate commerce action and is not separable therefrom.

It is to be distinctly understood that the approval of this recommendation is not to be construed as authorizing the issuance of any questionnaires to any companies in any industry with reference to which the Commission is under judicial restraint.

Further, it is directed that any questionnaire gotten out under this theory is to be brought to the attention of the Commission and receive the Commission's approval prior to being sent out to the trade.

(4) Memorandum of June 24, from W. V. Durand of the staff regarding publication of part 7 of the Meat Report (The Packer and the Public). On motion of Mr. Murdock this report was referred to Mr. Gaskill for reading and report back to the Commission.

(5) Memorandum of June 28, from the Chief Economist transmitting memorandum from Examiner G. F. Adams of the staff with respect to the present status of the combed yarn inquiry so far as the northern mills are concerned. After discussion on motion of Mr. Gaskill the Chief Economist was authorized to go to New England at the appropriate time to confer with the representatives of the mills now refusing access to the Commission, and that his statements as to the future action of the Commission in event of refusal should be confined to the proposition that in the event of refusal the organizations so refusing will be specifically reported to Congress when the Commission's response is made to the Congressional Resolution, and that no statements are to be made as to whether the Commission will or will not take any steps to enforce its statutory powers as to the collection of statutory penalties.

Thereupon, at the hour of 4:00 p.m., the Commission adjourned, to meet at 10:30 a.m., June 30, 1930.

Chas. Gaskill
Chairman.

Attest:

Secretary.

June 30, 1930.

The Secretary laid before the Commission supplemental brief of the applicant in the matter of File 9-1358, Application of the Western Association of Rolled Steel Consumers for a complaint against the United States Steel Corporation and others. The brief was received and ordered to be acknowledged.

Mr. Gaskill laid before the Commission the following matters arising in the Economic Division, and upon his motion action as indicated was taken by the Commission:

(1) Memorandum of June 28, from the Chief Economist with respect to the retention of Mr. J. R. Roberts. It was ordered that the release notice naming Mr. Roberts to be released on June 30, 1930, be canceled and that his name be transferred to the list of those employees to be released on August 31, 1930.

(2) Memorandum of June 30, 1930, from the Chief Economist recommending the promotion of Mr. J. A. Lawless. The memorandum was approved and it was ordered that the salary of Mr. Lawless be increased to \$1500 flat, per annum, the same to be effective as of June 18, 1930. As to the foregoing action of the Commission, Messrs. Murdock, Colver and Gaskill voted in the affirmative and Mr. Pollard voted in the negative.

(3) Memorandum of June 30, 1930, from the Chief Economist recommending the retention of Miss J. A. Brandle. The memorandum was approved and it was ordered that the notice of release of this employee for June 30, 1930, be rescinded and that she be retained in her present status and assigned to assist in drafting work.

(4) Mr. Gaskill offered the following motion which was unanimously adopted by the Commission.

MOVED, That the previous action of the Commission referring Field Tobacco Resolution (House Resolution 533, dated June 3, 1930, re prices of loose leaf tobacco) to the Economic Division be rescinded and that this resolution be referred to the Chief Examiner for preparation of responses with the understanding that the Economic Division shall detail economists or accountants to handle the statistical and economic phases.

June 30, 1930.

The Secretary presented the following matters arising in the Chief Counsel's office and action thereon as indicated was taken by the Commission.

(1) The Commission fixed July 6, 1930, at 10:30 a.m., as the time to consider as a special order of business final disposition of the following docket cases, and it was directed that tentative Findings, etc., as prepared by the Chief Counsel be forwarded to the offices of the several Commissioners.

Dockets -

505 -	F. T. C. vs.	The C. L. Kenny Company
567 -	"	" Acme Coal Mining Company
321 -	"	" Columbus Oil Company
305 -	"	" Motor Fuel & Lubricating Company.
317 -	"	" White Star Oil Company
319 -	"	" Hickok Producing Company
326 -	"	" Independent Distributing Company
572 -	"	" Plunkett Chemical Company

(2) Docket 530, F. T. C. vs. Vacuum Cleaner Specialty Company. Memorandum of June 26, 1930, from Attorney Alvord, in response to question asked by Commissioner Gaskill at the time of final argument with respect to whether or not Exhibit "A" was a live issue at the time the complaint was issued. The memorandum was received and filed.

(3) Docket 564, F. T. C. vs. Turner & Harrison Pen Manufacturing Company.

Docket 565, F. T. C. vs. C. Howard Hunt Pen Company. Memoranda from Attorney Howland recommending dismissal was read and approved and upon action of Mr. Gaskill, duly seconded, it was ordered that the Commission's complaint in these cases be, and the same is hereby dismissed upon the ground that further proceedings by the Commission in these cases is not to the public interest. As to the foregoing action of the Commission in dismissing these complaints, Messrs. Oliver, Gaskill, and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

(4) File 9-1383, National Wholesale Grocers Association of the United States vs. H. C. Heckerman. Draft of formal complaint as prepared by the Chief Counsel in response to the Commission's direction of May 13, 1930, was considered. After consideration of the entire record in this case, upon action of Mr. Gaskill, it was ordered that the Commission's action of May 13, 1930, authorizing complaint be rescinded, and the application be, and the same is hereby, dismissed upon the ground that the public interest as developed by this particular case does not sufficiently appear.

June 30, 1930.

(5) Files -

- 0-1713 - F. T. C. vs. Libby, McNeill & Libby, in re Stetson & Allison Company.
- 0-1876 - F. T. C. vs. Morris & Co., in re Eby Bologna Company.
- 0-1875 - " " Morris & Co., in re William F. Mosser Co.
- 0-1803 - " " Armour & Co., in re Columbia Hotel Supply Co.
- 9-1235 - Good Road Machinery Co. vs. Eastern Road Machinery Co.
- 0-1832 - A. S. Margule Co. vs. Federal Press, Inc., et al.
- 9-1302 - F. T. C. vs. Fawn Creek Oil & Gas Company.

Formal complaints in the above cases as prepared by the Chief Counsel were considered by the Commission and thereafter referred back to the Chief Counsel with instructions that the draft of the complaints be submitted to Attorney Reeves for examination in accordance with the Commission's general instructions that drafts of all formal complaints be drawn by Mr. Reeves, and report to the Commission on July 7, 1930, through the Chief Counsel.

(6) Pursuant to the Commission's direction of January 7, 1930, with respect to examination of reports filed by respondents as required in the Commission's orders to cease and desist, the Secretary submitted the following list of cases in which respondents have filed reports and requested the instruction of the Commission.

Upon motion of Mr. Colver it was ordered that the reports be referred to the Chief Counsel for examination of the reports to determine whether or not it appears that the Commission's orders are being complied with by respondents and that in any cases where the Chief Counsel reports that there is doubt as to compliance that such cases be placed on the Commission's action calendar.

Sockets -

- 346 - F. T. C. vs. The H. F. Bradford Co., Inc.
- 354 - " " The Spongeable Lined Collar Co.
- 406 - " " Moore & Tierney
- 407 - " " C. E. McNeill & Company
- 408 - " " The Faith Knitting Company
- 409 - " " Black Cat Textiles Company
- 410 - " " Wm. Moore Knitting Company
- 411 - " " W. E. Tillotson Manufacturing Company
- 412 - " " Hope Knitting Company
- 417 - " " The Lockawana Mills
- 418 - " " Atlas Knitting Company
- 419 - " " The Broadalbin Knitting Co., Ltd.
- 420 - " " Glastonbury Knitting Company
- 423 - " " Best Manufacturing Company
- 442 - " " Ohio State Linseed Co., and Union Linseed & Turpentine Company.
- 470 - " " Himes Underwear Company.
- 481 - " " Midwest Linseed Oil & Paint Company
- 483 - " " Sanitary Turpentine Company
- 535 - " " Rob Roy Hosiery Company.

June 30, 1930.

The Commission recessed at 1:00 p.m., and reassembled
at 2:00 p.m.

Victor Murdock, Chairman,
William E. Solver,
Nelson B. Gaskill
Jno. Garland Pollard.

In the matter of Docket No. 338, F. T. C. vs. U. S.
Food Products Corporation, et al, the Commission heard final
argument of Attorney E. L. Smith on behalf of the Commission,
and argument of Levy Mayer and Frank W. Sullivan on behalf of
the respondent. The case was not reported. At the conclusion
of the argument the case was taken under advisement by the Com-
mission.

Thereupon, at the hour of 4:30 p.m., the Commission ad-
journed to meet at 10:30 a.m., July 1, 1930.

Victor Murdock
Chairman

Attest:

Secretary.

FURBC

July 2, 1920.

July 1, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

July 2, 1920 - 3:30 p.m.

Victor Burdock, Chairman
William J. Colver
Nelson W. Caskill

Mr. Thompson absent on official business

Mr. Colver presented the following listed applications for complaints and upon his motion, action as indicated was taken by the Commission:

(a) Files -
O-1917 - F. T. C. vs. Flood & Calvert
O-1923 - " " Gulf Ship Chandlery Company, Inc.
O-1924 - " " George Legendre & Son
O-1926 - " " John Adams & Company.
Memorandum by Mr. Colver approved. Reports of the Board of Review approved. Ordered that formal complaints issue as of this day without further action by the Commission and that the files be referred to the Chief Counsel with instructions to prepare such formal complaints and return same to the office of the Secretary for service.

(b) File -
O-1925 - F. T. C. vs. Cremillion & Link.
Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(c) File -
S-1313 - Grand Junction Fruit Growers' Association vs. Carey Salt Company, et al.
Memorandum presented by Mr. Colver was filed and it was directed that Mr. Colver confer with the producers of salt and with the dealers of salt and customers of salt in wholesale quantities.

(d) File -
S-1428 - Benjamin Moore & Company vs. Fier Trothers
Memorandum submitted by Mr. Colver approved and it was directed that the application be referred back to Attorney Nechem with instructions to follow suggestions in the last paragraph of Mr. Colver's memorandum.

July 3, 1920.

-UHC

(a) File -

O-1318 - F. T. C. vs. John A. Cooke.

Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that formal complaint issue as of this day without further action by the Commission and that the files be referred to the Chief Counsel with instructions to prepare such formal complaint and return same to the office of the Secretary for service. Ordered further that the attention of the Chief Counsel be called to the interrelation that exists between the various cases originating in and about Galveston and involving commercial bribery in ship chandlery and also that the Chief Counsel and the Chief Examiner work together to the end that in such cases as the order to Cease and Desist shall be found to be warranted, these complaints and orders may be issued simultaneously.

Mr. Colver submitted written report at the request of the Commission in the matter of the following formal docket, involving discounts in the typewriter industry.

Dockets -

356 - F. T. C. vs. Remington Typewriter Company.
 357 - " " Royal Typewriter Company.
 358 - " " L. C. Smith & Bros. Typewriter Company.
 359 - " " Underwood Typewriter Company.
 360 - " " Woodstock Typewriter Company.
 363 - " " Corona Typewriter Company, Inc.
 368 - " " Heiseless Typewriter Company.

Memorandum by Mr. Colver was approved and upon his motion it was ordered that the foregoing cases be and the same are hereby dismissed; charges one and two of the complaints being dismissed for lack of sufficient showing of public interest, and that charge number three be dismissed without prejudice and without expression of opinion by the Commission upon the quality of cumulative discounts. As to the foregoing action of the Commission in dismissing these cases, Mr. Harbock votes "No" for the reason that he does not believe that giving special discounts to purchasers who use a specified quantity of typewriters regardless of their make or manufacture is fair.

At this time Mr. Pollard entered the meeting.

Mr. Colver submitted file 8-1353. Memorandum recommending complaint received from Mr. Colver considered by the Commission. Upon motion of Mr. Pollard it was directed that the case go to the suspense calendar pending final disposition of the Beecham case and

July 3, 3, 1930.

that copies of Mr. Kane's brief in the matter be prepared for the use of each Commissioner, the Chief Counsel and the Chief Examiner.

Thereupon, at the hour of 5:10 p.m., the Commission adjourned to meet at 10:30 a.m., July 3, 1930.

Chas. E. H. Smith
Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

July 3, 1930 - 12:00 noon.

Walter Duggan, Chairman
William E. Oliver
Deacon T. Baskill
Jno. Garlana Pollard.

Mr. Thompson absent on official business.

Upon consideration of respondent's motion to dismiss the complaint in Docket 580, F. T. C. vs. Lebane Iron Bed Company, Inc., for lack of public interest, the Commission directed that the respondent be advised that upon the facts as they now stand the motion to dismiss is not timely; that the Commission has determined that public interest existed at the time complaint issued and, further, that after full development of the facts in the trial of the case the motion to dismiss can be renewed before the Commission and heard on its merits at final argument.

July 3, 1930.

Upon motion of Mr. Colver, as amended and seconded by Mr. Caskill, it was ordered that one-twelfth of the five per cent of the total allocation of superannuation reserved by the Commission be released for the month of July, 1930, to each division of the Commission.

Upon motion of Mr. Colver, duly seconded, it was ordered,

(1) That the action of the Commission of June 28, 1930, releasing the five per cent reserve to the Board of Review, Trading with the Enemy Division, and Export Trade Division, be, and the same is hereby, rescinded, and;

(2) That any moneys allocated to divisions together with the one-twelfth reserve released to them and not used during the month of July, 1930, be made available for the month of July, 1930, to the Economic Division.

Mr. Caskill laid before the Commission the following list of employees in the Economic Division whose services are recommended for termination by the Chief Economist, and on motion of Mr. Caskill, duly seconded, it was ordered that the lists of releases submitted by the Chief Economist, effective July 31, August 31, and September 30, 1930, be, and the same are hereby, approved with the exception of Messrs. Hugh Weissbach and Earl S. Vaines.

Releases effective July 31, 1930.

Richardson, L. S.,	Examiner, temporary	\$2400
Levy, L. S.,	" "	2250
Richards, R.,	" "	2325
Fright, C. R.,	" "	1825
Pears, W.,	" "	3000
Adams, A. C.,	" "	3000
Prown, R. F.,	" "	3000
Murphy, V. J.,	" "	2700
Stone, O. V.,	" "	2500

July 3, 1930.

Merkley, C. E.,	Examiner, temporary	\$2500
Herminhaue, H.,	" "	2500
Rasescu, S.,	" "	2400
Frost, C. E.,	" "	2280
Seracl, A.,	" "	2280
Draper, J. D.,	" "	2300
Scanlon, F.,	" "	2100
Andres, T. J.,	" "	2000
ParJwell, H. F.,	Clerk	1440
Langum, Y. H.,	" "	1320
Atkins, J. C.,	" "	1200
McGregor, A. A.,	" "	1100
McQuisen, W. I.,	" "	1100
Conner, H. C.,	" "	1300

Releases effective August 31, 1930.

Addison, J. W.,	Examiner, temporary	\$2980
Connors, S. A.,	" "	2500
Love, J. D.,	" "	1500
Eaton, J.,	" "	4500
Comen, L. M.,	" "	3600
Merde, G. F.,	" "	3880
Clark, W. A.,	" "	3500
Parrett, J. W.,	" "	2400
Roelling, H. C.,	" "	2400
Buckley, W. M.,	" "	3100
Spicer, E.,	" "	2100
Valden, M. E.,	" "	3000
Stritzinger, F. J.,	" "	1800
Landrus, M. J.,	" "	1900
Stever, L. E.,	" "	1500
Thompe, R. H.,	" "	1250
Finchley, W. G.,	" "	1560
Deale, J.,	" "	1320
Edwards, J. O.,	" "	1440
Chisnery, S. M.,	" "	3000
Morning, M.,	Clerk	1200
Hoffman, E. W.,	" "	1200
Mesbit, L. A.,	" "	1500
Vinsey, E. C.,	Examiner,	1300
Wetner, J. M.,	Clerk,	1360

Releases effective September 30, 1930.

Haycraft, C. L.,	Examiner, temporary	\$1440
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July 3, 1930.

Upon motion of Mr. Caskill, duly seconded, it was directed that G. A. Martin be reinstated upon the ground that he is so near the retirement pension age that in justice to him he ought to be given an opportunity to receive retirement privileges. This reinstatement to be effective upon taking the oath of office and entering on duty.

Mr. Caskill laid before the Commission memorandum of July 3, 1930, from the Chief Economist transmitting memorandum of the same date from F. V. Durand of the staff with respect to suggested co-operation with the Bituminous Coal Trade in restoring the spot market to a reasonable level, and in securing an equitable distribution. The memoranda were briefly considered and laid over for another meeting.

The Secretary presented memorandum of June 28, from the Chief Counsel recommending the approval of respondent's application in Docket No. 272, F. T. C., vs. Chamberlain Cartridge & Target Company for an extension of 30 days from date in which to conform their business to the Commission's order to cease and desist. Upon consideration the Commission entered its order extending the respondent's time 30 days from date as requested.

It was directed that the record show that on July 3, 1930, the Commission approved letter of that date to the Department of Justice transmitting the results of the Commission's inquiry with respect to the Southern Pine Association and the West Coast Lumbermen's Association, undertaken in response to the request of the Department of Justice, under date of September 4, 1919.

July 3, 1920.

The Chairman laid before the Commission the following noted letters and the same were approved by the Commission, signed by the Chairman, and forwarded:

(a) Letter to the Swedish Legation advising that the Commission is unable to supply copies of its reports of its most determination made during the war period;

(c) Letter to Lieutenant-Commander Stanley, Bureau of Supplies and Accounts, Navy Department, in response to his request for information as to the proper stampage charges to be used in determining the cost of production of pine lumber.

The Secretary submitted orders, as drawn by the Chief Counsel, in the following case, and the same was approved and entered by the Commission:

Docket 513, F. T. C. vs. Webane Iron and Steel Company, Inc. - Ordered: (1), that George McForkle, an Examiner of the Commission, be designated to receive testimony, and, (2), that hearing of the complaint begin at Peabody, N. C., July 12, 1920, at 10:00 a.m.

There was, at the hour of 3:00 p.m., the Commission adjourned to meet at 10:30 a.m., July 6, 1920.

Chas. H. ...
Chairman.

Attest:

Secretary.

July 4, 1920 - No meeting held - Sunday.
July 5, 1920 - No meeting held.

July 6, 1930.

MEETING OF NATIONAL TRADE COMMISSION

July 6, 1930 - 10:30 a.m.

Victor Murdock, Chairman
William B. Colver
Nelson T. Caskill
Chas. Gariand Colvard.

Mr. Thompson absent on official business.

The minutes of the meeting of July 5, 1930, were read and approved.

The Secretary submitted the following matters and action thereon was taken upon recommendation by the Commission as follows:

(a) Memorandum of July 5, 1930, from the Personnel Section with respect to Miss Josephine A. Brandle. Upon action of Mr. Caskill, it was directed that in recognition and in submission to the requirements of the Civil Service Law, the action of the Commission on June 30, 1930, in reinstating Miss Brandle be rescinded.

(b) Upon action of Mr. Caskill it was directed that Miss Brandle be appointed as a Special Agent at a salary of \$1200 per annum, plus the bonus, the same to be effective upon taking the oath of office and entering on duty.

(c) Copy of Economic Division Order No. 18, dated July 1, 1930, with respect to the filing of duplicate daily field reports. Upon consideration and on action of Mr. Caskill it was ordered that copies of this order be submitted to the Chief Counsel and the Chief Examiner with the suggestion that the same system of reports be adopted by the Chief Counsel's office and by the Chief Examiner's office.

(d) Memorandum of July 5, from the Appointment Section submitting information as to the personnel and pay roll on July 1, 1930. The memorandum was received and filed.

MEMO

July 6, 1930.

Upon motion of Mr. Pollard it was directed that Mr. Richard S. Ely be transferred to the office of the Chief Examiner, the same to be effective immediately.

Mr. Gaskill submitted the following listed applications for complaints and upon his motion action as indicated was taken by the Commission.

(a) File S-1487, Independent Oil Vendors Association vs. Frank M. Ely, et al. Memorandum by Mr. Gaskill approved. Ordered, that the application be, and the case is hereby, dismissed. As to the foregoing action of the Commission, Messrs. Polver, Gaskill and Pollard voted in the affirmative and Mr. Wurdock voted in the negative.

(b) File S-1926, F. T. C. vs. Schmidt Lithograph Company, et al. Report of the Board of Review approved. Memorandum by Mr. Gaskill approved. Ordered, that the application be, and the case is hereby, dismissed and that a memorandum be inserted by the Docket Section in the files of the two cases referred to in Mr. Gaskill's memorandum, suggesting that facts may be found in this file which may serve some useful purpose in connection with the other two cases.

(c) File S-1870, John King & Son vs. Lonsdale Company. Report of the Board of Review approved. Memorandum by Mr. Gaskill approved. Ordered, that application be, and the same is hereby, dismissed, and that the Chief Counsel call the attention of the respondent to the fact that its use of the word "Scotch" without the word "bottled" in its labels and on its sample books, is liable to create misapprehension, and that to avoid confusion it would be well to add to their label the words, "Made in U.S.A."

Pursuant to arrangements, the Commission considered as a special order draft of Findings as to the Facts, Conclusions and Orders to Cease and Desist as submitted by the Secretary in the following formal docket cases and thereafter, upon motion of Mr. Wurdock, such Findings, etc., were approved by the Commission and entered of record with the direction that the orders be served forthwith.

July 6, 1930.

Dockets -
 305 - F. I. C. vs. The Motor Fuel & Lubricating Company
 317 - " " The White Star Oil Company.
 318 - " " Hickok Producing Company.
 321 - " " The Columbus Oil Company.
 326 - " " The Independent Distributing Company.

Upon motion of Mr. Caskill the Commission further considered memoranda from the Chief Economist and H. V. Durand of the staff with respect to suggested cooperation with the Bituminous Coal Trade in restoring the spot market to a reasonable level and in securing an equitable distribution and, thereafter, the following motion by Mr. Caskill was unanimously passed by the Commission:

Received, that it is the sense of the Commission with reference to the plan submitted by Mr. Durand looking to an amelioration of conditions surrounding the distribution of the bituminous coal supply, that in view of the uncertainty of valuable result, the impossibility of control of remedial measures by this Commission and the extreme probability of such action involving an expenditure greater than the resources of the Commission will permit in the light of its actual commitments and the delay in the completion of the program already under way, that the Commission should refrain from the suggested action.

Mr. Caskill laid before the Commission "Coal Report of the F. I. C. on Coal, No. 5, Ohio, Indiana, and Michigan, Bituminous, June 30, 1918," as prepared by the Economic Division, and it was directed that the Report be issued.

Mr. Pollard submitted the following suggested order transferring the custody and control of the branch offices to the Administrative Division and the same was unanimously approved and issued by the Commission:

50KBC

July 6, 8, 1930.

IT IS HEREBY ORDERED, That the custody and control of the Commission's Branch Offices be, and the same is hereby, transferred to the Administrative Division, but only so far as relates to the leasing, furnishing, care and maintenance thereof and expressly reserving to the other departments and divisions of the Commission all rights of occupancy and use of the same heretofore exercised by them; this Order to be effective on and from the 1st day of July, 1930. ✓

Thereupon, at the hour of 12:30 p.m., the Commission adjourned to meet at 10:30 a.m., July 7, 1930.

Wm. B. Colver
Chairman.

Attest:

Secretary.

July 7, 1930 - No meeting held.

July 8, 1930 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

July 2, 1930 - 10:30 a.m.

William B. Colver, Acting Chairman
Nelson E. Gaskill
Jno. Garland Pollard.

Mr. Murdock absent on official business.
Mr. Thompson absent on official business.

The minutes of the meetings of June 14, 15, 16, 17, 18, 23, 24, 25, 29, 30, and July 2, and 6, 1930, respectively, were read and, after certain corrections, approved.

July 9, 1930.

Report of Messrs. Murdock and Caskill, a Committee, appointed to transact the business of the Commission during the absence of the quorum, dated June 23, 1930, was read and approved by the Commission with the direction that such report be incorporated with and made a part of the minutes of June 25, 1930.

The Commission considered as a special order of business its final determination of certain pending docket cases and thereafter action as indicated was taken in the following cases:

Docket No. 505, F. T. C. vs. The C. E. Kenny Company. Upon consideration of the entire record, including tentative findings, etc., as submitted by the Chief Counsel, upon motion of Mr. Caskill, seconded by Mr. Pollard, the Commission entered its order dismissing its complaint in the case. As to the foregoing action of dismissal, Messrs. Murdock, Caskill and Pollard voted in the affirmative and Mr. Colver voted in the negative. Mr. Murdock's vote was cast at his request by Mr. Caskill.

In moving dismissal of the case, Mr. Caskill submitted a memorandum setting forth the Commission's position with respect to this case. The memorandum was unanimously adopted by the Commission and it was directed that the Order of dismissal be based upon the memorandum and that the memorandum be published with the notice of dismissal.

Mr. Pollard laid before the Commission memorandum of June 13, from the Chief Examiner transmitting results of investigation by Examiner La Vigne in 25 cases of commercial bribery in connection with the sale of ship supplies in the southern ports. Upon motion of Mr. Pollard it was directed that applications for complaints be docketed in the name of the Commission against the following concerns:

July 9, 1930.

Johnson Iron Works, Ltd., New Orleans (Algiers), La.
 Everett Supply Co., Inc., New Orleans, La.
 Stern Foundry and Machinery Co., Inc., New Orleans, La.
 Crescent City Machine & Mfg. Works, Inc., New Orleans, La.
 Alex. Dussel Iron Works, Inc., New Orleans, La.
 The Union Iron Works, Inc., New Orleans, La.
 New Orleans Machine Works, New Orleans, La.
 C. A. Simpson & Co., Gulfport, Miss.
 Cowles Ship Supply Co., Inc., Mobile, Ala.
 Alabama Dry Dock and Shipbuilding Co., Inc., Mobile, Ala.
 Home Industry Iron Works, Inc., Mobile, Ala.
 Henderson Shipbuilding Co., Inc., Mobile, Ala.
 Hodges Boiler and Machine Works, Mobile, Ala.
 McKenzie Oertling & Co., Pensacola, Fla.
 Gulf Machine Works, Inc., Pensacola, Fla.
 J. Morasso, Pensacola, Fla.
 Runyan Company, Inc., Pensacola, Fla.
 Mussey & Copp, Jacksonville, Fla.
 W. A. Rhea, Charleston, S. C.
 Richardson Bros., Charleston, S. C.
 Charleston Dry Dock & Machine Co., Charleston, S. C.
 Charleston Iron Works, Charleston, S. C.
 Savannah Ship Chandlery and Supply Co., Savannah, Ga.
 Thomas Duggan & Son, Savannah, Ga.
 Wilkinson Machine Works, Savannah, Ga.

and, further, that from the time of docketing the cases assigned to a single Commissioner be handled simultaneously as a unit and that if complaints and orders issue they are to issue simultaneously.

Mr. Pollard reported to the Commission with reference to signature by the individual Commissioners to Findings in docket cases and submitted memorandum of July 8, 1930, by Mr. A. F. Busick of the staff. Upon motion of Mr. Caskill, seconded by Mr. Pollard, it was directed that the original copy of Findings be evidenced by the signature of the Chairman of the Commission and attested with the seal of the Commission over the signature of the Secretary of the Commission; and that there be kept in the office of the Secretary a bound volume containing the original Findings of the Commission and that copies thereof be certified by the Secretary.

July 9, 1920.

In the matter of File O-1858, Francis R. Mahoney, et al. vs. Stanley Griffin Company, pursuant to the Commission's action of June 14, 1920, when the case was referred to Mr. Gaskill for vote, Mr. Gaskill reported to the Commission and voted to dismiss the application. It was thereupon ordered that the application be and the same is hereby dismissed. As to the foregoing action Members. ——— Gaskill and Pollard voted in the affirmative and Mr. Colver voted in the negative.

The Secretary presented the following order in formal docket case and the same was approved and entered by the Commission:

Docket No. 801, F. T. C. vs. Sealwood Company - Ordered, (1), that W. E. Clark, an Examiner of the Commission, be designated to receive testimony, etc., and, (2), that the hearing of the complaint begin at New York City on July 14, 1920, at 10 o'clock a.m.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet at 10:30 a.m., July 10, 1920.

Acting Chairman.

Attest:

Secretary.

July 10, 1920 - No meeting held.

July 11, 1920 - No meeting held - Sunday.

July 12, 1920 - No meeting held.

50KBC

July 13, 1920.

MEETING OF FEDERAL TRADE COMMISSION

July 13, 1920 - 10:30 a.m.

Victor Murock, Chairman,
William B. Colver,
Nelson B. Gaskill,
Jno. Garland Pollard.

Mr. Thompson absent on official business.

The following matters were laid before the Commission by the Chairman and upon his motion action as indicated was taken by the Commission:

(a) Letter of July 10, 1920, from Frank Davis, Jr., Assistant Attorney General, Department of Justice, with respect to the service of one of the Commission's experts to aid the Department of Justice in the case of the Atlantic Refining Company vs. United States, pending in the court of claims and involving the question of just compensation of oil requisitioned by the Navy Department. It was directed that the letter be referred to Mr. Gaskill with request that he select a competent man from among those the Commission is releasing and recommend him to the Department of Justice.

(b) Letter of July 2, 1920, from the Birmingham Civic Association, Birmingham, Ala., enclosing copy of resolution adopted by the Board of Directors with respect to the steel basing point application. It was agreed that the Commission consider this case (file 9-1236) the Western Assn. of Rolled Steel Consumers et al, vs. U. S. Steel Corporation, et al, on Thursday, July 15, 1920, at the conclusion of privileged Economic matters.

(c) Letter of July 1, 1920, from the Department of State with respect to misuse of trade name in export trade by the Swiss Borvisch Company. It was directed that the matter be docketed as an application for complaint in the name of the Commission and handled in the regular course.

July 13, 1920.

(d) Letter of July 2, 1920, from Henry S. Mitchell, Department of Justice, acknowledging receipt of the Commission's letter of July 2, 1920, and partial reports of results of an inquiry in the lumber industry and suggesting "that the work which remains to be done in systematizing the results of the investigation of the Yellow Pine Manufacturers' Association should be completed as soon as convenient" and that conference to that end be had with Mr. Wooden. The course suggested by Mr. Mitchell was agreeable to the Commission and Mr. Pollard was requested to carry out the wishes of the Commission.

(e) Application filed by M. Q. Macdonald of the Unfair Competition Bureau of the Paint and Varnish Industries for reconsideration of the form of order dismissing complaint in Docket No. 518, F. T. C. vs. Benjamin Moore & Company. Upon consideration and motion of Mr. Colver the Commission rescinded its order of dismissal dated June 18, 1920, and entered its substitute order as of July 13, 1920, that its complaint in this case be dismissed for the reason that the proof indicates that the misbranding was not a practice of respondent nor known to nor authorized by respondent but was incidental to the taking over of a newly acquired branch house. The Commission condemns misbranding.

At the suggestion of the Chairman, Acting Chief Counsel Burdeau and Attorney Farrington conferred with the Commission with respect to procedure in Docket No. 501, F. T. C. vs. Wholesale Grocers Association of El Paso, Texas, et al. Report by Attorney Farrington was received by the Commission without action and the case left in the status which it occupied prior to the conference.

At the suggestion of the Chairman, Messrs. Burdeau, Acting Chief Counsel, and Attorney M. B. Clarke were called in to the meeting and conferred with the Commission with respect to procedure to be followed in Docket No. 539, F. T. C. vs. Royal Baking Powder Company. The Chairman reported to the Commission with respect to respondent's request that the Commission give its approval to certain new forms of labels adopted by the respondent and submitted to the Commission.

July 13, 1920.

After full discussion and report by Attorney Clarke of interview with officials of the Bureau of Chemistry of the Department of Agriculture, the following motion was offered by Mr. Caskill:

MOVED, That formal reply be made by the Chairman to respondent's letter stating that the trial of the issues joined in the case will proceed and that the Commission will discuss with respondent, if they so desire, the form and the substance of a new label and that the discussion, if held, is to be without effect upon the procedure in the pending case.

Mr. Murdock demanded a division of the motion.

The first section of the motion as divided reads as follows:

MOVED, That formal reply be made by the Chairman to respondent's letter stating that the trial of the issues joined in the case will proceed.

The foregoing first section of the motion was unanimously adopted by the Commission.

The second section of the motion as divided reads as follows:

MOVED, That the Commission will discuss with respondents, if they so desire, the form and the substance of a new label and that the discussion, if held, is to be without effect on the procedure in the pending case.

The foregoing second section of the motion was adopted by the Commission. As to its adoption, Messrs. Colver, Caskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

The Secretary presented and the Commission approved and entered the following Orders in Docket No. 538, F. T. C. vs. Royal Baking Powder Company. Ordered (1), That Baldwin B. Kane, an Examiner of the Commission, be designated to receive testimony, etc., and, (2), that the hearing of the complaint begin at New York City, July 14, 1920, at 10:00 a.m.

July 13, 1930.

The Secretary laid before the Commission the following matters and upon his recommendation action as indicated was taken by the Commission:

(1) Application of John C. Fallick, a member of the Economic Staff, for retirement from the Civil Service on account of total disability under the provisions of the retirement act of May 22, 1920, together with memoranda of the facts and recommendation that the application be approved. Upon consideration the application was approved by the Commission and forwarded to the Commissioner of Pensions of the Department of Interior.

(2) Upon recommendation of the Secretary it was ordered that the action of the Commission releasing Mr. H. F. Fardwell, be and the same is hereby rescinded and that Mr. Fardwell be transferred to the Administrative Division, effective July 16, 1930, and assigned to the office of the Secretary.

Mr. Gaskill submitted written report in the matter of the charges of misconduct preferred against Mr. Robert F. Brown, a member of the Economic Staff, and advises that on July 8, 1930, Mr. Brown was given a hearing, and recommending that Mr. Brown be released from the service. Upon consideration of Mr. Gaskill's Report and of other reports from Dr. Walker, Mr. Napier and J. W. Adams, on motion of Mr. Gaskill, Mr. Brown was dismissed from the service of the Commission for accepting hospitality from a firm under examination by him as an employee of the Commission and for submitting false time cards, such dismissal to be immediately effective.

Mr. Poilard submitted written report recommending consolidation of file O-1686, application of Twin City Wholesale Grocer Company for complaint against Minnesota Wholesale Grocers' Bureau and its members, et al, with docket No. 607, F. T. C., vs. Iowa-Nebraska-Minnesota Wholesale Grocers' Association, et al. The recommendation was approved and such consolidation made with the direction that the attention of the trial counsel be particularly called thereto.

July 13, 1920.

In the matter of Pocket No. 567, F. T. C. vs. Acme Coal Mining Company, Mr. Pollard submitted the following resolution which was unanimously adopted by the Commission:

RESOLVED, That in the opinion of the Commission the evidence in this case does not justify entering an order requiring the respondent to cease and desist from using the word "ACME" as a part of its corporate name; nor does the evidence justify issuing any order in respect to unfair competition in the sale of coal. But, the Chief Counsel is requested to report to the Commission whether or not in his opinion evidence is at hand or could probably be obtained showing that the respondent company or brokers selling its stock are engaged in unfair competition in interstate commerce in the sale of such stock, in that the stock-purchasing public are induced to purchase the stock of the respondent believing they are purchasing stock in a corporation which handles directly or indirectly the brand of coal known as "ACME." And if such evidence is in hand or can probably be obtained, the Chief Counsel is requested to report whether further proceedings should be had under the pending complaint or under a new complaint.

Upon motion of Mr. Pollard, the Chief Examiner was instructed to ascertain and report to the Commission whether or not the Hoover Suction Sweeper Company, respondent in Pocket No. 232, F. T. C. vs. Hoover Suction Sweeper Company, is violating the Commission's order to Cease and Desist.

Mr. Murdock submitted the following listed applications for complaints and on his motion action as indicated was taken by the Commission.

(a) File -

C-1558 - Brunswick-Balke-Connellor Company vs. Associated Advertising Clubs of the World, et al.
Memorandum by Mr. Murdock approved. Report of the Board of Review approved. Ordered that application be and the same is hereby dismissed.

(b) File -

C-1786 - F. T. C. vs. E. F. Drew & Company.
Memorandum by Mr. Murdock approved. Ordered that the application be and the same is hereby dismissed and that the Consular Bureau of the Department of State be notified of this disposition.

July 13, 1930.

-HKB

(c) File -

S-1518 - Dr. C. H. Berry Co. vs. Ella R. Berry Pharmacal Co.
Memorandum by Mr. Murdock approved. Report of the Board of Review approved. Respondent's stipulation to Cease and Desist accepted and filed. Ordered that the application be and the same is hereby dismissed.

(d) File -

O-1225 - Clarence G. Herbruck vs. Eureka Vacuum Cleaner Co.
O-1228 - F. T. C. vs. Seymour Chemical Company.
Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that formal complaints issue in these cases as of this day without further action by the Commission and that the files be referred to the Chief Counsel with instructions to prepare such formal complaints and return same to the office of the Secretary for service.

(e) File -

O-1940 - F. T. C. vs. Swift & Co. in re Little Rock Cotton Oil Mill.
Memorandum by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed. As to the foregoing action of dismissal, Messrs. Murdock, Gaskill and Pollard voted in the affirmative and Mr. Colver voted in the negative.

(f) File -

O-1598 - F. T. C. vs. Armour & Co. in re Anglo-American Provision Co.
Memorandum by Mr. Murdock approved. Ordered that the application be and the same is hereby dismissed. As to the foregoing action of dismissal, Messrs. Murdock and Gaskill voted in the affirmative and Mr. Colver voted in the negative. As this case involves Armour & Co. Mr. Pollard did not vote for the reason set forth in his memorandum to the Commission under date of April 27, 1930.

(g) File -

O-1600 - F. T. C. vs. Armour & Company in re North American Provision Company.
Memorandum by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed. As this case involves Armour & Company, Mr. Pollard did not vote for the reason set forth in his memorandum to the Commission under date of April 27, 1930.

(h) File -

O-1723 - F. T. C. vs. Libby, McNeill and Libby in re Fulton Beef Company.
Upon motion of Mr. Murdock the case was referred to Mr. Pollard for consideration and report to the Commission.

July 13, 14, 1920.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet at 10:30 a.m., July 14, 1920.

Vict. Murdock
Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

July 14, 1920 - 10:30 a.m.

Victor Murdock, Chairman
William B. Colver
Jno. Garland Pollard.

Mr. Thompson absent on official business.
Mr. Gaskill absent on official business.

The minutes of the meetings of July 9, and 13, were read and approved.

Pursuant to the Commission's action of July 13, Mr. Pollard reported in the matter of file O-1723, application of F. T. C. vs. Libby, McNeill and Libby in re Fulton Beef Company.

Upon motion of Mr. Pollard, it was directed that the following cases pending before the Commission as result of the vote be brought to the attention of the Commission by the Secretary at a time when the entire membership is present.

Docket No. 505, F. T. C. vs. Wholesale Grocers' Association of El Paso, Texas, et al., as to certain questions raised by Attorney Farrington.

File O-1609, F. T. C. vs. Armour & Co., in re Keystone Hotel Supply Co.

File O-1723, F. T. C. vs. Libby, McNeill & Libby in re Fulton Beef Co.

July 14, 1930.

Mr. Pollard submitted file 9-1018, application of Kelly-Springfield Tire Company against Frank Brothers with memorandum recommending dismissal. Ordered that the application be and the same is hereby dismissed.

The Secretary submitted the following matters and action as indicated was taken by the Commission:

(a) Upon recommendation of the Secretary the action of the Commission in directing the release from the service of Mrs. Katherine B. Mortimer was rescinded.

(b) Docket No. 303, F. T. C. vs. Utah-Idaho Sugar Company, et al. Ordered that Frank B. Lent, an Examiner of the Commission be designated to receive testimony, etc.

(c) Docket No. 303, F. T. C. vs. Utah-Idaho Sugar Co., et al. Ordered that Byron L. Shinn, an Examiner of the Commission be designated to receive testimony, etc.

(d) Memorandum of June 14, from the Chief Counsel, transmitting letter of June 11, from Mr. Robert Ash, (L. C. Boyle) with respect to alleged violation of the Commission's order in Docket No. 220, F. T. C. vs. Gordon-Van Tine Company. Upon motion of Mr. Pollard the matter was referred to the Chief Examiner with instructions for examination and report to the Commission whether or not application for complaint should be entered on the Commission's Docket.

(e) Docket No. 594, F. T. C. vs. Dutterick Company, et al. Ordered, (1), that George McCorkle, an Examiner of the Commission, be designated to receive testimony, etc., and, (2), that the hearing of the complaint begin at Washington, D. C., July 26, 1930, at 10:30 a.m.

(f) Docket No. 505, F. T. C. vs. Hecht & Co., et al. Ordered that the deposition of Ignacio Leon, Guatemala City, be taken in behalf of the Commission before the United States Consul upon interrogatories on August 17, 1930; and that Hon. Ezra M. Lawton, U. S. Consul, Guatemala City, be appointed Commissioner and empowered to take the deposition of Ignacio Leon.

July 14, 15, 1920.

Thereupon, at the hour of 12:30, the Commission adjourned to meet at 10:30 a.m., July 15, 1920.

Victor Murdock
Chairman.

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

July 15, 1920 - 10:30 a.m.

Victor Murdock, Chairman
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard.

Mr. Thompson absent on official business.

Acting Chief Counsel Burdeau appeared and advised the Commission of request of respondent in Docket No. 501, F. T. C. vs. Wholesale Grocers' Association of El Paso, Texas, et al., for an extension of time for filing briefs. Upon Mr. Burdeau's report and on motion of Mr. Gaskill, the time for filing briefs in this case was extended to September 20, 1920.

Mr. Pollard offered the following motion with respect to filing briefs in the library, and the preparation of index thereof by the librarian, and the same was unanimously passed by the Commission.

July 15, 1920.

RESOLVED, That the Docket Section be instructed to deliver to the library two copies of each brief which has been filed with the Commission from its beginning and two copies of each brief which may hereafter be filed; that the Librarian be instructed to make a title and subject index of said briefs and to classify and preserve same for the use of the Commission and members of its staff.

Mr. Gaskill laid before the Commission memorandum of July 14, from the Chief Economist, recommending the promotion of Mr. Raymond Richards. Upon motion of Mr. Gaskill, seconded by Mr. Murdock, it was directed that Mr. Richard's salary be increased from basic salary of \$2220 to \$3600 per annum, the same to be effective as of July 16, 1920. As to the foregoing action, Messrs. Murdock, Gaskill and Colver voted in the affirmative and Mr. Pollard voted in the negative.

In the matter of Docket No. 593, F. T. C. vs. United States Salvage Company, it was ordered that Frank B. Lent, an Examiner of the Commission, be designated to receive testimony, etc.

The Commission thereupon proceeded to consider, as a special order of business, file No. 8-1296, Application of Western Association of Rolled Steel Consumers for complaint against United States Steel Corporation, et al. Memoranda were read by Messrs. Murdock and Gaskill. The case was discussed at length, and a wire sent Mr. Thompson at Salt Lake City, Utah, asking that he have his memorandum in this case before the Commission by July 21.

June 17, 1920.

Thereupon, at the hour of 1:00 o'clock the Commission adjourned to meet at 10:30 a.m., Monday, July 19, 1920.

Victor Murdock
Chairman.

Attest:

Secretary.

July 16, 1920 - No meeting held.
July 17, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

June 17, 1920 - 10:30 a.m.

Victor Murdock, Chairman
William B. Colver
Nelson B. Gaskill
Jno. Garland Pollard

(June 17th minutes placed with
July minutes by mistake.)

Mr. Thompson absent on official business

Pursuant to their request, the Commission conferred with representatives of the grain trade and others with respect to the Commission's forthcoming report on grain. (See stenographic report.)

The Commission recessed at 12:15 p.m., and reassembled at 2:00 p.m.

William B. Colver, Acting Chairman
Nelson B. Gaskill
Jno. Garland Pollard.

Messrs. Thompson and Murdock absent on official business.

July 20, 1920:

The grain conference was resumed and continued until the hour of 5:50 p.m. (See stenographic report.)

Thereupon, at the hour of 5:50 p.m., the Commission adjourned to meet at 10:30 a.m., June 18, 1920.

Victor Murdock

Chairman.

Attest:

Secretary.

July 18, 1920 - No meeting held - Sunday.

July 19, 1920 - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

July 20, 1920 - 10:30 a.m.

Victor Murdock, Chairman.
Nelson E. Gaskill,
John Garland Pollard.

Mr. Thompson absent on Official Business.

The Minutes of the meetings of July 14th and 15th, 1920, were read and approved.

Mr. Pollard laid before the Commission the following matters, and action as indicated was taken:

(1) Memorandum of July 15th from the Publications Section, estimating that the cost of paper and printing of an inter-office bulletin will not exceed \$4.00 for each issue, providing it averages three pages and that 100 copies to the issue are printed; and thereafter

July 20, 1920.

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upon motion of Mr. Pollard, the Legal Examining Division was authorized to issue periodically an inter-office bulletin for the use of the members of the Commission and its legal and examining staffs.

(2) Suggested letter to the Examining Staff relative to proof to be gathered in view of the Gratz decision. Upon consideration the Chief Examiner was authorized to issue the following order:

FEDERAL TRADE COMMISSION

Washington.

Chief Examiner's Order No. 10.

July 20, 1920.

In the decision of the Supreme Court of the United States in the case of Federal Trade Commission, Petitioner, vs. Anderson Gratz and Benjamin Gratz, doing business under the firm name and style of Warren, Jones & Gratz, et al. Respondents, handed down June 7, 1920, the view is expressed in the Majority opinion that the words "unfair method of competition" are

clearly inapplicable to practices never before regarded as opposed to good morals because characterized by deception, bad faith, fraud or oppression, or as against public policy because of their dangerous tendency unduly to hinder competition or create monopoly.

In view of this language, all investigators in the Legal Investigating Division are hereby instructed that, beginning at once, in all cases where the conduct alleged is not characterized by deception, bad faith, fraud or oppression, but where the unfairness depends upon its tendency unduly to hinder competition or create monopoly, proof of such tendency must be sought, either in the facts of the particular case or the results of the same or similar methods in other cases and, if found, made a part of the record in the case before the investigative work will be considered complete.

Millard F. Hudson,

Approved:

Chief Examiner.

Commissioner in Charge.

(3) Memorandum of July 16th from the Chief Examiner, transmitting letter of May 10th, 1920, from Messrs. Moses, Hamilton & Middleton, Counsel for Lenox, Inc., and it was ordered that an application for complaint entitled, "Lenox, Inc., vs. Jones, McDuffee & Stratton Co." be docketed.

July 20, 1920.

(4) Memorandum of July 15th from the Chief Examiner with respect to the misbranding of hosiery by the Sulloway Mills. Ordered that an application for complaint be docketed in the name of the Commission against this concern.

(5) Memorandum of July 19th by Commissioner Pollard with respect to motion of Counsel of the Commission to strike out certain portions of respondent's answer in Docket No. 540, F.T.C. vs Royal Baking Powder Co. Mr. Pollard read his memorandum and the same was discussed by the Commission and thereafter Mr. Pollard offered the three motions as shown in his memorandum.

Mr. Murdock demanded a division of the motions. The motions as divided read as follows:

(1) Moved that the motion of counsel for the Commission to strike out the following portions of the respondent's answer be, and the same is, hereby denied;

"But in so far as the scientific fact concerning the effect of alum in baking powder is concerned, the unpublished report on secret experiments has not been accepted by scientists or others as establishing the fact and has been displaced by later and more complete experiments on human subjects eating bread made from alum baking powder which affirmatively establish the fact that the eating of such bread results in the aluminum being repeatedly passed into and through the vital parts of the body, the foreign metal being absorbed into the blood, passed promptly into the liver and other tissues, where it replaces some of the iron normally present and functionally necessary, and effects deleterious action, some of the foreign metallic elements passing through the kidneys and being finally eliminated in the urine.

Since the publication of said bulletin it has, as this respondent is informed, been demonstrated that alum in baking powders is unhealthful, harmful and deleterious and the fact that the Keene Board did not find injury in the experiments upon which it based its report has been completely displaced by the fact that other scientists conducting experiments open to the fullest examination and criticism have established the opposite."

As to the foregoing action of the Commission in denying this motion, Messrs. Gaskill and Pollard voted in the affirmative, and Mr. Murdock voted in the negative.

(2) Moved: That motion for counsel for the Commission to strike out the following portion of respondent's answer be, and the same is, hereby granted.

"Moreover, the advertisements of the manufacturers of baking powder containing alum have made it practically necessary for this respondent to refer to the acid ingredient and the characteristics and effects thereof.

Thus some of the advertisements read:

"You should therefore avoid all baking powders advertised as made from creams of tartar or grapes. This is important if you value the health of your family."

"The cream of tartar which forms the chief ingredient of so many baking powders is in the opinion of all who have given the subject proper attention always injurious to health."

"Cream of tartar when used in baking powder always forms Rochelle salts.- Rochelle salts are a cathartic, a medicine which so irritates the stomach and intestines that nature sets up an inflammation and a sickness to expel it from the system. This expulsion takes the form of cramps, diarrhea and dysentery. Besides, this salt produces indigestion, dyspepsia and constipation. Whenever there is a tendency to kidney disorders it aggravates them and in many instances aids in starting the latent disease."

The foregoing motion was unanimously passed.

(3) Moved: That the Chief Examiner be instructed to at once address the Royal Baking Powder Co. a letter asking it to furnish this Commission with the names of all its competitors which it charges with having unfairly advertised that Cream of Tartar Baking Powders are harmful, together with copies of the advertisements complained of, and that the Chief Examiner be further instructed to investigate and report promptly whether application for complaint against such competitors should be docketed in the name of the Commission.

As to the foregoing motion, Messrs. Murdock and Gaskill voted in the negative, and Mr. Pollard voted in the affirmative. The Chairman therefore declared the motion lost.

Mr. Gaskill submitted the following matters, and action thereon was taken as indicated by the Commission:

(1) Application of Mr. William L. Buckley of the Economic Staff, that the Commission rescind its order terminating his services. Upon motion of Mr. Gaskill, it was ordered that action of the Commission in releasing Mr. Buckley as of August 31st be rescinded, and that Mr. Buckley be retained until further action of the Commission.

(2) Memorandum of July 17th from the Chief Economist, with respect to the request of the Department of Justice for an accountant to serve in the matter of the claim of the Atlantic Refining Co. for just compensation for material furnished the Navy Department. Upon motion of Mr. Gaskill it was directed that the Department of Justice be advised that the Commission is unable, because of its depleted Accounting Staff, to assign a man for this work, but that

July 20, 1920.

Mr. Walter Pears, an Accountant, now with the Commission will be released on July 31st, 1920, and thereafter be subject to employment by the Department of Justice.

Memorandum of July 9th from the Chief Economist, asking instruction of the Commission as to whether or not two recent reports on grain trading and one on flour milling, which were approved by the Commission for printing, are to be considered as Food Investigation Reports. After discussion, the following motion by Mr. Gaskill was unanimously passed:

"Moved: That reports which were ordered by the Commission under its Food Investigation Resolution, be issued as of and in pursuance of such resolution, but that such reports be dated as of the year in which they are actually issued, and that the issue be by, and in the name of, the members of the Commission at the time the report is issued."

Thereupon at the hour of 1:15 P.M. the Commission adjourned its meeting to meet at 10:30 A.M. July 21st, 1920.

The Commission met in Special Session at 4:00 P.M. July 20th:

Victor Murdock, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

In the matter of Docket No. 281, F.T.C. vs. L. B. Silver Co., Attorney C. M. Neff of the Staff, appeared and read to the Commission his memorandum of July 19th with respect to fixing time for taking testimony on behalf of the respondent in this case, and therefore the Commission entered its order that testimony on behalf of respondent be taken before Examiner McCorkle at Cleveland, Ohio, at 10:00 A.M. August 2nd, 1920, and that due notice of this date be given respondent's counsel by Examiner McCorkle, and further, that respondent's counsel be notified by Examiner McCorkle that exhibits in the case are on file in the Commission's office at Washington, D. C., and such exhibits are there accessible to the respondent's counsel.

Thereupon at the hour of 4:30 the Commission adjourned its meeting to meet at 10:30 A.M. July 21st, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

July 21, 1920.

MEETING OF FEDERAL TRADE COMMISSION

July 21, 1920, - 10:30 A. M.

Victor Murdock, Chairman.
Nelson B. Gaskill,
Jno. Garland Pollard.

Mr. Thompson absent on official business.

The Minutes of the meeting July 20th, 1920, were read and approved.

The Chairman laid before the Commission letter of July 20th from Mr. C. B. Ames, Assistant to the Attorney General, Department of Justice, making request for production cost figures gathered by the Commission from the coal operators in eastern Kentucky, showing costs at the individual mines for coal produced during the month of June to be used as evidence in a criminal proceeding for excessive profits. The Chairman was requested to advise Mr. Ames that the Commission is unable to furnish the data requested for the reasons set forth in letter of this day to Mr. Ames (See File).

The Commission then proceeded to consideration, as a special order of business, of its final determination of Docket No. 338, F.T.C. vs. U.S. Food Products Co., et al. The case was discussed at length, and it was agreed that it would be further considered as special order on July 22nd, 1920.

Mr. Gaskill submitted the following resolution with respect to penalties for failure to reply to questionnaires in the Sugar Investigation, and the same was unanimously passed by the Commission:

(1) WHEREAS, by resolution dated April 22nd, 1920, the Commission ordered that default notice be served upon those corporations which had declined or failed to file answers to the questionnaires issued in the course of the Sugar Investigation, being made under House Resolution No. 150 October 1st, 1919, it is ordered that such action be suspended as to any further service of notice; that all persons or corporations to whom such notices have been sent, be informed that if inquiry is made, that pending the determination of the right of the Commission to compel such answers, no penalties will be imposed or sought to be collected;

July 21, 1920.

that all other corporations be likewise informed upon inquiry, and that all corporations whose business is under investigation under Congressional Resolution who refuse or fail to reply to the questionnaires be informed to the same effect, and further informed that their refusal or failure will be specifically reported to Congress.

Mr. Gaskill submitted the following listed applications for complaints and action thereon was taken by the Commission as indicated:

(a) File O-1865 - The Vim vs. South Bend Bait Co. Memorandum by Mr. Gaskill approved. Report of the majority of the Board of Review approved. Ordered:

(1) That the application for complaint on the charge of price maintenance be dismissed.

(2) That the file be remitted to the Chief Examiner with instructions to pursue such investigation as may be necessary to disclose the details of the policy and action of the respondent in its use of the quantity discounts; upon completion of which the file go to the Board of Review for its consideration and report upon the question of violation of Section 2 of the Clayton Act.

(b) File O-1867 - Barley Motor Car Co. vs. Walden W. Shaw Livery Co., et al. Report of the Board of Review approved. Memorandum by Mr. Gaskill approved. Ordered that the application be, and the same is hereby, dismissed.

The following matters arising in the Chief Counsel's Office were laid before the Commission by the Secretary, and action as indicated was taken:

(1) Docket No. 567, F.T.C. vs. Acme Coal Mining Co. Memorandum of July 19th from the Chief Counsel in response to the Commission's action of July 13th, was received together with memorandum of July 17th from Attorney Mechem of the Staff.

Upon consideration of these memoranda and the entire record in the case, upon motion of Mr. Pollard it was ordered that the Commission's complaint in the case be, and the same is hereby, dismissed, for the reason that the evidence fails to establish those unfair methods of competition in interstate commerce charged in the complaint.

Mr. Pollard moved: That a new application for complaint be docketed in the name of the Commission against the Acme Coal Mining Co. for alleged unfair competition in the sale of stock in interstate commerce.

July 21, 22, 1920.

As to the foregoing motion, Messrs. Murdock and Gaskill voted in the negative and Mr. Pollard in the affirmative. The Chairman declared the motion lost.

(2) Docket No. 894, F.T.C. vs. The Butterick Co., et al. Memorandum of July 17th from the Chief Counsel, together with copy of letter of July 16th from Messrs. Noble, Morgan & Scam-mell, counsel for respondent, were laid before the Commission by the Secretary for determination by the Commission of questions raised in the respondent's letter of July 16th. Upon consideration, the Commission directed the Chief Counsel to inform counsel for respondents that the Commission will proceed with the taking of testimony on July 26, 1920, at Washington, D. C., in accordance with notice heretofore given.

Thereupon at the hour of 1:00 P. M. the Commission adjourned to meet at 10:30 A. M. July 22nd, 1920.

Victor Murdock
Chairman

Attest:

Secretary.

MEETING OF FEDERAL TRADE COMMISSION.

July 22nd, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
William B. Colver,
Jno. Garland Pollard.

Mr. Gaskill in attendance on D. C. Supreme Court in connection with the filing of an answer of claim of Claire Furnace Co. vs. Federal Trade Commission.

Mr. Colver submitted the following matters, and upon his motion action as indicated was taken by the Commission:

(1) File O-1989, F.T.C. vs. W. R. Grace & Co. Mr. Colver reported the results of field inquiry by Examiner McIsaac. Following the recommendation of Mr. McIsaac and on motion of Mr. Colver, it was agreed that the parties compose the matters in question among themselves, subject to acceptance by the Commission, and that the Commission will receive and consider such composition when submitted.

July 22, 1920.

(2) With respect to the application for complaint in the name of the Commission, which was ordered docketed July 13, 1920, against Swiss Borvick Co. with respect to misuse of trade name, it was ordered that the file be referred to the Export Trade Division for preliminary examination and report through the office of the Chief Examiner in the regular course.

(3) Letter from the Secretary of the Department of Commerce, requesting that the Commission designate a member of its staff as its representative upon an inter-departmental committee with respect to Governmental domestic and foreign commercial statistics, was laid before the Commission by Mr. Colver, and upon motion of Mr. Colver it was directed that the Commission be represented, during the pleasure of the Committee, on the inter-departmental committee on statistics by Dr. William F. Notz of the Export Trade Division, and that the Department of Commerce be notified of this designation.

(4) Mr. Colver submitted file of papers from the Bureau of Foreign and Domestic Commerce of the Department of Commerce with relation to certain shipments of steel by the Delaware Steel Co. to D. Sutcliffe of London, England, and upon motion of Mr. Colver it was directed that the papers be docketed for an application for complaint, and that the same be referred to the Export Trade Division for preliminary examination and report in the regular course through the Chief Examiner.

At this time Mr. Gaskill entered the meeting.

Present:
Victor Murdock, Chairman,
William B. Colver,
Nelson B. Gaskill,
Jno. Garland Pollard.

Mr. Gaskill reported with respect to the filing of the Commission's answer in the Supreme Court of the District of Columbia in the case of the Claire Furnace Co., et al. vs. Federal Trade Commission, and advised that with Attorney Burdeen he had been admitted to practice in the Court.

Upon motion of Mr. Murdock the Commission fixed Friday, July 23rd, 1920, at 10:30 A. M. as a time to consider file 9-1296, Application of Western Association of Rolled Steel Consumers for complaint against U. S. Steel Corporation, et al.

The Commission further considered the final determination of Docket No. 338, F.T.C. vs. U. S. Food Products Co. et al., set as a special order of business for to-day, and after further discussion of the case, Mr. Murdock offered the following

July 22, 1920.

motion, which was seconded by Mr. Pollard and which was unanimously passed by the Commission:

Moved: That the complaint of the Commission in this case be, and the same is hereby, dismissed.

Mr. Gaskill thereupon offered the following substitute motion, which was seconded by Mr. Colver:

Moved: That the Commission's order of dismissal be based upon a statement that the evidence fails to establish sufficiently the use of those unfair methods of competition which are charged in the complaint.

As to the foregoing motion, Messrs. Murdock and Pollard voted in the negative and Messrs. Colver and Gaskill voted in the affirmative.

The Chairman thereupon declared the substitute motion lost.

Certain docket cases on the unfinished business calendar were called to the attention of the Commission by the Secretary, and thereafter the Commission fixed the following dates for consideration of the cases listed and directed that the papers in the cases be forwarded to the several Commissioners by the Secretary:

July 27, 1920 - Tuesday, Docket No. 307,
F.T.C. vs. St. Louis Lightning
Rod Co. et al.

July 28, 1920 - Wednesday, Docket No. 159,
F.T.C. vs. United Rendering Co.,
et al.

July 29, 1920 - Thursday, Docket No. 572,
F.T.C. vs. Plunkett Chemical Co.

Thereupon at the hour of 1:00 P. M. the Commission adjourned to meet at 10:30 A. M. July 23rd, 1920.

Wm. H. ...
Chairman.

Attest:

Secretary.

July 23, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

July 23, 1920 - 11:45 A. M.

Victor Murdock, Chairman,
William B. Colver,
Nelson B. Gaskill,
Jno. Garland Pollard.

The Commission further considered, as a special order of business, its final determination of File 9-1296, application of the Western Association of Rolled Steel Consumers, et al., for the issuance of a complaint against the United States Steel Corporation, et al. The Pittsburgh Steel Base case.

The Chairman laid before the Commission letter of July 1920, from Mr. Thompson, transmitting a statement by Mr. Thompson in opposition to the majority opinion of the Commission dismissing the application for complaint, said statement to be published in the event of publication of a statement by the majority of the Commission dismissing the case. The memorandum was read to the Commission by the Secretary.

Mr. Pollard offered the following motion, which was seconded by Mr. Gaskill:

WHEREAS, at the time this application was argued there were two vacancies on this Commission, and the argument was heard by only three members thereof, one of whom, Mr. Thompson, favors the issuance of the complaint, and,

WHEREAS, the two new members of the Commission, Messrs. Nelson B. Gaskill and Jno. Garland Pollard, who have had before them the briefs and who did not hear the oral argument disagree as to whether complaint should issue, Mr. Gaskill being in favor of dismissal of the application, and Mr. Pollard being opposed to dismissal,

NOW, THEREFORE, in view of the far-reaching importance of this case, be it resolved that the application be set down for re-argument before a full membership of the Commission at the earliest convenient date.

As to the foregoing motion, Messrs. Murdock, Colver and Gaskill voted in the negative and Mr. Pollard voted in the affirmative. The motion was declared by the Chairman lost.

After further discussion of the case, Mr. Colver offered the following motion, which was seconded by Mr. Murdock:

Moved: That the application for complaint in this case be and the same is hereby dismissed.

July 23, 1920.

As to the foregoing motion, Messrs. Murdock, Colver, and Gaskill voted in the affirmative, and Mr. Thompson and Mr. Pollard voted in the negative. Mr. Thompson's vote was cast at his request by the Chairman.

The Chairman thereupon declared the motion carried and the application dismissed.

Upon motion of Mr. Colver, duly seconded, it was directed that the action of the Commission in this case be given to the press by the Secretary, and that individual statements by Commissioners to accompany the announcement, be in the hands of the Secretary not later than the close of business to-day, and that such statements be released July 24, 1920.

The Commission recessed at 1:00 P. M. and were re-assembled at 3:00 P. M.:

Victor Murdock, Chairman,
William B. Colver,
Nelson B. Gaskill,
Jno. Garland Pollard.

The secretary laid before the Commission memorandum of July 22nd, 1920, from the Chief Counsel, transmitting certain motions to dismiss and to sever in the matter of Docket No. 594, F.T.C. vs. Butterick Co., et al. Upon consideration by the Commission and conference with Attorney Burdeau, the Commission, upon motion of Mr. Pollard, fixed July 28th, 1920, at 10:30 A. M. as a time to consider such motions, and entered its order directing the testimony in the case, now set for July 28th, be postponed to July 29, 1920, at 10:30 A. M. at Washington, D. C. The counsel was directed to draw the necessary orders, and give the necessary notices.

The Secretary also laid before the Commission memorandum of July 22, 1920, from the Chief Counsel with respect to a conference with respondents in Docket No. 539, F.T.C. vs. Royal Baking Powder Co., for consideration of certain proposed new labels submitted by respondents. It was directed that such conference be held before the Commission at Washington, D. C. on August 2nd, 1920, at 10:30 A. M., and that the Chief Counsel give due notice of such conference.

In the matter of Docket No. 601, F.T.C. vs. Sealwood Co., the Commission entered its order that William A. Sutherland, an Examiner of the Commission, be appointed to receive testimony, etc.

July 23, 24, 25, 26, 27, 1920.

Thereupon at the hour of 4:00 P. M. the Commission adjourned to meet at 10:30 A. M. July 26th, 1920.

Out. W. Murdock
Chairman.

Attest:

Secretary.

July 24, 1920 - No meeting held.

July 25, 1920 - No meeting held (Sunday).

July 26, 1920 - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

July 27, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
William B. Colver,
Nelson B. Gaskill,
Jno. Garland Pollard.

The following matters were submitted by the Secretary, and action thereon, as indicated, was taken by the Commission:

(1) The Secretary reported with respect to the opening of the cafeteria, and submitted a number of propositions of individuals applying for the cafeteria privilege. Upon consideration of the applications and upon recommendation of the Secretary, the Commission approved the application of E. S. Tucker, 5413 Illinois Avenue, N. W., Washington, D. C., who is authorized to operate the cafeteria under the supervision of the Commission.

(2) Two memorandums dated June 24, 1920, from the Mails and Files Section, asking the instruction of the Commission with respect to transfer to the Tariff Commission of the permanent custody of certain files concerning the Beet Sugar Industry and the investigation of tariff laws in Central and South America. Upon motion of Mr. Gaskill it was ordered that the action heretofore taken transferring the files to the Tariff Commission be confirmed, and that the papers be placed in the permanent custody of the Tariff Commission.

July 27, 1920.

(3) Letter of June 17, 1920, from the Secretary of the Treasury, suggesting that, in accordance with law, the Commission designate from among its staff one person whose duty it shall be to supervise the classification and estimate of appropriations, etc. Upon recommendation of the Secretary and upon motion of Mr. Murdock, Mr. Charles G. Duganne was designated for this work, and the Secretary was directed to so advise the Treasury Department.

(4) Letter of June 25th from the Treasury Department, asking the Commission to submit an estimate of the amount of money that will have to be deducted from the Commission's appropriation for 1921 to pay the retirement allotments of employees falling within the provisions of the retirement act of May 23, 1920. Form of reply, advising that the sum of \$7,000 will be necessary to satisfy the requirements of the law was submitted by the Secretary, approved by the Commission and forwarded.

The following matters were submitted by the Chairman and action as indicated was taken by the Commission:

(1) Letter of July 20, 1920, from Mr. John H. Torvestad, who had been released from the service of this Commission on June 30, 1920, applying for reinstatement and promotion so as to enable him to receive an increased salary in another Government position to which he desired appointment. Upon consideration, the Commission declined to make reinstatement.

(2) Circular letter of June 30, 1920, from the United States Civil Service Commission, asking expression of opinion as to the advisability of extending the benefits of the retirement law to unclassified employees. Upon motion of Mr. Colver, the Chairman was requested to advise the Civil Service Commission that while few of the Commission's employees are affected, it is the sense of the Commission that the benefits of the law should be extended wherever and to whomsoever they can be extended.

Mr. Colver advised the Commission of the necessity of assigning an attorney to the work of the Board of Review to permit members of the Board to take vacations, and upon his motion it was directed that an attorney be assigned to the Board of Review for this purpose, said attorney to be selected by the Board of Review with the consent of the head of the Division from which selected, and subject to the approval of Mr. Colver.

July 27, 1920.

Mr. Gaskill submitted the following matters, and action thereon as indicated was taken by the Commission:

(1) Letter of July 22, 1920, from the Acting Forester, Department of Agriculture, requesting copies of two maps of the Olympic Peninsula, showing first the form of alienation ownership of the land, and the second ownership, together with memorandum of July 22 from the Acting Chief Economist, transmitting two memorandums by Examiner Durand of the Staff with reference to the publication of the maps and the text covering the timber holdings of the Olympic Peninsular regions, and the manner of their acquisition under the land laws. Mr. Durand recommended that the maps and the text be published. After discussion, on motion of Mr. Gaskill the Commission agreed to supply the maps to the Forest Service, as requested, for their confidential use, and gave instructions that before the maps are supplied, the legends be corrected according to suggestions by Mr. Durand. The recommendation that the maps and text be published by the Commission was discussed, and thereafter the matter was referred to Mr. Gaskill for reading and report or recommendation to the Commission.

(2) Upon motion of Mr. Gaskill, the Chief Economist was directed to supply certain information in tabular form with respect to all investigations and reports of the Bureau of Corporations and the Federal Trade Commission, except cost determinations, as follows:

- (a) The name of the office issuing the report;
- (b) The date of issuance;
- (c) Number of volumes actually issued to the public;
- (d) The authority;
- (e) Statement as to whether or not the investigation was completed;
- (f) Any instances where the investigation was completed and reports not published.

(3) Letter of July 1920, from Mr. J. D. A. Morrow, Vice President of the National Coal Association, with respect to data furnished by the Commission to Governor Cox. Form of reply submitted by Mr. Gaskill, advising that the Commission had furnished only public documents was approved and forwarded (See file).

(4) Letter of July 22nd, 1920, from L. M. Comen, Examiner, of the Economic Staff, requesting that his term of service be extended beyond August 31st, 1920. Upon motion of Mr. Gaskill, it was ordered that in view of Mr. Comen's service record, he be continued in the employ of the Commission until November 30, 1920.

(5) Application dated July 16, 1920, of William J. Murphy, member of the Economic Staff, for salary increase. Upon motion of Mr. Gaskill, the Commission increased Mr. Murphy's salary from \$2,700, plus bonus, to \$3,300 per annum, the same

July 27, 1920.

to be effective July 16, 1920. As to the foregoing action of the Commission, Messrs. Murdock, Colver and Gaskill voted in the affirmative and Mr. Pollard in the negative.

(6) Letters of July 20th from the President and July 16th from the Assistant Secretary of the Standard Oil Company of California, suggesting the issuance of statement by the Commission as to the shortage of gasoline, based upon the data gathered by the Commission under the Poindexter Resolution. The Commission agreed that Mr. Gaskill reply to these letters to the effect that the Commission is not in a position to make a statement now, for the reason that the work is not completed, and questions the propriety of making any statement in the matter before report is submitted to Congress, when the work is being done in response to a Congressional Resolution.

(7) Telegram dated July 26, 1920, from Examiner Adams of the staff, with respect to difficulties encountered in the examination of the Whitman Controlled Mills in the combed yarn industry. Upon motion of Mr. Gaskill, it was agreed that the following wire be sent to Mr. Whitman:

"Commission cannot accept company's report to directors on profit nor treasurer's statements as to item included in costs profits and sales unless years nineteen fourteen and nineteen nineteen be examined in detail as agreed to by you over telephone after consultation with your Mr. Gardner by Messrs. Adams and Napier of the Commission's staff. While not questioning these figures Commission must insist upon examination of books for these years to insure accuracy of information submitted to Congress. Figures relating to individual operations will not be disclosed but will be merged in groups and averages."

The Secretary brought to the attention of the Commission certain matters arising in the Chief Counsel's office, which are now pending before the Commission.

The Commission considered draft of formal complaints alleging "Boycott independents as an unfair method of competition."

Upon consideration of formal complaints, Mr. Gaskill offered the following as a suggested additional charge: "That the business of the respondent is charged with a public interest to such an extent that an obligation is implied to disclose the true ownership of its branches and subsidiaries, and that the failure so to make disclosure is contrary to good morals."

Mr. Gaskill's suggested new charge was laid over for con-

July 27, 28, 1920.

sideration at another meeting.

Upon further discussion of the cases pending, upon motion of Mr. Pollard it was directed that the cases ready for decision be divided among the members of the Commission, and that each member be requested to submit memorandum and recommendations in the cases assigned to him.

In the matter of Docket No. 599, F.T.C. vs. International Fur Exchange, et al., the Commission entered its order appointing Gerald W. Weikert, Examiner of the Commission, to receive testimony, etc.

Thereupon at the hour of 1:30 P. M. the Commission adjourned to meet at 10:30 A. M., July 28, 1920.

Attest:

Chas. W. ...
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

July 28, 1920 - 11:00 A.M.

William B. Colver, Acting Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

The Commission met pursuant to certain motions to dismiss and for severance in the matter of Docket No. 594, F.T.C. vs. Butterick Company, et al., said motions coming before the Commission for argument.

Acting Chief Counsel J. A. Burdeau and Attorney E. C. Alvord appeared for the Commission, and Messrs. Noble, Sheehan & Heath appeared for the respondent. This was the hearing which was set down by the Commission as recorded in the minutes of July 23, 1920.

No affidavits were submitted in support of the motions, but counsel for the respondents asked that its verified answer in this case heretofore filed be considered, for the purpose of this hearing, to be in support of these motions. During the presentation of the contentions of respondents' counsel, the respondents sought to move without formal notice, the dismissal of the complaint, upon a plea in abatement contained in the answer.

July 28, 1920.

Thereafter, it being suggested to respondent that their new motion be reduced to writing, the respondent filed a motion (see docket), the form of which was therein stated as in the nature of a demurrer.

After argument by counsel for the respondent and for the Commission, the Commission took the matters presented under consideration during a recess.

The Commission recessed at 3:25 P. M. and were reassembled at 5:15 P. M., at which time a ruling was made by the Commission as follows:

"The motions to dismiss on behalf of the Butterick Company, Federal Publishing Company, New Idea Pattern Company, and Standard Fashion Company are reserved until the evidence in the cause has been taken and considered.

"The Commission does not find sufficient facts now before it to warrant orders of dismissal at this stage.

"The motions made on behalf of Butterick Publishing Company and Designer Publishing Company for severance are denied. The cause of action against each respondent is practically the same in character, the severance would cause delay and increase the expense of the proceedings. The Commission will see that no injustice results by reason of applicability of evidence or otherwise.

"As to the plea in abatement attempted to be presented by the answer, the Commission takes the view that this is an application to its discretion rather than the exercise of a legal right. In this aspect the Commission concludes that the taking and consideration of testimony is requisite to the exercise of a sound judgment upon the propositions advanced in the answer as in the nature of a plea in abatement. The Commission holds that its final disposition of a complaint may not be controlled by a presentation of an ex parte statement, and that the Commission may in its discretion require a complaint to be fully heard.

"This part of the answer will therefore be regarded as a motion to dismiss as to each and all of the respondents, and action thereon is reserved until the evidence has been received and considered.

"The hearing will proceed at the time and place previously arranged."

Thereupon at the hour of 5:20 P. M., the Commission adjourned to meet at 10:30 A. M., July 29, 1920.

Acting Chairman.

Attest:

Secretary.

July 29, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

July 29, 1920 - 10.30 A. M.

William B. Colver, Acting Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

The minutes of the meetings of July 21, 22, 23, 27th and 28th, 1920, were read, and after certain revisions and amendments, were approved by the Commission.

The Acting Chairman laid before the Commission letters of July and July, 1920, from Mr. W. R. Brown, Counsel for Wilson & Company, with respect to procedure by the Commission in "Bogus Independent Cases."

The Secretary read to the Commission memorandum of March 3, 1920, with respect to "Bogus Independence" submitted by the Board of Review.

The subject was discussed at length by the Commission, and thereafter it was agreed that the Secretary be instructed to bring this matter before the Commission for consideration at a time when the full membership of the Commission is present; and it was further directed that the "Bogus Independents" cases now pending before the Commission for approval of form of complaint be laid on the table. These are files O-1630, O-1576, O-1594, O-1621, O-1606, O-1675, O-1676, O-1718.

Upon motion of Mr. Pollard, the Commission fixed October 5, 1920, at 11:00 A. M. as a time for trade practice submittal before the Commission on the subject of Guarantee Against Decline, and Mr. Colver was requested by the Commission to prepare a form of letter announcing this trade practice submittal, and lay the same before the Commission for its approval.

Mr. Pollard advised the Commission of the request of the branch offices to be supplied with copies of briefs filed in formal cases, and the necessity of requiring additional briefs to be filed by the parties if this request is to be approved. Upon motion of Mr. Pollard the Commission approved the request and amended paragraph 14, of its rules of practice with respect to briefs, so as to provide that "20 copies of each brief shall be furnished for the use of the Commission, unless otherwise ordered." This amendment to be effective immediately. The Docket Section was directed to furnish one copy of each brief to each branch office. The Secretary was instructed to make effective this action by the Commission.

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Upon motion of Mr. Pollard, the Commission considered applications for complaints on the suspense calendar, and thereafter action as indicated was taken:

- (1) File No. 1-726, F.T.C. vs. St. Paul Building Material Exchange, et al.

Memorandum of June 14th from the Chief Examiner, and memorandum of June 24th by Mr. Murdock was read and considered, and thereafter, by motion of Mr. Pollard, the Secretary was directed to bring this case to the Chairman's attention, and request that he prepare and submit to the Commission for its consideration draft of such a resolution as will carry out the policy suggested by the Chairman in his memorandum.

The case was ordered to remain on the suspense calendar in accordance with the rules.

- (2) File No. 0-1777, F.T.C. vs. United Chemical Products Corporation.

Memorandum of June 11th from the Chief Examiner read and considered. Report of the Board of Review approved. Memorandum by Commissioner Murdock dated March 23, 1920, recommending complaint approved.

Upon motion of Mr. Gaskill, seconded by Mr. Pollard, the Commission issued its formal complaint as of this day, and referred file to the Chief Counsel with instructions to prepare such formal complaint and return the same to the office of the Secretary for service.

- (3) File No. 0-1774, F.T.C. vs. Aniline Sales Corporation.

Memorandum of June 11th from the Chief Examiner read and considered. Ordered that the case remain on the suspense calendar, in accordance with the rules.

- (4) File No. 0-1767, F.T.C. vs. Widder Dyeing Chemical Co. Inc.

Memorandum of June 11th, 1920, from the Chief Examiner read and considered. Ordered that the case remain on the suspense calendar in accordance with the rules.

- (5) File No. 0-1769, F.T.C. vs. U.S. Color & Chemical Co.

Memorandum of June 12th, 1920, from the Chief Examiner read and approved. Report of the Board of Review approved. Memorandum of March 23, 1920, by Mr. Murdock, recommending complaint approved. Upon motion of Mr. Gaskill, seconded by Mr. Pollard, the Commission issued its formal complaint in this case as of this day, and directed that the files be referred to the Chief Counsel with instructions to prepare such formal complaint and return the same to the office of the Secretary for service.

- (6) File No. 0-1766, F.T.C. vs. A. de Rondi & Co.

Memorandum of June 11, 1920, from the Chief Examiner read and approved. Ordered that the case remain on the suspense

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calendar in accordance with the rules.

(7) File No. O-1764, F.T.C. vs. Bachmeier & Co., Inc.

Memorandum of June 11th from the Chief Examiner read and approved. Ordered that the case remain on the suspense calendar in accordance with the rules.

(8) File No. O-1758, Gillette Safety Razor Co. vs. Auto-Siroc Safety Razor Co.

Memorandum of June 12, 1920, from the Chief Examiner read and considered. Ordered that the case remain on the suspense calendar in accordance with the rules.

(9) File No. O-1761, F.T.C. vs. American Dyewood Co.

Memorandum of June 11th from the Chief Examiner read and approved. Ordered that the case remain on the suspense calendar in accordance with the rules.

(10) File No. 9-1105, The E. Lansdowne Co. vs. Quammen & Aasted Lumber Co., et al.

Memorandum of June 12th from the Chief Examiner read and approved. Ordered that the application be and the same is hereby dismissed.

(11) File No. 9-1499, Iowa Oil Co. vs. Leader Oil Co.

Memorandum of June 12th from the Chief Examiner read and approved. Ordered that the file remain on the suspense calendar in accordance with the rules.

The Commission recessed at the hour of 1:00 o'clock and reassembled at 2:00 P. M.:

Present:

William B. Colver, Acting Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

Upon reassembling, the Acting Chairman advised the Commission that during recess he had addressed the following communication to the Chief Counsel of the Commission in connection with the proceedings in the Supreme Court of the District of Columbia in the case of the Butterick Company, et al. vs. the Federal Trade Commission:

"July 29, 1920.
Mr. Claude R. Porter, Chief Counsel,
Office.
Dear Sir:

At 1:25 P.M. to-day I accepted service in the following matters brought in the Supreme Court of the District

50KBC

July 29, 1920.

of Columbia:

In Equity No. 38105 - Butterick Publishing Co. vs.
Federal Trade Commission.
38106 - Designer Publishing Co., Inc. vs.
Federal Trade Commission.
38107 - Federal Publishing Co. vs.
Federal Trade Commission.
38108 - Butterick Company vs.
Federal Trade Commission.

"Service was accepted by me as Acting Chairman on behalf of the Commission; it being the lunch hour, no other member was in the building or within reach of communication.

"A meeting of the Commission to consider other matters has been set for 2:00 o'clock this afternoon at which time you are requested to attend and bring with you the papers in these matters which I hand you herewith.

"Meantime, I understand that there is a hearing in progress in the Hearing Room of this Commission in this building. I have learned that this hearing has been recessed for lunch and you are directed to cause that hearing to be suspended and not to be resumed until further direction of the Commission.

"This action and direction on my part subject to the will of the Commission as soon as a meeting can be convened.

Very truly,
(Signed) William B. Colver,
Acting Chairman."

The foregoing action of the Acting Chairman was confirmed by the Commission.

The Chief Counsel and Attorney Alvord appeared and laid before the Commission copies of restraining orders in the above cases, entered in the District Supreme Court, and returnable August 5, 1920. After discussion the Chief Counsel was directed to appear in Court at this time and represent the Commission, and further instructed to lay before the Commission for approval prior to filing any papers in the way of motions, answers, etc., intended to be filed on behalf of the Commission.

Mr. Pollard presented a list of pending formal complaints issued by the Commission prior to July 1st, 1919, and the Commission requested the Chief Counsel to furnish the Commission with a statement giving the reasons why these cases have not been disposed of, together with any recommendations which the Chief Counsel may have to make in each complaint.

July 29, 1920.

The Commission thereupon resumed consideration of applications for complaints on the suspense calendar, and action was taken by the Commission as indicated:

- (12) File No. 1-326, Ralph Harris Company vs. Eastman Kodak Co.

Memorandum of June 15th from the Chief Examiner was read and approved. Ordered that the application remain on the suspense calendar in accordance with the rules.

- (13) File No. 1-296, Bennett Oven Co. vs. Hubbard Portable Oven Co.

Memorandum of June 18th by the Chief Examiner read and considered. Upon motion of Mr. Colver it was ordered that this application be and the same is hereby dismissed.

- (14) File No. 1-461-7, J. B. Indeirredon Co. vs.

California Associated Raisin Co.

Memorandum of June 14th from the Chief Examiner read and considered, and thereafter, on motion of Mr. Gaskill, duly seconded, it was ordered that this application be and the same is hereby dismissed, for the reason that the matter is now in the hands of the Attorney General of the United States.

- (15) File No. 1-412, Salby Shoe Co. vs. United Shoe Machinery Corporation.

Memorandum of June 9th from the Chief Examiner read and considered, and thereafter upon motion of Mr. Gaskill, duly seconded, it was ordered that this application be and the same is hereby dismissed.

- (16) File No. 1-441, Denham Costfinding Co. vs. United Typothetae and Franklin Clubs of America.

Memorandum of June 18th from the Chief Examiner read and considered, and thereafter, upon motion of Mr. Colver, seconded by Mr. Gaskill, it was ordered that this application be and the same is hereby dismissed. As to the foregoing action of dismissal, Messrs. Colver and Gaskill voted in the affirmative and Mr. Pollard voted in the negative.

- (17) File No. 0-1523, F.T.C. vs. Hogshire & Son Co., Inc.

Memorandum of June 11th by Chief Examiner read and considered, and it was ordered that the case remain on the suspense calendar in accordance with the rules.

- (18) File No. 9-1116, F.T.C. vs. Maple Flooring Manufacturers' Association.

Memorandum of June 14th from the Chief Examiner read and considered, and thereafter it was directed that the files be referred to the Chief Counsel with instructions to take the matter up with the Department of Justice and thereafter to make report to the Commission recommending what action should be taken.

July 29, 1920.

(19) File No. 9-1401, National Sales Co. vs. Federal Rubber Co.

Memorandum of June 18th from the Chief Examiner received and approved, and it was ordered that the case remain on the suspense calendar in accordance with the rules.

(20) File No. O-1552, F.T.C. vs. Reyner & Son, Inc.

Memorandum of June 11th from the Chief Examiner read and approved, and it was ordered that the case remain on the suspense calendar in accordance with the rules.

(21) File No. 9-933, F.T.C. vs. Benjamin Moore Co.

Memorandum from the Chief Examiner received and considered, and thereafter it was ordered that the application be and the same is hereby dismissed.

(22) File No. 9-1469, Unfair Competition Bureau of the Paint and Varnish Industries vs. Ernst Bischoffs Company.

Upon consideration it was ordered that the case remain on the suspense calendar in accordance with the rules.

In the matter of Docket No. 248, F.T.C. vs. Aluminum Company of America, upon motion of Mr. Pollard the Commission fixed October 4, 1920, at 10:30 A. M. as a time to hear final argument before the Commission, and directed that the Chief Counsel give required notices of this date.

Upon motion of Mr. Pollard, the Commission directed that its special reports to Congress on the subject of "Commercial Bribery," and any other special reports sent to Congress during the fiscal year 1920, be incorporated as a part of the annual report for the fiscal year ending June 30, 1920. The Secretary was instructed to see that the instructions of the Commission in this matter are carried out.

Upon motion of Mr. Pollard, consideration of the Commission's annual report for the fiscal year 1920 was made a special order of business before the Commission on August 3rd at 10:30 A.M.

Mr. Gaskill laid before the Commission letter of July 29th from Mr. Charles E. Markley of the Economic Staff, who has been notified of the termination of his services on July 31st, 1920, in which application is made for an extension of employment. Upon motion of Mr. Gaskill, the Commission extended Mr. Markley's employment to the close of business August 1st, 1920, and directed that notice be given.

July 29, 1920.

The Secretary submitted to the Commission draft of formal complaint drawn by the Chief Counsel in the following cases for approval by the Commission of the form of complaint, and upon consideration action as indicated was taken by the Commission:

- (1) 9-1440, Breed, Abbott & Morgan vs. Southern Mfg. Co.

Formal complaint against Southern Mfg. Co. as submitted by the Chief Counsel was revised by the Commission and thereafter approved and ordered to be served. The complaint was issued by the Commission on June 29, 1920.

Mr. Pollard moved for reconsideration of the action of the Commission on June 29, 1920, in issuing this complaint. The motion was lost for want of a second.

- (2) File No. 9-1461, F. C. Henderson Co. vs. White Sewing Machine Co. et al.

Complaint in this case was issued June 29, 1920. The form of complaint as submitted by the Chief Counsel was considered by the Commission, but not approved, and referred back to the Chief Counsel for conference with Mr. Caskill and thereafter submittal to the Commission of revised form of complaint.

- (3) File No. O-1923, F.T.C. vs. Gulf Ship Chandlery Co., Inc.
File No. O-1926, F.T.C. vs. John R. Adams & Co.
File No. O-1916, F.T.C. vs. John W. Focke.
File No. O-1917, F.T.C. vs. Flood & Calvert.

Complaints in these cases were issued by the Commission on July 2nd, 1920. Formal complaints as drawn by the Chief Counsel were considered by the Commission and revised and referred back to the Chief Counsel to be redrawn in accordance with such revision and re-submitted to the Commission for approval of the new form of complaint.

Thereupon at the hour of 4:30 P.M. the Commission adjourned to meet at 10:30 A.M. August 3rd, 1920.

John B. Clark
Acting Chairman.

Attest:

Secretary.

July 30, 1920 - No meeting held.
July 31, 1920 - No meeting held
August 1, 1920 - No meeting held (Sunday)

August 2, 3, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION,

August 2, 1920 - 11:00 A.M.

William B. Colver, Acting Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

Upon application of respondent in the matter of Docket No. 539, F.T.C. vs. Royal Baking Powder Co., a hearing was granted by the Commission to respondent to hear application for new label.

Attorney M. B. Clarke appeared for the Commission and Attorney Archibald Cox appeared for the respondent.

The hearing was continued until the hour of 1:00 P.M., at which time adjournment was taken and the matter was taken under advisement by the Commission. (See stenographic report)

Thereupon at the hour of 1:00 P. M. the Commission adjourned to meet at 10:30 A. M. August 3rd, 1920.

William B. Colver
Acting Chairman.

Attest:

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

August 3, 1920 - 10:30 A. M.

William B. Colver, Acting Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

The Chief Counsel laid before the Commission form of motions to dismiss to be submitted on August 5th in the Supreme Court of the District of Columbia in cases in Equity Nos. 38105, Butterick Publishing Co.; 38106, Designer Publishing Co., Inc.; 38107, Federal Publishing Co.; and 38108, Butterick Co. vs. Federal Trade Commission. The motions were approved by the Commission.

August 3, 1920.

The Chief Counsel advised the Commission of his desire to transfer Mr. Baldwin B. Bane to the Trial Staff and submitted memorandum from the Chief Examiner as approved by Mr. Pollard agreeing to Mr. Bane's transfer. Upon motion of Mr. Colver it was directed that Mr. Bane be transferred from the Chief Examiner's staff to the staff of the Chief Counsel and that his salary be increased from \$2280 plus the bonus to \$2500 plus the bonus; such transfer and salary increase to be effective August 1, 1920.

The Acting Chairman laid before the Commission form of letter transmitting to the U. S. Civil Service Commission request of Mr. Nelson M. Barrett, a member of the Economic Staff, for a ruling as to whether he comes within the provisions of the retirement law of May 22nd, 1920. The letter was approved, signed and forwarded. (See file)

The following matters arising in the Chief Counsel's office were laid before the Commission by the Secretary and action thereon was taken as indicated:

(1) Letter of July 31st, 1920, from Messrs. Hulse & Allen, official reporters, advising that reporters were on hand to cover hearings fixed in Docket No. 581, F.T.C. vs. The L. B. Silver Company, and Docket No. 593, F.T.C. vs. A. E. Lind, doing business under the assumed name and style of U. S. Salvage Co. at Cleveland, Ohio, on July 21st, 1920, and that such hearings were not held, nor was notice of postponement given the reporters. The Chief Counsel advised the Commission that he had called upon the Commission's attorneys in these cases for a report as to why the stenographers received no notice of postponement. The letter was referred back to the Secretary for reply.

(2) Letter of July 29, 1920, from Geo. E. Gordon, Counsel for respondent in Docket No. 248, F.T.C. vs. Aluminum Co. of America, suggesting that date be fixed for final argument. Letter was referred back to the Chief Counsel with instructions to advise respondent's counsel that the Commission had already fixed final argument for October 4, 1920, which date is confirmed.

(3) Letter of July 13, 1920, from Bureau of Investigation, Department of Justice, asking for photostat copies of reports gathered by the Commission covering cost of production of coal at mines of the Pittsburgh Shawmut Railway Co., et al., to be used as a basis for probable prosecution for profiteering. Upon motion of Mr. Gaskill, the Commission denied the request, and directed that a letter of explanation be drawn for signature of Acting Chairman, such letter of explanation to follow the form previously approved by the Commission to cover such cases.

August 3, 1920.

(4) Letter of July 13th from Attorney Rowland of the staff, enclosing letter of July 1st from the Michigan Farm Bureau asking permission to mimeograph and circulate copies of the Commission's findings and order in docket No. 534, F.T.C. vs. A. A. Berry Seed Co. It was directed that copy of the findings and order in this case be forwarded to the Michigan State Farm Bureau with a statement to the effect that the same are public documents and the use of them is not under the control of this Commission.

(5) Memorandum of June 30th from the Chief Counsel transmitting memorandum of July 10th from Attorney M. E. Clarke of the staff, with respect to the disposition of docket No. 268, F.T.C. vs. Aeolian Company. Attorney Clarke was heard. After discussion the case was committed to the custody of Mr. Pollard to be called up at a meeting when Mr. Murdock is present.

(6) Memorandum of July 31st from the Chief Counsel, transmitting memorandum of July 17, 1920, by Attorney Busick of the staff, with respect to a statement in the Commission's findings in dockets 85 & 133, F.T.C. vs. Standard Oil Co. of Indiana. Upon motion of Mr. Colver, the papers were returned to Mr. Busick via Chief Counsel's office, with the direction that Mr. Busick prepare suggested modification in the findings and submit the same to the Commission.

Upon motion of Mr. Pollard, the Commission increased the salary of Louis A. Benson, messenger, from \$480 plus the bonus to \$900 plus the bonus; the same to be effective from July 1, 1920.

The Commission considered certain applications for complaint involving misbranding of hosiery. Thereafter it was directed that the following cases be withdrawn from the supervision of other Commissioners and assigned to Mr. Pollard for supervision and for report to the Commission as to whether, in his judgment, there should be a trade practice submittal covering this subject:

Files

Nos.

9-1359 - C. W. Helstrom vs. Interwoven Stocking Company
(Colver)
9-1465 - Better Business Commission vs. May Hosiery Mills
(Thompson)
9-1519 - " " " " Rex Hosiery Co.
(Colver)
O-1823 - Esco Hosiery Co., Inc. vs. Aristo Hosiery Co. et al
(Gaskill)
O-1834 - " " " " O. Schmied
(Murdock)

August 3, 1920.

C-1835 - Esco Hosiery Co. Inc. vs. Moore & Fisher
(Thompson)
O-1836 - " " " " " Brown Durrell Co.
(Colver)
O-1837 - " " " " " G. & A. Wise, et al
(Gaskill)
O-1838 - " " " " " Emery Beers Co., Inc.
(Pollard)
O-1839 - " " " " " Kahn & Frank, et al.
(Thompson)
O-1840 - " " " " " Daum-Rogers-Spritzer Co.
(Colver)

Mr. Gaskill submitted the following matters and thereafter action as indicated was taken by the Commission:

(1) Letter of July 27, 1920, from Mr. Geo. F. Herde, under notice of release from the Economic Staff on August 31, 1920, asking for salary increase to \$3500 in order that he might accept position in the Internal Revenue Bureau.

Memorandum dated July 23rd in the matter was received from the Acting Chief Economist. Upon motion of Mr. Gaskill, seconded by Mr. Colver, the Commission increased Mr. Herde's salary from \$2820 to \$3000 per annum; the same to be effective on August 16, 1920.

As to the foregoing action, Messrs. Colver and Gaskill voted in the affirmative and Mr. Pollard voted in the negative.

(2) Letter of July 20th from Walter B. Wooden, Attorney in charge of the Chicago office, requesting the Economic Division to furnish certain lumber association bulletins containing statistics relative to production, orders and shipments, as voluntarily filed with the Commission.

Memorandum of July 30th from Mr. William H. England of the Economic Staff was received and considered. Upon motion of Mr. Gaskill the Commission directed that the Economic Division be authorized to comply with Mr. Wooden's request.

(3) In response to the Commission's request of June 29, 1920, Mr. Gaskill reported with respect to petition of United States Beet Growers' Federation, Salt Lake City, for an inquiry by the Commission of the organized sugar refiners and manufacturers. It was the sense of the meeting that the Commission is unable to undertake this inquiry because of lack of funds and employees, and Mr. Gaskill was requested to prepare form of letter to this effect, to the Growers' Federation and lay the same before the Commission.

(4) Mr. Gaskill advised the Commission with respect to the inquiry being conducted by the Economic Staff into the

August 3, 1920.

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Mid-West Refining Company's business and of the desirability of having a lawyer assigned to this work. After discussion, on motion of Mr. Gaskill the Chief Examiner was directed to designate some member of his staff to cooperate with the Economic Division in the compilation of this report.

The Secretary reported to the Commission with respect to the annual report, which was set for a special order of business to-day, and advised the Commission that with the exception of the data from the Chief Counsel and the Auditor's office data, data was in hand from each Division.

It was directed that the Chief Counsel's attention be called to the fact that his report is not in, and that the Chief Counsel be instructed to submit to the Commission on August 18, 1920, a report covering the work of his office.

On motion of Mr. Pellard, consideration of the annual report was made a special order of business at 10:30 A. M. August 4, 1920.

In conference with Attorney M. E. Clarke of the Staff, the Commission considered matters presented at the meeting with respondent's attorney on August 2nd in docket No. 539, F.T.C. vs. Royal Baking Powder Co. It was the sense of the Commission that any action which might be taken by the Commission is held pending receipt of certain labels from respondent.

Pursuant to the Commission's action of July 29, 1920, the Acting Chairman submitted to the Commission suggested form of letter, inviting participation in trade practice submittal on the subject of Guarantee against Decline in Price, to be held before the Commission on October 8, 1920. The letter was approved and signed, and it was directed that mimeograph copies be mailed, together with digest of replies in response to the Commission's questionnaire, to interested parties.

Thereupon at the hour of 12:30 P. M. the Commission adjourned its meeting to meet at 10:30 A. M. August 4, 1920.

Acting Chairman.

Attest:

Secretary.

August 4, 1920. No meeting held.

August 5, 1920.

10:15 A. M.

Report of Commissioners Colver and Pollard,
a committee to transact the necessary business of
the Commission in the absence of a quorum, and
report to the Commission.

William B. Colver) Committee.
Jno. Garland Pollard)

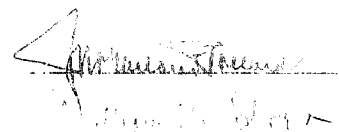
Pursuant to arrangements, the Commission conferred with
certain representatives of the Manomet Mills of New Bedford,
Mass., with respect to examination of the Company's books by
the Commission's agents.

Messrs. W.H.S. Stevens, Durand, Napier and Adams appeared
for the Commission.

Messrs. Arnold C. Gardner, Treasurer, Manomet Mills Co.,
New Bedford, Mass., and George R. Nutter, Attorney for the
Manomet Mills of New Bedford, Mass., appeared for the Mano-
met Mills.

Arrangements were made for the examination of the com-
pany's books by the Commission. (See stenographic report)

Thereupon, at the hour of 4:15 P.M., the Committee
adjourned.



As shown by the minutes of September 2, 1920, the fore-
going committee report was on that day read to the Commission,
ratified and adopted as the action of the Commission.


Chairman.

Attest:

Secretary.

August 6, 7, 8 (Sunday), 9, 1920.- No meetings held.

FMB

August 10, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

August 10, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
William B. Colver,
Nelson B. Gaskill,
Geo. Garland Pollard.

The minutes of the meetings of July 29, 1920 and August 2 and 3, 1920, respectively, were read and approved.

The Chairman laid before the Commission letter of August 4, 1920, from John E. Wilkins Co., Inc., respondents in Docket No. 809, with respect to compliance with the Commission's Order, and the Secretary submitted memorandum of August 4th from the Chief Counsel, transmitting letter from the Levering Coffee Company, respondents in Docket No. 810, with respect to form of contract to be used in compliance with the Commission's Order. Upon motion of Mr. Pollard these matters were referred back to the Chief Counsel with request that he make recommendation thereon to the Commission.

Mr. Gaskill submitted the following matters and action thereon as indicated was taken by the Commission:

(1) Memorandum from the Economic Division (J.W. Adams) recommending that Mr. Leslie Staver, under notice of release as of August 31, 1920, be retained in place of Mr. Charles C. Potter, resigned, for work on the combed yarn inquiry. Upon motion of Mr. Gaskill, the Commission rescinded its order terminating the services of Mr. Staver.

(2) Quarterly report No. 1 of the Federal Trade Commission, showing revised costs of bituminous coal for the first quarter of 1920.

Mr. Gaskill also raised the question of the continuation of its monthly coal cost bulletins.

After discussion of the coal situation, it was agreed that the cost reporting continue, and it was ordered that the first quarterly report be approved and issued; that the Cost Bulletin for May, 1920, be issued on August 15, 1920, showing such data as the Commission has available, and that both reports be released simultaneously.

August 10, 1920.

ENCLOSURE

(3) Docket No. 413, E.T.C. vs. American Hosiery Co. Pursuant to the Commission's action of July 27, 1920, Mr. Gaskill reported to the Commission in writing with respect to respondent's petition for an amendment of the Commission's Findings. Upon consideration the memorandum from Mr. Gaskill was approved and amended Findings, as submitted by the Chief Counsel, were approved and entered of record in substitution of the present Findings. Upon motion of Mr. Murdock it was directed that the Chief Counsel instruct the attorneys on the trial staff that the Commission exercises full control both over the state of the record with regard to evidence, including agreed statements of fact, and the contents of Finding of Fact, and that the Commission's action cannot be controlled by stipulations between counsel. The attitude of the Commission must be that it is not precluded by the agreements of its counsel from opening the record at any time, from declining to be committed to an agreed statement of facts, if such statement is not satisfactory to the Commission, and that while the counsel for the Commission may exercise their discretion in agreements and stipulations with counsel for respondents, such actions should be based upon a clear understanding that the agreement is subject to acceptance and approval or rejection by the Commission.

(4) File 1-218, Swedish-American Telephone Company, application for complaint against Western Electric Co., et al. Written report submitted by Mr. Gaskill. The Board of Review, represented by Mr. Busick, was called in and Mr. Busick was requested to familiarize himself with the case and be prepared for discussion Wednesday, August 11th, at which time the case was set down for hearing.

(5) File 9-1526, Ohio Confection Company, application for complaint against Max Glick Company. Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

Upon motion of Mr. Colver, it was ordered -

(1) That any moneys allocated to the Trading With the Enemy Division for the month of August, 1920, and not expended by that Division at the end of that month, be transferred to and made available to the credit of the Export Trade Division and the Board of Review.

(2) That any moneys allocated to the Chief Counsel's Office for the month of August, 1920, and not expended by that office at the close of the month, be transferred to and made available to the credit of the Economic Division.

August 10, 1920.

(3) That any moneys allocated to the Chief Examiner's Office for the month of August, 1920, and not expended by that office at the close of the month, be transferred to and made available to the credit of the Administrative Division.

Mr. Pollard submitted the following matters and action thereon as indicated was taken by the Commission:

(1) Docket No. 492, F.T.C. vs. The Great Republic Tire & Rubber Mfg. Co.

Pursuant to the Commission's action of July 27th, Mr. Pollard submitted written report in the case together with tentative Findings of Fact, Conclusion and Order to Cease and Desist, as prepared by the Chief Counsel. Upon consideration such Findings, etc. were approved as submitted and entered of record by the Commission with the direction that the Order be served forthwith.

(2) Docket No. 334, F.T.C. vs. Sinclair Refining Co. Pursuant to the Commission's action of July 27th, Mr. Pollard reported with respect to this case and submitted form of Orders drawn by the Chief Counsel denying respondent's motions (a) for rehearing and review and to set aside the Commission's Order to Cease and Desist; and (b) to suspend the Order to Cease and Desist; and granting respondent's motion for an extension of time to comply with the Order for a period of sixty days beyond March 5, 1920. The Orders were approved by the Commission and entered of record as of March 17, 1920.

(3) File O-1873, Sweet Candy Company vs. The Sweets Company of America, Inc.

Memorandum of Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(4) Memorandum of July 26, 1920, from the Chief Examiner, recommending the docketing of an application for complaint in the name of the Commission against the Goodyear Tire & Rubber Company with respect to advertisements of "Sarival" cotton. Memorandum was approved and the application ordered docketed.

(5) Memorandum of July 29th from the Chief Examiner, recommending the docketing of an application for complaint in the name of the Commission with respect to exaggerated and fictitious prices marked upon razor boxes. The memorandum was approved and the application docketed.

(6) Memorandum of July 31st, from the Chief Examiner, recommending the docketing of an application for complaint

August 10, 1920.

in the name of the Commission against the Thatcher Company, and the Illinois Glass Company for alleged violation of Section 7 of the Clayton Act. The memorandum was approved and the application ordered docketed.

(7) Report of the Chief Counsel, in response to the Commission's direction of July 29th, with respect to formal complaints issued by the Commission prior to July 1, 1919, and undisposed of July 1, 1920, was called to the attention of the Commission by Mr. Pollard. The report was accepted and filed and the Chief Counsel was directed to especially expedite those pending cases issued prior to July 1, 1919, which are not held awaiting court decisions.

The Secretary submitted the following matters arising in the Chief Counsel's office and action as indicated was taken by the Commission:

(1) Form of Orders denying respondent's motions for dismissal and for severance in Docket No. 594, F.T.C. vs. Butterick Company, et al., as of July 28, 1920. The Orders submitted were not approved and were referred back to the Chief Counsel to be redrawn and shortened pursuant to verbal instructions given the Chief Counsel.

(2) Docket No. 533, F.T.C. vs. American Mutual Seed Company.

The Commission entered its Order appointing L. T. Cowie, an Examiner of the Commission, to receive testimony, etc.

(3) Docket No. 574, F.T.C. vs. Waverly Brown, et al. The Commission entered its Orders (1) that Gerald B. Weikert, an Examiner of the Commission, be designated to receive testimony, and (2) that the hearing of the complaint begin at Chicago, Illinois, August 13, 1920, at 10:00 o'clock.

(4) Docket No. 575, F.T.C. vs. Household Storage Co. The Commission entered its Orders (1) that Gerald B. Weikert, an Examiner of the Commission, be designated to receive testimony, etc., and (2) that the hearing of the complaint begin at Chicago, Illinois, on August 12, 1920, at 10:00 o'clock A. M.

(5) Telegram of August 9, 1920, from Hinton C. Clabaugh, Indianapolis, Indiana, requesting certain of the Commission's coal forms for use in connection with preparation of defense of the case of the United States vs. various coal operators pending at Indianapolis. The Secretary was directed to furnish the forms requested, so marked as to indicate that they were furnished at the request of Mr. Clabaugh and to show that they were sample forms.

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The Chief Counsel appeared and laid before the Commission the application of Captain I. E. Lambert for appointment on the Commission's trial staff. Upon consideration and on motion of Mr. Murdock, Mr. Lambert was appointed attorney at \$3,000 per annum, and assigned to the trial of cases under the Chief Counsel, effective upon taking the oath of office and entering on duty.

Thereupon, at the hour of 1:00 P. M., the Commission adjourned to meet at 10:30 A. M., August 11, 1920.

Victor Murdock
Chairman.

Attest:

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

August 11, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
William E. Colver,
Nelson B. Caskill,
Jno. Garland Pollard.

The minutes of the meeting of August 10, 1920, were read and approved.

Mr. Colver reported to the Commission with respect to recent conferences with the Attorney General of the United States in the matter of the publication by the Commission of cost data on bituminous coal. Form of letter to the Attorney General, as submitted by Mr. Colver, was approved by the Commission, signed by Mr. Colver, and forwarded.
(See file Coal Cor 5 Jus 5)

Upon motion of Mr. Pollard, the Secretary was instructed to insert in the manuscript of the Annual Report for 1920, when submitted, a list of the publications of the Commission.

August 11, 1920.

Mr. Gaskill advised the Commission that, in view of his departure on vacation today, he was unable to report in response to the Commission's action of July 27th, upon the following cases assigned to him:

Docket No. 563, F.T.C. vs. Euackheim Bros. & Eckstein.
" " 506, " " Sparrows Point Store Company.
" " 572, " " Plunkett Chemical Company.

Upon motion of Mr. Pollard, the Commission directed that these cases be distributed by the Secretary in rotation to members of the Commission under the resolution of July 27th, together with any other cases which may now be ready for decision.

Mr. Gaskill read to the Commission memorandum of August 9, 1920, from Acting Chief Economist Stevens, concerning requests which have been received from the general public for forms, schedules and instructions used by the Commission in collecting information. After discussion, Mr. Gaskill offered the following motion, which was unanimously adopted by the Commission:

"MOVED, that because of the expense involved in complying with an increasing public demand for the questionnaires, schedules and instructions, prepared by the Commission for its various cost inquiries, it seems necessary to limit the issue of these forms to the use for which they were prepared, in the course of the Commission's business."

The Commission briefly considered its Annual Report for the fiscal year 1920, and the Secretary reported that data was in hand from all the offices except the Chief Counsel and the Auditor. It was agreed that the data in hand be considered as a special order at a time to be later fixed.

Mr. Colver suggested to the Commission that certain of the activities of the Commission other than strictly departmental affairs be set out in the Report, and on motion of Mr. Pollard, Mr. Colver was requested by the Commission to draft that part of the Annual Report to deal with the general activities of the Commission as distinguished from the departmental.

At this time Mr. Gaskill was excused from the meeting.

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Pursuant to the Commission's action on July 27th in assigning certain cases among the Commissioners, Mr. Pollard reported in writing to the Commission in the matter of the following formal cases involving accumulative discounts among adding machine companies. Upon consideration of Mr. Pollard's memorandum, and on motion of Mr. Murdock, the cases were referred to Mr. Pollard to consider whether or not in his judgment a trade practice submittal should be held, and to hold a trade practice submittal if he deems it wise.

Dockets Numbers-

355	-	F.T.C. vs. The Adder Machine Company,
361	-	" " Accounting Machine Co., Inc.,
362	-	" " Burroughs Adding Machine Co.,
364	-	" " The Dalton Adding Machine Co.,
365	-	" " Ellis Adding-Type writer Co.,
366	-	" " International Money Machine Co.,
367	-	" " Marchant Calculating Machine Co.,
369	-	" " Rockford Milling Machine Co.,
370	-	" " Teator Adding Machine Co.

Mr. Pollard submitted file 9-1304, application of F.T.C. vs. Texas Standard Oil Company. Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

Mr. Pollard brought to the attention of the Commission Docket No. 268, F.T.C. vs. Aeolian Company, in pursuance of the Commission's request that this case be considered at a time when Mr. Murdock will be present. The case was briefly discussed and at the suggestion of Mr. Murdock, was left in the custody of the Secretary to be later considered.

The Chairman laid before the Commission memorandum of July 28th from the Chief Counsel, transmitting letter of July 16th from John B. Dale, a lawyer of St. Louis, concerning the practice of leasing coffee urns as condemned by the Commission in certain formal cases. The letter was referred back to the Chief Counsel for reply, suggesting that a trade practice submittal be held on this subject in the St. Louis territory, and that if it is desired, the Commission will send a representative to conduct the submittal.

The Chairman laid before the Commission memorandum of July 29th from the Chief Counsel, transmitting letter of July 28th from counsel of the General Electric Company, concerning

August 11, 12, 1920.

the transfer of certain patents, etc., of this company to a new company, with request for a statement by the Commission as to whether or not this act will be regarded as in violation of Section 7 of the Clayton Act.

Thereupon, at the hour of 1:00 P. M., the Commission adjourned to meet at 10:30 A. M., August 12, 1920.

Attest:

Secretary.

Victor Murdock
Chairman.

MEETING OF THE FEDERAL TRADE COMMISSION

August 12, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
William B. Colver,
Jno. Garland Pollard.

Mr. Colver further reported to the Commission in the matter of the Attorney General's request for bituminous coal data, and advised the Commission of the delivery of the letter of August 11th and as to subsequent conferences with the Attorney General and with certain members of the Attorney General's Bituminous Coal Committee. Upon consideration, it was agreed that the Commission confer with the Attorney General at the close of the meeting.

The Secretary submitted letter of August 9th from Messrs. Gordon & Smith, counsel for respondent in Docket No. 248, F.T.C. vs. Aluminum Company of America, requesting the Commission to change date for final argument from October 4th to a later date. Upon consideration, the Commission fixed October 18th at 2 P. M. as the time for final argument, subject to the prior arrangements of the Commission's attorneys.

Thereupon, at the hour of 1:00 P. M., the Commission adjourned to meet at 10:30 A. M., August 13, 1920.

Attest:

Secretary.

Victor Murdock
Chairman.

August 13, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

August 13, 1920 - 10:30 A. M.

Victor Hardock, Chairman,
William B. Colver,
Jno. Garland Pollard.

The minutes of August 12, 1920, were read and approved.

The Chairman presented the following matters arising in the Economic Division and action as indicated was taken thereon by the Commission.

(1) Memorandum of August 12th from the Chief Economist, recommending that the Commission extend the time of release of Mr. J. B. Roberts, accountant on the shoe and leather inquiry, from August 31, 1920 to October 15, 1920. The memorandum was approved and the extension as recommended was made.

(2) Memorandum of August 12th from the Chief Economist, recommending the cancellation of the notice of release given Mr. Elwood Spicer, whose services are necessary in the textile inquiry, owing to the resignation of Mr. Leslie D. Staver. The recommendation was approved and the action of the Commission releasing Mr. Spicer was rescinded.

(3) Memorandum of August 12th from the Chief Economist, transmitting draft of report on country marketing of grain, which is Volume I of the Grain Trade Report, for approval by the Commission for printing. The report was laid over for another meeting, and the Secretary was directed to ascertain from the Chief Economist and report under what authority the report was prepared.

(4) The Chairman reported the absence of both the Chief Counsel and his Assistant, and upon his motion the Commission directed that Attorney Wm. C. Reeves occupy temporarily the position of Chief Counsel, during the absence of Mr. Porter and Mr. Burdeau.

(5) Memorandum of August 9, 1920, from Attorney J. L. Moehm of the staff, transmitting a proposed order of the Commission to make certain testimony in Docket No. 593, F.T.C. vs. International Fur Exchange, et al., a part of the confidential files of the Commission. Upon consideration and on motion of Mr. Hardock, the Commission (1) refused to pass the suggested order, (2) directed the Chief Counsel to inform the trial staff that the Commission's attorneys should not assume to make confidential any testimony in formal proceedings under Section 5 of the Federal Trade Commission Act, and (3) directed

August 13, 1920.

the Secretary to confer with the official reporters and arrange, if possible, that copies of the testimony be not sold by them.

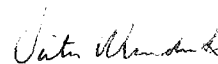
Commissioner Pollard was appointed by the Commission to conduct a trade practice submittal for the oil industry, at the State House Capital, Denver, Colorado, on August 19, 1920, at 10:00 o'clock A. M., and the Secretary was directed to have the matter officially reported by Messrs. Hulse & Allen.

Upon motion of the Chairman, it was directed that the record show that the Commission on yesterday afternoon (August 12th) called upon the Attorney General of the United States at his office, and discussed cost of production data as to bituminous coal in the hands of the Commission; and that following the conference a letter dated August 12th (see file) had been received by the Commission from the Attorney General.

Upon consideration of the matters raised at the conference and the Attorney General's letter of August 12th, the Commission approved and forwarded reply dated August 13th, to the Attorney General's letter of August 12th (see file).

In the matter of Dockets Numbers 374 to 398, both inclusive, the Commission entered its order that Wm. A. Sutherland, an examiner of the Commission, be appointed to take testimony, etc.

Thereupon, at the hour of 1:00 P. M., the Commission adjourned to meet at 10:30 A. M., August 14, 1920.



Chairman.

Attest:

Secretary.

August 14, 15(Sunday), 16, 17, 18, 19, 1920- No meetings held.

August 20, 1920.

11:00 A.M.

Report of Messrs. Murdock and Colver,
a Committee to transact the necessary business of the Commission in the absence of a quorum, and report to the Commission.

Victor Murdock.)
William E. Colver) Committee.

Mr. Murdock submitted letter of August 17, 1920, from Louis C. Barley, Special Assistant to the Attorney General, and letter of August 19, 1920, from the Central Leather Company, asking that the data obtained by the Commission from the Central Leather Company and the United States Leather Company be made available to Haskin & Sells, in connection with certain examination of the records of these companies being made at the request of the Department of Justice. In its letter of August 19th, the Central Leather Company assents to the Commission furnishing these data.

The Committee authorized that copies of returns from these companies to the Commission be furnished Mr. E. S. Frost of Haskin & Sells, employed by Judge Barley of the Department of Justice, such data made available not to include other than returns made by the company, such as any compilation by the Commission.

The Secretary laid before the Committee, resignation of Attorney-Examiner Jos. A. Burdett, to take effect at the close of business August 31, 1920, and the same was accepted by the Committee.

Thereupon, at the hour of 12:15 P. M., the Committee adjourned.

Victor Murdock
William E. Colver
Committee.

As shown by the minutes of September 1, 1920, the foregoing committee report was on that day read to the Commission, ratified and adopted as the action of the Commission.

Attest:

Victor Murdock
Chairman.

Secretary.

August 21, 1920

11 A. M.

Report of Messrs. Murdock and Colver,
a Committee to transact the necessary business of the Commission during the absence of a quorum and report to the Commission.

Victor Murdock.)
Wm. B. Colver.) Committee.

The Commission agreed to loan the Department of Justice, as requested, Exhibits Numbers 1 to 61, inclusive, in the raisin case - an inquiry with respect to the California Associated Raisin Company - and the Chief Counsel was authorized to deliver these exhibits.

It was ordered that the Commission's Report on Costs of Bituminous Coal, for the first quarter of 1920, and the Commission's Report on the Cost of Bituminous Coal for the month of May, 1920, Bulletin No. 5, be released simultaneously, in the morning of August 25, 1920.

Upon recommendation of the Secretary, Mr. Wm. E. Forbes was transferred from the Locket Section to the office of the Assistant Secretary, with salary increase from \$1320 to \$1500 per annum, the same to be effective August 23, 1920.

Upon recommendation of the Secretary, Miss M. Annette Hitchcock was assigned to the work heretofore performed by Mr. Forbes in the Locket Section, at a salary increase of from \$1200 to \$1320 per annum; the same to be effective on August 23, 1920.

In the matter of Locket No. 605, F.T.C. vs. Franklin Knitting Mills, Inc., it was ordered that Byron L. Shinn, an examiner of the Commission, be designated to receive testimony, etc.

In the matter of Locket No. 610, F.T.C. vs. Montgomery, Ward & Co., it was ordered that George McCorkle, an examiner of the Commission, be designated to receive testimony, etc.

August 21, 26, 1920.

In the matter of Docket No. 611, F.T.C. vs. Star Provision Company, it was ordered that George McCorkle, an examiner of the Commission, be designated to receive testimony, etc.

Thereupon, at the hour of 11:45 P. M., the Committee adjourned.

Victor Murdock
Wm. B. Colver
 Committee.

As shown by the minutes of September 2, 1920, the foregoing committee report was on that day read to the Commission, ratified and adopted as the action of the Commission.

Attest:

Victor Murdock
 Chairman.

Secretary.

August 22(Sunday), 23, 24, 25, 1920 - No meetings held.

August 26, 1920, - 11 A. M.

Report of Messrs. Murdock and Colver, a Committee to transact the necessary business of the Commission in the absence of a quorum, and report to the Commission.

Victor Murdock.) Committee.
 Wm. B. Colver.)

The Secretary presented memorandum of August 23rd from the Chief Economist, in the matter of the release of R. T. Davis, and cancellation of release of H. J. Landrus. Upon consideration it was ordered (1) that Mr. R. T. Davis, a junior accountant on the combed yarn industry, be given notice of termination of services as of September 16, 1920, and (2) that the notice of release heretofore given Mr. H. J. Landrus, another accountant on the same work, be canceled. The recommendations of the Chief Economist were approved.

August 25, 1920.

The Secretary laid before the Commission draft of the Commission's Report on Country Marketing of Grain, which is Volume I of the Grain Trade Report, as submitted by the Chief Economist, with recommendation for approval for printing. The report was laid over for consideration when quorum of Commission is present.

The Secretary submitted draft of the Commission's Report on the Sugar Industry, made in response to House Resolution No. 150. The report was discussed and laid over pending the receipt of the letter of submittal.

Upon recommendation of the Chief Examiner, Commissioner Pollard approving, the Commission directed that Mr. John W. Addison be transferred from the Economic Division to the Chief Examiner's office; the same to be effective September 1, 1920.

The Chairman submitted letter of August 20th, from Acting Assistant to the Attorney General, Henry S. Mitchell, requesting for the use of the United States Attorney at Indianapolis, Indiana, copies of statements filed with the Commission by shippers of coal and coke, required to be filed on or before October 25, 1917. It was directed that the data requested be furnished and the letter was referred to the Chief Economist with instructions to prepare answer for the Chairman's signature.

to that effect and with instructions

Thereupon, at the hour of 1:00 P. M., the Committee adjourned.

Arthur W. Marshall
Committee.

As shown by the minutes of September 2, 1920, the foregoing committee report was on that day read to the Commission, ratified and adopted as the action of the Commission.

Attest:

Arthur W. Marshall
Chairman.

Secretary.

August 27, 28, 29 (Sunday), 1920, - No meetings held.

August 30, 1920.

10:30 A. M.

Meeting of Messrs. Murdock and Solver, a Committee to transact the business of the Commission during the absence of a quorum, and report to the Commission.

Victor Murdock,) Committee.
Wm. E. Solver,)

The Chief Economist submitted the Commission's report on the cost of manufacture of paper used in the production of stamped envelopes and newspaper wrappers furnished by the Middle West Supply Company, on contract with the Post-Office Department, prepared in response to letter of August 17, 1920, from the Postmaster General. The report was ordered forwarded to the Postmaster General.

Thereupon, at the hour of 11:00 A. M., the Committee adjourned.

Victor Murdock
Wm. E. Solver
Committee.

As shown by the minutes of September 2, 1920, the foregoing committee report was on that day read to the Commission, ratified and adopted as the action of the Commission.

Victor Murdock
Chairman.

Attest:

Secretary.

August 31, 1920.

11:00 A. M.

Report of Messrs. Murdock and Colver, a Committee to transact the business of the Commission during the absence of a quorum, and report to the Commission.

Victor Murdock,)
Wm. B. Colver,) Committee.

The following matters were submitted to the Committee by the Secretary, and action as indicated was taken.

(a) Memorandum of August 18th from the Chief Counsel, asking the Commission to fix a date for final argument in Docket No. 592, F.T.C. vs. Mebane Iron Bed Company. October 15, 1920, at 2:00 P. M., was fixed as time for the hearing.

(b) Notice of hearing upon petition for review in Docket No. 380, F.T.C. vs. Greek-American Sponge Company. The Commission issued notice that oral argument in this matter be heard before the Commission at Washington September 15, 1920, at 2:30 P. M.

(c) Letter of August 13, 1920, from B. B. Snyder, Attorney-at-Law, Williamsburg, Kentucky (by reference from the Attorney General) with respect to report that an agent of the "Trades Commission" is attempting to assess a tax on coal sales agencies, and also a fine for selling without a license. The Secretary was directed to wire Mr. Snyder for written statement of facts, including name of agent (See File General Let & Tre 5)

(d) Wire of August 30, 1920, from the Mayor of Tulsa, Oklahoma, requesting certain data relative to cement shipments, together with wire of the same date from Congressman K. E. Howard, asking the Commission's cooperation, were received and the Secretary was directed to reply that the Commission is without data and has no jurisdiction over shipments, and suggests inquiry at the Interstate Commerce Commission (see file).

Thereupon, at the hour of 11:45 A. M., the Committee adjourned.

Victor Murdock

William B. Colver

Committee.

August 31, September 2, 1920.

As shown by the minutes of September 2, 1920, the foregoing committee report was on that day read to the Commission, ratified and adopted as the action of the Commission.

Attest:

Victor Murdock
Chairman.

Secretary.

September 1, 1920 - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

September 2, 1920 - 10:30 A. M.

Victor Murdock, Chairman.
William B. Colver,
Jno. Garland Pollard.

The minutes of the meetings of August 11 and 13, 1920, were read and approved.

The Committee report of Messrs. Colver and Pollard, dated August 5, 1920, was read, and on motion of Mr. Murdock, was ratified and adopted as the action of the Commission, with the direction that the report be incorporated in and made a part of the minutes.

The Committee reports of Messrs. Murdock and Colver, of action taken on August 20th, 21st, 26th, 30th and 31st, 1920, were read, and upon motion of Mr. Pollard were ratified and adopted as the action of the Commission with the direction that such reports be incorporated in and made a part of the minutes of the Commission.

The following matters were brought to the attention of the Commission by the Chairman, and action thereon as indicated was taken by the Commission:

(1) Letter of August 26th, 1920, from the Secretary of the Navy, requesting the Commission to furnish data with respect to the true value of crude oil on the Pacific Coast for use in connection with exchange of royalty oil by the Navy Department under the Oil Land Leasing Bill. It was directed that the Economic Division report to the Commission what, if any, data is available in the Commission that will be

September 2, 1920.

of value to the Navy Department.

(2) Letter of August 7th from Gibbes Machinery Co., Columbia, South Carolina, and letter of August 9th from the Tampa Ship Building and Engineering Company, Tampa, Florida, with respect to rehearing of the application for complaint concerning the Pittsburgh Steel Lasing Point (File 9-1296). Upon consideration, it was directed that these letters together with any other applications for rehearing that might come to the Commission, be acknowledged and held by the Secretary and presented to the Commission when a full membership is present.

(3) Memorandum of August 27th, 1920, from the Chief Economist, in the matter of the authorization for the printing of the Commission's report on farm implements. Upon motion of Mr. Murdock, it was ordered that the printing of the farm implement report be authorized, together with a press statement, which shall be the letter of submittal to the President of the Senate for release in the forenoon of September 7th, 1920.

(4) Memorandum of August 30th, 1920, from the Chief Counsel, transmitting letter of August 27th from John B. Dale, Lawyer, St. Louis, Missouri, listing names of coffee firms in St. Louis who use coffee urns in connection with their business. The matter of trade practice submittal, as set out in the minutes of August 11, 1920, was discussed, and it was agreed that a trade practice submittal be not called for by the Commission in this instance, but that Mr. Pollard be requested to go to St. Louis and in a conference with the coffee trade call their attention to the fact that the Commission has ruled against the coffee urn practice.

(5) Letter of August 30th, 1920, from Mr. W. E. Mosher, Bureau of Standards, requesting certain data with respect to the Commission's appropriations, personnel, etc., for use in connection with an investigation being carried on by the Bureau of Standards. On motion of Mr. Murdock, it was directed that the data requested be furnished on the form supplied by Mr. Mosher.

(6) The Chairman reported with respect to the status of applications for complaints assigned to him involving bogus independents, and on his motion the Commission fixed September 20th, 1920, at 10:30 A. M., as a time to consider bogus independents applications.

The Secretary brought to the attention of the Commission the following matters, and action thereon as indicated was taken by the Commission:

September 2, 1920.

(1) Memorandum of August 30th, 1920, from the Chief Economist, recommending the discontinuance of the Hollerith Statistical Section. The Memorandum was approved, and it was ordered:

1. That the machines now held under lease be returned to the owners.
2. That the following named personnel of the section be given notice of release from employment as of the close of business on September 30th, 1920: Mr. W.F. Brown; Mrs. Louise A. Brown; Miss Lillian M. Corbett; Miss Mary H. Harper and Miss Ethel B. Hobbs.

(2) Memorandum of August 30, 1920, from the Chief Economist in the matter of economy in printing reports and suggesting that 14 volumes now in sight be set 10 point solid instead of 10 point leaded. Upon motion of Mr. Murdock, seconded by Mr. Pollard, it was ordered that volumes of the Grain Report be set 10 point solid. As to the foregoing action, Messrs. Murdock and Pollard voted in the affirmative and Mr. Colver voted in the negative.

(3) Memorandum of June 26th from the Chief Economist, submitting the report of the Commission's inquiry with respect to costs of production of certain dyes and dyestuffs under license numbers 18, 18a, 19, 20 and 21, issued by the Commission to the Du Pont Company under the Trading with the Enemy Act. The report was referred to Mr. Colver.

(4) Memorandum of August 19th from the Chief Economist with respect to the refusal of the International Paper Company to answer certain questions regarding idle time for the Commission's periodic paper bulletins, and suggesting in view of this refusal that this feature of the reports be discontinued. In this connection, Mr. Colver submitted letter of Aug. 30, 1920, from Mr. Philip T. Lodge of the International Paper Company, assuring the Commission of their cooperation in supplying data upon call from the Commission. The recommendation that certain features of the Commission's bulletin be discontinued was not approved, and Mr. Colver was requested to address the International Paper Company upon the subject to the end that the desired data be supplied.

(5) Memorandum of August 17th, 1920, from the Chief Economist, transmitting request of Dr. E. C. Merchant of the G. H. Mead Company requesting the publication of a list of paper manufacturers whose production statistics are compiled by the Commission. Upon motion of Mr. Colver, the recommendations by the Chief Economist were approved and the Commission declined to publish the list as requested. The Chief Economist was directed to prepare a letter for the Chairman's signature, advising the Mead Company of this action.

September 2, 1920.

(6) Memorandum of August 27th from the Chief Economist, recommending the promotion of Miss Margaret Eldred from \$1500 plus to \$1800 plus. Upon motion of Mr. Colver, seconded by Mr. Pollard, the Commission directed that Miss Eldred's salary be increased to \$1800 plus the bonus, effective September 1st, 1920, provided she does not resign from the service of the Commission. As to the foregoing action of the Commission, Messrs. Colver and Pollard voted in the affirmative and Mr. Murdock in the negative.

Upon motion of Mr. Murdock, it was directed, effective September 1st, 1920, that the docket section assign applications for complaints in rotation to Messrs. Murdock, Thompson, Gaskill and Pollard; and that during the month of September the Board of Review expedite cases assigned to Mr. Colver.

The Secretary submitted the following orders in formal cases as drawn by the Chief Counsel, and the same were approved and entered by the Commission:

(1) Docket No. 602, F.T.C. vs. Check Writer Manufacturers, Inc., et al. Ordered that hearing for taking of testimony begin September 17, 1920, before an examiner of the Commission at Rochester, New York, and that George McCorkle, an examiner of the Commission, be named to receive testimony.

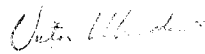
(2) Docket No. 615, F.T.C. vs. Marine Equipment Company. Ordered that hearing begin at Norfolk, Va., on September 14, 1920, at 10:00 o'clock A.M.

(3) Docket No. 614, F.T.C. vs. Norden Ship Supply Co., Inc. Ordered that hearing begin at Norfolk, Va. on September 11, 1920, at 10:00 o'clock A.M.

(4) Docket No. 613, F.T.C. vs. T. C. Hurst, et al. Ordered that hearing begin at Norfolk, Va. on September 9, 1920, at 10:00 o'clock A. M.

Thereupon, at the hour of 12:30 P. M., the Commission adjourned to meet at 10:30 A. M., September 3rd, 1920.

Attest:



Chairman.

Secretary.

September 3, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

September 3, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Wm. B. Colver,
Jno. Garland Pollard.

The minutes of the meeting of September 2, 1920, were read and approved.

The Chairman presented the following matters, and action as indicated was taken by the Commission:

(1) Letter of September 2, 1920, from Messrs. Grosse, Grosse & Hyde, counsel for American Hosiery Company, in Docket No. 413, with reference to the Commission's Order concerning use of the word "Merino." The letter was referred to Mr. Pollard for reply.

(2) Letter of September 2, 1920, from the Commissioner of the General Land Office, Department of the Interior, requesting certain data gathered by the Commission in its inquiry with respect to the Wyoming oil situation, and particularly as to the so-called "Midwest" group of companies. It was decided that the data requested, if in the possession of the Commission, could not be furnished at this time for the reason that the Commission's inquiry has not been completed nor the report published. The Chief Economist was directed to prepare a letter for the Chairman's signature, to this effect.

(3) Letter to the Acting Secretary of the Navy with respect to alien enemy owned patents, as prepared by Mr. Colver, was read to the Commission, approved and forwarded. (See file).

(4) Memorandum of September 2, 1920 from Messrs. W.E.S. Stevens and W.Y. Durand in the matter of the transfer of the stock yards of the packers to F.H. Prince & Co., in accordance with the consent decree. After discussion, Mr. Colver offered the following motion, which was duly seconded and unanimously passed:

MOVED, That acting under Section 6 (c) of the Federal Trade Commission Act, the Commission make immediate investigation of the manner in which the final decree in the matter of the United States vs. Swift & Co., et al (Supreme Court of the District of Columbia,

September 3, 1920

in Equity No. 37623) has been or is being carried out by the defendants, specifically with respect to divesting the ownership of interest in stock yards.

Mr. Pollard submitted recommendation from the Chief Examiner for the following appointments in the Chief Examiner's office, and on motion of Mr. Pollard, such appointments at the salaries indicated were authorized, effective upon taking the oath of office and entering on duty:

Mr. F. C. Eggarly, Attorney-Examiner,	\$3,000
Mr. E. M. Averill, " "	3,600

As to the foregoing action, Messrs. Colver and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

Upon motion of Mr. Pollard, seconded by Mr. Colver, it was ordered (1) that Mr. James McKeag, Attorney-Examiner in the Chicago office, be appointed an Assistant Chief Examiner and alternate member of the Board of Review, at a salary of \$4,000 per annum, the same to be effective on October 1, 1920. It was directed that when employed on the work of the Board of Review, Mr. McKeag's salary be charged to the Board's allotment.

As to the foregoing action of the Commission, Messrs. Colver and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

Mr. Colver submitted letter addressed to the Du Pont Company, advising that the Commission had made an audit of their books under certain licenses under the Trading with

September 3, 7, 1920.

the Enemy Act, which shows a balance due to the Alien Property Custodian, as of January 31, 1920, of \$66,248.57; and that upon payment of all moneys due under the licenses, the Commission would accept the surrender of the licenses, effective September 1, 1920. Upon consideration the Commission approved the letter, which was signed by the Chairman and forwarded.

Thereupon, at the hour of 1:45 P. M., the Commission adjourned to meet at 10:30 A. M., September 4, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

September 4, 5(Sunday), 6, 1920- No meetings held.

MEETING OF THE FEDERAL TRADE COMMISSION

September 7, 1920 - 10:30 A.M.

Victor Murdock, Chairman.
Huston Thompson,
William B. Colver,
Jno. Garland Pollard.

The minutes of the meeting of September 3, 1920, were read and approved.

Mr. Murdock laid before the Commission the letter authorized on September 3rd to be sent to the Du Pont Company with respect to return of royalties and surrender of licenses under the Trading with the Enemy Act, and moved the

September 7, 1920.

reconsideration of the Commission's action of September 3rd in approving the letter. Motion for reconsideration was duly seconded, and the matter discussed at length by the Commission, and thereafter on vote, Messrs. Murdock and Pollard voted in favor of reconsideration and Messrs. Thompson and Colver voted against reconsideration. The motion was thereupon declared by the Chairman to be lost. Instructions were given the Secretary to mail the letter and this was done (see file).

It was agreed that a copy of the Report of the Federal Trade Commission on the Causes of High Prices of Farm Implements, dated May 4, 1920, be transmitted by the Chairman to the Attorney General of the United States.

The Chairman was requested to transmit the Report of the Federal Trade Commission on the Causes of High Prices of Farm Implements, dated May 4, 1920, to the President of the Senate. The Chief Economist was directed to prepare the letter of transmittal.

Upon motion of Mr. Pollard, the Commission fixed Wednesday, September 8, 1920, at 10:30 A.M., as the time to consider Mr. Colver's cases as a special order of business.

The Chairman submitted wire of September 6th from United States Senator Jas. E. Phelan, requesting for the San Francisco Chamber of Commerce, "more complete consolidated data covering the production, distribution and storage of fuel oil by California marketing companies as well as a separate statement on the collective production of refined products..."

September 7th , 1920.

in addition to data already furnished under the Poindexter Resolution. On motion of Mr. Thompson, the Chief Economist was directed to prepare and lay before the Commission, tentative statement for its consideration of the data, if any, which is available in the Commission, and the Chairman was requested to wire the Senator that the Commission will ascertain whether or not it has available data that can be furnished.

The Secretary laid before the Commission letter of September 1st from B. B. Snyder, Williamsburg, Ky., together with prior correspondence referring to an agent collecting broker tax on coal sales agencies. The Secretary was instructed to transmit the file of correspondence to the Internal Revenue Bureau, with the suggestion that if it did not relate to their office, that it be transmitted to the Department of Justice(see file).

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M., September 8, 1920.

Wm. H. Thompson
Chairman.

Attest:

Secretary.

September 8, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

September 8, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Huston Thompson,
Wm. B. Colver,
Jno. Garland Pollard.

The minutes of the meeting of September 7, 1920, were read and approved.

Mr. Colver presented the following listed applications for complaints, and upon his motion action as indicated was taken by the Commission:

(a) Files-

O-1927,	F.T.C. vs.	Texas Machine Works;
O-1915,	" "	McDonough Iron Works;
O-1914,	" "	Grays Engineering Works, Inc.;
O-1913,	" "	Vulcan Iron Works;
O-1912,	" "	Voigt Machine Shop;
O-1911,	" "	Seaboard Transportation & Shipping Co.;
C-1928,	" "	Port Arthur Marine Engineering Works;
C-1908,	" "	Gulf Iron & Machine Company.

Memoranda by Mr. Colver approved. Reports of the Board of Review approved. Ordered that formal complaints issue simultaneously in these cases without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such formal complaints and return the same to the office of the Secretary for service. Resolution directing issuance and service of these complaints was adopted. Further directed that these bribery cases be covered by the arrangement whereby these and other complaints having to do with the Port of Galveston and Port Arthur and other southern points, are to be held and issued together with consent orders

September 8, 1920.

to Cease and Desist simultaneously in all cases.

(b) Files-

O-1848, S. S. White Dental Mfg. Company vs. The
Dental Pharmaceutical Company;
O-1868, Century Milling Company vs. Shane Bros.
& Wilson;
9-1149, I. P. Larson, Jr. Company vs. Wm. Wrigley
Jr. Company.

Memoranda by Mr. Colver approved. Reports of the Board
of Review approved. Ordered that the applications be and the
same are hereby dismissed.

(c) File-

C-1785, F. W. Skaggs, vs. Davis, Seay, Adams Co.

Memorandum by Mr. Colver approved. Report of the Board
of Review approved. Ordered that formal complaint issue as of
this day without further action by the Commission, and that
the files be referred to the Chief Counsel to prepare such
formal complaint, and return the same to the office of the
Secretary for service. Resolution directing issuance and ser-
vice of complaint was adopted. As to the foregoing action of
the Commission, Messrs. Murdock, Colver and Pollard voted in
the affirmative and Mr. Thompson voted in the negative.

(d) File-

9-1213, Grand Junction Fruit Growers Ass'n vs.
Carey Salt Company, et al.

Upon motion of Mr. Murdock the Commission referred this
case to Mr. Pollard for a trade practice submittal.

(e) File-

1-731, F.T.C. vs. Commercial News.

Memorandum by Mr. Colver approved. Ordered that the ap-
plication be and the same is hereby dismissed without preju-
dice.

September 8, 1920.

(f) File-

O-1855, United States Bureau of Mines vs. Chemical Fuel Company of America, Inc.

Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that formal complaint issue as of this day without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such formal complaint and return the same to the office of the Secretary for service. Resolution directing issuance and service of complaint adopted.

The following listed formal cases were submitted by Mr. Colver and upon his motion, action as indicated was taken by the Commission:

(a)

Docket No. 577, F.T.C. vs. Holland Piano Mfg. Company;
" " 350, " " Liberty Paper Company;
" " 506, " " Sparrows Point Store Company.

Memoranda by Mr. Colver approved. Findings of Facts, Conclusions and Orders to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission with the direction that the Orders be served forthwith.

(b)

Docket No. 562, F.T.C. vs. Shotwell Mfg. Company.

Memorandum by Mr. Colver approved. Findings of Facts, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission with the direction that the Order be served forthwith.

As to the foregoing action of the Commission, Messrs. Murdock, Thompson and Colver voted in the affirmative, and Mr. Pollard voted in the negative.

September 8, 9, 1920.

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(c)

Docket No.	356,	F.T.C. vs.	Remington Typewriter Company;
"	"	357,	" " Royal Typewriter Company;
"	"	358,	" " L. C. Smith Brothers;
"	"	359,	" " Underwood Typewriter Company;
"	"	360,	" " Woodstock Typewriter Company;
"	"	363,	" " Corona Typewriter Company;
"	"	368,	" " Noiseless Typewriter Company.

Memorandum by Mr. Colver approved. Form of Orders of Dismissal, as submitted by the Chief Counsel, were approved and entered by the Commission as of July 2, 1920, with the direction that the same be served forthwith.

Upon motion of Mr. Murdock, the Commission fixed September 9th at 10:30 A.M. as the time to consider Mr. Colver's cases as a special order of business.

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M. September 9th, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 9, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Euston Thompson,
William B. Colver,
Jno. Garland Pollard.

Mr. Colver presented the following listed applications for complaints, and upon his motion action as indicated was taken by the Commission:

September 9, 1920.

(a) Files-

9-967, F.T.C. vs. Galena Signal Oil Company, et al.;
 O-1918, " " Clifford C. Northon;
 O-1919, " " Menge Marine Hardware & Supply Co., Inc.;
 O-1920, " " Rolf Seeberg Ship Chandlery Co., Inc.;
 O-1921, " " Hans M. Yang & Co., Inc.;
 O-1929, " " Woodward, Wight & Company, Ltd.

Memoranda by Mr. Colver approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(b) File-

O-1733, Frank Mossberg Co. vs. Mossberg Pressed Steel Corp.

Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that formal complaint issue as of this day without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such formal complaint and return same to the office of the Secretary for service.

As to the foregoing action of the Commission, Messrs. Murdock, Colver and Pollard voted in the affirmative, and Mr. Thompson voted in the negative.

(c) Files-

O-1922, F.T.C. vs. Marine Iron Works, Inc.;
 O-1998, " " Johnson Iron Works, Ltd.;
 O-2000, " " Stern Foundry & Machinery Co., Inc.;
 O-2001, " " Crescent City Machine & Mfg. Works, Inc.;
 O-2003, " " Union Iron Works, Inc.;
 O-2004, " " New Orleans Machine Works;
 O-2005, " " C. A. Simpson & Co.;
 O-2006, " " Cowels Ship Supply Company;
 O-2007, " " Alabama Dry Dock & Ship Building Co., Inc.;
 O-2008, " " Home Industry Iron Works, Inc.;
 O-2010, " " Hodges Boiler & Machine Works;
 O-2011, " " McKenzie, Oerting & Co.;
 O-2014, " " Bunyan Company, Inc.;
 O-2015, " " Bussey & Copp.

Memorandum by Mr. Colver approved. Reports of the Board of Review approved. Ordered that formal complaints issue as of this day without further action by the Commission and that the files be referred to the Chief Counsel with instructions to prepare such formal complaints and return the same to the office of the Secretary for service.

The attention of the Docket Section and the Chief Counsel is called to the last paragraph of Mr. Colver's memorandum with respect to these cases, which reads as follows:

September 9, 1920.

"It should be noted that these cases are to be held until all similar cases can be assembled with the understanding that all shall be issued and the Consent Order to Cease and Desist issued simultaneously."

(d) File-

C-1872, J. A. Long Company vs. Sunlight Creamery Company.

Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that formal complaint issue as of this day without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such formal complaint and return same to the office of the Secretary for service.

As to the foregoing action of the Commission in issuing complaint, Messrs. Murdock, Colver and Pollard voted in the affirmative and Mr. Thompson did not vote.

Mr. Colver submitted the following listed formal dockets, and upon his motion action as indicated was taken by the Commission:

Docket No. 344, F.T.C. vs. The Oakes Company;
" " 600, " " Lewis Pelstring.

Memoranda by Mr. Colver approved. Findings of Facts, Conclusions and Orders to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission with the direction that the orders be served forthwith.

Mr. Colver laid before the Commission form of circular letter to be addressed to the package macaroni industry with respect to the results of the trade practice submittal held before the Commission on June 25, 1920. After reading to the Commission and revision, the letter was set as a special order of business for 10:30 A.M. September 10, 1920, and the Secretary was directed to have copies of the revised letter placed in the hands of the several commissioners.

September 9, 1920.

The Chairman laid before the Commission letter of September 8th from the Department of State, transmitting paraphrase of cable from the American Minister at Bogota, Colombia, with reference to interference by the United Fruit Company with banana shipments from Santa Marta, Colombia. Form of telegram calling upon the United Fruit Company for information was approved and forwarded (See file).

The Chairman laid before the Commission file of correspondence, including letter of September 6, 1920, from Mr. Roger I. Sherman, New York City, with respect to Sherman's experience in the pineapple packing business in Porto Rico. Form of letter in reply, as submitted by Mr. Murdock, was approved by the Commission, signed and forwarded (See file).

The Chairman laid before the Commission letter of August 26, 1920, from Messrs. Pickering & Riesser, attorneys for the Western Association of Rolled Steel Consumers, with reference to rehearing in the matter of file 9-1296, application of the Western Association of Rolled Steel Consumers for the issuance of a complaint against the United States Steel Corporation, et al. The letter was referred to the several commissioners in order for reading, and thereafter for consideration by the Commission.

Mr. Thompson laid before the Commission the resignation of Mr. Claude R. Porter, Chief Counsel, Federal Trade Commission, the same to be effective at the close of business September 30, 1920. The resignation was accepted and Mr. Thompson was requested to address a letter to Mr. Porter advising of the Com-

September 9, 10, 1920.

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mission's regret at his leaving.

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M., Friday, September 10, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 10, 1920 - 10:30 A.M.

Victor Murdock, Chairman.
Huston Thompson,
William B. Colver.
Jno. Garland Pollard.

The following matters arising in the Chief Counsel's office were presented to the Commission by the Secretary, and action thereon as indicated was taken by the Commission:

- (1) Docket No. 602, F.T.C. vs. Check Writer Manufacturers, Inc., et al.

Memorandum of July 28, 1920, from the Chief Counsel approved, and the Commission entered its order denying respondent's motion for bill of particulars.

- (2) Docket No. 501, F.T.C. vs. Wholesale Grocers Ass'n of El Paso, et al.

Memorandum of September 2nd received from the Chief Counsel in the matter of fixing date for argument before the Commission. Attorney Farrington heard. The Commission fixed October 12, 1920, at 10:30 A.M. as the time for hearing final argument, and directed that the parties be notified.

- (3) Docket No. 594, F.T.C. vs. Butterick Co., et al.

Form of Order, as prepared by the Chief Counsel in the matter of respondent's motions to dismiss and for severance,

September 10, 1920.

setting forth the Commission's action on July 28, 1920, was approved by the Commission and entered of record as of July 28, 1920.

(4) Docket No. 540, F.T.C. vs. Royal Baking Powder Co.

Memorandum of August 5, 1920, from the Chief Counsel approved. Form of Order, as submitted by the Chief Counsel, denying motions of counsel for the Commission to strike out respondent's answer to the first specification of the complaint, and granting motion of counsel for the Commission to strike out certain other portions of respondent's answer, as submitted by the Chief Counsel, in accordance with the action of the Commission on July 20, 1920, was approved and entered of record by the Commission as of July 20, 1920.

(5) Docket No. 308, F.T.C. vs. Ohio Cities Gas Company.

Upon receipt of memorandum of August 21st, from the Chief Counsel, the Commission fixed October 19, 1920, at 2:30 P.M., as the time for hearing final argument in this case, and directed that the parties be notified.

(6) Docket No. 338, F.T.C. vs. U.S. Food Products Corporation, et al.

Form of Order of Dismissal, as submitted by the Chief Counsel in accordance with the Commission's action of July 22, 1920, was approved by the Commission and entered of record as of July 22, 1920.

(7) Docket No. 547, F.T.C. vs. Big Four Grocery Company.

Memorandum of July 28th from the Chief Counsel, recommending the issuance of an amended complaint, was approved and the Commission issued its amended complaint as recommended as of this day, and referred the file to the Chief Counsel with instructions to prepare such amended complaint and return the same to the office of the Secretary for service.

(8) Docket No. 567, F.T.C. vs. Acme Coal Mining Company.

Form of Order of Dismissal, as submitted by the Chief Counsel in accordance with the Commission's action of July 21, 1920, was approved by the Commission and entered of record as of July 21, 1920.

(9) File-

9-1442, Application of John F. Walsh for complaint against Columbia Amusement Company.

Memorandum of June 2, 1920, from the Chief Counsel, submitting to the Commission the question of the refusal of the American Burlesque Association to permit examination of its records, together with the files, were referred to Mr. Thompson with request for report to the Commission.

September 10, 1920.

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The Secretary also submitted to the Commission memorandum of August 31, 1920, from the Chief Counsel, with respect to the return of certain original documents gathered by the Commission during the course of the Food Investigation from the files of the packing companies, particularly Swift & Company and the Western Meat Company, under promise that they would be returned when they had served the purpose of the Commission. See also memorandum of June 22nd from the Chief Economist. It was directed that the Economic Division have the papers in question photostated, such photostat copies certified before a notary, and the originals returned to the source from which gathered.

The Secretary presented the Chief Counsel's monthly report for August, and the same was ordered put in the calendar.

The Chairman submitted letter from Assistant Secretary of Commerce, regarding the East Coast Fisheries Company, which was referred to the Chief Counsel for preparation of reply for Chairman's signature.

The Chairman presented draft of reply to Donk Brothers Coal and Coke Company, which was ordered sent.

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M. September 11, 1920.

Attest:

John H. ...
Chairman.

Secretary.

September 11, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

September 11, 1920 - 10:30 A.M.

Victor Murdock, Chairman.
 Huston Thompson,
 William B. Colver,
 Jno. Garland Pollard.

Mr. Thompson submitted memorandum of August 30th from the Chief Counsel, recommending (1) the following salary increases in the trial force, effective September 1, 1920:

E. C. Alvord-----	from \$3600 to \$3800
Henry Ward Beer-----	" 4500 " 4800
Marvin Farrington----	" 4000 " 4200
Gaylord R. Hawkins---	" 3300 " 3500
W. T. Kelley-----	" 3500 " 3600
C. S. Moore-----	" 3600 " 3800
G. E. Rowland-----	" 3000 " 3200
J. L. Mechem-----	" 3000 " 3200

and (2) that Mr. Marvin Farrington of the staff be designated as Assistant Chief Counsel, effective September 1, 1920.

Upon motion of Mr. Thompson, seconded by Mr. Pollard, the salary increases as shown above were approved by the Commission. As to the foregoing action, Messrs. Thompson, Colver and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

Upon motion of Mr. Thompson, seconded by Mr. Pollard, the Commission approved the recommendation of the Chief Counsel, and appointed Mr. Marvin Farrington Assistant Chief Counsel by unanimous vote.

Mr. Thompson moved, and it was seconded by Mr. Pollard, that all expenses for printing and mimeograph work in the Commission be paid for by the division for which the work is done.

Upon discussion, on motion of Mr. Pollard, Mr. Thompson's motion was laid on the table. As to this action, Messrs. Murdock, Thompson and Pollard voted in the affirmative and Mr. Colver voted in the negative.

September 11, 1920.

Upon motion of Mr. Pollard, duly seconded, it was ordered that the Economic Division be directed to furnish the Commission on September 14th, a revised estimate of their financial needs for the current year, with statement of expenditures for July and August.

Letters to Swift & Company and Morris & Company, with respect to the use by these companies of odd and unusual sized butter cartons, as prepared by Mr. Colver for the signature of the Secretary, were presented by the Chairman and ordered sent as prepared.

The Secretary submitted to the Commission memorandum of August 21st, from the Chief Counsel, with reference to request of Mr. Frederick Hemley for the return of certain exhibits in the matter of Docket No. 210, F.T.C. vs. W. & H. Production Company. It was directed that photostatic copies of the exhibits in question be made under the direction of the Chief Counsel, certified to before a notary, and furnished Mr. Healey, the original exhibits to be retained by the Commission.

Mr. Colver offered the following motion and the same was unanimously passed:

MOVED, That two sessions Monday, September 13th, 10:30 A.M. to 12:30 P.M. and 2:00 P.M. to 5:00 P.M., be devoted to matters originating in the Chief Counsel's office, and that the Chief Counsel be prepared to present these matters with brief statement.

The Secretary submitted to the Commission the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

September 11, 1920.

SUBC

(1) File-

9-1116, F.T.C. vs. Maple Flooring Manufacturers' Ass'n.

Memorandum of August 20th received from the Chief Counsel, recommending that the case be referred to the Department of Justice. Upon motion of Mr. Colver, it was ordered that the case be and the same is hereby dismissed, and that the files be transmitted to the Department of Justice.

(2) File-

9-1346, F.T.C. vs. Deep Wells Oil Company.

Draft of formal complaint, as issued by the Commission on June 15th, was submitted to the Commission for approval as to the form of the complaint, and referred to Mr. Thompson for examination and report of recommendation to the Commission.

(3) File-

9-1225, Good Roads Machinery Company vs. Eastern Road Machinery Company.

Draft of formal complaint, as ordered issued by the Commission on April 29, 1920, was submitted by the Chief Counsel for approval of the form of the complaint. Upon consideration, complaint as submitted was approved and referred to the Docket Section for service, the date of issuance being April 29, 1920.

(4) Files-

O-1917, F.T.C. vs. Flood & Colvert;
O-1922, " " Gulf Ship Chandlery Co., Inc.
O-1926, " " John R. Adams & Co.
O-1916, " " John W. Focke.

Draft of formal complaint, as ordered issued by the Commission on July 2, 1920, was submitted by the Chief Counsel for approval of the form of the complaint. Upon consideration, complaint as submitted was approved and referred to the Docket Section for service, the date of issuance being July 2, 1920.

(5) File-

O-1769, F.T.C. vs. United States Color and Chemical Co.

Draft of formal complaint, as ordered issued by the Commission on July 29, 1920, was submitted by the Chief Counsel for approval of the form of the complaint. Upon consideration, complaint as submitted was approved and referred to the Docket Section for service, the date of issuance being July 29, 1920.

September 11, 1920.

(6) File-

9-1461, F. C. Henderson Co. vs. White Sewing Machine Co., et al.

Draft of formal complaint, as ordered issued by the Commission on June 29, 1920, was submitted by the Chief Counsel for approval of the form of the complaint. Upon consideration, complaint as submitted was approved and referred to the Docket Section for service, the date of issuance being June 29, 1920.

(7) File-

9-1302, F.T.C. vs. Fawn Creek Oil & Gas Company.

Draft of formal complaint, as ordered issued by the Commission on May 4, 1920, was submitted by the Chief Counsel for approval of the form of the complaint. Upon consideration, complaint as submitted was approved and referred to the Docket Section for service, the date of issuance being May 4, 1920.

(8) File-

C-1330, A. N. Marquis & Co. vs. Federal Press, Inc., et al.

Draft of formal complaint, as ordered issued by the Commission on May 5, 1920, was submitted by the Chief Counsel for approval of the form of the complaint. Upon consideration, complaint as submitted was approved and referred to the Docket Section for service, the date of issuance being May 5, 1920.

(9) Memorandum of August 31st from the Chief Counsel, recommending that docket No. 163, F.T.C. vs. Armour & Co., and Docket No. 455, F.T.C. vs. Armour & Company, be consolidated. Upon motion of Mr. Colver, the Commission entered its order directing that these cases be again consolidated and be known as Docket No. 455.

(10) Pursuant to the Commission's action of August 11, 1920, the Secretary submitted Docket No. 268, F.T.C. vs. Aeolian Company. Upon consideration of the entire record, upon motion of Mr. Colver, seconded by Mr. Murdock, the Commission entered its order dismissing its complaint in this case.

Mr. Colver submitted the following listed applications for complaints, and upon his motion, action as indicated was taken by the Commission:

September 11, 13, 1920.

(a) File-

9-1297, Scott & Scott, Inc. vs. Hanser Agency, Inc.

Memorandum by Mr. Colver approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(b) File-

9-1217, Associated Advertising Clubs of the World vs. Red Shield Creamery Company.

Memorandum by Mr. Colver approved. Ordered that the application be and the same is hereby dismissed.

Thereupon, at the hour of 12:45 P.M., the Commission adjourned to meet at 10:30 A.M., September 13, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

September 12, 1920 (Sunday) - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION,

September 13, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Houston Thompson,
William B. Colver,
Jno. Garland Pollard.

The Secretary submitted the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission. The Chief Counsel was present and was heard.

(1) Locket No. 581, F.T.C. vs. I. B. Silver Co.

Respondent's motion for leave to file amended answer was received with memorandum from the Chief Counsel recommending that the motion be allowed. Upon consideration, the Commission entered its Order granting respondent's motion.

September 13, 14, 1920.

(2) Docket No. 123, F.T.C. vs. American Can Co.

Memorandum of September 3rd was received from the Chief Counsel, transmitting memoranda from Attorneys Taylor and McDonald of the staff, and asking the instructions of the Commission as to further procedure. After consideration and on motion of Mr. Colver, seconded by Mr. Murdock, the suggestions of the law department (1st) dismissal and (2nd) further investigation, were denied by the Commission. As to the foregoing action, Messrs. Murdock, Thompson and Colver voted in the affirmative and Mr. Pollard voted in the negative.

The resignation of Mr. Hugh McIsaac, examiner in the Economic Division, was accepted by the Commission, to be effective on September 30, 1920.

Thereupon, at the hour of 12:30 P.M., the Commission adjourned to meet at 10:30 A.M., September 14, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 14, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Huston Thompson,
William B. Colver,
Jno. Garland Pollard.

Pursuant to the Commission's action in assigning pending formal cases among the several commissioners for report, Mr. Murdock submitted written report in the following noted dockets, and action as indicated was taken by the Commission:

September 14, 1920.

- (1) - Docket No. 598, F.T.C. vs. Everybody's Mercantile Company.

Memorandum by Mr. Murdock approved. Findings of Facts, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission with the direction that the Order be served forthwith.

- (2) - Docket No. 597, F.T.C. vs. International Flaxol Company.

Mr. Murdock submitted written memorandum recommending the issuance of Findings and Order to Cease and Desist, as submitted by the Chief Counsel. Upon consideration the case was referred to Mr. Pollard with request for report to the Commission.

- (3) - Docket No. 461, F.T.C. vs. Commonwealth Company.

Memorandum by Mr. Murdock approved. Findings of Facts, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission with the direction that the Order be served forthwith.

- (4) - Docket No. 572, F.T.C. vs. Plunkett Chemical Co.

The case was submitted by Mr. Murdock without memorandum. Upon motion of Mr. Murdock, the Findings as to the Facts, Conclusion and Order to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission with the direction that the Order be served forthwith.

- (5) - Docket No. 339, F.T.C. vs. Pictorial Review Co. and Oklahoma Publishing Co.

This case submitted by Mr. Murdock without memorandum for consideration as to acceptance of a proposed agreed statement of fact, submitted for signature of the Chief Counsel for the Commission by attorneys for the Pictorial Review Company. After discussion of the entire record, Mr. Pollard offered the following motion which was duly seconded:

MOVED, That the case be returned to the Chief Counsel to develop the facts bearing on the relationship between the dealers and the Ladies' Home Journal.

As to the foregoing motion, Messrs. Murdock and Thompson voted in the negative and Mr. Pollard voted in the affirmative. Mr. Colver did not vote. The motion was thereupon declared by the Chairman to be lost.

Mr. Murdock thereupon offered the following motion, which was duly seconded:

September 14, 1920.

MOVED, that the Commission's complaint in this case be dismissed.

Mr. Colver offered the following motion, which was duly seconded:

MOVED to amend Mr. Murdock's motion of dismissal by moving that an Order to Cease and Desist be issued against the Oklahoma Publishing Company.

As to the foregoing amendment offered by Mr. Colver, Messrs. Murdock, Thompson and Pollard voted in the negative and Mr. Colver voted in the affirmative. The motion was thereupon declared by the Chairman to be lost. Mr. Thompson stated that he voted against the motion to amend for the reason that the Commission ought not to issue an Order against an agent and not against the principal. Mr. Pollard stated that he voted against the motion to amend for the reason that he believed that further investigation ought to be made and the record in the case completed.

The vote then recurred upon Mr. Murdock's motion to dismiss. As to this motion of dismissal, Messrs. Murdock and Thompson voted in the affirmative and Messrs. Colver and Pollard voted in the negative. The Chairman thereupon declared the motion lost upon tie vote.

Mr. Pollard thereupon offered the following motion, which was duly seconded by Mr. Thompson:

MOVED, that the Chief Counsel be informed that the Commission rejects the proposed agreed statement of facts, as submitted for signature of the Chief Counsel by respondent, Pictorial Review Company.

As to the foregoing motion, Messrs. Thompson, Colver and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

The Chairman reported to the Commission in the matter of the Commission's letter of September , 1920, to the du Pont Company concerning royalties and surrender of licenses, and stated that Mr. C. A. Mead of the Company had called him by long-distance 'phone and requested a hearing before the Commission. It was agreed that the Commission meet with representatives of the du Pont Company on September 17, 1920.

September 14, 1920.

at 2:30 P. M., and the Chairman was requested to so advise Mr. Mead. It was directed that the Commission's accountants familiar with this case attend the conference.

In the matter of Docket No. 613, F.T.C. vs. T. C. Hurst & Son, the Secretary submitted an Order as drawn by the Chief Counsel, designating John R. Dowlan, an examiner, to receive testimony, etc.

Mr. Colver submitted the following listed applications for complaints, and upon his motion, action as indicated was taken by the Commission:

(a) Files-

C-2002, F.T.C. vs. Alex Lussel Iron Works, Inc.
C-2009, " " Henderson Ship Building Co., Inc.
C-2012, " " Gulf Machine Works, Inc.

Reports of the Board of Review approved. Ordered that formal complaints issue as of this day without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such formal complaints and return the same to the office of the Secretary for service.

The attention of the Chief Counsel and the Docket Section is called to the last paragraph of Mr. Colver's memorandum with respect to bribery cases in the southern ports, as approved by the Commission on September 9, 1920, which reads as follows:

"It should be noted that these cases are to be held until all similar cases can be assembled with the understanding that all should be issued and the consent Order to Cease and Desist issued simultaneously."

(b) File-

C-2013, F.T.C. vs. J. Morasso.

Upon motion of Mr. Colver, it was ordered that the application be and the same is hereby dismissed.

September 14, 15, 1920.

Thereupon, at the hour of 1:00 P. M., the Commission adjourned to meet at 10:30 A.M., September 15, 1920.

Attest:

One M. J. L.
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 15, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Huston Thompson,
William B. Colver,
Jno. Garland Pollard.

The Chairman laid before the Commission notice from counsel for respondent in Docket No. 614, F.T.C. vs. Norden Ship Supply Company, of application to be made on September 20 at 10:30 A. M., to the United States District Court, Norfolk, Va., for a preliminary injunction to restrain the Commission from further proceeding. After discussion and on motion of the Chairman, the notice was referred to the Chief Counsel for his attention.

At this time Mr. Pollard was excused from the meeting.

Pursuant to the Commission's direction of September 3, 1920, a tentative letter of transmittal and report to the Attorney General were received from the staff, of an investigation of the manner in which the final decree in the case of the United States vs. Swift & Company, et al. (Supreme Court

September 15, 1920.

of the District of Columbia in Equity No. 37623) has been or is being carried out by the defendants, specifically with respect to divesting the ownership of interests in stock-yards. In conference with Mr. W. Y. Burand of the staff, the letter of transmittal was read, revised by the Commission, and it was directed that the letter of transmittal be revised, and the report be laid before the Commission on September 16, 1920, at 10:30 o'clock A. M.

The Secretary submitted memorandum from the Auditor, recommending that the salary of Mr. E. Clayton Herlong be increased from \$1380 to \$1800, flat, same to be effective as of September 16, 1920. As to the foregoing action of the Commission, Messrs. Thompson and Colver voted in the affirmative and Mr. Murdock voted in the negative.

In the matter of Docket No. 130, F.T.C. vs. Vacuum Cleaner Specialty Company, the Commission entered its order appointing Mr. Frank B. Lent, an examiner of the Commission, to receive testimony, and fixing September 15, 1920, at 10:30 A. M., as the time for taking in the office of the Commission at New York City.

Thereupon, at the hour of 1:30 P. M., the Commission adjourned to meet at 10:30 A. M., September 16, 1920.

Attest:

Victor H. ...
Chairman.

Secretary.

September 16, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

September 16, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Huston Thompson,
William B. Colver.

Upon motion of Mr. Thompson, Mr. Thomas C. Lavery, clerk to Commissioner, was transferred to the Legal Division and designated examiner, at a salary of \$1800 per annum, plus the bonus, the same to be effective September 16, 1920.

Upon motion of Mr. Thompson, Mr. Jas. E. Stevens was appointed clerk to Commissioner Thompson, at a salary of \$1600 per annum, plus the bonus, the same to be effective on September 16, 1920.

The Chairman laid before the Commission memorandum of September 9th from the Chief Economist, transmitting memorandum for the Secretary of the Navy in response to his request of August 26, 1920, with respect to the value of fuel oil in California. The Chief Economist suggested in his memorandum of the 9th that appropriate information with respect to the Wyoming oil situation be furnished the General Land Office. It was directed that the memorandum to the Secretary of the Navy be forwarded, (see file).

The Chairman submitted memorandum of September 14th from the Chief Economist, advising the Commission that data with

September 16, 1920.

respect to the California oil industry, as requested in wire from Senator Phelan for the use of the Chamber of Commerce of San Francisco, in addition to that already furnished, is not available at present. The Chairman was requested to telegraph the Senator to this effect (see file).

At this time Commissioner Pollard entered the meeting.

Victor Murdock,
Huston Thompson,
William E. Colver,
Jno. Garland Pollard.

The Secretary submitted memorandum of September 11th from the Docket Section, asking the instructions of the Commission with respect to the assignment of new applications for complaints involving the creamery industry. After discussion, Mr. Murdock offered the following motion, which was unanimously adopted:

MOVED, that the two new creamery cases be assigned to Commissioner Colver. All previous orders of the Commission in regard to the assignment of cases to Mr. Colver to the contrary notwithstanding.

At this time Mr. Pollard was excused from the meeting.

Victor Murdock,
Huston Thompson,
William E. Colver.

Pursuant to the Commission's direction of the previous day, revised letter of transmittal and tentative report to the Attorney General were received from the staff, of an investigation of the manner in which the final decree in the case of the United States vs. Swift & Company, et al. (Supreme Court

September 16, 17, 1920.

of the District of Columbia in Equity No. 37622) has been or is being carried out by the defendants, specifically with respect to divesting the ownership of interests in stockyards. After discussion, it was directed that the report as submitted by Mr. Durand, be not sent, but that the letter of transmittal be reformed, to be the report of the Commission in this matter to the Attorney General. The letter was reformed as directed by the Commission, approved, signed by the Chairman and delivered (see file Meat Cor 5 Ju 5)

Thereupon, at the hour of 1:30 P. M. the Commission adjourned to meet at 10:30 A. M., September 17, 1920.

Attest:

Victor M. Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 17, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Huston Thompson,
William B. Colver,
Jno. Garland Pollard.

Mr. Colver presented the following listed applications for complaints, and upon his motion, action as indicated was taken by the Commission:

(a) File.

O-1016, F.T.C. vs. W. A. Rhea.
O-1999, " " Everett Supply Co.

September 17, 1920.

Memoranda by Mr. Colver approved. Reports of the Board of Review approved. Formal complaints issued as of this day without further action by the Commission, and the files referred to the Chief Counsel with instructions to prepare such complaints and return the same to the Secretary for service.

The attention of the Chief Counsel and the Lockett Section is called to the last paragraph of Mr. Colver's memorandum with respect to bribery cases in the southern ports, as approved by the Commission on September 9, 1920, which reads as follows:

"It should be noted that these cases are to be held until all similar cases can be assembled, with the understanding that all should be issued and the consent Order to Cease and Desist issued simultaneously.

(b) File-

1-385, Equity Cooperative Exchange vs. Minneapolis Chamber of Commerce, et al.

Memoranda of September 17, 1920, and of February 17, 1920, by Mr. Colver were read to the Commission together with the report of the Board of Review, and after consideration, on motion of Mr. Colver, it was ordered that this matter go to the Chief Counsel with direction that form of complaint be prepared to include charges Nos. 1 to 6, as set out in Mr. Colver's memoranda and that report and form of complaint be submitted to the Commission on Wednesday, September 29th.

(c) File-

0-1808, Boulder Creamery Co. vs. Climax Dairy Co.

Memorandum by Mr. Colver read and considered, together with the report of the Board of Review. Board of Review heard. The case discussed at length and laid over for a special order at 10:30 A.M., September 18, 1920.

The Commission recessed at 1:00 and reassembled at 2:30.

Victor Murdock, Chairman,
Huston Thompson,
William B. Colver,
Jno. Garland Pollard.

Pursuant to arrangements, the Commission met in conference with representative of the du Pont Company (Attorney

September 17, 1920.

F. R. Squair) with respect to an accounting of royalties under Trading with the Enemy licenses numbers 18, 19, 20, 21 and 22, and the acceptance of the surrender of such licenses.

The Commission was represented by Messrs. Napier and Hoover, accountants, and Mrs. Wilson of the Trading with the Enemy Section.

After discussion, Mr. Thompson offered the following motion, which was seconded by Mr. Colver;

I move we accept the tender of the check of the du Pont Company for \$54,068.48, to be applied in part payment of royalties on the five licenses issued by the Commission to the du Pont Company, and that the Commission will forward to the du Pont Company an acceptance of its surrender of the said licenses upon the tendering to the Auditor of the Commission in agreement with the du Pont Company, a check made to the Alien Property Custodian, the amount stated by the Auditor to be due as final payment on said royalties, and after its approval by the Commission.

As to the foregoing motion, Messrs. Murdock, Thompson and Colver voted in the affirmative and Mr. Pollard voted in the negative. The motion was adopted.

The Chief Economist was directed to send an accountant to the office of the du Pont Company for the purpose of ascertaining the amounts of royalties due on licenses issued to the company.

Mr. Pollard reported to the Commission with respect to his proposed trip to St. Louis in connection with the coffee urn situation in that territory, and suggested that in view of the pressure of work, that a letter be sent in lieu of his visit. This was agreed to by the Commission, and form of letter as read by Mr. Pollard, to be sent by the Chief Examiner to coffee houses, calling attention to the fact that

September 17, 18, 1920.

the Commission had ruled against the coffee urn practice, etc., was approved and ordered sent (see file).

Pursuant to the Commission's action of September 14, 1920, Mr. Pollard reported with respect to tentative Findings and Order in Docket No. 597, F.T.C. vs. International Flexol Company. Revised Findings and Order, as submitted by Mr. Pollard, were approved and entered of record by the Commission, with the direction that the order be served forthwith.

Thereupon, at the hour of 5:00 P.M., the Commission adjourned to meet at 10:30 A.M., September 18, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 18, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Houston Thompson,
William E. Colver,
Jno. Garland Pollard.

The Secretary submitted memorandum of September 16th from Dr. Walker, Chief Economist, transmitting an article concerning the National Budget, for publication in the New York Evening Post. The article was read to the Commission and objection to this publication was not offered.

September 18, 1920.

The Secretary also submitted memorandum of September 16th from the Chief Economist, recommending the termination of the services of Mrs. Louise G. Donk at the close of business September 24, 1920. Memorandum was approved and Mrs. Donk's services terminated as recommended.

In the matter of file 9-1296, application of the Western Association of Rolled Steel Consumers for the issuance of a complaint against the United States Steel Corporation, et al. (the Pittsburg Steel Basing Point case), the Chairman laid before the Commission the following correspondence:

(a) Letter of August 7, 1920, from Gibbes Machinery Company, Columbia, South Carolina, requesting rehearing of this application for complaint;

(b) Letter of August 9, 1920, from Tampa Ship Building and Engineering Company, Tampa, Florida, appealing for a "second consideration of the Pittsburg plus evil;"

(c) Letter of August 26, 1920, from Messrs. Pickering & Rieser, attorneys for the applicant, concerning procedure upon a motion for rehearing of the case.

Mr. Murdock offered the following letter to Messrs. Pickering & Rieser in response to their letter of August 26, and moved that the same be approved and sent:

Messrs. Pickering & Rieser,
Attorneys for the Western Association
of Rolled Steel Consumers.

My dear Sirs:

I am instructed by the Commission to inform you that in response to your letter of August 26th, in the matter of a motion for a rehearing of its action in dismissing the application for the issuance of a complaint against the United States Steel Corporation and others, that, if you desire a rehearing, you should file such motion with the Commission. The Commission will docket this motion, and inform you whether it is necessary for you to appear in person.

Yours,

Victor Murdock,
Chairman.

September 18, 1920.

To Mr. Murdock's motion there was no second.

Mr. Pollard thereupon offered the following motion:

MOVED, that the motion for rehearing of the application for complaint 9-1296, be granted.

The Chairman ruled the foregoing motion out of order.

Mr. Pollard thereupon appealed from the decision of the Chair.

Upon a vote to sustain Mr. Pollard's appeal, Messrs. Thompson, Colver and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

The Chairman thereupon put to vote the motion offered by Mr. Pollard for a rehearing upon the application for complaint.

Upon the motion for rehearing, Messrs. Thompson, Colver and Pollard voted in the affirmative, and Mr. Murdock voted in the negative. The Chairman thereupon declared the motion for rehearing carried, and on motion of Mr. Pollard, seconded by Mr. Thompson, the Commission fixed November 14, 1920, at 11:00 A. M., as the time for rehearing and reargument in the matter of file 9-1296.

The following motion of Mr. Pollard was duly seconded and unanimously passed:

MOVED, That the Secretary prepare a formal notice of the foregoing action of the Commission, to be mailed to all parties in interest, as disclosed by the record and the correspondence in the files of the Commission.

Pursuant to arrangement the Commission further considered file 0-1808, application of Boulder Creamery Company for complaint against Climax Dairy Company, as presented by Mr. Colver. Memorandum of September 18th by Mr. Colver, recommending the issuance of formal complaint further considered. Board of

September 18, 1920.

Review heard. Attorney Flannery heard.

Mr. Colver offered the following motion:

MOVED, That formal complaint issue.

As to the foregoing motion, Mr. Pollard offered the following substitute:

MOVED, That the case be referred back to the Chief Examiner to seek further evidence as to the alleged unfair methods used.

In substitution of the foregoing, Mr. Murdock moved that the case be placed on the Suspense Calendar in accordance with the rules. This action was seconded by Mr. Colver and passed by the Commission. Messrs. Murdock, Thompson and Pollard voted in the affirmative and Mr. Colver voted in the negative.

Mr. Colver submitted the following listed applications for complaints and upon his motion, action as indicated was taken by the Commission:

(a) Files-

Q-2017, F.T.C. vs. Richardson Brothers;
Q-2018, " " Charleston Dry Dock & Machinery Co.;
Q-2022, " " Wilkinson Machine Company.

Reports of the Board of Review approved. Ordered that formal complaints issue as of this day without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such formal complaints and return the same to the office of the Secretary for service.

The attention of the Chief Counsel and the Docket Section is called to the last paragraph of Mr. Colver's memorandum with respect to bribery cases in the southern ports, as approved by the Commission on September 9, 1920, which reads as follows:

"It should be noted that these cases are to be held until all similar cases can be assembled with the understanding that all should be issued and the consent Order to Cease and Desist issued simultaneously."

September 18, 20, 1920.

The Chairman submitted the following listed applications for complaints left in his custody by Commissioner Gaskill, with the request that the Chairman bring them to the Commission:

(a) File-

O-1754, Juvenile Shoe Corporation of America vs. Juvenile Shoe Company, Inc.

Memorandum of August 11, 1920, by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(b) Files-

O-1991, F.T.C. vs. Paul Forbriger & Company;
O-1887, Vacuum Oil Company vs. Carbo Oil Company, et al.

Memoranda by Mr. Gaskill under date of August 11, 1920, approved. Reports of the Board of Review approved. Ordered that formal complaints issue in these cases without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. Resolution directing issuance and service of complaint adopted.

Thereupon, at the hour of 1:30 P. M., the Commission adjourned to meet at 10:30 A. M., September 20, 1920.

Attest:

W. W. White
Chairman.

Secretary.

September 19, 1920 (Sunday) - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

September 20, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Huston Thompson,
William B. Colver.

(Mr. Pollard absent on official business)

September 20, 1920.

Mr. Murdock offered the following motion, which was unanimously passed:

MOVED, That the special order of business for this morning on bogus independent cases be made a special order of business for Monday morning, September 27, 1920, at 10:30 o'clock.

Mr. Colver laid before the Commission the following matters arising in the Trading with the Enemy Division, and on his motion, action as indicated was taken by the Commission. Mrs. Wilson of the staff was present during the consideration of these matters:

(1) The matter of further accounting for royalties under the Commission's licenses under the Trading with the Enemy Act. The following motion was offered by Mr. Colver, seconded by Mr. Murdock, and unanimously passed:

MOVED, That the Commission direct an audit up to and including the last accounting period of all licenses of the Federal Trade Commission, under the Trading with the Enemy Act; that the audit be done as far as possible by the Trading with the Enemy personnel, and that the Trading with the Enemy Division be authorized to call upon the Accounting Section for such work as they themselves are unable to do. Such accounting to be under the direction of the Trading with the Enemy Division.

(2) Letter of September 2, 1920, from Francis M. Phelps (Browne & Phelps) with respect to the jurisdiction of the Commission to direct payment of royalties to the Alien Property Custodian. It was directed that a letter be written to Mr. Phelps, for the Chairman's signature, in reply to his letter of September 2nd, reaffirming the action of the Commission as set out in its letter of July 28, 1920, in the matter of license No. 16, issued to the New Process Metals Co., Inc.; and it was directed that payment of royalties be continued to be made to the Alien Property Custodian under that license. Following supplemental order adopted:

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

IN THE MATTER OF LICENSE NO. 16
DATED MARCH 30, 1918, TO THE NEW
PROCESS METALS COMPANY, INC.,
UNDER CERTAIN PATENTS COVERING
RESPECTIVELY, "PYROPHORIC ALLOY"
AND "PYROPHORIC MASS."

September 20, 1920.

SUPPLEMENTAL ORDER.

Upon consideration of letter from F. M. Phelps dated September 2, 1920, with respect to the Commission's jurisdiction to direct payment to the Alien Property Custodian of royalties under Commission licenses;

accruing
IT IS ORDERED: That a letter be drafted for the Chairman's signature, reaffirming the Commission's action as set out in its letter of July 28, 1920, and directing payment to the Alien Property Custodian of royalties accruing under the license.

(3) Letter of August 27, 1920, from Messrs. Green & Bauer, Inc., advising that royalty has not been paid for the reason that articles have not been manufactured under this license, and that the cancellation of the license would be agreeable to the firm. Ordered that the surrender of the license be received. Following supplemental order adopted:

LICENSE NO. 65 - (Patent)

 IN THE MATTER OF LICENSE NO. 65
 DATED MARCH 17, 1919, TO GREEN & BAUER,
 INC., UNDER PATENTS NOS. 1,122,011 and
 1,218,423, TO JULIUS EDGAR LILIENFELD,
 COVERING RESPECTIVELY, "PROCESS AND
 APPARATUS FOR PRODUCING ROENTGEN RAYS,"
 AND "ROENTGEN RAY TUBE."

SUPPLEMENTAL ORDER.

Upon reading and considering the attached report;

IT IS ORDERED: That Patent License No. 65, dated March 17, 1919, issued to Green & Bauer, Inc., under Patents Nos. 1,122,011 and 1,218,423, covering respectively "Process and Apparatus for Producing Roentgen Rays" and "Roentgen Ray Tube," be and the same is hereby cancelled and terminated as of this date.

(4) File of papers was submitted in the matter of the manufacture under Trading With the Enemy License No. 26, by the American Parlograph Company in foreign countries and sale in the United States. It was directed that the company be advised that under their license they are not permitted to manufacture abroad and to sell in the United States goods so manufactured abroad, but that their license is for manufacture and sale in the United States. The letter to be sent by the Chairman of the Commission. Following order adopted:

September 20, 1920.

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION.

IN THE MATTER OF LICENSE NO. 26
DATED MAY 7, 1918, TO AMERICAN
PARLOGRAPH COMPANY, UNDER PATENT
NO. 1,067,530, COVERING TALKING
MACHINE.

SUPPLEMENTAL ORDER.

Upon consideration of letter of August 6, 1920 from American Parlograph Company, together with opinion of Special Attorney and report of Enemy Trade Division in the matter of license above identified:

IT IS ORDERED: That letter be prepared for signature of Chairman advising licensee that its license granted by this Commission was for manufacture and sale within the United States; did not contemplate foreign manufacture and such foreign manufacture and importation are therefore not permissible under its license.

(5) Matter of the surrender of copyright licenses Numbers 5 to 11 by the John Cramer Library. It was directed that the licensees be advised that the surrender of their licenses if urged will be received by the Commission, but the Commission suggests that since they involve no expense and hardship, that it might be in the public interest not to surrender the licenses for the time being. Following order adopted:

LICENSES NOS. 5 and 11 (Copyright)

IN THE MATTER OF LICENSES ABOVE IDENTIFIED
TO THE JOHN CRERAR LIBRARY, UNDER COPYRIGHTS
"DIE SCHWELFELFARBSTOFFE IHRE HERSTELLUNG
UND VERTEILUNG" AND "DIE ORGANISCHEN GE-
SCHMACCKSTOFFE," RESPECTIVELY.

ORDER

Upon reading and filing attached report in connection with the tendered surrender of licenses above identified:

IT IS ORDERED: That a letter be prepared for the signature of the Chairman, advising licensee that the tendered surrender of its licenses, if urged, will be accepted by the Commission, but the Commission suggests that since the continuance of the licenses involve no expense and no hardship to the licensee, that it might be to the public interest not to surrender the licenses for the time being.

September 20, 1920.

(6) Matter of payment of royalties to the Alien Property Custodian under Patent License No. 47, issued to the Reinschild Chemical Company. It was directed that letter be addressed to the company by the Chairman of the Commission, advising that the company must account to the Commission for its royalties and make payment to the Alien Property Custodian, and that payment of money to the Chemical Foundation is a matter between the licensee and the Chemical Foundation, and is not a matter with which the Federal Trade Commission has any concern. Following order adopted:

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION.

IN THE MATTER OF LICENSE NO. 47
DATED DECEMBER 31, 1918, TO THE
REINSCHILD CHEMICAL COMPANY, UNDER
CERTAIN PATENTS COVERING "AGAR-
AGAR- CASCARA PRODUCT AND PROCESS
OF MAKING."

SUPPLEMENTAL ORDER.

Upon presentation of facts set out in attached report in connection with license above identified:

IT IS ORDERED: That letter be drafted for signature of Chairman, advising licensee that payment should be made direct to the Alien Property Custodian in the amount of \$436.44 as royalty accrued under Federal Trade Commission license from April 10, 1919 to June 1, 1919; any payment made to the Chemical Foundation of royalty accruing under Federal Trade Commission license being a matter for adjustment between said Chemical Foundation and the licensee, and something over which the Commission has no control.

(7) Matter of the withdrawal of the application of Rudolf Presburg for license under copyright covering "Der Weibsteufel." Report of the Enemy Trade Division approved. Order entered by the Commission directing that the withdrawal be accepted, and that the license fee be returned to the applicant.

IN THE MATTER OF THE APPLICATION
OF RUDOLF PRESBURG, FOR LICENSE
UNDER COPYRIGHT COVERING "DER
WEIBSTEUFEL."

September 20, 1920.

ORDER.

Upon reading and filing attached report in the matter above identified:

IT IS ORDERED: That the applicant, Rudolf Prestburg, of 1431 Broadway, New York City, be allowed to withdraw his application for license under Copyright Registration covering "Der Weibsteufel;" and that check for \$100 deposited therewith be returned to the applicant.

(8) Matter of the application of Coppus Engineering & Equipment Company, for license under Patent No. 1,062,258 for "Propeller." Report of the Enemy Trade Division approved and order entered directing that the license be denied for want of jurisdiction, and that the license fee be returned to the applicant.

(9) The matter of the transfer of Patent License No. 50, issued to Ault & Wiborg Company to the Cincinnati Chemical Works, Inc. The Commission entered its order giving the necessary permission for the assignment of the license, as of the date upon which the transfer was made.

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION.

IN THE MATTER OF LICENSE NO. 50
DATED FEBRUARY 19, 1919, TO THE
AULT & WIBORG COMPANY, UNDER
PATENT NO. 741,029, FOR "RED
AZO LAKE."

SUPPLEMENTAL ORDER.

Upon verbal presentation of facts recited in attached report, and consideration thereof by the Commission;

IT IS ORDERED: That the necessary permission be given The Ault & Wiborg Company for the assignment and transfer to the Cincinnati Chemical Works, Inc., of License No. 50, dated February 19, 1919, covering Patent No. 741,029, as of the date upon which the transfer was made.

Thereupon, at the hour of 12:30 P.M., the Commission adjourned to meet at 10:30 A. M., September 21, 1920.

Attest:

John J. ...
Chairman.

Secretary.

September 21, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

September 21, 1920 - 10:30 A.M.

Victor Mardock, Chairman,
Huston Thompson,
William B. Colver.
(Mr. Pollard absent on official business)

The Chairman submitted the following matters, and action as indicated was taken by the Commission:

(a) Wire of September 19th from Orville C. Sanborn, Pocatello, Idaho, suggesting the formation of a corporation to take over the packers' stockyard interests. Wire advising that Commission's authority in the matter is limited to reporting to the Attorney General was submitted by the Chairman, approved and forwarded.

(b) Memorandum of September 18th from Attorney Farrington, transmitting letter of September 17th from American Artists' Federation, requesting copies of the exhibits in the matter of Docket No. 128, Federal Trade Commission vs. Vaudeville Managers' Protective Association, et al. The Chief Counsel was directed to reply that if the Federation will designate those exhibits they desire to copy, the Commission will make the originals available for copying by them.

Mr. Thompson was authorized to arrange with the Department of Justice to have the Commission's former attorney, Mr. J. A. Burdeau, detailed to the Commission for assignment as attorney for the Commission to Docket No. 254, F.T.C. vs. Great Western Sugar Refinery, et al., now on appeal.

The Secretary laid before the Commission the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

(1)

Docket No. 325, F.T.C. vs. American Oil & Supply Co.
" " 328, " " Springfield Oil Products Co.
" " 135, " " Standard Oil Company of Louisiana.

Memoranda from the Chief Counsel approved. Orders of dismissal approved and entered of record by the Commission.

September 21, 1920.

(2)

Docket No. 322, F.T.C. vs. Carbonless Oil Co.
 " " 323, " " Lubric Oil Co.
 " " 332, " " Bartles Oil Co.

Findings of Facts, Conclusions and Orders to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission, with the direction that the Orders be served forthwith.

(3) File-

O-1872, J. A. Long Co. vs. Sunlight Creamery Co.

Draft of formal complaint, as submitted by the Chief Counsel, in accordance with the Commission's action of September 9, 1920, was approved by the Commission as to form, with the direction that the complaint be served, the date of issuance being September 9, 1920.

(4)

Docket No. 335, F.T.C. vs. Lewis Blaustein.

Memorandum of August 28th received from the Chief Counsel. Ordered that the case be referred back to the Chief Counsel to report with respect to the statement in the Chief Counsel's memorandum that the respondent's attorney "understood that the Commission would not rule on the case of his client with the others," and as to whether or not any promises in this respect have been made on behalf of the Commission.

(5)

Docket No. 207 - F.T.C. vs. Cleveland Macaroni Company.

Draft of Findings of Facts, Conclusion and Order to Cease and Desist were received from the Chief Counsel. After consideration and upon motion of Mr. Thompson, the case was referred back to the Chief Counsel with instructions that negotiations be opened up with counsel for the respondent, looking to the inclusion of the trade practice submittal by the Macaroni Industry before the Commission into the record of the case prior to the issuance of the Order, and that in the event the trade practice submittal is included in the case, that it be referred to in the Findings; and further that the stenographic record of the trade practice submittal be also considered in connection with this case.

(6) File-

O-1871, F. H. Hanlon vs. Autographic Register Company.

September 21, 1920.

Draft of formal complaint against the Autographic Register Company was submitted by the Chief Counsel, pursuant to the Commission's action of June 29, 1920, and such complaint was approved as to its form and referred to the Secretary for service, the date of issuance being June 29, 1920.

The Secretary laid before the Commission the following listed matters arising in the Chief Examiner's office, and action as indicated was taken by the Commission:

(a) Files-

1-392, American Multigraph Sales Co. vs. Russell E. Baum;
1-616, Royal Drug Company vs. Melba Mfg. Company;
1-650, F.T.C. vs. Wilson & Company;
1-227, Jacksonville Cracker Works vs. Chattanooga Bakery.

Memorandum by the Chief Examiner approved. Ordered that the applications be and the same are hereby dismissed.

(b) File-

O-1753, J. B. Cohen vs. Sears, Roebuck & Company.

Upon receipt of memorandum of July 27, 1920, from the Chief Examiner, the Commission rescinded its action of May 4, 1920, with respect to negotiations with respondent to eliminate certain practices, and ordered that the application be and the same is hereby dismissed. The memorandum of July 27th from the Chief Examiner was approved.

(c) Memorandum of August 31st, from the Chief Examiner, transmitting the formal petition of Attorney Wm. T. Chantland, representing Pelgram & Mayer, for the docketing of an application for complaint. After consideration of the petition and the memorandum from the Chief Examiner, it was ordered on motion of Mr. Colver that an application for complaint be not docketed, and that the Chief Examiner so advise the parties.

(d) Memorandum of August 24, 1920, from the Chief Examiner, transmitting application of E. H. Hickock, counsel for the American Association of the Baking Industry, applying for an investigation of the Millers' Exchange of Kansas City. The memorandum from the Chief Examiner was approved, and the papers were referred back to the Chief Examiner for reference to the Department of Justice.

(e) Memorandum of September 2nd from the Chief Examiner, transmitting file of papers and asking instructions as to docketing an application for complaint against

September 21, 22, 1920.

National Tube Company. Ordered that application be docketed in the name of the Commission.

(f) Memorandum of August 31st, from the Chief Counsel, transmitting file of papers and asking the instructions of the Commission in the matter of docketing an application for complaint against the Gold Medal Grocery Company. Memorandum approved. Ordered that application be docketed in the name of the Commission.

(g) Memorandum of August 6th from the Chief Examiner, transmitting file of papers and suggestion that an application be docketed against the Colorado Shale Corporation. Memorandum approved. Ordered that an application be docketed in the name of the Commission.

(h) Memorandum of August 20th from the Chief Examiner, transmitting file of papers and recommending the docketing of an application for complaint against the Rumford Chemical Works. Memorandum approved. Ordered that an application be docketed in the name of the Commission.

Thereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 10:30 A.M., September 22, 1920.

Attest:

Victor Murdock
Chairman.

Secretary. _____

MEETING OF THE FEDERAL TRADE COMMISSION

September 22, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Huston Thompson,
William E. Colver,
Jno. Garland Pollard.

The Chairman submitted the following listed applications for complaints, and upon his motion, action as indicated was taken by the Commission:

September 22, 1920.

(a) Files-

O-1961, F.T.C. vs. Altbach & Rosenson.
O-1969, F.T.C. vs. M. Gerver.

Memoranda by Mr. Murdock approved; reports of the Board of Review approved. Ordered that the applications be, and the same are hereby, dismissed.

(b) File-

O-1967, F.T.C. vs. Brackman-Weiler Company.

Memorandum by Mr. Murdock approved; report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed. Ordered further that the files be referred to the Chief Examiner with instructions to inquire and report whether the Diamond Point Pen Company, New York City, is within the truth when it stamps pen points, which sell at \$4.00 per gross, "Warranted 14-Karat Gold."

(c) Files-

O-1970, F.T.C. vs. Levin Brothers;
O-1955, " " United States Novelty Company;
O-1953, " " M. Finestone;
O-1965, " " N. Shure Company;
O-1954, " " Shatkum & Kahn;
O-1956, " " MacFountain Pen & Novelty Company.

Memoranda by Mr. Murdock approved; reports of the Board of Review approved. Ordered that formal complaints issue as of this day without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. Resolutions directing the issuance and service of these complaints adopted.

(d) Files-

O-1706, F.T.C. vs. Wilson & Company, Inc., in re Sinclair Provision Company;
O-1707, " " Wilson & Company, Inc., in re Sinclair Sales Company.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that formal complaints issue as of this day without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. Resolutions directing issuance and service of these complaints adopted.

It was further directed that the Chief Examiner make an investigation with respect to these cases and report to the Commission as to whether or not there is a violation

September 22, 1920.

of Section 7 of the Clayton Act.

(e) Files-

O-1787, F.T.C. vs. Libby, McNeill & Libby, in re Hinckley-
Beach Canning Company;
O-1778, " " Libby, McNeill & Libby, in re Chino
Canning Company;
O-1630, " " Swift & Company, in re Illinois Cold
Storage Company.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(f) Files-

O-1656, F.T.C. vs. Swift & Company, in re Harlan Produce Co.;
O-1647, " " Swift & Company, in re Swiss American
Trading Company;
O-1682, " " Morris & Company, in re Gold Coil Food
Produce Company.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(g) Files-

O-1624, F.T.C. vs. Swift & Company, in re A. C. Lawrence
Leather Company;
O-1618, " " Swift & Company, in re St. Paul Tannery;
O-1623, " " Swift & Company, in re Ashland Leather Co.;
O-1629, " " Swift & Company, in re Winchester Tanning Co.;
O-1625, " " Swift & Company, in re National Calf Skin Co.;
O-1626, " " Swift & Company, in re National Leather
Mfg. Co.;
O-1627, " " Swift & Company, in re St. Joseph Tanning Co.;
O-1643, " " Swift & Company, in re National Leather Co.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

In dismissing the foregoing applications, the Commission directed that a new application for complaint be docketed in the name of the Commission against the National Leather Company for alleged violation of Section 7 of the Clayton Act, and that these files be the basis of a new application.

(h) File-

O-1729, F.T.C. vs. Libby, McNeill & Libby, in re Union Condensed Milk Company.

Mr. Murdock submitted written report recommending that

September 22, 1920.

the application be dismissed. After discussion and on motion of Mr. Thompson, it was ordered that the case be returned to the Chief Examiner for further investigation of the facts, and that the examiner be instructed to go to some witness other than the attorney for the respondent herein.

(i) File-

O-1712, F.T.C. vs. Wilson & Company, Inc., in re Central Produce Corporation.

Memorandum by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed, and that the files be joined in the formal proceeding ordered against Wilson & Company for the operation of the Sinclair Company as a bogus independent. (See file C-1707)

(j) File-

O-1587, F.T.C. vs. Armour & Company, in re Cappon & Bertsch Leather Company.

Memorandum of Mr. Murdock approved. Ordered that the case be returned to the Chief Examiner for further examination in accordance with Mr. Murdock's memorandum.

(k) Files-

O-1611, F.T.C. vs. Armour & Company, in re Winslow Brothers & Smith Company, New York City;
 O-1588, " " Armour & Company, in re Empire Tanning Co.;
 O-1589, " " Armour & Company, in re Morrill Leather Co.;
 O-1591, " " Armour & Company, in re J. K. Mosser Co.;
 O-1592, " " Armour & Company, in re Winslow Brothers & Smith Company, Boston, Mass.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

In respect to the foregoing cases, upon motion of Mr. Murdock, it was ordered that a new application for complaint be docketed by the Chief Examiner in the name of the Commission for alleged violation of Section 7 of the Clayton Act, and that these files form basis of new application.

Mr. Pollard was not present and took no part in the consideration of cases involving Armour & Company.

(l) Files-

O-1691, F.T.C. vs. Wilson & Company, Inc., in re Albert Lea Packing Co.;
 O-1698, " " Wilson & Company, Inc., in re Merchants Cold Storage & Warehouse Company,
 O-1711, " " Wilson & Company, Inc., in re St. Peter Produce Company.

September 22, 1920.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(m) Files-

C-1631, F.T.C. vs. Swift & Company, in re Western Cold Storage Co.;
C-1662, " " Swift & Company, in re W. H. Schreitling;
C-1622, " " Swift & Company, in re Consumers Cotton Oil Mills.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(n) File-

C-1618, F.T.C. vs. Swift & Company, in re Sturtevant & Haley Beef & Supply Co.

Memorandum by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

As to the foregoing action of the Commission, Messrs. Murdock, Colver and Pollard voted in the affirmative and Mr. Thompson voted in the negative.

(o) File-

C-1727, F.T.C. vs. Libby, McNeill & Libby, in re Foster Packing Co.

Memorandum by Mr. Murdock approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

Mr. Colver laid before the Commission the following matters arising in the Export Trade Division, and upon his motion action as indicated was taken by the Commission:

(1) Letter to the Director of the Bureau of Foreign and Domestic Commerce, Department of Commerce, transmitting reports of the results of the Commission's investigation into the following cases referred to the Commission by that Bureau. The letter and reports as submitted by Mr. Colver were ordered forwarded (See file):

1. A. Cosmetto against U. S. Trading Company;
2. Pierre Verbeke, of Brussels, against the Great Western Sales Corporation;
3. Macris & Co. against Transoceanic Corporation of New York;

September 22, 1920.

4. Guthrie & Company, Ltd., of Sumatra, against W. J. Crouch Co., Inc. and Rowson, Drew & Clydesdale, Inc.;
5. Vivent, Robert & Co., of Valparaiso, Chile, against R. Neuman Hardware Company, of Newark, N.J.

(2) Memorandum by Examiner Hugh McIsaac, dated September 21, 1920, reporting the results of the examination of certain preliminary complaints lodged with the Commission and involving the Export Trade Act. On motion of Mr. Colver, action as indicated was taken by the Commission in the following cases, as set out in the Examiner's report (See file):

(a) D. Sutcliffe vs. Delaware Steel Company. Examiner's recommendation that there appears to be nothing further that can be done by the Commission, as an Order to Cease and Desist in this case would be of no avail, adopted by the Commission, and the matter dismissed.

(b) In the matter of Swiss Horvick Company - recommendation by the Examiner that the matter be dismissed for the reason that the company will manufacture under this name only in Switzerland, approved, with the direction that the Export Trade Division furnish the State Department the status of the matter for transmission of the proper information to the Swiss Government.

(c) H. J. Kuylen, of Algiers, vs. Waydell & Co., et al. Recommendation by the Examiner, that no further action be taken in the matter as all parties are completely satisfied with adjustment, approved. Matter dismissed.

(d) Pierre Verbeke, of Brussels, vs. Great Western Sales Corporation, New York. Matter dismissed upon recommendation of the Examiner. Case adjusted by returning a certified check for \$100.00 to Verbeke.

(e) A. Cosmetto, Constantinople, vs. U. S. Trading Corporation, New York. Commission approves Examiner's recommendation that cancellation of order complained of appears to be justified. Matter dismissed.

(f) J. P. S. Macris Co., of Greece, vs. Transoceanic Commercial Corporation of New York. Commission adopts Examiner's report that the matter be dismissed for the reason that cancellation of the order complained of was justified upon credit grounds. Matter dismissed.

(g) Guthrie & Co., Sumatra, vs. W. J. Crouch & Co and Rowson, Drew & Clydesdale, of New York. Commission adopts Examiner's report that it appears that nothing can be done in the matter, as the Crouch Company was at fault and is out of business. Case dismissed.

September 22, 1920.

(h) Vivent, Robert & Co., of Valparaiso, vs. R. Newman Hardware Co., of New York. Ordered that the Examiner's report be transmitted to the Bureau of Foreign and Domestic Commerce of the Department of Commerce.

(i) In the matter of the false and misleading letter-heads used by the Allegheny Steel & Tube Company. In this case it was ordered that an application for complaint be docketed in the name of the Commission for investigation of the use of fraudulent letter-heads and of fraudulent use of fictitious names.

Mr. Colver read to the Commission a memorandum prepared by him, registering his protest against any future publication of the Commission being credited to the High Cost of Living Investigation, or tracing the authority for the making of the report to the President's letter of February, 1917. Mr. Colver referred specifically to the Grain Trade Report now in proof and addressed to the President. Mr. Colver embodied in his memorandum form of letter of transmittal of the Grain Report to the President of the Senate, and the Speaker of the House. The memorandum was received by the Commission and ordered to be filed. (See file).

The Chairman laid before the Commission the following letters, and upon his motion, same were approved by the Commission and ordered sent (See file):

(1) Letter to the Prohibition Commissioner, Internal Revenue Department, Philadelphia, Pa., consenting to the transfer and release of Mrs. Anne M. Campbell, an employee of the Commission.

(2) Letter to Congressman D. J. Riordan, advising of the amounts of royalties paid under the Trading with the Enemy Act license, covering the manufacture of arsphenamine and neo-arsphenamine.

Mr. Murdock offered the following motion, which was seconded by Mr. Pollard:

September 22, 1920.

MOVED, That beginning September 27, 1920, the Trading with the Enemy Division be assigned to the supervision of Mr. Thompson; the Export Trade Division to be assigned to the supervision of Mr. Murdock; and the Board of Review to Mr. Gaskill.

In substitution of the foregoing motion, Mr. Thompson moved that the Trading with the Enemy Division be assigned to the supervision of Mr. Pollard. The motion was seconded and put to vote. Messrs. Murdock and Pollard voted in the negative; Mr. Thompson voted in the affirmative, and Mr. Colver did not vote. The substitute motion was declared lost by the Chairman.

The vote thereupon recurred upon Mr. Murdock's motion as shown above. On this motion Messrs. Murdock and Pollard voted in the affirmative, Mr. Thompson voted in the negative, and Mr. Colver did not vote. The motion was thereupon declared by the Chairman passed, and the assignments so ordered.

Pursuant to the Commission's action of September 9th, the Secretary submitted form of circular letter to be addressed by the Commission to the Package Goods Macaroni Industry with respect to the results of the Trade Practice Submittal held before the Commission on June 25, 1920. The letter containing the revisions made on September 9th was approved by the Commission as submitted and ordered sent (See file).

September 22, 23, 1920.

Thereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 10:30 A. M., September 23, 1920.

Attest:

Victor Murdock
Chairman.

Secretary. _____

MEETING OF THE FEDERAL TRADE COMMISSION

September 23, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

The Secretary brought to the attention of the Commission the matter of salary increase of Miss Eleanor N. Shenehon. Upon motion of Mr. Thompson, and following the recommendation of her Chief, the Commission increased Miss Shenehon's salary to \$1500 per annum plus the bonus, the same to be effective on September 16, 1920.

The Secretary also brought to the attention of the Commission the matter of the future status of Mrs. Myrtle Lehmann, clerk to Commissioner Colver, at \$1800 per annum, plus the bonus, and recommended to the Commission that Mrs. Lehmann be appointed Clerk, temporary, at \$1800 per annum, plus the bonus; such appointment to be effective on September 25, 1920. After discussion, the recommendation of the Secretary was approved, and Mrs. Lehmann was so appointed. Mrs. Lehmann will be under the direction of the Secretary and will report to him immediately the length of time

September 23, 1920.

necessary to complete the work in Mr. Colver's office, and will report to the Secretary the completion of the work.

The Secretary submitted memorandum of September 23, 1920 from the Chief Economist, recommending that the title of Mr. H. J. Kallo be changed from that of Clerk to Examiner. The recommendation was approved, and the change so ordered, effective to-day.

The Chairman submitted the following telegram from Messrs. Pickering & Rieser, Superior, Wisconsin, counsel for applicant in the matter of File 9-1296, Western Association of Rolled Steel Consumers vs. U. S. Steel Corporation, et al.:

"1920 Sept. 23

Victor Murdock,
Chairman Federal Trade Commission,
Washington, D.C.

Notification of order granting rehearing in steel base case received. Does not cover our inquiry August twenty-sixth as to method of presentation. May we confer briefly with whole Commission October fifth as to such method? Suggest Mr. Lindabury should be present.

Pickering & Rieser."

The Commission discussed at length its reply to be made to the foregoing telegram and the procedure to be followed in the case.

Mr. Murdock submitted the following reply to Messrs. Pickering & Rieser and moved that it be sent. Motion seconded;

"September 23, 1920.

Pickering & Rieser,
Superior, Wisconsin.

Replying your telegram September twenty-three Commission regrets that it cannot comply with request for engagement in October because of other conferences which have been set period. Answering specifically your inquiry the Commission has notified all parties that it will hear reargument in the steel basing point case on November fifteen, period. You may present orally in your argument such new facts as you deem pertinent. Victor Murdock,
Chairman."

September 23, 1920.

In substitution of the foregoing reply, as submitted by Mr. Murdock, Mr. Pollard offered the following reply, and moved that it be sent:

"September 23, 1920.

Pickering & Rieser,
Superior, Wisconsin.

Answering wire other engagements preclude conference suggested period Commission has notified all parties of rehearing and reargument November fifteen period We suggest that you file with Commission by November first brief and concise restatement of the facts upon which application is based including of course additional facts referred to in your letter.

Victor Murdock,
Chairman."

The motion was seconded. The vote on Mr. Pollard's substitute motion was as follows: Messrs. Murdock and Thompson voted in the negative and Mr. Pollard voted in the affirmative. The Chairman thereupon declared the substitute motion lost.

The vote then recurred on Mr. Murdock's original motion. As to this motion Messrs. Murdock and Thompson voted in the affirmative and Mr. Pollard in the negative. The motion was thereupon declared carried by the Chairman, and the reply telegram as submitted by Mr. Murdock was approved by the Commission and forwarded (See file).

Thereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 10:30 A.M., September 24, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

September 24, 25, 26 (Sunday), 1920, No meetings held.

September 27, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

September 27, 1920 - 11:00 A. M.

Victor Murdock, Chairman,
Huston Thompson,
John Garland Pollard.

The Secretary presented the following matters arising in the Chief Counsel's office and action thereon as indicated was taken by the Commission:

(1) Docket No. 380, F.T.C. vs. Greek American Sponge Co. Memorandum of September 24th, 1920, from the Acting Chief Counsel in the matter of respondent's petition for review of the record. Upon consideration the Commission entered its order over-ruling respondent's petition for review and directed that respondent be advised by the Chief Counsel, that after all evidence in the case has been taken, full opportunity will be given on final hearing to correct any injustices which respondent may show to the Commission have been suffered by them.

(2) Docket No. 248, F.T.C. vs. Aluminum Company of America. Memorandum of September 21st from the Acting Chief Counsel, transmitting letter of September 17th from counsel for respondent, requesting postponement in date of final argument. Following the recommendation of counsel for the Commission, it was directed that counsel for respondent be advised that the date for final argument heretofore fixed by the Commission, to-wit, Oct. 18, 1920, must stand.

(3) Docket No. 246, F.T.C. vs. Aluminum Company of America. Memorandum of September 21st, transmitting application of the Cleveland Metal Products Company of Cleveland, Ohio, to intervene and file brief. Upon consideration of the application and of memorandum from E. L. Smith, Attorney for the Commission, the Commission entered its order denying the application for intervention and directed that notice thereof be given by the Chief Counsel.

As to the foregoing action, the Commission in denying this order, Messrs. Murdock and Thompson voted in the affirmative and Mr. Pollard voted in the negative.

(4) File O-1822, F.T.C. vs. Seymour Chemical Company. Draft of formal complaint was submitted by the Chief Counsel pursuant to the Commission's action of July 13, 1920, for approval of the complaint as to its form. Upon consideration the complaint as submitted was approved as to form and referred to the Secretary for service, the date of issuance being July 13, 1920.

September 27, 1920.

Pursuant to the Commission's direction of August 3, 1920, memorandum of August 10th was received from Attorney A. F. Busick, suggesting certain modifications of Findings of Facts in the pump tank equipment cases. The suggested modifications were approved by the Commission with the direction that the same be incorporated in the Findings in the following dockets and that such modified Findings be entered of record and served upon respondents together with appropriate orders. The modifications, as suggested by Mr. Busick, were approved by Acting Chief Counsel Farrington, as shown in his memorandum of Sept. 22nd, 1920:

Docket No. 85,	F.T.C. vs. Standard Oil Company of Indiana;
" " 133,	" " " "
" " 314,	" " C. L. Smith;
" " 336,	" " Iowa Oil;
" " 132,	" " Standard Oil (Ohio);
" " 318,	" " Paragon Refining;
" " 323,	" " Canfield Oil;
" " 327,	" " Lily White;
" " 305,	" " Motor Fuel;
" " 317,	" " White Star;
" " 319,	" " Hickok Producing;
" " 321,	" " Columbus Oil;
" " 326,	" " Independent Distributing;
" " 322,	" " Carboniers Oil Company.

The Secretary submitted memorandum of September 25th, 1920, from the Chief Examiner, recommending that an application for complaint be docketed in the name of the Commission against Amory & Moore, Inc., for the giving of gratuities in the ship chandlery business, at Norfolk, Va. The recommendation was approved and application was docketed.

Upon motion of Mr. Pollard, the Commission increased clerical salaries at the branch offices as follows, such increases to be effective September 16, 1920:

September 27, 1920.

New York Office, Miss Alma Yarmis, \$1500 to \$1620, plus bonus;
San Francisco Office, Miss Mildred C. Denny, \$1200 to \$1320, plus bonus.

Mr. Thompson laid before the Commission memorandum of September 9, 1920, from the Chief Economist, in the matter of requiring report from the Great Western Sugar Company. Upon consideration, the Chief Economist was advised that if the report in question is not needed in the preparation of the Commission's response to Congress under the Tinkham Resolution, it will not be required.

Upon motion of Mr. Thompson, the Commission waived that part of its regulations requiring the surrender of telegraph franks and credential card, prior to the payment of salary, in the case of Mr. Claude R. Porter, former Chief Counsel and directed the salary due Mr. Porter be paid when due; and further directed the auditor to address a wire to Mr. Porter requiring the immediate return of the franks and card in question.

Thereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 10:30 A.M., September 28, 1920.

Attest:

Wm. H. Thompson

Chairman.

Secretary.

September 28, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

September 28, 1920 - 10:30 A.M.

Victor Murdock, Chairman.
Euston Thompson,
Jno. Garland Pollard.

The Chairman advised the Commission of the necessity of submitting estimates for appropriations for the fiscal year ending June 30, 1922, to the Secretary of the Treasury by October 15th, 1920. After discussion and on motion of Mr. Murdock, it was ordered that the Commission submit estimates for \$1,000,000 lump sum appropriation, and \$55,000 statutory appropriation, and that such estimates be prepared by the Auditor of the Commission upon the basis of the present allocation of the Commission's funds.

The question of incorporating a record of trade practice submittals into Volume 2 of the Decisions of the Commission, was raised by the Chairman, and upon consideration it was agreed that no reference be made to trade practice submittals in the decisions.

Mr. Pollard offered the following motion with respect to the drafting of formal complaints to accompany the recommendation of the Board of Review when the application is referred to a Commissioner, and such motion was adopted by the Commission:

MOVED, That in all applications for complaint upon which the Board of Review recommends the issuance of formal complaint, the Board of Review shall turn the files over to the Chief Counsel, who shall prepare tentative complaint before the files are delivered to the member of the Commission to whom the application is assigned."

September 28, 1920.

As to the foregoing motion, Messrs. Thompson and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

Upon motion of Mr. Murdock, it was ordered that when the minute is made to show the issuance and service of a formal complaint by the Commission, the language used be substantially as follows:

"Ordered that formal complaint be issued and served; the date of issuance being the date of the mailing of the complaint."

Mr. Thompson discussed with the Commission the matter of its future coal cost reports and advised of a decided decrease in the number of companies voluntarily reporting. Upon consideration and on motion of Mr. Thompson, it was ordered that the cost report for June be compiled and published and that thereafter the Commission's coal cost work be discontinued, pending decision of the Court, and that questionnaires be no longer sent out.

Mr. Pollard submitted memorandum of September 23rd from Special Attorney Kly, recommending that the date of approval of the Findings and Order in Docket No. 268, F.T.C. vs. McKnight-Keaton Grocery Company, be changed from May 20, 1920, to some date subsequent to June 30, 1920, to obviate the necessity of delay in the publication of Volume 2 of the Commission's Decisions, it appearing that the Findings and Order in this case are not ready for service. Upon motion of Mr. Pollard, the Commission rescinded its action as to this case on May 20, 1920, and directed that Findings and Order be approved and entered of record as of September 28, 1920.

September 28, 1920.

Upon motion of Mr. Murdock, it was directed that copy of memorandum dated September 22nd by Mr. Colver with respect to accrediting reports of the Commission to the President's food inquiry, as ordered in the letter of February, 1917, be transmitted to the Chief Economist with instructions to follow the suggestions in Mr. Colver's memorandum with respect to the grain report, in the preparation of a tentative statement for the Commission that the origin of the reports should be shown, but that it should be explained that the work was in the main carried out and completed not as a part of the food investigation, and that the general title of all the grain reports should not carry the idea that they were a part of the investigation ordered in the President's letter of February, 1917.

The foregoing instructions likewise apply to any other forthcoming reports now accredited to the President's letter.

Mr. Pollard submitted the following listed applications for complaints and upon his motion, action as indicated was taken by the Commission:

(a) File-

9-1319, F.T.C. vs. Lucky Jim Oil Company.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered (1) that the application be and the same is hereby dismissed and that the F. O. Department be notified as to the activities of John J. Ford; and (2) that the Chief Examiner be instructed to docket a new application for complaint in the name of the Commission against John J. Ford, transferring the files in this case to the new application, the Chief Examiner to give special consideration to the question of interstate commerce.

September 28, 1920.

(b) File-

9-1323, F.T.C. vs. Roby-Burk Oil Company.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered (1) that the application be and the same is hereby dismissed, and (2) that the Chief Examiner be instructed to make further inquiry pursuant to Mr. Pollard's memorandum, and report to the Commission.

(c) Files-

9-1360, F.T.C. vs. International Oil Association;
O-1560, National Refining Co. vs. Standard Oil Company of
Indiana.

Memoranda by Mr. Pollard approved. Reports of the Board of Review approved. Ordered (1) that the applications be and the same are hereby dismissed.

(d) File-

9-1200, Rawlings Wall Paper Co. vs. Henry Bosch Company, et al.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered (1) that the application be and the same is hereby dismissed, and (2) that the Chief Examiner be instructed to docket a new application for complaint in the name of the Commission against certain wall paper companies who have probably violated Sections 7 and 8 of the Clayton Act, and also against the Wall Paper Manufacturers' Association of the United States, as set out in Mr. Pollard's memorandum.

The Chief Economist appeared and submitted memorandum of this date from Examiner Durand of the staff, with respect to telephone request from Mr. Joseph Sapineky, Special Attorney ^{Attorney} General in the Packer case, that the Commission furnish available information on the earnings of the stockyards in relation to their investment. The Commission authorized the transmittal of available data.

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M., September 29, 1920.

Attest:

John M. ...
Chairman.

Secretary.

September 29, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

September 29, 1920 - 2:30 P.M.

Victor Murdock, Chairman,
Euston Thompson,
Jno. Garland Pollard.

The Commission conferred with Mr. Archibald Cox, Counsel and Mr. Gerry, representing the Royal Baking Powder Co. with respect to certain proposed new labels submitted to the Commission with letter of August 14, 1920, from Mr. Cox, for its approval. Messrs. Eusick and Turner attended the conference.

The matter was discussed until the hour of 4:30 P.M., and thereafter the Commission held executive session.

Upon consideration and on motion of Mr. Pollard, the Commission decided not to pass upon the new label presented by the Royal Baking Powder Company at this time, and directed that notice be given the Company. The conference was not stenographically reported.

The Chairman sent the following letter to the company:

"Consideration has been given by the Commission to the proposed new label to be used by the Royal Baking Powder Company as submitted with your letter of August 14th, 1920, and also to matters presented at the conference on September 29th, 1920. I have been asked to communicate to you the Commission's decision not to pass upon the new label at this time."

The Chairman submitted memorandum from Mr. Leonard Erdahl requesting salary increase. Upon consideration the Commission ordered that Mr. Erdahl be promoted to \$1,000 per annum, plus

September 29, 1920.

the bonus, on account of his shown efficiency and the fact that if his services with the Commission had not been interrupted by military service during the war of a year's duration at the front, he would now be through promotions enjoying this salary; this increase to be effective October 1st, 1920.

The Chairman also submitted request of Mr. William F. Brown for increase in salary pending his separation here and re-employment with the Bureau of War Risk Insurance. After discussion, the request was denied.

Thereupon, at the hour of 5:30 P.M., the Commission adjourned to meet at 10:30 A.M., September 30, 1920.

Attest:

W. H. L.
Chairman.

Secretary. _____

September 30, Oct. 1, 2, 3 (Sunday), 1920 - No meetings held.

October 4, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

October 4, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Euston Thompson,
Jno. Garland Pollard.

The Commission received memorandum of September 23th from the Chief Economist, transmitting report of an audit on royalties for dye stuffs payable by the du Pont Company under licenses Numbers 18 and 19, issued under the Trading with the Enemy Act. Mrs. Wilson of the staff was heard. After discussion, on motion of Mr. Thompson, it was directed that a letter be written for the Chairman's signature to the du Pont Company, stating that upon receipt of checks payable to the Alien Property Custodian for (a) \$7,832.00, the amount agreed upon as being balance due under License No. 19 for dyes invoiced prior to January 14, 1920, and for (b) \$2,647.93, due under Licenses Numbers 19 and 18 for dyes loaded and delivered to the railroads prior to January 14 and September 1, 1920, respectively, but invoiced at a later date; the acceptance of surrender and cancellation of these licenses will be forwarded by the Commission to the du Pont Company.

As to the foregoing action of the Commission, Messrs. Murdock and Thompson voted in the affirmative and Mr. Pollard voted in the negative, for the reason that he is in doubt as to the right of the Commission to accept surrender.

Mrs. Wilson submitted the following order granting non-exclusive license under the Trading with the Enemy Act to Paul A. Flanders, and upon motion of Mr. Thompson, the

October 4, 1920.

order was approved and entered by the Commission.

The following action was taken by the Commission:
Mr. Aôrien F. Busick was directed to relinquish temporarily his duties as Chairman of the Board of Review and to act as Chief Counsel pending the filling of that position by the Commission, and the Vice Chairman of the Board of Review was directed to act as Chairman of that Board during Mr. Busick's absence; and Mr. James McKeag of the Legal examining staff, now substitute member of the Board of Review, was directed to act as member of that Board during Mr. Busick's absence, until further order of the Commission.

Upon motion of the Chairman, it was further directed that from October 4, 1920, Mr. Busick receive a salary at the rate of \$8,000 per annum, while acting as Chief Counsel for the Commission.

The Chairman submitted memorandum of September 30th from the Chief Economist with respect to origin and address of letter of submittal for the Grain Report, and upon motion of the Chairman, it was ordered that all parts of the Grain Report and the Flour Report be addressed to the Congress of the United States, and the description of the origin of these reports be as follows:

"This inquiry had its origin in connection with the general food investigation, made by the Commission, but was later continued as a separate inquiry."

It was also directed that the President's letter remain in the appendix, and that Friday, October 8th, at 10:30 A.M. be fixed as the time for reading by the Commission of the let-

October 4, 1920.

ter of submittal in the Grain Report.

The Chairman read to the Commission letter from Miss Teresa Rickenberg with respect to salary increase, and asked the instructions of the Commission. The Commission requested the Chairman to inform Miss Rickenberg to present the matter to Commissioner Gaskill, who is in charge of the Economic Division in which she is employed.

In the matter of Docket No. 310, F.T.C. vs. Oklahoma Producing and Refining Corporation of America, an order was entered that testimony be resumed before an examiner of the Commission on Tuesday, October 5, 1920, at 9:00 o'clock A.M. in New York City.

The Secretary laid before the Commission the following matters and action as indicated was taken:

(a) Memorandum of September 29th from the Acting Chief Counsel, transmitting draft of formal complaints for approval by the Commission as to their form in the following cases, alleging commercial bribery in the ship chandlery business in certain southern ports. The complaints were approved as submitted with the direction that they be served in person by Attorney Moore. The memorandum from the Acting Chief Counsel was approved.

Files-

- O-2017, F.T.C. vs. Richardson Brothers.
Date of issuance September 18, 1920.
- O-1908, F.T.C. vs. Gulf Iron & Machine Company, Inc.
Date of issuance September 8, 1920.
- O-1999, F.T.C. vs. Everett Supply Co., Inc.
Date of issuance September 17, 1920.
- O-1911, F.T.C. vs. Seaboard Transportation & Shipping Co.
Date of issuance September 8, 1920.
- O-1913, F.T.C. vs. Vulcan Iron Works.
Date of issuance September 8, 1920.

October 4, 1920.

- O-1914, F.T.C. vs. Gray's Engineering Works, Inc.
Date of issuance September 8, 1920.
- O-1938, F.T.C. vs. Johnson Iron Works, Ltd.
Date of issuance September 9, 1920.
- O-2005, F.T.C. vs. C. A. Simpson & Co.
Date of issuance September 9, 1920.
- O-1927, F.T.C. vs. Texas Iron Works.
Date of issuance September 8, 1920.
- O-2018, F.T.C. vs. Charleston Dry Dock & Machine Co.
Date of issuance September 18, 1920.
- O-2015, F.T.C. vs. Hussey & Copp.
Date of issuance September 9, 1920.
- O-2020, F.T.C. vs. Savannah Ship Chandlery & Supply Co.
Date of issuance September 17, 1920.
- O-2016, F.T.C. vs. W. A. Rhea.
Date of issuance September 17, 1920.
- O-2006, F.T.C. vs. Cowles Ship Supply Co., Inc.
Date of issuance September 9, 1920.
- O-2000, F.T.C. vs. Stern Foundry & Machine Co., Inc.
Date of issuance September 9, 1920.
- O-1922, F.T.C. vs. Marine Iron Works, Inc.
Date of issuance September 9, 1920.
- O-1915, F.T.C. vs. McDonough Iron Works.
Date of issuance September 8, 1920.
- O-1923, F.T.C. vs. Port Arthur Marine Engineering Works.
Date of issuance September 8, 1920.
- O-2011, F.T.C. vs. McKenzie, Oertling & Co.
Date of issuance September 9, 1920.
- O-2002, F.T.C. vs. Alex Dassel Iron Works, Inc.
Date of issuance September 14, 1920.
- O-2001, F.T.C. vs. Crescent City Machine & Mfg. Works, Inc.
Date of issuance September 9, 1920.
- O-2014, F.T.C. vs. Runyan Company.
Date of issuance September 9, 1920.
- O-2008, F.T.C. vs. Home Industry Iron Works, Inc.
Date of issuance September 9, 1920.
- O-2004, F.T.C. vs. New Orleans Machine Works.
Date of issuance September 9, 1920.

October 4, 1920.

- O-2019, F.T.C. vs. Charleston Iron Works.
Date of issuance September 17, 1920.
- O-2007, F.T.C. vs. Alabama Dry Dock & Ship Building Co., Inc.
Date of issuance September 9, 1920.
- O-2009, F.T.C. vs. Henderson Ship Building Co., Inc.
Date of issuance September 14, 1920.
- O-2003, F.T.C. vs. Union Iron Works, Inc.
Date of issuance September 9, 1920.
- O-2012, F.T.C. vs. Guld Machine Works.
Date of issuance September 14, 1920.
- O-2010, F.T.C. vs. Hodges Boiler & Machine Works.
Date of issuance September 9, 1920.
- O-1912, F.T.C. vs. Voight Machine Shop.
Date of issuance September 8, 1920.
- O-2022, F.T.C. vs. Wilkinson Machine Co.
Date of issuance September 18, 1920.

(b) Resignation of Mrs. Myrtle E. Lehmann. The resignation was accepted as submitted, to be effective at the close of business September 30, 1920.

(c) Minute of the Commission's action on September 28th in directing that the date of issuance of formal complaints shall be the date of the mailing of the complaint, was read to the Commission by the Secretary, with the recommendation that a similar Order be issued by the Commission with respect to Findings of Facts, Conclusions and Orders in formal docket cases. The recommendation of the Secretary was approved and it was ordered effective today that with respect to Findings and Orders the date of issuance thereof shall be the date of the mailing.

(d) Order was submitted and entered directing that F.C. Baggarly, an examiner of the Commission, be designated to receive testimony, etc., in Docket No. 535, F.T.C. vs. Silvex Co., et al.

(e) Memorandum of September 28th from the Chief Accountant in re securing information from the Quissett Mill for the combed yarn inquiry. The memorandum was read and after discussion the following telegram was ordered sent:

September 27, 1920.

Wm. M. Butler,
77 Franklin Street,
Boston, Mass.

Your proposal, reported by Napier, that the costs and other information desired under House Resolution

October 4, 5, 1920.

number four fifty one for the years nineteen fourteen to nineteen nineteen for the Quisset Mill shall be compiled by Dysart at your expense in accordance with a schedule prepared by the Commission is acceptable provided the data submitted shall be subject to verification and analysis from your looks to such extent as is deemed necessary by the Commission.

Federal Trade Commission,
J. P. Yoder,
Secretary.

(f) Memorandum from the Acting Chief Counsel, suggesting that date for final argument be fixed in certain sponge cases, Lockets Nos. 374 to 398, both inclusive. Upon consideration of its calendar, the Commission fixed October 28th at 2:00 P.M. as the time for final argument, and directed that interested parties be notified.

(g) Memorandum of October 2nd, from the Chief Examiner, transmitting summaries of data on the Lumber Investigation, prepared by the Chicago Office at the request of the Department of Justice. It was directed that the matter be referred to Mr. Pollard for report back to the Commission.

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M., October 5, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

October 5, 1920 - 11:00 A.M.

Victor Murdock, Chairman.
Houston Thompson,
Jno. Garland Pollard.

A trade practice submittal upon the subject of "Guarantee Against Decline in Price" was held before the Commission, pursuant to arrangements (See stenographic report).

October 5, 6, 1920.

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The Commission recessed at 12:30 P.M. and reassembled at 2:00 P.M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

The trade practice submittal on price decline was resumed, continued until the hour of 4:45 P.M. and adjourned to meet at 9:30 A.M. October 6, 1920 (See stenographic report).

Thereupon, at the hour of 4:45 P.M. the Commission adjourned to meet at 9:30 A.M., October 6, 1920.

Attest:

Victor Murdock
Chairman.

Secretary. _____

MEETING OF THE FEDERAL TRADE COMMISSION

October 6, 1920 - 9:30 A. M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

A trade practice submittal on the subject of "Guarantee Against Decline in Price," adjourned from the preceding day, was resumed before the Commission, continued until the hour of 12:30 P.M., at which time a recess was taken until 2:00 P.M. (See stenographic report).

The Commission recessed at 12:30 P.M. and reassembled at 2:00 P.M.

October 6, 7, 1920.

Victor Murdock,
Huston Thompson,
Jno. Garland Pollard.

The trade practice submittal on price decline was resumed, continued until the hour of 4:45 P.M. and completed (See stenographic report).

Thereupon, at the hour of 4:45 P.M., the Commission adjourned to meet at 10:30 A.M., October 7, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

October 7, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

Mr. Pollard submitted letter to the Knit Goods Manufacturers of the United States, inviting attendance upon a trade practice submittal before the Commission on October 20, 1920, at 10 o'clock A.M. The letter was revised, approved by the Commission, and ordered sent (See file).

Mr. Thompson laid before the Commission letter of this date addressed to the Attorney General of the United States, wherein the Commission, as a result of informal conference at the Attorney General's office on Tuesday, October 6, 1920, makes certain suggestions with respect to the separation of

October 7, 1920.

the Meat Packers from the stockyardsbusiness. The letter was revised, approved by the Commission, signed by the Chairman and delivered (See file Meat Cor 5 Ju 5)

The Secretary presented application of Margaret Justice for leave of absence without pay from October 11, 1920, to January 10, 1921, inclusive, required by the illness of her father, and upon recommendation of the Secretary the application was approved.

Upon motion of Mr. Murdock, it was agreed that the reading of the letter of submittal in the Grain Report be made a special order of business for Monday, October 11, 1920, at 10:30 A. M.

Mr. Pollard reported progress in the matter of the St. Louis Coffee Urn situation, and stated that out of 30 concerns, 25 had agreed to discontinue the tying of coffee to urns, and that further negotiations were necessary in five instances. The report was accepted and the matter referred to the Chief Examiner for further work.

The Secretary submitted letter of October 6, 1920, from Messrs. Hulse & Allen, Official Reporters, transmitting three additional copies of the testimony of Mr. Hoover in Docket No. 215, F.T.C. vs. Minerals Separation, Ltd., which the respondent's counsel asked to have certified to by the Secretary of the Commission. The Secretary was directed to make such certification after due examination of the record.

October 7, 1920.

In the matter of Docket No. 308, P.T.C. vs. Ohio Cities Gas Company, Attorney E. L. Smith, Counsel for the Commission, appeared and presented his memorandum of September 24, 1920, and was heard with respect to stipulation filed in the case, and as to hearing on respondent's motion for dismissal. Upon consideration it was directed that counsel for the respondent be notified that the Commission does not accept the stipulation entered into by Attorney Lechiel on behalf of the Commission, and that the counsel for the Commission proceed with the taking of testimony to support the complaint. The hearing set for October 19, 1920, was canceled.

Upon motion of Mr. Murdock, it was directed that pending applications for complaint assigned to Mr. Colver be re-assigned in rotation among the several Commissioners without regard to previous orders of the Commission assigning certain classes of cases to Mr. Colver.

The Secretary presented memorandum of October 6th from Mr. A. F. Eusick, Acting Chief Counsel, transmitting request of counsel for respondent in Docket No. 248, P.T.C. vs. Aluminum Company of America, for postponement of date for final argument, now set for October 18th, because of illness. Upon consideration, the Commission fixed November 12, 1920, at 2:00 P.M., as a time for final argument, and directed that parties be notified.

Mr. Thompson submitted File O-1901, Baltimore Talking Board Company, Inc. vs. National Omega Board Company. Report of the Board of Review approved. Ordered that the application

October 7, 11, 1920.

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be and the same is hereby dismissed. Ordered further that Mr. Hunt, of the Department of Justice, be advised that the files are open to his inspection at the office of the Commission, but not to be removed.

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M., October 8, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

October 8, 9, 10 (Sunday), 1920 - No meetings held.

MEETING OF THE FEDERAL TRADE COMMISSION

October 11, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

In conference with the Chief Economist, and Dr. Wm. H. S. Stevens, the Commission read the letter of submittal and page proof of the Grain Report and Flour Report.

The Commission recessed at 12:45 and reassembled at 2:30 P.M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

The reading of the Grain and Flour Reports, continued from the morning session, was resumed and completed. Revised letter of submittal in manuscript form for Volume I of the Grain Report was read and approved, and ordered incorporated in the

October 11, 12, 1920.

Report. Page proof and letters of submittal for Volumes II and V of the Grain Report, and the Flour Milling Report, were read, corrected and ordered forwarded to the Public Printer for final printing.

Thereupon, at the hour of 4:45 P.M., the Commission adjourned to meet at 10:30 A.M., October 12, 1920.

Attest:

Out. 11. 12. 1920.
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

October 12, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

Pursuant to arrangements, the Commission heard final argument in the matter of Docket No. 501, F.T.C. vs. Wholesale Grocers Association of El Paso, Texas, et al. Attorney Marvin Farrington was heard in support of the Commission's complaint. Messrs. A. H. Culwell and Otis B. Kent were heard on behalf of certain of the respondents, as shown by the record. The hearing continued until the hour of 1:00 P.M., at which time a recess was taken until 3:00 P.M.

The Commission recessed at 1:00 P.M. and reassembled at 3:00 P.M.

October 12, 1920.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

The argument in the matter of Docket No. 101, F.T.C. vs. Wholesale Grocers Association of El Paso, Texas, et al., was resumed, continued until the hour of 3:30 P.M., and concluded. At the conclusion of the argument the case was taken under advisement by the Commission. The hearing was not stenographically reported.

Chairman Murdock presented the following listed applications for complaints, and upon his motion action as indicated was taken by the Commission:

Files-

O-1583,	F.T.C. vs. Armour & Co.,	in re Meadow Green Gin Co.
O-1581,	" " " " " "	" " Citizens Gin Co.
O-1678,	" " Morris & Co.,	" " Condit Beef & Provision Co.
O-1699,	" " Wilson & Co., Inc.,	in re Ashland Rendering Co.
O-1704,	" " " " " "	vs. Empire Provision & Produce Company.
O-1942,	" " Swift & Co.,	in re Brady Oil Mills.
O-1568,	" " " " " "	" " Van Wagoner & Schickasus Co.
O-1936,	" " " " " "	" " Fort Worth Cotton Oil Mill.
O-1944,	" " " " " "	" " Dublin Cotton Oil Mills.
O-1656,	" " " " " "	" " Manning Produce Company.
O-1939,	" " " " " "	" " Gatesville Cotton Oil Mill.
O-1943,	" " " " " "	" " Brownwood Cotton Oil Mills.
O-1947,	" " " " " "	" " Hamilton Cotton Oil Mills.
O-1948,	" " " " " "	" " Coleman Cotton Oil Mills.
O-1938,	" " " " " "	" " West Cotton Oil Mill.
O-1934,	" " " " " "	" " Houston Cotton Oil Mill.
O-1935,	" " " " " "	" " Waco Cotton Oil Mill.
O-1937,	" " " " " "	" " Itasca Cotton Oil Mill.
O-1642,	" " " " " "	" " Underwood Market.
O-1946,	" " " " " "	" " Rico Cotton Oil Mills.
O-1614,	" " " " " "	" " Simbler Company.
O-1663,	" " " " " "	" " T. D. Winters Company.
O-1654,	" " " " " "	" " L. G. Gramp Produce Co.
O-1666,	" " " " " "	" " Newark Soap Works, Newark, N.J.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

October 12, 14, 1920.

Thereupon, at the hour of 4:30 P.M., the Commission adjourned to meet at 10:30 A.M., October 13, 1920.

Attest:

Victor Murdock

Chairman.

Secretary.

October 13, 1920 - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

October 14, 1920 - 2:00 P.M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

The Chairman laid before the Commission letter of October 12, 1920, from the Secretary to the President, transmitting file of correspondence concerning the present decline in the price of wheat, and advising that the President had requested the Commission and the Department of Agriculture to look into the matter at the earliest possible moment with a view to determine what, if anything, can properly be done. The Commission conferred with Messrs. Walker, Wm. H. S. Stevens, Stearns and Watkins of the Economic Staff. A plan of procedure was agreed upon and the Economic Division was directed to make an immediate inquiry and report to the Commission. At the request of the Commission the Chairman addressed a letter to the President, advising that the Commission would make immediate inquiry, (See file Wheat Prices Res 5)

In conference with Attorney Flannery of the staff, the Commission considered draft of formal complaint in the matter

October 14, 15, 1920.

of File 1-385, Equity Cooperative Exchange vs. Minneapolis Chamber of Commerce, and thereafter directed that copies of the complaint be transmitted to the Board of Review with instructions that the Board appear before the Commission at 10:30 A. M., October 15, 1920, and that the draft of complaint be further considered at that time.

Thereupon, at the hour of 5:00 P. M., the Commission adjourned to meet at 10:30 A. M., October 15, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

October 15, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Euston Thompson,
Jno. Garland Pollard.

Pursuant to the action of October 14th, members of the Board of Review and Attorney Flannery appeared for hearing upon formal complaint in the matter of file 1-385, Equity Cooperative Exchange vs. Minneapolis Chamber of Commerce, et al. In order that the Board of Review might give further study to the complaint, the hearing was adjourned until 10:00 A.M., October 16, 1920.

The minutes of the meetings of -
September 8th, 9th, 10th, 11th, 13th, 14th, 15th, 16th, 17th,

October 15, 1920.

18th, 20th, 21st, 22nd, 23rd, 27th, 28th and 29th, 1920, and October 4th, 5th, 6th, 7th, 11th, 12th and 14th, 1920, respectively, were read, revised and approved by the Commission.

The Commission discussed Docket No. 501, F.T.C. vs. Wholesale Grocers Association of El Paso, Texas, et al., upon which final argument was heard on October 12th.

Upon consideration, Mr. Murdock moved that the complaint be dismissed because he was of the belief that conspiracy was not proven. The motion was seconded and put to vote. Messrs. Thompson and Pollard voted in the negative and Mr. Murdock voted in the affirmative. The motion was lost.

Mr. Pollard thereupon offered the following motion, which was duly seconded:

MOVED. That the Chief Counsel be requested to submit to the Commission for its consideration on October 27th, at 10:30 A. M., the Findings of Facts and Order.

As to this motion, Messrs. Thompson and Pollard voted in the affirmative and Mr. Murdock voted in the negative. The motion was carried.

The Commission recessed at 1:00 and reassembled at 2:00 P. M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

Pursuant to arrangements, the Commission heard final argument in the matter of Docket No. 592, F.T.C. vs. Mabane

October 15, 16, 1920.

Iron Bed Company, Inc. Attorney Isaac Diggs was heard in support of the Commission's complaint. Messrs. Wm. P. Eynum, and R. E. McNeill were heard on behalf of respondent. The hearing continued until the hour of 4:30 and concluded. The argument was not stenographically reported. At the conclusion of the hearing the case was taken under advisement by the Commission.

Thereupon, at the hour of 4:30 P.M., the Commission adjourned to meet at 10:30 A.M., October 16, 1920.

Attest:

Oct 16 1920
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

October 16, 1920, 10:00 A. M.

Victor Hurlock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

The minutes of the meeting of October 15, 1920, were read and approved.

The Chairman submitted letter of October 14, 1920, from Herbert J. Campbell, counsel for respondent in the matter of Docket No. 533, F.T.C. vs. American Mutual Seed Company, requesting the Commission to fix final argument during the week beginning December 12, 1920, as counsel was suddenly called

October 16, 1920.

to go abroad. Thereupon the Commission fixed final argument in this case for December 13, 1920, at 2:00 P.M., and directed that due notice be given interested parties.

The Secretary submitted memorandum of October 14th from Acting Chief Counsel Busick, with respect to the certification to the Circuit Court of Appeals of the record in Docket No. 134, P.T.C. vs. Standard Oil Company of New York, and Docket No. 337, P.T.C. vs. Standard Oil Company of New Jersey. The memorandum was approved. The order of October 17, 1919, with respect to certification of final argument was waived, and the Secretary was instructed to certify a copy of the transcript of final argument in these two cases, as set out in Mr. Busick's memorandum.

Pursuant to the Commission's action of October 15th, members of the Board of Review, Acting Chief Counsel Busick, Attorney Flannery and Examiner Dowlan appeared and were heard in the matter of the issuance of a formal complaint in File 1-385, application of the Equity Cooperative Exchange for complaint against Minneapolis Chamber of Commerce, et al.

The report of the Board of Review was considered together with draft of complaint as prepared by Attorney Flannery and submitted by the Acting Chief Counsel. The case was discussed at length.

On motion of the Chairman, the Clerk read to the Commission the following papers which were received and ordered placed in the record: (1st) Sworn statement dated January

SUBBC

October 16, 1920.

29, 1920, of Mr. James G. McHugh, Secretary of the Chamber of Commerce of Minneapolis, Minn., et al., with respect to the circulation of pamphlets setting forth data regarding practices of the Equity Cooperative Exchange, etc.; (2nd) Sworn statement dated January 28, 1920, of Mr. Edward Engerud with respect to certain litigation by the State of North Dakota against the Equity Cooperative Exchange.

After hearing and upon consideration of the entire record, on motion of Mr. Pollard, seconded by Mr. Murdock, and by unanimous vote, the Commission issued its formal complaint in this case, subject to the approval of its form when finally presented to the Commission by the Chief Counsel. Resolution directing the issuance and service of the complaint was adopted.

Verbal instructions were given the Acting Chief Counsel as to the preparation of the complaint, specifically with respect to the parties and charges to be incorporated in the complaint.

The Commission then proceeded to a consideration of final determination of Docket No. 592, F.T.C. vs. Mebane Iron Bed Co., Inc., upon which case final argument was heard on October 15th. Thereafter, upon motion of Mr. Pollard, seconded by Mr. Thompson, and by unanimous vote, the Commission approved and entered its Order dismissing its complaint in this case.

Mr. Pollard submitted written reports with respect to the following listed formal dockets, and application for complaints, and upon his motion action as indicated was taken by the Commission:

October 16, 1920.

(1) Docket No. 582, F.T.C. vs. Universal Motor Co., et al.

Memorandum of October 13, 1920, by Mr. Pollard approved. Ordered that draft of Findings and Order, as submitted by the Chief Counsel, together with the entire record, be referred back to the Chief Counsel to submit a formal opinion as to whether the Commission can properly enter the Order, as requested by the respondents herein.

(2) Docket No. 569, F.T.C. vs. Liberty Wholesale Grocers.
" " 352, " " Errant-Knight Co., et al.

Memoranda of October 13, 1920, from Mr. Pollard approved. Findings of Facts, Conclusion and Orders to Cease and Desist, as submitted by the Chief Counsel, were approved and entered of record by the Commission with the direction that the same be served, the date of such Findings and Orders to be the date of mailing.

(3) Docket No. 563, F.T.C. vs. Rueckheim Bros. & Eckstein.

Memorandum of October 13, 1920, by Mr. Pollard approved. Ordered that action in this case be postponed pending the determination of Docket No. 226, F.T.C. vs. Kinney-Rome Co., now pending in the Circuit Court of Appeals for the Seventh Circuit, and that the Clerk of the Commission call this matter to the attention of the Commission as soon as the opinion in the above case is handed down.

(4) File-

9-1438, Knickerbocker Knitting Mill Co. vs. Sealpax Co.

Memorandum of October 13, 1920, by Mr. Pollard approved. Ordered that this file go to the Suspense Calendar, pending the determination of the question of resale price maintenance by the Supreme Court in the matter of Docket No. 88, F.T.C. vs. Beech Nut Packing Company, and by the Circuit Court of Appeals for the Seventh Circuit in the matter of Docket No. 19, F.T.C. vs. Mishawaka Woolen Mfg. Co., and that the Clerk be instructed to call the Sealpax case to the attention of the Commission after the opinions in these two cases have been handed down.

(5) Files-

0-2027, J. W. Duntley vs. Walter C. Shawlin Co.
9-1320, F.T.C. vs. Beaver Valley Oil and Refining Co.
0-1874, Lowe Bros. Company vs. Woolworth Paint & Varnish Co.
0-1734, F.T.C. vs. General Graphite Company.
0-1979, Rubber and Celluloid Products Co. vs. American Safety Razor Corporation.

Memorandum by Mr. Pollard approved. Reports of the Board of Review approved. Ordered that the applications be, and the same are hereby, dismissed.

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October 16, 1920.

(6) File-

O-1889, Bayer Co., Inc. vs. Albany Chemical Co., et al.

Memorandum of October 16th by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaint against Albany Chemical Company issue and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service, the complaint to bear the date of its mailing. Resolution directing the issuance and service of complaint adopted. The application against the Trade-Mark Title Company was dismissed.

Chairman Murdock submitted written reports in the following listed applications for complaints, and upon his motion action as indicated was taken by the Commission:

(1) Files-

O-1968, F.T.C. vs. Shirock-Todd Company.
O-1963, F.T.C. vs. Joseph Hahn & Company.
O-1959, F.T.C. vs. Keystone Merchandise Co.
O-1964, F.T.C. vs. Hecht-Cohen & Company.
O-1878, Pencil Products Corporation vs. New Diamond Point Pen Company, Inc.
O-1877, Pencil Products Corporation vs. Mabie Todd & Company.
O-1951, F.T.C. vs. Cutaway Importer Company.
O-1952, F.T.C. vs. Aiter & Company.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that the applications be, and the same are hereby, dismissed.

(2) Files-

O-1952, F.T.C. vs. J. Kelley.
O-1966, " " Ed Hahn.
O-1957, " " Standard Fountain Pen Co.
O-1958, " " Karl Guggenheim, Inc.

Memoranda by Mr. Murdock approved. Reports of the Board of Review approved. Ordered that formal complaints in these cases issue and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service, the date of the complaints to be the date of the mailing thereof. Resolutions directing the issuance and service of such complaints were adopted.

October 16, 19, 1920.

Thereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 10:30 A.M., October 18, 1920.

Attest:

Victor Murdock

Chairman.

Secretary.

October 17th and 18th, 1920 - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

October 19, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

The minutes of the meeting of October 16, 1920, were read and approved.

The Secretary laid before the Commission, suggested draft prepared by Mr. Colver at the request of the Commission, of certain matter to be included, if desired, in the introduction to the Annual Report for the fiscal year 1920. Copies of Mr. Colver's memorandum were handed each commissioner, and it was agreed that the same be read and later considered.

The Chairman laid before the Commission memorandum from the Chief Examiner, transmitting letter of October 4, 1920, from the A. B. Small Company, wholesale grocers, Macon, Ga., making complaint regarding practices in the sugar trade. The Commission agreed that this matter should not be docketed as an application for complaint, and directed the Chief Examiner to prepare a letter for the Chairman's signature to the

SUBC

October 19, 1920.

Small Company, containing the substance of the Chief Examiner's memorandum (See file).

Mr. Thompson laid before the Commission the resignation of Attorney Charles E. McDonald of the trial staff, transmitted to the Commission by Acting Chief Counsel Busick. The resignation was accepted to be effective October 17, 1920.

Upon motion of Mr. Thompson, the salary of Attorney Marvin Farrington was increased from \$4200 to \$5000 per annum, the same to be effective on October 16, 1920.

Upon motion of Mr. Thompson, the Secretary was directed to prepare and issue a statement concerning the work of the Commission with respect to blue sky oil cases. memorandum of October 19th from Mr. Thompson was approved.

The Secretary submitted memorandum of August 12, 1920, from the Docket Section, recommending the filing of an increased number of copies of answers by respondents in formal docket cases. Upon motion of Mr. Murdock, the memorandum was approved and it was ordered that Rule III of the Commission's Rules of Practice be amended so as to require the filing by respondents in formal proceedings, in triplicate, of copies of their answers to the Commission's complaints.

The Secretary also submitted the following matters from the Auditor, and action as indicated was taken by the Commission:

October 19, 1920.

(a) Memorandum of August 11th with respect to fixation of responsibility between counsel and examiner in the trial of formal cases, as to the certification of claims for witness fees and mileage. Upon motion of Mr. Pollard, the memorandum was approved and it was directed that the examiner have control of the matter of witness fees and mileage at the trial, and that certificate of the presence of witnesses shall be given by the examiner; and further that the Auditor prepare and submit to the Commission a circular of instructions to cover the matters set out in his memorandum.

(b) Memorandum of August 26th asking the instruction of the Commission in the matter of witness fees and mileage for witnesses of the respondent in Docket No. 303, F.T.C. vs. Utah-Idaho Sugar Company. The memorandum was referred to Mr. Thompson with request for report of recommendation to the Commission.

(c) Memorandum of August 26th, from the Disbursing Clerk, with respect to the copying of exhibits by the official reporters. Upon motion of Mr. Thompson, the Chief Examiner was instructed to inform examiners, trial attorneys and examining attorneys, that the record shall not be extended by the incorporation of exhibits unless there appears very clearly the necessity that exhibits should be copied into the record, and then not extended exhibits.

Mr. Thompson submitted written reports in the following listed applications for complaints and upon his motion, action as indicated was taken by the Commission:

(a) Files-

9-1394, F.T.C. vs. Texas Bankers Oil Company.
 O-1747, " " John E. Hand & Sons Co.
 9-1379, " " Jane Louise Oil Company.
 9-1047, " " Queen City Oil Company.
 9-1367, " " Burk-Mack Oil Company.
 9-1045, " " Wonder City Petroleum Company.
 O-1745, " " J. & R. Wilson, Inc.
 O-1771, " " B. V. D. Company.
 O-1894, " " Kramer & Koebbe vs. C. S. Smith & Co.
 9-1361, " " Abner Davis.

Memoranda by Mr. Thompson approved. Reports of the Board of Review approved. Ordered that the applications be, and the same are hereby, dismissed.

(b) File-

O-1897, Boy Scouts of America vs. Excelsior Shoe Company.

October 19, 1920.

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Memorandum by Mr. Thompson approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. The complaint to bear the date of its mailing. Resolution directing the issuance and service of the complaint was adopted.

(c) File-

O-1997, F.T.C. vs. Textile Products Company.

Memorandum of October 19th, recommending formal complaint, submitted by Mr. Thompson. Ordered that the files be referred to the Chief Examiner with instruction to negotiate with respondent for written admission as to his past practice concerning commercial bribery, and an undertaking as to its prevention in the future, and report to the Commission. In the event of failure of such negotiation, formal complaint to issue.

The following matters arising in the Chief Counsel's office were laid before the Commission by the Secretary, and action as indicated was taken by the Commission:

(1) Memorandum of October 18th, from the Acting Chief Counsel, suggesting that announcement of the issuance of certain complaints upon persons engaged in the ship chandlery business in southern ports, be withheld pending the service of all such complaints by Attorney Moore. The memorandum was approved.

(2) Docket No. 335, F.T.C. vs. Lewis Blaustein.

In response to the Commission's direction of September 21st, the Acting Chief Counsel reported with respect to the statement of respondent's attorney that he "understood that the Commission would not rule on the case of their client with the others." Memorandum of October 2nd, by Attorney Burdeau was read. The case was referred back to the Acting Chief Counsel with instructions to ascertain whether the findings are sustained by the record, particularly if there is evidence to sustain Paragraph 4 of the findings. If the Acting Chief Counsel find in the affirmative, the findings of facts, conclusion and order to cease and desist, as approved by the Commission on April 27, 1920, are to be served without further action by the Commission; otherwise, the Acting Chief Counsel will report to the Commission.

October 19, 1920.

- (3) Docket No. 315, F.T.C. vs. Kentucky Independent Oil Company.

Memorandum of September 24th by Assistant Chief Counsel Farrington, and memorandum of September 2nd, by Attorney E.L. Smith, were approved and the Commission entered its order dismissing the case.

- (4) Docket No. 268, F.T.C. vs. The Aeolian Company.

Form of Order of Dismissal was submitted by the Chief Counsel pursuant to the Commission's action of September 11, 1920, in dismissing its complaint, together with memorandum of October 15th from the Acting Chief Counsel suggesting the possibility of error in dismissing the case in view of the respondent's willingness to stipulate the facts and consent to an Order to Cease and Desist from certain practices. It was directed that Acting Chief Counsel Busick and Attorney M. B. Clark appear before the Commission at 10:30 A.M. Tuesday, October 26th for consideration of the case.

- (5) Docket No. 325, F.T.C. vs. American Oil & Supply Co.

Order of Dismissal, drawn pursuant to the Commission's action of September 21, 1920, in dismissing the case, was submitted by the Chief Counsel, approved and entered of record as of September 21, 1920.

The Secretary submitted the following matters arising in the Chief Examiner's office, and upon consideration, action as indicated was taken by the Commission:

- (1) Memorandum of October 11th, from the Chief Examiner, transmitting file of papers and asking the instruction of the Commission as to docketing an application in the name of the Commission against American Butterine Company for simulation of name. Ordered that an application for complaint be docketed in the name of the Commission against American Butterine Company.

- (2) Memorandum of October 14th, from the Chief Examiner, transmitting file of papers and recommending the docketing of an application for complaint in the name of the Commission against Theodore Stegner, et al. The memorandum was approved and the application so docketed.

- (3) Memorandum of October 12th from the Chief Examiner, transmitting file of papers in the matter of resale price maintenance policy of Jobbers Overall Co., Inc. Ordered that an application for complaint be docketed in the name of the Commission against this company.

SUBC

October 19, 1920.

(4) Memorandum of October 6th, in the matter of file 9-1260, B. F. Trappey vs. McIlhenny Company, transmitting request of applicant's attorney that investigation be suspended pending the determination of issues in the case of Gaidry vs. McIlhenny Company in the Circuit Court of Appeals for the Fifth Circuit. Ordered that the case go to the Suspense Calendar and be suspended as requested.

(5) Memorandum of October 9th, transmitting file of papers and recommending the docketing of an application for complaint in the name of the Commission against Baker-Hansen Prospecting, Mining and Development Company. The memorandum was approved and an application so docketed.

(6) Memorandum of October 8th, from the Chief Examiner, transmitting file of papers and recommending the docketing of applications for complaints against Central Candy Company, Cincinnati, Ohio; Brock Candy Company, Chattanooga, Tennessee; Pieratt Candy Company, Chicago, Ill.; and A. Karcher Candy Company, Little Rock, Arkansas, for giving prizes or bonuses in connection with the sale of their product. The memorandum was approved and applications docketed as recommended, but the investigation ordered to be held until after the determination of the Kinney-Rome case, Docket No. 226, now on appeal.

Thereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 10:30 A.M., October 20, 1920.

Attest:

Oct 19 1920

Chairman.

Secretary.

October 20, 1920.
----REPORT OF MESSRS. MURDOCK AND POLLARD, A COMMITTEE
TO TRANSACT THE BUSINESS OF THE COMMISSION
IN THE ABSENCE OF A QUORUM.October 20, 1920 - 10:30 A.M.
---Victor Murdock,
Jno. Garland Pollard.

Pursuant to arrangements, a trade practice submittal by the knit goods manufacturers of the United States was held before the Committee. The morning session continued until 12:30 P.M., at which time an adjournment was taken until 2:00 P.M. (See stenographic report).

The Committee recessed at 12:30 and reassembled at 2:00 P.M.

Victor Murdock,
Jno. Garland Pollard.

The trade practice submittal continued from the morning session was resumed, continued until the hour of 3:00 P.M., and concluded.

Thereupon, at the hour of 3:00 P.M., the Committee adjourned.

Victor MurdockJno. Garland Pollard

Committee.

As shown by the minutes of October 25, 1920, the foregoing committee report was on that day read to the Commission, ratified and adopted as the action of the Commission.

Attest:

Victor Murdock
Chairman.

Secretary.

October 20, 1920.
----REPORT OF MESSRS. MURDOCK AND POLLARD, A COMMITTEE
TO TRANSACT THE BUSINESS OF THE COMMISSION
IN THE ABSENCE OF A QUORUM.October 20, 1920 - 10:30 A.M.
---Victor Murdock,
Jno. Garland Pollard.

Pursuant to arrangements, a trade practice submittal by the knit goods manufacturers of the United States was held before the Committee. The morning session continued until 12:30 P.M., at which time an adjournment was taken until 2:00 P.M. (See stenographic report).

The Committee recessed at 12:30 and reassembled at 2:00 P.M.

Victor Murdock,
Jno. Garland Pollard.

The trade practice submittal continued from the morning session was resumed, continued until the hour of 3:00 P.M., and concluded.

Thereupon, at the hour of 3:00 P.M., the Committee adjourned.

Victor Murdock

Committee.

As shown by the minutes of October 25, 1920, the foregoing committee report was on that day read to the Commission, ratified and adopted as the action of the Commission.

Attest:

Victor Murdock
Chairman.

Secretary.

October 25, 1920.

October 21, 22, 23, 24 (Sunday), 1920 - No meetings held.

MEETING OF THE FEDERAL TRADE COMMISSION

October 25, 1920 - 11:00 A. M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson P. Gaskill,
Jno. Garland Pollard.

The minutes of the committee meeting October 20, 1920, were read and approved, and upon motion of Mr. Thompson were adopted as the action of the Commission, with the direction that they be made a part of the minutes of the Commission.

Upon motion of Mr. Thompson, letter of this date was addressed to the du Pont Company, in reply to their letter of October 13th, advising that royalties under license No. 18 in the sum of \$132.29, and under license No. 19 in the sum of \$9,481.62, a total of \$9,613.91, are still due the Alien Property Custodian, and that upon receipt of check in full payment, drawn to the account of the Alien Property Custodian, the Commission will forward licenses Numbers 18 to 21, both inclusive, with notice of acceptance of surrender and cancellation affixed to each license. (See file). Mrs. Wilson of the Trading with the Enemy staff was heard. It was agreed that this action of the Commission closes the matter so far as the Commission is concerned. As to the foregoing action, Mr. Pollard voted in the negative.

In the matter of the Commission's request of October 19th that Mr. Thompson report with respect to memorandum of August

October 25, 1920.

26th from the Auditor, concerning the payment of witness fees and mileage to witnesses for respondents in formal proceedings, Mr. Thompson asked further instructions and was requested by the Commission to prepare and submit form of regulation on the subject.

Upon recommendation of the Acting Chief Counsel, and on motion of Mr. Thompson, the Commission authorized the appointment of Mr. Eugene W. Burr as attorney-examiner, at a salary of \$4200 per annum; the same to be effective upon taking the oath of office and entering on duty; Mr. Burr to be assigned to the Chief Counsel's office.

Mr. Busick, Acting Chief Counsel, appeared and reported with respect to memorandum of October 12th from Mr. Colver as to suggested draft for matter to be included in the introduction to the Annual Report for 1920. Upon consideration, it was agreed that (a) the portion dealing with the coal and steel cost return situation be inserted, but limited to a statement of the facts; (b) the portion with respect to procedure upon applications and complaints be inserted; (c) the portion with respect to anti-trust laws be omitted; (d) the portion with respect to resale price maintenance be omitted; (e) the portion with respect to commercial bribery be inserted.

It was further agreed that the subjects inserted be made a part of the legal section of the Report, this also to include data with respect to trade practice submittals, to be prepared by Mr. Busick.

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October 25, 1920.

Upon motion of Mr. Thompson, Mr. Busick was directed to take charge of the legal section of the Annual Report, and prepare final draft for the Commission.

Mr. Pollard laid before the Commission draft of letter of instruction from the Chief Examiner to Attorney Wooden, in charge of the Chicago office, in the matter of further work upon the lumber report of the Commission, made pursuant to the request of the Department of Justice. The letter was read, approved and sent (See file).

The following matters were presented by the Chairman, and action as indicated was taken by the Commission:

(a) Memorandum of October 23rd from Attorney Shinn at the New York office, with respect to complaint of Edward L. Langley, attorney for the Vacuum Cleaner Specialty Company, Inc., respondents in Docket No. 530, of the practice of Hulse & Allen, official reporters, in advertising copies of the proceedings for sale among the trade. The matter was referred to the Secretary to negotiate with Hulse & Allen to the end that their circular letters be reformed to show that the proceedings reported by them for the Commission are public records, and that they, therefore, are at liberty to sell copies, and also that any suggestion that the rate is fixed by the Commission be omitted.

(b) Form of reply to letter from the Treasury Department, designating certain members of the staff of the Commission to make extracts from the income tax returns, filed by certain named bituminous coal companies for use by the Commission for comparison. The reply was approved and ordered sent (See file). The Chairman was asked to inform members of the Commission and staff so designated, of the penalties accruing for violation of the confidential restrictions under which the Treasury data is held.

Upon recommendation of the Acting Chief Counsel, the Commission fixed Friday, October 29, 1920, at 2:00 P.M., as the time to hear final argument in Docket No. 612, F T.C. vs. Great

October 25, 26, 1920.

Western Oil Company, and directed that parties be notified.

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M., October 26, 1920.

Attest:

Victor Murdock

Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

October 26, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Euston Thompson,
Nelson B. Gaskill,
Jno. Garland Pollard.

The minutes of the meetings of October 19th and October 25, 1920, respectively, were read and approved.

At the conclusion of the reading of the minutes, Mr. Thompson moved that the action of the Commission on October 19th, in issuing formal complaint in the matter of file C-1897, Boy Scouts of America vs. Excelsior Shoe Company, be reconsidered, and that he desired to withdraw from the case for the reason that he is a member of the National Organization of Boy Scouts of America, the applicant in the case. The motion for reconsideration was seconded by Mr. Gaskill and unanimously passed. Upon reconsideration, the action of October 19th in issuing complaint was rescinded, and upon motion of Mr. Pollard, the file was reassigned to Mr. Gaskill.

October 26, 1920.

Upon recommendation of the Secretary, the Commission authorized the appointment of Mr. Edgar G. Quackenbush as clerk at \$1400 plus the bonus; the same to be effective upon taking the oath and entering on duty. Mr. Quackenbush was assigned to the office of the Secretary for reportorial work.

The Secretary presented the resignation of Mr. Alva Snyder, examiner in charge of the paper inquiry under the direction of the Chief Economist. The resignation was accepted, to be effective at the close of business on October 31, 1920, and on motion of Mr. Gaskill, the Secretary was asked to address a letter to Mr. Snyder, informing him of the Commission's appreciation of his services.

The Secretary was directed to address a like letter to Mr. C. H. McDonald, resigned from the trial staff.

Mr. Pollard presented memorandum of October 26th from the Chief Examiner, setting out the need for additional stenographic help to assist Mr. Sutherland in the completion of his work, and to substitute for Miss Murray while she is on annual leave. Upon motion of Mr. Pollard, the Commission authorized the appointment of two temporary stenographers for a period of not more than three months, and directed that these employees be assigned to the Chief Examiner's office for the work set out in his memorandum.

October 26, 1920.

Upon recommendation of the Secretary, the Commission authorized the appointment of Mr. Edgar G. Quackenbush as clerk at \$1400 plus the bonus; the same to be effective upon taking the oath and entering on duty. Mr. Quackenbush was assigned to the office of the Secretary for reportorial work.

The Secretary presented the resignation of Mr. Alva Snyder, examiner in charge of the paper inquiry under the direction of the Chief Economist. The resignation was accepted, to be effective at the close of business on October 31, 1920, and on motion of Mr. Gaskill, the Secretary was asked to address a letter to Mr. Snyder, informing him of the Commission's appreciation of his services.

The Secretary was directed to address a like letter to Mr. C. H. McDonald, resigned from the trial staff.

Mr. Pollard presented memorandum of October 25th from the Chief Examiner, setting out the need for additional stenographic help to assist Mr. Sutherland in the completion of his work, and to substitute for Miss Murray while she is on annual leave. Upon motion of Mr. Pollard, the Commission authorized the appointment of two temporary stenographers for a period of not more than three months, and directed that these employees be assigned to the Chief Examiner's office for the work set out in his memorandum.

October 26, 1920.

Pursuant to the Commission's action of October 19th, Messrs. Busick, Acting Chief Counsel, and M. B. Clark appeared and were heard with respect to the possibility of error in the dismissal of Docket No. 268, Federal Trade Commission vs. The Aeolian Company, on September 11, 1920. Upon consideration of the entire record, and on motion of Mr. Thompson, the Commission rescinded its action of September 11, 1920, dismissing the case, and approved and entered Findings of Facts, Conclusion and Order to Cease and Desist, as submitted by the Acting Chief Counsel, and revised by the Commission, with the direction that the Order be served forthwith.

Upon motion of Mr. Thompson, seconded by Mr. Murdock, the Acting Chief Counsel was directed to look into the matter of pending formal resale price maintenance cases, in which there is a written contract, and that these cases be submitted for action by the Commission.

Mr. Pollard submitted the following listed applications for complaint, and upon his motion, action as indicated was taken by the Commission:

(a) File-

O-1835, Esco Hosiery Co., Inc. vs. Moore & Fisher, et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaint issue against Moore & Fisher and Hober Mfg. Company, and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. The date of the complaints to be the date of mailing. Resolution directing issuance and service of these complaints was adopted.

October 25, 1920.

Ordered further that the application for complaint against Stitchebound Hosiery Mills be, and the same is hereby, dismissed.

(b) File-

O-1839, Esco Hosiery Co., Inc. vs. Kahn & Frank, et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaint against Kahn & Frank, and against Thompson Brothers, issue and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. The date of the complaints to be the date of mailing. Resolution directing issuance and service of these complaints was adopted.

(c) File-

O-1840, Esco Hosiery Co., Inc. vs. Daum-Rogers-Spritzer Co. et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered (1) that formal complaint against Daum-Rogers-Spritzer Co. et al., issue and served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. The date of the complaint to be the date of mailing. Resolution directing issuance and service of complaint was adopted; and (2) that the application for complaint against Owen Osborne, Inc., be, and the same is hereby, dismissed.

(d) File-

9-1519, Better Business Commission vs. Rex Hosiery Co., et al.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaint against Rex Hosiery Company and the Alamance Hosiery Mills issue and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. The date of the complaints to be the date of mailing. Resolution directing issuance and service of these complaints was adopted.

(e) File-

O-1836, Esco Hosiery Co., Inc. vs. Brown Durrell Company, et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaints against Brown Durrell Company and Wolde & Horst Company issue and be served without further action by the Commission, and that the

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files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. The date of the complaints to be the date of mailing. Resolution directing issuance and service of these complaints was adopted.

As to the foregoing action of the Commission, Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Mr. Murdoch voted in the negative.

(f) File-

O-1856, Esco Hosiery Co., Inc. vs. Aristo Hosiery Co., Inc., et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered that separate complaints issue against Aristo Hosiery Co., Inc., and Rockford Mitten & Hosiery Company and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. The date of the complaints to be the date of mailing. Resolution directing issuance and service of these complaints was adopted.

(g) File-

O-1857, Esco Hosiery Co., Inc. vs. G. & A. Wise, et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered (1) that formal complaint against George H. Loyden & Son issue and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. The date of the complaint to be the date of mailing. Resolution directing issuance and service of complaint was adopted; and (2) that the application for complaint against G. & A. Wise be, and the same is hereby, dismissed.

(h) File-

O-1858, Esco Hosiery Co., Inc. vs. Emery-Beers, Inc., et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered (1) that separate formal complaints against Hancock Knitting Mills and Fidelity Knitting Mills be issued and served without further action by the Commission, and that the files be referred to the Acting Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. The date of the complaints to be the date of mailing. Resolution directing issuance and service of these complaints was adopted; and (2) that the application for complaint against Apex Hosiery Company and Emery-Beers Co., Inc., be, and the same are hereby, dismissed.

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files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. The date of the complaints to be the date of mailing. Resolution directing issuance and service of these complaints was adopted.

As to the foregoing action of the Commission, Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Mr. Murdoch voted in the negative.

(f) File-

O-1853, Esco Hosiery Co., Inc. vs. Aristo Hosiery Co., Inc., et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered that separate complaints issue against Aristo Hosiery Co., Inc., and Rockford Litten & Hosiery Company and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. The date of the complaints to be the date of mailing. Resolution directing issuance and service of these complaints was adopted.

(g) File-

O-1857, Esco Hosiery Co., Inc. vs. G. & A. Wise, et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered (1) that formal complaint against George W. Loyden & Son issue and be served without further action by the Commission, and that the files be referred to the Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. The date of the complaint to be the date of mailing. Resolution directing issuance and service of complaint was adopted; and (2) that the application for complaint against G. & A. Wise be, and the same is hereby, dismissed.

(h) File-

O-1858, Esco Hosiery Co., Inc. vs. Emery-Beers, Inc., et al.

Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered (1) that separate formal complaints against Hancock Knitting Mills and Fidelity Knitting Mills be issued and served without further action by the Commission, and that the files be referred to the Acting Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. The date of the complaints to be the date of mailing. Resolution directing issuance and service of these complaints was adopted; and (2) that the application for complaint against Apex Hosiery Company and Emery-Beers Co., Inc., be, and the same are hereby, dismissed.

October 26, 27, 1920.

of October 26th, together with memorandum of October 29th from Attorney Farrington, recommending that the Commission rescind its Order to Cease and Desist, and to consider the filing of a new complaint against this respondent, to require the discontinuance of the loaning and leasing system of pump and tank equipment. Upon discussion and on motion of Mr. Gaskill, the Acting Chief Counsel was instructed to negotiate with the respondent looking to the withdrawal of their petition for review upon recession of the Commission's Order to Cease and Desist, and that the Acting Chief Counsel also take up, providing this arrangement can be carried out, the matter of the issuance of a new complaint and the use of the stipulation of facts now before the Commission in the disposition of the new case.

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M., October 27, 1920.

Attest:

John M. ...
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

October 27, 1920, - 11:00 A.M.

Victor Mordock, Chairman,
Euston Thompson,
Nelson E. Gaskill,
Jno. Garland Pollard.

The minutes of the meeting of October 26, 1920, were read and approved.

-UMBC

October 27, 1920.

Pursuant to the Commission's action of the previous day, Dr. W.H.S. Stevens was heard upon the question of whether or not members of the Minneapolis Chamber of Commerce expected to be heard in view of statements made at the grain conference on June 17, 1920, prior to the issuance of a complaint in the matter of file 1-385, Equity Cooperative Exchange vs. Minneapolis Chamber of Commerce, et al. Dr. Stevens was unable to say whether or not these parties expected to be heard. After discussion and upon motion of Mr. Gaskill, seconded by Mr. Thompson, the Chairman was requested to address a letter to Mr. John H. McHugh, Secretary of the Chamber of Commerce of Minneapolis, calling attention to the conference on the grain report on June 17, 1920; advising that it is not the practice of the Commission to give hearings on applications for complaints, and inquiring if he wants to add anything to the affidavits already filed in 1-385, before the Commission acts on this application for complaint.

As to the foregoing action of the Commission Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

The Chairman laid before the Commission letter of October 16th from Samuel Untermyer, counsel for New York Housing Committee, requesting information from the Commission with respect to combination among manufacturers and dealers in building material, together with form of reply. The reply was read, and after revision, approved and ordered sent (See file).

October 27, 1920.

The Chairman also submitted letter from the Secretary of the Shoe Lace Manufacturers Ass'n, advising the Commission of the dissolution of their association and inquiring if the Commission has any objection to the destruction of the association's files, in view of the fact that copies of their minutes have been filed from time to time in the Commission's library. It was agreed that the Chief Examiner cause an inspection to be made of the minutes of this association on file, and to report evidence of violation of law, if any.

Mr. Pollard presented file 9-1349, F.T.C. vs. Adey-Johnston Company, Inc., et al. Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission, and that the files be referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. The date of the complaint to be the date of its mailing. Resolution directing the issuance and service of the complaint was adopted.

In the matter of Docket No. 592, F.T.C. vs. Hebane Iron Bed Company, Inc., the Secretary submitted form of order drawn pursuant to the Commission's action of July 3, 1920, overruling respondent's motion to dismiss for want of public interest, and the same was approved and entered of record as of July 3, 1920.

-1148-

October 27, 1920.

The Secretary submitted memoranda from former Chief Counsel Porter, and former Attorney C. H. McDonald, recommending dismissal in the matter of Docket No. 606, F.T.C. vs. The Mennen Company. Upon consideration and on motion of Mr. Gaskill, the case was referred back to Acting Chief Counsel Busick for conference with Mr. Gaskill; and upon motion of Mr. Pollard the Commission fixed November 30, 1920, at 2:00 P.M., as the time for hearing upon respondent's motion to dismiss on the ground that the complaint fails to state facts sufficient to constitute a violation of Section 5 of the Trade Act, or of Section 2 of the Clayton Act, with the direction that the parties be notified.

In the matter of Docket No. 315, F.T.C. vs. Kentucky Independent Oil Company, the Secretary submitted form of Order of Dismissal, drawn pursuant to the Commission's action of October 19, 1920. The Order was read, approved by the Commission and entered of record as of October 19, 1920.

The Commission considered as a special order of business, draft of Findings of Facts, Conclusion and Order to Cease and Desist, as drawn and read by Attorney Farrington in the matter of Docket No. 501, F.T.C. vs. Wholesale Grocers Association of El Paso, Texas, et al. Upon consideration and on motion of Mr. Thompson, seconded by Mr. Pollard, such Findings, etc., as submitted, after revision, were approved and entered of record by the Commission with the direction that the Order be served forthwith. The date thereof to be the date of mailing.

October 27, 28, 1920.

As to the foregoing action of the Commission, Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative, for the reason that he believed that conspiracy was not shown and that the Findings of Facts were not sustained by the evidence.

The Chairman submitted manuscript of the Commission's Bituminous Coal Bulletin No. 6, covering June, 1920 costs. The report was approved and ordered printed and issued. The publication of this report concludes the Commission's monthly coal cost bulletins, pending court action upon the Commission's right to require returns.

Whereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 10:30 A.M., October 28, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

October 28, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Easton Thompson,
Nelson B. Gaskill,
Jno. Garland Pollard.

The minutes of the meeting of October 27, 1920, were read and approved.

October 23, 1920.

The following matters were laid before the Commission by the Chairman, and upon his motion action as indicated was taken by the Commission:

(a) Memorandum of October 27th, from the Export Trade Division, referring to the Commission certain files received from the Department of Commerce, involving alleged unfair transactions in export trade.

It was directed that applications for complaints be docketed in the following cases and referred to the Export Trade Division for inquiry and report through the Chief Examiner and the Board of Review in the regular course:

Boy-Landry, Vladivostok, Russia, vs. Caravel Co., Inc., New York;
Carlin & Co., Stockholm, Sweden, " " " " " " ;
Aktiebolaget Halfdan Burman, Stockholm, Sweden, vs. Caravel
Co., Inc., New York, N.Y.

(b) Memorandum of October 26th from the Export Trade Division, recommending the printing of 300 copies of the form upon which annual report from export associations is required to be filed each year, in compliance with Section 5 of the Export Trade Act. The recommendation was approved and the printing of these forms authorized.

(c) In response to the Commission's action of the previous day, the Chairman submitted draft of letter to Mr. John G. McHugh, Secretary, Chamber of Commerce of Minneapolis, in the matter of file 1-386, Equity Cooperative Exchange vs. Minneapolis Chamber of Commerce, et al. The letter was approved, signed by the Chairman and forwarded (see file).

(d) Letter of October 25th from Mr. Julius H. Barnes, former Wheat Director, New York City, referring to a recent conference with Chairman Murdock at New York City, with respect to grain exchanges, and transmitting copy of letter from Mr. Barnes to the President, urging that the option market on grain be not closed. This correspondence, together with letter of October 19th from the President of the Oklahoma State Board of Agriculture, urging that the option market on grain be closed, were referred to the Chairman with request that reply be made.

Mr. Pollard submitted file 9-1311, application of the Federal Trade Commission for complaint against Home Oil Refining Company. Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed.

October 28, 1920.

In the matter of the following listed files, the Secretary submitted draft of formal complaints as drawn by the Acting Chief Counsel pursuant to the Commission's action of September 22, 1920. In conference with Attorney Reeves, the complaints were considered, approved as to form, and referred to the Docket Section for service. These complaints are issued as of September 22, 1920:

File-

O-1953,	F.T.C. vs. Marx Finestone;
O-1954,	" " Shatkum & Kahn;
O-1955,	" " United States Novelty Co.;
O-1956,	" " MacFountain Pen & Novelty Co.;
O-1965,	" " H. Shure Company;
O-1970,	" " Levin Brothers.

In response to the Commission's action of September 11, 1920, Mr. Thompson submitted draft of formal complaint approved by him as to form in the matter of file 9-1346, F.T.C. vs. Deep Wells Oil Company. The complaint was approved as to form and referred to the Docket Section for service, the date of issuance being June 15, 1920.

In the matter of file O-1733, Frank Mossberg Co. vs. Mossberg Pressed Steel Corporation, the Secretary submitted for approval as to form, draft of formal complaint drawn by the Chief Counsel pursuant to the Commission's action of September 9th, when complaint was issued.

Upon consideration of the form of the complaint and of the entire record, Mr. Gaskill moved and it was seconded by Mr. Pollard, the reconsideration of the Commission's action by which complaint was issued. The motion was unanimously carried.

October 28, 1920.

Upon reconsideration and on motion of Mr. Gaskill, seconded by Mr. Pollard, it was ordered that the application be, and the same is hereby, dismissed for lack of public interest. As to the foregoing action in dismissing the application, Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

The Secretary laid before the Commission memorandum of October 11th, from the Acting Chief Counsel, advising the Commission that in Docket No. 207, P.T.C. vs. Cleveland Macaroni Company, the respondent had declined to agree that the record of the trade practice submittal in the macaroni industry be introduced in the case. After discussion and on motion of Mr. Gaskill, it was unanimously agreed that the case be reopened and referred back to the Acting Chief Counsel with instructions that the trade practice submittal be incorporated into the record.

Mr. Gaskill offered the following resolution discontinuing the work of the Commission in the collection and publication of production costs in certain basic industries, and the same, after discussion, was unanimously passed, to be effective immediately:

WHEREAS, the work of collecting production costs in certain basic industries, pursuant to resolutions adopted December 15, 1919 and February 5, 1920, on a compulsory basis under the statute, subject to all the provisions thereof, has been halted by legal proceedings in the Supreme Court of the District of Columbia at the suit of Maynard Coal Company and Claire Furnace Company and others and pending the final adjudication upon the power of the Commission to require the submission of production cost reports, resort was had to voluntary cooperation by the industries concerned, and

October 28, 1920.

WHEREAS, it is apparent that the producers in the bituminous coal industry do not report on a voluntary basis in sufficient numbers and quantity of production to warrant the further issue of monthly and quarterly bulletins, and the producers in the steel industry reporting on a voluntary basis are in such number and quantity of production that the publication of compiled figures of production cost cannot be made without risk of disclosure of individual production costs; and with respect of anthracite coal and lumber production costs, conferences with these industries have progressed sufficiently to indicate that on a basis of voluntary reporting in these industries, giving due recognition to those producers whose spirit of cooperation is clearly manifested, an incomplete and unsatisfactory result as to each of these industries as a whole is to be anticipated, and

WHEREAS, it is open to question whether the results which have appeared and are anticipated reasonably under the pending legal restraints, justify the cost of collecting and tabulating the information received, in view of the limited appropriation available in the current fiscal year,

RESOLVED, that pending a final determination of the power of the Commission to require the submission of production cost reports and to exact penalties for failure so to do, the collection, compilation and publication of production costs, and negotiations and conferences relative thereto under the said resolutions above referred to be suspended, and that notice to this effect be communicated to those producers now voluntarily submitting reports.

By the Commission:

Secretary.

It was agreed that this resolution not interfere with the compilation and publication of the second quarterly report on bituminous coal for 1920, which report is to be issued.

The Commission recessed at 1:30 and reassembled at 2:30 P.M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson E. Gaskill,
Jno. Garland Pollard.

October 28, 1920.

Pursuant to arrangements, the Commission heard final argument in the matter of the following formal cases, known as the sponge cases:

Docket No.	374.	F.T.C. vs.	Lasker & Bernstein;
"	"	375.	" Joseph Bloch, Inc.;
"	"	376.	" Max Fuchs Company;
"	"	377.	" American Sponge & Chamois Co.;
"	"	378.	" Meyer Brothers Drug Co.;
"	"	379.	" H. L. Ettman Sponge Co.;
"	"	380.	" Greek American Sponge Co.;
"	"	381.	" Peter Van Schaack & Sons;
"	"	382.	" The Jos. Niehaus Co.;
"	"	383.	" (National Sponge & Chamois Co.;
"	"	"	" Nassau Sponge Company;
"	"	384.	" Atlantic Sponge Company;
"	"	385.	" A. Isaacs & Company;
"	"	386.	" Albert Bloch & Sons;
"	"	387.	" Freirich & Mansell;
"	"	388.	" Leonisi Clonney & Company;
"	"	389.	" Schroeder & Tremayne;
"	"	390.	" S. Perlman & Son;
"	"	391.	" P. L. Lampel;
"	"	392.	" Emil Bloch;
"	"	393.	" Florida Sponge & Chamois Co.;
"	"	394.	" Levy Brothers;
"	"	395.	" David Davis' Sons;
"	"	396.	" John K. Chayne;
"	"	397.	" George M. Emmanuel & Co.;
"	"	398.	" R. B. Blum.

Attorney W. T. Kelley was heard on behalf of the Commission's complaints, and Attorney Clayton J. Heermance was heard on behalf of respondents.

Attorney Heermance on behalf of respondent in Docket No. 380, F.T.C. vs. Greek-American Sponge Co., was heard upon respondent's petition for review, which was overruled on September 27, 1920, with the right to be heard on final argument. After counsel on each side had been heard upon this petition, on motion of Mr. Gaskill, it was agreed that the Commission pro-

October 29, 1920.

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Memorandum by Mr. Gaskill approved. Reports of the Board of Review approved. Ordered that the applications be, and the same are hereby, dismissed.

Mr. Murdock raised the question as to whether or not he should participate in the final decision of Dockets Numbers 374 to 398 inclusive, the sponge cases, in view of the statements made by counsel for respondent at the final argument on October 28th, that a commission^{or} had referred to these cases in a public speech, and condemned the practice while the cases were pending. Mr. Murdock stated to the Commission that he desired to withdraw from the consideration of these cases for this reason, and that upon examination he had found in February, 1920, before the National Board of Farm Organizations at Washington, D. C., he had made a speech in which he had used the following language:

"Now business is just what the rest of us are, no better, no worse. But one bad man in business can disturb the whole trade. One merchant using unfair methods of competition can cause a great amount of trouble in any industry. One of the first things that came to me was the matter of rope. A man wrote in, and I think this was from Nebraska, and said the Commission should look into Hardware Manila rope. I began an investigation and I had not gone far before I found that Hardware Manila did not have much, if any, Manila in it. It was mainly sisal. So I asked in all the rope makers to a conference. I found them a splendid group of American business men. They told me that hardware Manila was entirely sisal. They agreed that hereafter the burlap covering the coil of rope should carry the per cent. of Manila contained in the rope, if any claim of Manila was made. This agreement has worked fine.

"Fake sponges. A man wrote in to us and said sponges were sold by weight and were loaded. So we are looking into sponges. We have found that sponges are sold by weight and the charge is made that some sponges are loaded with glucose, arsenic salts and iron pyrites. We have issued complaints and the matter is proceeding to trial."

It was the sense of the Commission that Mr. Murdock refrain from participation in these cases. To this Mr. Murdock agreed.

October 29, 1920.

In response to the President's letter of October 12th, to inquire into the situation in regard to the price of wheat, Mr. Thompson submitted draft of letter to the President, transmitting information respecting the importations of wheat and flour from Canada into the United States during the first fifteen days of October, 1920. The letter was read, approved by the Commission, signed by the Chairman and delivered by special messenger (See file Wheat Prices Res 5)

The Chairman submitted form of reply to letter of October 26th from Orange Judd Farmer, with respect to the nature of the Commission's inquiry at the direction of the President into the recent decline in the price of wheat. The reply was read, revised and ordered to be sent (See file Wheat Prices Cor 5 Pa 5)

The Chairman submitted draft of letter replying to letter of October 19th from the Farmers' Marketing Committee of Seventeen, Chicago, Ill., with respect to securing facts from the Commission's Grain Report. The reply, after revision, was approved, signed by the Chairman and sent (See file Grain Cor 5 Par 9)

Upon receipt of memorandum from the Acting Chief Counsel, the Commission fixed Thursday, November 4, 1920, at 2:00 o'clock, as the time for final argument in Docket No. 601, F.T.C. vs. Sealwood Company, with the direction that the parties be notified.

ENCLOSURE

October 29, 1920.

Upon receipt of memorandum from the Acting Chief Counsel, the Commission advanced the date for its final argument in Docket No. 612, F.T.C. vs. Great Western Oil Company, from October 29th to November 5th, at 2:00 P.M., at the request of counsel for the respondent, and directed that notice be given.

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Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M., October 30, 1920.

Attest:

Out. H. H. H.
Chairman.

Secretary.

Oct. 30, 31, (Sunday), Nov. 1, 2, 3, 1920 - No meetings held.

November 4, 1920.

REPORT OF MESSRS. MURDOCK AND POLLARD, A COMMITTEE
TO TRANSACT THE BUSINESS OF THE COMMISSION IN
THE ABSENCE OF A QUORUM, AND REPORT TO THE
COMMISSION.

November 4, 1920 - 2:00 P. M.

Victor Murdock, Chairman, } Committee.
Jno. Garland Pollard, }

Pursuant to arrangements, the Committee heard argument
in the matter of Docket No. 601, M.T.C. vs. Sealwood Company.
Attorney Charles S. Moore was heard on behalf of the Commis-
sion, and Attorney M. Carter Hall was heard on behalf of the
respondent. After consideration and on motion of Mr. Pollard,
the case was remanded to the Acting Chief Counsel for taking
of further evidence.

Thereupon, at the hour of 4:15 P.M., the Committee
adjourned.

Victor Murdock

Committee.

As shown by the minutes of November 8, 1920, the foregoing
committee report was on that day read to the Commission, rati-
fied and adopted as the action of the Commission.

Attest:

Victor Murdock

Chairman.

Secretary.

November 5, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

November 5, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.
(Mr. Thompson absent on official business)

The Secretary presented memorandum of November 3rd, from Assistant Chief Counsel Farrington, regarding the subpoena served upon Attorney Brinson to appear before the U. S. District Court in New York City on Monday, November 8, 1920, with respect to an action pending between United States of America and W. P. Williams Oil Corporation, et al. After discussion, the following motion was offered by Mr. Gaskill:

MOVED. That Mr. Brinson take with him the indicated files, calling the attention of the Court to the fact that these files are, under the statute, confidential and not matters of public record; that he seek to preserve the immunity of these records, but nevertheless regard the order of the Court in the premises; that Mr. Brinson be instructed further to make preparation for the argument of the question and to fully present to the Court the position of the Commission in the premises as custodian of the files.

The foregoing motion was unanimously adopted.

The following matters were presented to the Commission by Mr. Murdock, and action as indicated was taken:

(1) Letter of November 1st from Mr. Donald Wilhelm, together with memorandum of November 2nd from Mr. Ayer, with respect to gathering material from the Federal Trade Commission's Library. After consideration, the Secretary was directed to advise Mr. Ayer that permission be granted to consult all material which is not confidential.

(2) Correspondence in the matter of Docket No. 503, F.T.C. vs. Utah-Idaho Sugar Co., et al. Attorney Kelley appeared and was heard. After discussion, Mr. Gaskill offered the following motion, which was seconded by Mr. Pollard and passed:

November 5, 1920.

MOVED, That Mr. Beers be authorized to make application in the name of the Commission to the United States District Court of the district in which the proceedings against the Utah-Idaho Sugar Company are being conducted, for an order requiring the attendance and testimony of Vice-President Sowles of McCormick's Bank, Salt Lake City, Utah, and the production of books, papers and documents, all records of deposits and financial transactions of E.R. Woolley, Ben C. Rich, Utah Investment Company and Great Basin Sugar Company with the said bank, from November 23, 1919 to December 19, 1919, and all records pertaining to any deposit of \$1,600,000 by either E. R. Woolley, Ben C. Rich, Utah Investment Company or Great Basin Sugar Company in either of the last three months of year 1919 or the first three months of year 1920, and all documents, papers and records in the possession of the said bank of notes made by E. R. Woolley, Ben C. Rich, Utah Investment Company and Great Basin sugar Company during the year 1920, and that Mr. Beers report promptly to the Commission the result of such application.

As to the foregoing motion, Mr. Murdock voted in the negative.

(3) Letter from Pickering & Rieser in re Pittsburgh steel basing point case hearing, (See file) 9-1296. After consideration, Mr. Murdock offered the following motion, which was seconded by Mr. Pollard and unanimously adopted:

MOVED, That additional time, beginning November 15th be given to the case, but that they be notified that the Commission, on account of other engagements, cannot give Thursday, November 18th, to the hearing of this case.

(4) Letter from John G. McHugh, Secretary of the Chamber of Commerce of Minneapolis, which was referred to the several commissioners for reading (See file Wheat Prices Cor 5 Pa 5)

(5) Letter from W. Y. Durand of the staff, in regard to the packer situation, together with letter from the Attorney General re the same subject matter.

After consideration, the Chairman was requested to acknowledge Mr. Palmer's letter and say the matter will receive immediate attention.

(6) Letter addressed to Wm. P. G. Harding, Federal Reserve Board, in connection with the investigation of wheat prices, statements having been made involving policy on the part of the banks and the Federal Reserve Board. The letter was read, signed by the Chairman and sent (See file).

(7) Letter from the United States Tariff Commission re the investigation of wood chemicals. The reply was read, signed by the Chairman and sent (See file).

November 5, 1920.

(8) Mr. Murdock submitted the manuscript draft of the contribution to the Annual Report from the Legal Division. It was ordered sent to the Printer for galley proof.

Mr. Gaskill presented the following motion, which was seconded by Mr. Murdock:

MOVED, That the Chairman be authorized to write to Wm. H. Polwell, President of the Philadelphia Textile Mfrs. Ass'n, referring to the contemplated action of the textile interests of Philadelphia in calling a national conference to deal with the practice of contract cancellations, advising of the interest of the Commission in the subject matter and in the proposed conference, asking for a report of the preliminary meeting prior to the national conference, and requesting that the Federal Trade Commission be advised of the further progress of this matter and of the time and place when the national conference is to be held; and requesting that a representative of the Commission be permitted to attend such national conference for the purpose of informing himself and the Commission.

As to the foregoing motion, Mr. Pollard voted in the negative on the ground that the courts afford full remedy for cases of breach of contract. The motion carried.

The following motion was offered by Mr. Pollard and unanimously adopted:

MOVED, That Mr. Reeves be designated to act as Chief Counsel in the absence of the Acting Chief Counsel and Assistant Chief Counsel.

The following matters were presented by Mr. Pollard and action as indicated was taken by the Commission:

(1) File-

9-1318, F.T.C. vs. The Burk-Rex Oil Company.

Memorandum by Mr. Pollard approved. Ordered that the file be referred back to the Chief Examiner with instructions to consider the charge of misrepresentation in the sale of stock and report thereon to the Board of Review.

November 5, 1920.

(2) File-

O-2062, National Refining Co. vs. National Oil Co.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed.

The Commission recessed at 1:00 P.M. and reassembled at 2:00 P.M.

Victor Murdock, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

Pursuant to arrangements, the Commission heard final argument in the matter of Docket No. 612, F.T.C. vs. Great Western Oil Company. Attorney Taylor was heard for the Commission, and Attorney Fayette B. Dow was heard on behalf of the respondent. At the conclusion, the following resolution carried:

The respondent concedes the use by it of the unfair method of competition charged in the complaint and enters into stipulation to that effect; but it appears on final hearing that the respondent had ceased and desisted therefrom prior to the issue of the complaint, and that there is no apparent purpose to continue the use of such method of competition; the Commission is of opinion that under all the circumstances of the case the public interest does not warrant further proceedings in the premises and it is therefore ordered that the complaint be dismissed.

As to the foregoing, Messrs. Gaskill and Pollard voted in the affirmative and Mr. Murdock announced that he would file a dissenting opinion.

Thereupon, at the hour of 4:00 P.M., the Commission adjourned to meet at 10:30 A. M., November 6, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

November 5, 1920.

(2) File-

O-2062, National Refining Co. vs. National Oil Co.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed.

The Commission recessed at 1:00 P.M. and reassembled at 2:00 P.M.

Victor Murdock, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

Pursuant to arrangements, the Commission heard final argument in the matter of Docket No. 612, F.T.C. vs. Great Western Oil Company. Attorney Taylor was heard for the Commission, and Attorney Fayette B. Dow was heard on behalf of the respondent.

At the conclusion, the following resolution carried:

The respondent concedes the use by it of the unfair method of competition charged in the complaint and enters into stipulation to that effect; but it appears on final hearing that the respondent had ceased and desisted therefrom prior to the issue of the complaint, and that there is no apparent purpose to continue the use of such method of competition; the Commission is of opinion that under all the circumstances of the case the public interest does not warrant further proceedings in the premises and it is therefore ordered that the complaint be dismissed.

As to the foregoing, Messrs. Gaskill and Pollard voted in the affirmative and Mr. Murdock announced that he would file a dissenting opinion.

Thereupon, at the hour of 4:00 P.M., the Commission adjourned to meet at 10:30 A. M., November 6, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

November 6, 8, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

November 6, 1920 - 11:30 A. M.

Victor Murdock, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.
(Mr. Thompson absent on official business)

The Secretary presented memorandum of November 5th from the Chief Economist with respect to promotion for Mr. Chas. W. Friede. Upon motion of Mr. Gaskill, duly seconded, the salary of Mr. C. W. Friede was increased from \$3,000 to \$3,600, effective November 1, 1920.

As to the foregoing, Mr. Pollard voted in the negative.

Thereupon, at the hour of 12:30 P.M., the Commission adjourned to meet at 10:30 A.M., November 8, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

November 7, 1920 (Sunday) - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

November 8, 1920, - 10:30 A.M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson B. Gaskill,
Jno. Garland Pollard.

The minutes of the meetings of October 28 and 29, 1920, and November 5 and 6, 1920, were read and approved.

Report of Messrs. Murdock and Pollard, a committee to

November 8, 1920.

transact the business of the Commission in the absence of a quorum, dated November 4, 1920, was read, and upon motion of Mr. Gaskill, was ratified and adopted as the action of the Commission, with the direction that such committee report be incorporated in and made a part of the minutes.

The Secretary presented letter of November 4th from Chantland & Hadley, in the matter of the sale of transcript of testimony in the case of the Federal Trade Commission vs. Vacuum Cleaner Specialty Company, Docket 530. Letter was referred to the Chairman for reply.

Mr. Murdock presented memorandum of November 6th from Dr. Notz of the staff, requesting the Commission to investigate the two following cases presented by the Bureau of Foreign and Domestic Commerce. After discussion, on motion of Mr. Murdock, seconded by Mr. Thompson, it was directed that the cases be docketed as applications for complaints, and referred to the Export Trade Division for investigation, and report thru the Chief Examiner in the regular course:

Emanuel Baume, Auckland, New Zealand, vs. Wendell Washer Company, Leipsic, Ohio;

National Engineering Co., Karachi, India, vs. Acoma Motors Company, New York City.

Mr. Pollard submitted the following matters and action as indicated was taken by the Commission:

(1) Resolved, that it is the sense of the Commission that an Order to Cease and Desist should issue in the complaints of Lasker & Bernstein and others, being Dockets Nos. 374 to 398 inclusive, which complaints are known as the Sponge Cases, and

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November 8, 9, 1920.

that the Chief Counsel be instructed to submit to the Commission for its consideration the form of Findings of Fact and Order, consideration of which was postponed to next meeting.

(2) Mr. Pollard offered the following motion, which was seconded by Mr. Thompson and passed:

MOVED, That the Acting Chief Counsel be instructed to proceed in a test case selected by him from among the following listed formal complaints pending against concerns engaged in the soap industry, and also to proceed in the complaint of the Commission against the Helvetia Milk Condensing Company, Docket No. 227:

Dockets Nos.--

424,	F.T.C. vs.	Lautz Brothers & Company;
425,	" "	Fels & Company;
426,	" "	Globe Soap Company;
427,	" "	B. T. Babbitt, Inc.;
445,	" "	Louisville Soap Co., Inc.;
519,	" "	Colgate & Company;
520,	" "	Proctor & Gamble Distributing Co.;
522,	" "	Rub-No-More Company.

Thereupon, at the hour of 12 M., the Commission adjourned to meet at 10:30 A. M., November 9, 1920.

Attest:

John W. Gaskill
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

November 9, 1920 - 10:30 A. M.

Huston Thompson, Acting Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

The minutes of the meeting of November 8, 1920, were read, and after certain revision were approved.

November 8, 9, 1920.

that the Chief Counsel be instructed to submit to the Commission for its consideration the form of Findings of Fact and Order, consideration of which was postponed to next meeting.

(2) Mr. Pollard offered the following motion, which was seconded by Mr. Thompson and passed:

MOVED, That the Acting Chief Counsel be instructed to proceed in a test case selected by him from among the following listed formal complaints pending against concerns engaged in the soap industry, and also to proceed in the complaint of the Commission against the Helvetia Milk Condensing Company, Docket No. 227:

Dockets Nos.--

424,	F.T.C.	vs.	Lautz Brothers & Company;
425,	"	"	Fels & Company;
426,	"	"	Globe Soap Company;
427,	"	"	B. T. Babbitt, Inc.;
445,	"	"	Louisville Soap Co., Inc.;
519,	"	"	Colgate & Company;
520,	"	"	Proctor & Gamble Distributing Co.;
522,	"	"	Rub-No-More Company.

Thereupon, at the hour of 12 M., the Commission adjourned to meet at 10:30 A. M., November 9, 1920.

Attest:

John H. Gaskill
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

November 9, 1920 - 10:30 A. M.

Huston Thompson, Acting Chairman,
Nelson E. Gaskill,
Jno. Garland Pollard.

The minutes of the meeting of November 8, 1920, were read, and after certain revision were approved.

November 9, 1920.

The Secretary presented the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

(1) Docket No. 214, F.T.C. vs. Winsted Hosiery Company. Ordered that James McKeag, an Examiner of the Commission, be appointed to receive testimony and take evidence.

(2) Docket No. 618, F.T.C. vs. Eastern Road Machinery Co. Memorandum of October 28, 1920, from the Acting Chief Counsel approved. The Commission entered its order denying respondent's motion for a bill of specifications.

(3) Dockets Nos. -
335, F.T.C. vs. Louis Blaustein;
280, " " Prest-O-Lite Company;
564, " " Turner & Harrison;
565, " " C. Howard Hunt Pen Company.

Memorandum of October 26, 1920, was received from Special Attorney Richard S. Ely, advising that the Commission's Orders finally disposing of these cases had not been served and therefore could not be included in volume 2 of the Decisions of the Commission covering the period July 1, 1919 to June 30, 1920, without delaying its publication, and recommending that the date of the Orders be the date of the mailing thereof. Upon motion of Mr. Pollard, the recommendation was approved and the Commission rescinded the dates of the Orders of April 27th, May 14th and June 30, 1920, respectively, as to these cases, and directed that the Orders bear the date of their mailing.

(4) File-
O-1865, U. S. Bureau of Mines vs. Chemical Fuel Company of America, Inc.

Pursuant to the Commission's action of September 8, 1920, in issuing complaint, form of complaint as drawn by the Chief Counsel was submitted with the statement that "there is no data on file showing the extent of the business, if any, done by respondent in the sale of the product Tri-oxyline and it appears likely that it has no such business but that the promoter of respondent, E. Webster Stevens, is only a harmless crank or pest seeking notoriety at any cost." Upon consideration it was ordered that the file be referred back to the Acting Chief Counsel for recommendation.

(5) File-
O-1777, F.T.C. vs. United Chemical Products Corporation.

Pursuant to the Commission's action of July 29, 1920, in issuing complaint, form of such complaint was submitted for approval with the statement that the case was formerly on the Suspense Docket awaiting decision upon petition for rehearing in the New Jersey Asbestos Company case. Upon consideration, the files were referred back to the Acting Chief Counsel for

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November 9, 1920.

recommendation as to whether, from the evidence, it is a good case upon which to go to the Supreme Court, if necessary, and to distinguish between this case and the New Jersey Asbestos case.

(6) File-

O-1755, F. W. Skaggs vs. Davis, Seay, Adams Company.

Pursuant to the Commission's action of September 8, 1920, in issuing complaint, draft of formal complaint was submitted for approval as to form. Upon consideration the complaint as drawn was approved and referred to the Docket Section for service, the date of such complaint to be September 8, 1920.

(7) Docket No. 135, F.T.C. vs. Standard Oil Company of Louisiana.

Pursuant to the Commission's action of September 21, 1920, in dismissing this case, form of Order of Dismissal was submitted, approved by the Commission and referred to the Docket Section for service, the date of such Order to be September 21, 1920.

(8) Docket No. 328, F.T.C. vs. Springfield Oil Products Company.

Pursuant to the Commission's action of September 21, 1920, in dismissing this case, form of Order of Dismissal was submitted, approved and referred to the Docket section for service, the date of such Order being September 21, 1920.

(9) Files-

O-1966, F.T.C. vs. Ed Fahn; O-1958, F.T.C. vs. Karl
O-1952, " " J. Kelley; Guggenheim, Inc.

Pursuant to the Commission's action of October 16, 1920, in issuing complaints in these cases, drafts of complaints were submitted for approval as to form. Upon consideration, the complaints as submitted were approved and referred to the Docket Section for service, the date of the complaints to be the date of mailing.

(10) Docket No. 571, F.T.C. vs. Cupples Company.

Memorandum of October 20th received from the Acting Chief Counsel. After consideration and upon motion of Mr. Gaskill, the case was referred back to the Acting Chief Counsel with instructions to bring the same to the Commission in conjunction with Dockets Numbers 536, F.T.C. vs. Taiyo Trading Company, and 570, F.T.C. vs. Consaco Sales Company, two match cases now on trial. The Commission did not approve the stipulation of facts in Docket 571, nor consider the findings and Order in this case.

(11) Docket No. 549, F.T.C. vs. Cement Securities Co.

Memorandum of September 28, 1920, by Attorney Diggs was received from the Acting Chief Counsel, advising of respondent's request for an informal conference with the Commission with respect to an agreed upon Order. Upon consideration, and

November 9, 1920.

on motion of Mr. Pollard, the case was referred back to the Acting Chief Counsel to confer with the parties and thereafter to make such recommendations as to the Order as he deems wise.

(12) Docket No. 575, F.T.C. vs. Household Storage Co. Tentative Findings of Facts and Order to Cease and Desist received from the Acting Chief Counsel with his memorandum of August 31st. Such Findings were read and upon consideration were referred back to the Acting Chief Counsel with instructions to review the record and report to the Commission whether or not such Findings are supported by the evidence and whether or not the Order is supported by the Findings, particularly so as to prevent false advertising.

(13) Docket No. 537, F.T.C. vs. Shibakawa & Co., Inc. Memorandum of October 19th was received from the Acting Chief Counsel, advising that the Commission's attorney reports but one sale by respondent in the United States of Japanese matches containing Swedish words on the labels, and recommending that the complaint be dismissed. Upon consideration and on motion of Mr. Gaskill, it was ordered that this record, including the application, be referred back to the Chief Examiner with instructions that the attention of Lunn, Anderson & Lunn, counsel for applicant, be called to statements in their letter of complaint wherein it is alleged that falsely labeled matches were distributed by Shibakawa & Company, Inc., and their attention also called to the declarations by this company, and that applicant's attorney be asked to furnish proof in substantiation of their allegations or withdraw the application. The Chief Examiner was also directed to inquire into the alleged transactions with the Navy Department.

(14) Docket No. 593, F.T.C. vs. U. S. Salvage Co. Tentative Findings of Facts and Order to Cease and Desist were received from the Acting Chief Counsel with his memorandum of September 3rd. Upon consideration and on motion of Mr. Thompson, the case was referred back to the Acting Chief Counsel with the instruction that conference be had with Mr. Gaskill, looking to the revision of the Findings and Order in accordance with suggestions made by Mr. Gaskill. It was further directed that when such Findings and Order have been revised and approved by Mr. Gaskill, that the same issue and be served without further action by the Commission. The date of issuance to be the date of mailing.

(15) Docket No. 574, F.T.C. vs. Illinois Storage Co., et al. In a memorandum of October 1, 1920, the Acting Chief Counsel laid before the Commission the entire record in this case, including tentative Findings of Facts and Order to Cease and Desist.

The present practice as to the submission of matters arising in the Chief Counsel's office was discussed and thereafter upon motion of Mr. Gaskill, the Commission instructed the Chief

November 9, 1920.

Counsel's office, in transmitting Findings of Facts to the Commission, to state whether the Findings of Facts are justified by the evidence before the Commission and afford a sufficient and satisfactory basis in event of appeal; and in transmitting orders, to state whether the Orders are supported by the Findings of Facts and conform to the charges stated in the complaint so as to afford a sufficient basis in cases of appeal.

Upon motion of Mr. Gaskill, seconded by Mr. Pollard, Docket No. 574 was referred back to the Acting Chief Counsel in accordance with the foregoing motion. As to the reference of this particular docket back to the Acting Chief Counsel, Messrs. Gaskill and Pollard voted in the affirmative and Mr. Thompson voted in the negative.

(16) Docket No. 339, P.P.C. vs. Pictorial Review Co., et al. Memorandum of October 19th was received from the Acting Chief Counsel, asking further instruction in the matter of the Commission's refusal to accept proposed agreed statement of facts. Upon consideration, the case was referred to Mr. Gaskill with request that he confer with the Acting Chief Counsel and advise him of the Commission's reasons for rejecting the statement of facts and of the Commission's directions in the case.

Mr. Pollard submitted the following resolution directing the Chief Economist to furnish memorandum upon trade practice submittal on the subject of Guarantee Against Decline, and such resolution was unanimously passed:

RESOLVED, That the Chief Economist be instructed to furnish the Commission on or before December 15, 1920, a brief and concise statement of his views from an economic standpoint, on the practice known in the trade as "Guarantee Against Decline." He shall make a careful study of the opinions expressed on the subject at the Trade Practice Submittal, October 5-6, last, and of the opinions expressed in communications in writing including briefs submitted to the Commission, both before and since said Trade Practice Submittal, and shall present a summary of those opinions (pro and con) which he deems to be best considered, and which will most clearly bring out the nature and effect of the several forms of guarantee and of their operation in different lines of industry and under varying circumstances. He may submit with his own views, the views of any members of his staff who have given special study to the subject.

November 9, 1920.

Mr. Pollard advised the Commission of his opinion of the desirability of encouraging the writing of monographs by members of the staff, and offered the following resolution creating a Committee on Publication to whom monographs should be submitted:

"RESOLVED, That a memorandum be sent to the members of the trial and legal examining staff, stating that the Commission encourages the writing, for inter-office use, of monographs dealing with questions most frequently arising under the acts under which this Commission operates, provided that in the preparation of such monographs, time shall not be taken needed for the performance of regular duties.

Those writing such monographs are invited to submit their manuscripts to a Committee on Publication, consisting of the Chief Counsel, Chairman of the Board of Review, the Chief Examiner, and one member of the Commission designated by the Chairman. The Committee shall order duplicated such manuscripts as it thinks will be useful in the performance of the work of the Commission and shall provide for distribution of copies among members of the staff.

The preface of each monologue shall show that the views expressed therein are those of the author and not of the Commission."

The resolution was discussed at length, and upon motion of Mr. Pollard, seconded by Mr. Gaskill, was adopted by the Commission, with the direction that no expense can be incurred under this resolution without the approval of the Committee on Publication named in the resolution.

As to the foregoing motion, Messrs. Gaskill and Pollard voted in the affirmative and Mr. Thompson voted in the negative.

Mr. Gaskill submitted memorandum of November 5, 1920, from the Chief Economist, advising that Dr. W. H. S. Stevens of the staff had been invited by Dartmouth College to deliver a lecture

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November 9, 1920.

to the students of that college "on the organization, working and purpose of the Federal Trade Commission." Objection was not offered to the acceptance of this invitation.

The Secretary presented the Chief Economist's memorandum of November 6th, recommending approval of the request of Mr. Frank M. Hildebrandt, an examiner in the Economic Division, that his present status of "examiner" be changed to that of "clerk, class 4," in order that he may avail himself of the benefits of the Retirement Act. The recommendation was approved and the change in designation ordered effective to-day.

Upon recommendation of the Secretary, the salary of Miss Jane Herrity, an employee of the Secretary's office, was increased from \$1400 to \$1600, plus the bonus, the same to be effective as of November 1, 1920.

It was agreed that the Commission meet at 10:00 o'clock A. M., November 10, 1920.

Thereupon, at the hour of 1:00 o'clock the Commission adjourned to meet at 10 o'clock A.M., November 10, 1920.

Attest:

Hudson Thompson
Acting Chairman.

Secretary.

November 10, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION.

November 10, 1920 - 10:00 A.M.

Huston Thompson, Acting Chairman,
Nelson E. Gaskill,
Jno. Garland Pollard.

The minutes of the meeting of November 9, 1920, were read and approved.

On motion of Mr. Thompson, it was agreed that the consideration of the Commission's finance be made a special order of business for Monday, November 29th, at 2:00 P. M.

The Secretary laid before the Commission the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

(1) Docket No. 131, F.T.C. vs. Atlantic Refining Co. Memorandum of October 29th from the Acting Chief Counsel recommending that the Commission's Order to Cease and Desist be rescinded in view of the probable appeal of the case, and that an amended complaint issue. After discussion, it was agreed that Mr. Burdett be requested to come to Washington for a conference with Mr. Thompson in the matter, and that Mr. Thompson thereafter report to the Commission in regard to the oil cases.

(2) Docket No. 579, F.T.C. vs. Atlanta Wholesale Grocers, et al. Memorandum of October 13th from the Acting Chief Counsel, approving request of Attorney Sutherland that he be assigned to the trial of the case. Upon motion of Mr. Pollard, Attorney Sutherland was transferred, at his present salary, from the Chief Examiner's office and assigned to the trial of this case, under the direction of the Chief Counsel's office, such transfer to be effective November 9, 1920.

(3) Docket No. 24, F.T.C. vs. Galena Signal Oil Co. Memorandum of October 2nd was received from Acting Chief Counsel Farrington, transmitting memorandum by Attorney Taylor, advising that counsel for respondent had called to his attention the fact that certain companies, including the Texas Oil Company and the Pierce Oil Corporation, are still using forms of contracts similar to those condemned by the

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November 10, 1920.

Commission in this case, and suggesting that negotiations be entered into looking to the discontinuance of these contracts. Upon motion of Mr. Pollard, the Acting Chief Counsel was instructed to confer with representatives of the companies named and report to the Commission.

(4) Docket No. 341, F.T.C. vs. W. A. Case & Son Mfg. Co.
In memorandum of October 11, 1920, Acting Chief Counsel Busick submits the case to the Commission prior to the filing of briefs and oral argument, and asks instructions. Upon consideration of the record and on motion of Mr. Thompson, the case was referred back to the Acting Chief Counsel for recommendation as to whether or not the Commission has made out such a case as will sustain findings and Order to Cease and Desist.

(5) Docket No. 268, F.T.C. vs. The Aeolian Company.
Findings of Facts, Conclusion and Order to Cease and Desist were approved and entered in this case on October 26, 1920, with the direction that certain revisions then made be incorporated. In memorandum dated October 29, 1920, the Acting Chief Counsel submitted such findings, etc., revised pursuant to the Commission's action of October 26th, and the same were found to be in keeping with the Commission's instructions and referred to the Docket Section for service.

(6) Docket No. 592, F.T.C. vs. Kebana Iron Bed Co., Inc.
This case was dismissed on October 16th. In memorandum of October 23rd the Acting Chief Counsel submitted Order of Dismissal for approval as to form. The Order was found to be in proper form and referred to the Docket Section for service.

(7) Dockets Nos.-

163, F.T.C. vs. Armour & Company,
455, " " " "

Memorandum of October 30th was received from the Acting Chief Counsel, transmitting motion of counsel for respondent that the Commission's Order of September 11, 1920, consolidating these dockets be set aside as the allegations in the complaints are not identical and proof in one case will not be of assistance to the other. Upon motion of Mr. Gaskill, the motion was granted and the Commission entered its Order rescinding the action of September 11th, and severing these cases.

(8) File-

9-1531, Torrence Sales Company vs. Morgan Razor Works, et al.

On May 12, 1920, this case was referred to the Chief Counsel to negotiate with respondent to the end that the practices complained of be discontinued. In memorandum of October 19th, the Acting Chief Counsel reports receipt of letter from respondent offering to discontinue the use of the objectionable brands. Upon consideration of the record and on motion of Mr. Pollard, seconded by Mr. Gaskill, the file was re-

November 10, 1920.

ferred back to the Acting Chief Counsel with instructions to inform applicant of the communication received from the respondent, and to inform him further that the matter soon will be considered by the Commission, and that the Commission will consider any further facts the applicant may desire to furnish. As to the foregoing action of the Commission, Messrs. Gaskill and Pollard voted in the affirmative and Mr. Thompson voted in the negative.

(9) Docket No. 547, F.T.C. vs. Big Four Grocery Co.
Draft of amended complaint drawn pursuant to the Commission's action of September 10, 1920, was submitted with memorandum of October 20th by the Acting Chief Counsel for approval of the amended complaint as to its form. Upon consideration the complaint was approved and referred to the Docket Section for service. The date of the complaint being September 10, 1920.

(10) Dockets Nos.-
509, F.T.C. vs. John H. Wilkins Company,
510, " " Levering Coffee Company.
In memorandum of October 23rd, the Acting Chief Counsel reported to the Commission with respect to compliance with the Commission's Order by the Wilkins Company, and in re contracts proposed to be used by the Levering Company. Upon consideration, and on motion of Mr. Pollard, the Commission did not amend its Order with respect to the Wilkins Company and directed that the Levering Company be informed by the Acting Chief Counsel that it is not the policy of the Commission to pass upon contracts in advance.

As to the foregoing action of the Commission with respect to the contract, Messrs. Thompson and Pollard voted in the affirmative and Mr. Gaskill voted "no" for the reason that he believed that the Commission has power to express opinions upon questions of this character and that in the pending case the use of the coffee urns is an inducement to purchase from the owner of the urn, and is in the nature of a premium upon purchases, and that, therefore, the Commission might properly express the opinion that the contract in question constitutes an unfair method of competition.

(11) Docket No. 548, F.T.C. vs. Vacuum Oil Co.
Memorandum of October 19th was received from the Acting Chief Counsel, transmitting memorandum by Attorney W. T. Roberts recommending the dismissal of this case. Upon motion of Mr. Gaskill the recommendation of the Acting Chief Counsel was approved and the Commission entered its Order dismissing this complaint.

(12) Docket No. 126, F.T.C. vs. Ironite Company, et al.
With memorandum of October 15th the Acting Chief Counsel submitted proposed Findings of Facts and Order to Cease and Desist, and called the attention of the Commission to the circumstances under which the record in this case was made. Upon consideration and by motion of Mr. Gaskill, the case was referred back to the Acting Chief Counsel for opinion as to

November 10, 1920.

whether or not the proposed Order will have a remedial effect that is not secured by the decree of the Court. If it be the opinion of the Acting Chief Counsel that the decree covers all the relief that the Commission might give, then that the case be dismissed for that reason and the reason expressed in an Order of Dismissal to be laid before the Commission. If it be the opinion of the Acting Chief Counsel that the Order would afford relief over and above that afforded by the decree of the Court, nevertheless the complaint be dismissed if the evidence is not sufficient to support an Order to Cease and Desist.

(13) File-

O-1924, F.T.C. vs. Geo. C. Le Gendre & Son.

Draft of formal complaint issued by the Commission on July 2, 1920, was laid before the Commission for approval as to form. Upon consideration the complaint was approved and referred to the Docket Section for service. The date being July 2, 1920.

The Secretary laid before the Commission the following matters arising in the Chief Examiner's office, and action as indicated was taken by the Commission:

(1) File-

O-1967, F.T.C. vs. Brackman-Weiler Company.

Pursuant to the Commission's action of September 22, 1920, the Chief Examiner reported that information obtained indicated that representation by the respondent is truthful when it stamps upon pen points which sell at \$54 per gross "Warranted 14 carat gold." The report of the Chief Examiner was accepted and ordered filed.

(2) File-

1-339, John F. Sheehan vs. Certain Conditions Connected with Westfield, Mass., Board of Health.

Memorandum of July 13, 1920, from the Chief Examiner, recommending dismissal, was approved and it was ordered that the application be, and the same is hereby, dismissed.

(3) Files-

O-1876, Rogers Company, Inc., vs. Wood & Company, Inc., et al.

O-2067, G. Spongberg vs. Commercial Importing Co., Inc., et al.

Memorandum of October 6, 1920, from the Chief Examiner, recommending consolidation, was approved and it was ordered that application O-2067 be consolidated with O-1876.

(4) File-

Memorandum of November 3, 1920, from the Chief Examiner, recommending the docketing of an application for complaint in the name of the Commission against the Associated Oil Company. Upon motion of Mr. Gaskill, the recommendation was approved and application was docketed with the suggestion to the Chief Examiner that the investigation specifically include an effort to discover the effect of the tying contract.

November 10, 1920.

Mr. Pollard submitted file C-1213, Grand Junction Fruit Growers Assn. vs. The Carey Salt Company, which was referred to Mr. Pollard on September 8th for the purpose of a trade practice submittal. Upon reading of the report of the Board of Review, and memorandum by Mr. Colver suggesting trade practice submittal, Mr. Pollard reported to the Commission against the use of a trade practice submittal. After discussion, and on motion of Mr. Gaskill, the previous action of the Commission as to trade practice submittal was rescinded and the file was referred to the Acting Chief Counsel for the preparation and submission to the Commission of draft of formal complaint, and in that connection to consider whether parties other than those named in the report of the Board of Review should be made respondents.

Mr. Thompson submitted the following applications for complaints, and upon his motion, action as indicated was taken by the Commission.

(1) File-
9-1046, E.T.C. vs. Ranger-Rock Island Oil & Refining Co.
Memorandum by Mr. Thompson approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed.

(2) File-
C-2032, Lenox, Inc., vs. Jones, McDuffee & Stratton Co.
Memorandum by Mr. Thompson approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed, and that the Chief Examiner be instructed to prepare a letter of notification to the applicant and submit the same to Mr. Thompson for approval.

Thereupon, at the hour of 1:00 P. M. the Commission adjourned to meet at 10:30 A. M., November 11, 1920.

Attest:

Hudson Thompson
Acting Chairman.

Secretary.

November 11, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

November 11, 1920 - 10:00 A.M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson B. Gaskill,
Jno. Garland Pollard.

The minutes of the meeting of November 10, 1920, were read and approved.

Mr. Gaskill presented to the Commission the following matters arising in the Economic Division and upon his motion, action as indicated was taken by the Commission.

(1) Memorandum of August 30, 1920, from the Chief Economist, recommending that the Commission's reports be set ten point solid instead of ten point leaded. The minute of September 2nd, showing that the Commission had directed the setting of the Grain Report ten point solid, was read. After discussion, Mr. Gaskill offered the following motion, which was seconded by Mr. Murdock and unanimously passed:

MOVED, That until further orders all reports of the Commission, with the exception of the Annual Reports, be set ten point solid, as recommended by the Chief Economist, and that the Publication Section be so advised.

(2) Pursuant to the Commission's request of June 29, 1920, that Mr. Gaskill read Part VII of the meat report (The Packer and the Public), Mr. Gaskill reported that he had nearly completed the reading of this report. The publication of the report was discussed, and thereafter Mr. Gaskill was requested to prepare a memorandum of his views for the consideration of the several commissioners.

(3) Memorandum of November 9, 1920, from the Chief Economist in the matter of finances, and suggesting the desirability of checking up the actual expenditures for the first part of the fiscal year, and to reestimate the future outgo. The financial situation was discussed, and Mr. Duganne, the Auditor, was heard. Thereafter, Mr. Gaskill offered the following motion, which was seconded by Mr. Thompson and unanimously passed:

November 11, 1920.

MOVED, That the reserve of 50 from the monthly allocation deducted from the allotment of the Economic Division for August, September and October, 1920, be credited against the excess of expenditures shown by that Division during those three months.

After further discussion, on motion of Mr. Gaskill, seconded by Mr. Thompson, the Commission approved the following request of the Chief Economist as set out in his memorandum of November 9th:

"It is requested that permission be given to the undersigned to have an examination made of payrolls and expense vouchers so far as may seem necessary in order to determine (1) the actual expenditure this year and (2) the average amounts or rates of expense for certain items for the purpose of estimating future expenditures. (e.g., average amounts for stationery, average rates for travel expense). It is also requested that where the present records do not show the necessary detail as to items of contingent expense that the Auditor be directed to furnish his best estimates thereof.

"Francis Walker, Chief Economist."

As to the foregoing action of the Commission, Messrs. Thompson, Gaskill and Pollard voted in the affirmative, and Mr. Lurdock voted in the negative.

Upon motion of Mr. Thompson, it was ordered that any expense incident to this request of the Chief Economist be charged to the Economic Division.

(4) On motion of Mr. Gaskill, it was agreed that the memorandum from the Chief Economist in the matter of rescinding the Executive Order of July 3, 1918, transferring a portion of the coal section to the U. S. Fuel Administration, and the memorandum from the Chief Economist in the matter of the proposed chemical merger, be set as special orders of business for Friday, November 19th, at 10:30 A. M., and that these memoranda be read by the commissioners.

Mr. Thompson presented the following listed applications for complaints, and upon his motion action as indicated was taken by the Commission:

(a) File-
O-1497, F.T.C. vs. Textile Products Co.

On October 19, 1920, this case was referred to the Chief Examiner to negotiate with respondent for written admission as to his past practice concerning commercial bribery.

November 11, 1920.

and an undertaking as to its prevention in the future. Mr. Thompson read to the Commission letter of October 26th from the respondent company, in which it is stated that the respondent "is opposed to commercial bribery in any form, and hereby undertakes and agrees to refrain from resorting to it either directly or indirectly thru its officers, agents or employees." Upon motion of Mr. Thompson, it was ordered that the application be, and the same is hereby, dismissed.

(b) File-

O-2021, F.T.C. vs. Thomas Duggan & Son.

Memorandum by Mr. Thompson approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission, and that the files be referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. Resolution directing the issuance and service of the complaint was adopted. The date of the complaint to be the date of its mailing.

(c) File-

9-1066, F.T.C. vs. Crescent Oil Co.

Mr. Thompson submitted written report recommending dismissal and that in the dismissal the plan of financing be censured. The report of the Board of Review recommending dismissal for lack of jurisdiction was considered. Upon motion of Mr. Pollard, seconded by Mr. Murdock, that portion of Mr. Thompson's memorandum recommending censure of respondent was stricken out and it was ordered that the application be, and the same is hereby, dismissed.

(d) Files-

9-1333, F.T.C. vs. Burnett-Barrett Oil Co.

9-1057, " " Gainesville-Ranger Oil Co.

O-1980, W. Vivaudon, Inc., vs. Neisner Bros.

Memoranda by Mr. Thompson approved. Reports of the Board of Review approved. Ordered that the applications be, and the same are hereby, dismissed.

The Commission recessed at the hour of 1:00 P.M. and
reassembled at 2:30 P. M.

Victor Murdock, Chairman,
Euston Thompson,
Nelson E. Gaskill,
Jno. Garland Pollard.

Mr. Gaskill submitted the following noted applications for
complaints, and action as indicated was taken by the Commission:

November 11, 1920.

(1) File-

9-1491, F.T.C. vs. United Retail Stores Corporation.

Mr. Gaskill submitted written report recommending the issuance of complaint and disagreeing with the Board of Review. The Board of Review was heard. After discussion, Mr. Gaskill moved that formal complaint issue. The motion was seconded by Mr. Murdock.

In substitution of the foregoing motion, Mr. Pollard moved that the case be referred back to the Chief Examiner with instructions to investigate further under the immediate direction of Commission Gaskill, and report whether or not he can find further evidence of competition, such investigation to be made at the earliest date possible, and report to be made within thirty days from date.

As to the foregoing substitute motion, Messrs. Thompson, Gaskill and Pollard voted in the affirmative, and Mr. Murdock voted in the negative. The substitute motion was declared by the Chairman to be carried.

(2) File-

O-1865, The Vim vs. South Bend Bait Co.

Mr. Gaskill submitted written report recommending the issuance of complaint charging violation of Section 2 of the Clayton Act and suggesting that the Board of Review be heard. The Board of Review was heard. After discussion, it was ordered, upon motion of Mr. Gaskill seconded by Mr. Pollard, that formal complaint issue and be served without further action by the Commission, and that the files be referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. Resolution directing the issuance and service of complaint was adopted. The date of the complaint to be the date of mailing.

As to the foregoing action, Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative because he was of the opinion that there was no public interest sufficient to warrant a complaint.

Mr. Pollard submitted file O-1886, Bureau of the Paint & Varnish Industries vs. Wm. E. Hinch, with written report recommending that the application be dismissed and that the Board of Review be heard in view of the fact that the Board recommends complaint. The Board of Review was heard, and upon consideration by the Board of communications from the respondent as shown in Mr. Pollard's memorandum, the Board was of the opinion that the application should be dismissed. After discussion, on motion of Mr. Pollard, seconded by Mr. Thompson, it was ordered that the application be, and the same is hereby, dismissed.

As to the foregoing motion of dismissal, Messrs. Thompson,

November 11, 12, 1920.

Gaskill and Pollard voted in the affirmative and Mr. Murdock voted "no" on the merits of the case, and made the following statement for the record:

"I voted no on this case and give as a reason that I think proceedings in this case are irregular. I mean by that, that no examiner of this Commission has any right in making investigations to assert to any prospective respondent that any practices of the respondent are objectionable to the Commission, prior to the passing upon the case by the Commission."

Mr. Thompson submitted written report in the matter of file O-2074, Lincoln Pure Butter Co. vs. Alfalfa Butter Co., agreeing with the Board of Review that the complaint should be dismissed and suggesting that the examiner who recommends complaint be heard, as the case involves a trade practice submittal. Attorney Flannery and the Board of Review were heard, and thereafter, upon motion of Mr. Thompson, seconded by Mr. Pollard, it was ordered that the application be, and the same is hereby, dismissed.

Thereupon, at the hour of 5:00 P.M., the Commission adjourned, to meet at 10:30 A. M., November 12, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

November 12, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson E. Gaskill,
Jno. Garland Pollard.

The Chairman laid before the Commission the following letter from the Attorney General of the United States in the matter of the United States vs. Swift & Company, et al.,

November 12, 1920.

pending in the Supreme Court of the District of Columbia, together with the enclosures mentioned in the letter, and informed the Commission that the same had been acknowledged with the statement that it would be brought immediately to the attention of the Commission:

Office of the Attorney General,
Washington, D. C.
November 4, 1920.

United States vs. Swift, et al.

Hon. Victor Murdock, Chairman,
Federal Trade Commission,
Washington, D. C.

Dear Mr. Murdock:

At the direction of the President, I am referring to your Commission for approval, the plans filed by the Armour and Swift groups of defendants in the above-entitled action, for the disposition of their interests in stockyards, terminal railways and market newspapers. I am enclosing copy of the plans which were filed in the Supreme Court, District of Columbia, on October 26th last. I am also enclosing copy of a letter from F. H. Prince & Co., to J. Ogden Armour and Louis F. Swift, dated October 22nd, which refers to the plans but is not embodied therein. The President has requested that the Department of Justice should not approve any plan for the disposition of these interests unless such plan should first receive the unanimous approval of the Federal Trade Commission. In this connection I beg to state, that before the Department of Justice will consent to this plan it will insist upon the following conditions being embodied in the decree of the court approving the same, to wit:

(a) That the court's approval of the plan shall in no way estop Congress from legislating upon the question of stockyards and their operation.

(b) That nothing contained in this plan or any other plan that may be finally approved, shall be construed as a modification or amendment of the provisions of the consent decree entered in this cause.

(c) That subject to the provisions of Section 10 of the decree individual defendants shall be permitted to retain interests in the stockyards or in the holding company, and then only provided the court is satisfied of the necessity therefor.

November 12, 1920.

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Office of the Attorney General,
Washington, D. C.
November 4, 1920.

United States vs. Swift, et al.

Hon. Victor Murdock, Chairman,
Federal Trade Commission,
Washington, D. C.

Dear Mr. Murdock:

At the direction of the President, I am referring to your Commission for approval, the plans filed by the Armour and Swift groups of defendants in the above-entitled action, for the disposition of their interests in stockyards, terminal railways and market newspapers. I am enclosing copy of the plans which were filed in the Supreme Court, District of Columbia, on October 26th last. I am also enclosing copy of a letter from F. H. Prince & Co., to J. Ogden Armour and Louis F. Swift, dated October 22nd, which refers to the plans but is not embodied therein. The President has requested that the Department of Justice should not approve any plan for the disposition of these interests unless such plan should first receive the unanimous approval of the Federal Trade Commission. In this connection I beg to state, that before the Department of Justice will consent to this plan it will insist upon the following conditions being embodied in the decree of the court approving the same, to wit:

(a) That the court's approval of the plan shall in no way estop Congress from legislating upon the question of stockyards and their operation.

(b) That nothing contained in this plan or any other plan that may be finally approved, shall be construed as a modification or amendment of the provisions of the consent decree entered in this cause.

(c) That subject to the provisions of Section 10 of the decree individual defendants shall be permitted to retain interests in the stockyards or in the holding company, and then only provided the court is satisfied of the necessity therefor.

November 12, 1920.

(d) That the packers shall dispose of all such securities as they may, with the approval of the court, take in part payment for their stockyards' interests, including all securities and interests in the syndicate mentioned in the plan, within a reasonable time to be designated by the court.

(e) That the trustees to be named by the court shall by the decree approving this plan, be given the right to hear and determine all complaints by shippers, producers or packers, concerning the management of the stockyards, and shall, either upon their own initiative or as a result of such complaints, have the power to correct any practices in the yards which may tend to restrain competition or have a tendency to effectuate combinations in restraint of trade. They shall also be given control by appropriate provisions, either in the decree or in the operating agreements, over betterments, improvements, facilities and stockyard privileges at the various stockyards, to the end that the granting or withholding of such facilities, or stockyard privileges, or the making or refraining from making such improvements, shall not be used as a means of restraining competition. They shall have the right to denounce all arrangements for the operation of any of the yards, wherein the packers or any of them may seek to regain control over such yards, and in the discharge of their duties, the trustees shall have the right at any time to remove any director, officer, executive head or employee of any corporation owning or operating any of the stockyards embraced within this plan.

(f) That the second preferred stock which the packers are to take in part payment for the interests that they are selling shall not have the privilege of conversion into common stock, and shall have no voting power, even though dividends thereon may not be paid.

The Department has had this plan under advisement for only a few days. The court has ordered that the Department file any objections that it may have to the plan, by the 8th of November. The Department has not completed its study of the plan, and it may well have other suggestions to make before the matter is finally submitted to the court. It is intended to apply to the court for an extension of time within which to file objections, to November 15. I shall be glad to be advised of your decision in the matter as speedily as may be convenient.

Yours very truly,
(Signed) A. Mitchell Palmer,
Attorney General.

K/A

November 12, 1920.

Upon consideration of the letter and the propositions submitted by the respondents therein, Messrs. Murdock, Thompson and Gaskill expressed their inability to approve the plan submitted, and after a consideration of the report prepared by the Economic Division, and of a memorandum from the Chief Economist under date of November 12th, the Commission requested Mr. Gaskill to prepare a draft of a reply expressing disapproval by the Commission of the plan submitted, and constructively suggesting the outline of a plan which the Commission would approve.

Mr. Thompson stated that he desired the record to show that he approved the outlines of the reply to be prepared by Mr. Gaskill, as determined by the Commission.

Mr. Pollard was excused from consideration and voting upon this entire matter for the reasons heretofore set out in the minutes of the Commission.

The Secretary laid before the Commission, memorandum of November 9th from the Auditor, in the matter of vouchers submitted by Attorney James T. Clark, covering his travel during the latter part of September on a trip from Washington to Chicago and return by way of New York City, etc. Upon consideration, it was ordered that the matter be referred to the Acting Chief Counsel with instructions to advise the Commission whether or not the travel in question was upon official business of the Commission.

November 12, 1920.

The Secretary submitted draft of formal complaints against Wolde & Horst Company and Brown Durrell Company, drawn by the Chief Counsel in the matter of file 9-1836, Esco Hosiery Co., Inc., vs. Brown Durrell Co., et al. The complaints were referred to Mr. Pollard for conference with Commission's counsel and report to the Commission.

The Secretary also submitted memorandum of November 10th from the Chief Examiner, transmitting file of papers with respect to an alleged combination in restraint of trade in the basket industry, as set out in correspondence between J. P. Karns and Congressman E. K. Focht. Upon consideration, it appears that this is a matter within the jurisdiction of the Department of Justice, and the Chief Examiner was directed to refer the same to that Department.

The applications for complaints now on the Suspense Calendar were laid before the Commission by the Secretary, and action as indicated was taken:

(1) File-
9-1499, Iowa Oil Co. vs. Leader Oil Co.

It was directed that this application be removed from the Suspense Calendar and take the regular course.

(2) Ordered that other cases upon the Suspense Calendar, as shown in the memorandum of November 1, 1920, from the Docket Section, remain on the Suspense Calendar in accordance with the rules.

The following matters arising in the Chief Counsel's office were submitted by the Secretary and action as indicated was taken by the Commission:

November 12, 1920.

(1) File-

O-1957, F.T.C. vs. Standard Fountain Pen Company.

Complaint was issued in this case October 16, 1920. In memorandum of November 10th, the Acting Chief Counsel submits draft of complaint for approval of form. Upon examination the complaint was found to be in form and referred to the Docket Section for service, the date of the complaint to be the date of its mailing.

The Commission recessed at 1:00 and reassembled at 2:00

P. M.

Victor Murdock, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard.

In the matter of Docket No. 248, F.T.C. vs. Aluminum Company of America, the Commission heard final argument. Attorney E. L. Smith was in support of the Commission's complaint, and Attorney George B. Gordon was heard on behalf of respondent. Attorney I. W. Treadway, representing the Cleveland Metals Products Company, was heard as associate counsel with Attorney Gordon. The hearing continued until 4:30 P.M., and was concluded, and the case taken under advisement by the Commission.

Thereupon, at the hour of 4:30 P. M., the Commission adjourned to meet at 10:30 A. M., November 13, 1920.

Attest:

Out Murdock

Chairman.

Secretary.

November 13, 1920.

REPORT OF MESSRS. MURDOCK AND GASKILL, A COMMITTEE
TO TRANSACT THE BUSINESS OF THE COMMISSION IN
THE ABSENCE OF A QUORUM AND REPORT TO
THE COMMISSION.

November 13, 1920 - 11:00 A.M.

Victor Murdock, Chairman) Committee.
Nelson B. Gaskill)

Pursuant to the request of the Commission under date of November 12, 1920, Mr. Gaskill laid before the Committee suggested reply to be made by the Commission to the letter of November 4, 1920, from the Attorney General of the United States in the matter of approval by the Commission of plans filed by the Armour and Swift group of defendants in the case of the United States vs. Swift & Company, et al., now pending in the Supreme Court of the District of Columbia.

The reply was read, revised and approved by the Committee, signed by the Chairman, and in keeping with an understanding reached by the Commission, was delivered to the Attorney General (See file).

Thereupon, at the hour of 5:00 P.M., the Committee adjourned.

Victor Murdock
Nelson B. Gaskill
Committee.

As shown by the minutes of the Commission under date of November 15, 1920, the foregoing committee report was on that day read to the Commission, ratified and adopted as the action of the Commission.

Attest:

Victor Murdock
Chairman.

Secretary. _____

November 15, 1920.

November 14, 1920 (Sunday) - No meeting held.
MEETING OF THE FEDERAL TRADE COMMISSION

November 15, 1920 - 11:00 A.M.

Victor Murdock, Chairman,
Fuston Thompson,
Nelson E. Caskill,
Jno. Garland Pollard.

Pursuant to arrangements, rehearing was had before the Commission in the matter of File 9-1296, application of the Western Association of Rolled Steel Consumers for the issuance of a complaint against United States Steel Corporation, et al., known as the Pittsburgh base for steel prices case. Those opposing present practice of fixing prices on Pittsburgh base were heard. See stenographic report.

The Commission recessed at 12:30 P. M., and reassembled at 2:00 P.M.

Victor Murdock, Chairman,
Fuston Thomson,
Nelson E. Caskill,
Jno. Garland Pollard.

Rehearing in the matter of the Steel Case continued from the morning session was resumed before the Commission, and continued until the hour of 4:30, at which time an adjournment was taken until the hour of 10:00 A.M., November 16, 1920. See stenographic report.

The Chairman laid before the Commission draft of reply to letter of November 11, 1920, from Senator James W. Wadsworth, Jr., in which he requests information concerning the cost of

November 15, 1920.

producing coal in the United States and with respect to proposed Federal control and operation of the coal mines. The reply as prepared by the Economic Division was approved by the Commission, signed by the Chairman, and ordered forwarded (See file).

Report, in manuscript form, of the findings on the subject of sugar, prepared in response to House Resolution No. 150, dated October 1st, 1919 (Congressman Tinkham), was laid before the Commission by the Chairman and it was ordered that the report be forwarded to the Public Printer for galley proof.

Report dated November 13, 1920, of Messrs. Murdock and Gaskill, a committee to transact the business of the Commission in the absence of a quorum, was read to the Commission, and upon motion of Mr. Thompson, was ratified and adopted as the action of the Commission with the direction that such committee report be made a part of the minutes.

Mr. Thompson advised the Commission that he had read the letter prepared by this committee, dated November 13, 1920, and addressed to the Attorney General of the United States, in response to his letter of November 4, 1920, submitting to the Commission for approval certain plans of defendants in the matter of United States vs. Swift & Company, et al., and that such letter met with his approval.

November 15, 16, 1920.

Thereupon, at the hour of 5:00 P. M., the Commission adjourned to meet at 10:00 A. M., November 16, 1920.

Attest:

Vict. Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

November 16, 1920 - 10:00 A. M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson E. Gaskill,
Jno. Garland Pollard.

Rehearing in the matter of file 9-1296, application of the Western Association of Rolled Steel Consumers for the issuance of complaint against United States Steel Corporation, et al., continued from the previous day, was resumed before the Commission. Those opposing the present practice of fixing price on Pittsburgh base were heard. See stenographic report.

The Commission recessed at 12:30 and reassembled at 2:00 P. M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson E. Gaskill,
Jno. Garland Pollard.

Rehearing in the steel case was resumed before the Commission and continued until the hour of 4:30 P. M., at which time an adjournment was taken until 9:30 A.M., November 17, 1920. See stenographic report.

November 16, 17, 1920.

Thereupon, at the hour of 4:30 P. M., the Commission adjourned to meet at 9:30 A. M., November 17, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

November 17, 1920 - 9:30 A. M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson B. Gaskill,
Jno. Garland Pollard.

Rehearing in the matter of file 9-1296, application of the Western Association of Rolled Steel Consumers for the issuance of complaint against the United States Steel Corporation, et al., continued from the previous day, was resumed before the Commission. Those favoring a change in the present practice of fixing prices on Pittsburgh base were heard. See stenographic report.

The Commission recessed at 12:30 and reassembled at 2:00 P. M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson B. Gaskill,
Jno. Garland Pollard.

Rehearing in the steel case was resumed before the Commission and continued until the hour of 3:45 P. M., at which time an adjournment was taken until 10:30 A. M., December 6,

November 17, 19, 1920.

1920. Hearing of those favoring a change in the present practice was concluded to-day. See stenographic report. It was agreed that those in favor of the present practice be heard on December 6, 1920, at 10:30 A. M.

Whereupon, at the hour of 3:45 P. M., the Commission adjourned to meet at 10:30 A. M., November 18, 1920.

Attest:

Arthur M. ...
Chairman.

Secretary.

November 18, 1920 - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

November 19, 1920 - 10:30 A. M.

Huston Thompson, Acting Chairman,
Nelson P. Gaskill,
Jno. Garland Pollard.

The minutes of the meetings of November 11th, 12th, 15th, 16th and 17th, 1920, respectively, were read and approved.

The Secretary asked instruction in the matter of holiday on Thanksgiving eve. Upon being advised that the Commission had legal authority to grant such a holiday, after consideration and on motion of Mr. Gaskill, it was ordered that those employees who can be spared be excused at 1:00 o'clock P.M. on Wednesday, November 24, 1920, without intermission for lunch, and that employees absent all day be charged with full day of leave.

November 19, 1920.

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Upon motion of the Acting Chairman, the Commission then proceeded to a consideration of the following matters, set as special orders of business:

(1) Memorandum from the Chief Economist, transmitting suggested executive order to rescind the Executive Order of July 3, 1918, transferring to the United States Fuel Administration certain powers which had been given to the Federal Trade Commission. After consideration and on motion of Mr. Thompson, seconded by Mr. Pollard, this matter was laid on the table.

(2) Memorandum of September 28, 1920, from the Chief Economist, transmitting memorandum by Assistant Chief Economist Wm. H. England, with respect to a proposed inquiry into the formation of a chemical merger, the Allied Chemical and Dye Corporation. Upon consideration and on motion of Mr. Thompson, seconded by Mr. Pollard, it was ordered that this matter be docketed as an application for complaint in the name of the Commission and handled in the regular course with the understanding that the Economic Division respond to request for assistance by the Legal Division.

In response to the Commission's request of October 19, 1920, for a report of recommendation in the matter of payment by the Commission of witness fees and mileage to the witnesses of respondents, Mr. Thompson submitted the following proposed rule to be incorporated in the Commission's Rules of Practice, and moved its adoption:

"The fees of witnesses shall be such as are now or may hereafter be prescribed by Congress, and shall be paid by the party at whose instance the witnesses appear."

The motion was seconded by Mr. Pollard, and after consideration was unanimously adopted by the Commission with the direction that the same be effective today except as to witnesses already called for by subpoena.

Upon motion of Mr. Thompson, it was ordered that hereafter subpoenas and subpoenas duces tecum shall show after the words "to testify," at whose instance the witness is summoned, and

November 19, 1920.

that the following language be used in the subpoenas: "x x x x
to testify at the instance of _____."

The Commission authorized such necessary changes in the
Rules of Practice and in the subpoenas as are required to be
made to carry into effect the foregoing action with respect to
witnesses and subpoenas.

Mr. Thompson advised the Commission that hearings before the
Congressional Committee on Appropriations as to estimates sub-
mitted by the Government departments, would begin on November
22nd at 10:00 A.M., and that he was preparing the necessary
data expecting a call to appear before the Committee.

Mr. Pollard suggested to the Commission the desirability
of printing separately the appendix of Volume II of the Commis-
sion's Decisions, and submitted an estimate of cost from the
Publication Section. After discussion and on motion of Mr. Pol-
lard, it was ordered that five hundred copies of the appendix
of Volume II of the Commission's Decisions be printed separate-
ly in hand book form with cover.

Mr. Pollard submitted file O-1893, application of E. H.
Shartle for complaint against Accounting Machine Co., Inc.
Memorandum by Mr. Pollard approved. Upon motion of Mr. Pollard,
seconded by Mr. Thompson, it was ordered that formal complaint
be
issue and served without further action by the Commission, and
that the files be referred to the Acting Chief Counsel with in-
structions to prepare and submit such complaint to the office of
the Secretary for service. Resolution directing the issuance

November 19, 1920.

and service of the complaint was adopted. The date of the complaint to be the date of its mailing.

As to the foregoing action of the Commission, Messrs. Thompson and Pollard voted in the affirmative and Mr. Gaskill voted in the negative, and gave as the reason for his vote that he had no reason to believe that there is sufficient public interest in this matter to warrant the Commission in taking action.

Mr. Gaskill submitted file 1-216, Swedish-American Telephone Mfg. Co. vs. Western Electric Co., et al. Mr. Gaskill read to the Commission his report wherein he agreed with the Board of Review that complaint issue upon certain charges and disagreed with the recommendation of the Board of Review as to certain other charges. The Board of Review was heard. Upon consideration of the entire record, Mr. Thompson offered the following motion, which was seconded by Mr. Pollard:

MOVED, in view of the Gratz case, that formal complaint issue as recommended in the report of the Board of Review.

As to the foregoing motion, Messrs. Thompson and Pollard voted in the affirmative and Mr. Gaskill voted in the negative and made the following statement for the record:

"I wish to be recorded in the negative. As to the issuance of a complaint with respect to the contracts, and with respect to the alleged misrepresentation by agents of independent competitors with reference to the procurement of repair parts or general equipment, I believe a complaint should issue on these two charges, but I fail to find in the record sufficient evidence that proceeding with reference to the additional charges noted by the board of Review would be in the public interest. I am not convinced by the record that as to these charges sufficient evidence of the use of an unfair method of competition or violation of the Clayton Act is shown."

November 19, 1920.

It was therefore ordered by the Commission that formal complaint issue and be served without further action by the Commission, and that the files be referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. Resolution directing the issuance and service of complaint was adopted. The date of the complaint to be the date of its mailing.

Mr. Gaskill submitted memorandum of November 13th from the Chief Economist, advising that Mr. Durand had been requested by the American Farm Economic Association to give a paper on the Packer and the Farmer, at a meeting in Washington next January. On motion of Mr. Gaskill, the Commission offered no objection to the acceptance of the invitation by Mr. Durand, and directed that a draft of the statements to be made by him be submitted to the Commission prior to publication.

The Secretary laid before the Commission the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

- (1) Docket No. 530, F.T.C. vs. Vacuum Cleaner Specialty Company.

Upon receipt of memorandum of November 15th from the Acting Chief Counsel, the Commission fixed Friday, December 17th, at 2:00 P.M., as the time for final argument in this case and directed that parties be notified.

- (2) Docket No. 624, F.T.C. vs. Autograph Register Co.

The Commission approved and entered its orders (1) that

November 19, 1920.

Mr. B. Glan, an examiner of the Commission, be designated to receive testimony, etc., and (2) That the taking of testimony begin on Tuesday, November 23, 1920, at 10:30 A.M., at New York City.

(3) Docket No. 132, F.T.C. vs. Standard Oil Co. of Ohio.

Upon receipt of Memorandum of November 16th from the Acting Chief Counsel, and upon motion of Mr. Thompson, it was ordered that the costs incurred by respondent incident to dismissal of the Commission's present complaint, and the filing of a new complaint, be borne by the Commission.

(4) Dockets Nos.-
163, F.T.C. vs. Armour & Company
455, " " " " " "

Upon receipt of memorandum of November 18, 1920, from the Acting Chief Counsel, it was directed that the Commission's action under date of November 10, 1920, be corrected to show that the Commission's Order of Severance was issued upon motion of respondent rather than upon the Acting Chief Counsel's memorandum. Form of Order vacating the Commission's order of consolidation was submitted by the Acting Chief Counsel and approved as of November 10, 1920, and ordered to be served. The date of such Order to be the date of mailing.

Mr. Thompson submitted letter of November 16th from the Collector of Customs at New York City, showing figures of importations of wheat and wheat flour from Canada during the month of October, 1920, requested by the Commission in connection with the inquiry into the decline in price of wheat. It was agreed that the data be published.

In the matter of Docket No. 579, F.T.C. vs. The Atlanta Wholesale Grocery Co., et al., the Commission entered its order naming J. T. Roberts, an Examiner, to receive testimony, etc.

November 19, 23, 1920.

Whereupon, at the hour of 1:00 P. M., the Commission adjourned to meet at 10:30 A. M., November 20, 1920.

Attest:

Huston Thompson
Acting Chairman.

Secretary.

November 20, 21(Sunday), 22, 1920 - No meetings held.

MEETING OF THE FEDERAL TRADE COMMISSION

November 23, 1920 - 10:30 A.M.

Victor Murdock, Chairman,
Nelson F. Gaskill,
Jno. Garland Pollard.

The minutes of the meeting of November 19, 1920, were read and approved.

The Chairman brought to the attention of the Commission the following matters and action as indicated was taken by the Commission:

(1) The Chairman submitted page proof of Appendix for Volume II of the Commission's Decisions, the present heading of which reads as follows: "Acts of Congress from which the Commission Derives its Powers, with Annotations by Richard S. Ely of the Commission's Staff." Upon consideration the heading was changed to read as follows: "Acts of Congress from which the Commission Derives its Powers, with Annotations," with the direction that the usual acknowledgment of Mr. Ely's work on the Appendix be made in the preface of the volume showing that Mr. Ely edited the Annotations.

(2) Request of John Walsh, counsel for respondent in file 1-385, application of the Equity Cooperative Exchange for the issuance of complaint against the Minneapolis Chamber of Commerce, for hearing before the Commission. It was agreed that Mr. Walsh be heard by the Commission at 2:00 P.M., on December 3, 1920.

November 23, 1920.

(3) Memorandum of November 19th from Mr. T. M. Robertson of the staff, recommending that the Commission purchase for its library, the work entitled "The Financial Policy of Corporations" in five volumes, by Dr. A. S. Dewing, at a cost of \$12.00. The recommendation was approved and the purchase of the volumes authorized and directed.

The Secretary laid before the Commission the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

(1) Docket 200, F.T.C. vs. Frost-O-Lite Co., Inc.

Form of Order of Dismissal, drawn pursuant to the action of the Commission on May 14, 1920, was read, approved as to form and ordered served, the date of the Order to be the date of its mailing, as directed by the Commission on November 9, 1920.

Upon motion of Mr. Gaskill, seconded by Mr. Pollard, it was directed that the Acting Chief Counsel make an investigation to determine the responsibility for the failure to present the formal order in this matter to the Commission until this day, and that responsibility for such failure be fixed and report made to the Commission.

(2) Docket 214, F.T.C. vs. Winsted Hosiery Co.

Request from Commission's attorney J. T. Clark, for use of the hearing room on November 25th and 27th for taking of testimony in this case. The request was approved.

Mr. Gaskill laid before the Commission the following noted reports, prepared and submitted by the Economic Division. The reports were assigned among the several commissioners as follows, for reading and report to the Commission:

Commissioner	Report
1. Mr. Mordock	Manuscript of Chapters 1, 2, 3, 6, 7 and 8 of report on the Leather and Shoe Industries, prepared in response to House Resolution No. 217 (Congressman Igoe).

November 23, 1920.

(3) Memorandum of November 19th from Mr. T. M. Robertson of the staff, recommending that the Commission purchase for its library, the work entitled "The Financial Policy of Corporations" in five volumes, by Dr. A. S. Dewing, at a cost of \$12.00. The recommendation was approved and the purchase of the volumes authorized and directed.

The Secretary laid before the Commission the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

(1) Docket 230, F.T.C. vs. Prest-O-Lite Co., Inc.

Form of Order of Dismissal, drawn pursuant to the action of the Commission on May 14, 1920, was read, approved as to form and ordered served, the date of the Order to be the date of its mailing, as directed by the Commission on November 9, 1920.

Upon motion of Mr. Gaskill, seconded by Mr. Pollard, it was directed that the Acting Chief Counsel make an investigation to determine the responsibility for the failure to present the formal order in this matter to the Commission until this day, and that responsibility for such failure be fixed and report made to the Commission.

(2) Docket 214, F.T.C. vs. Winsted Hosiery Co.

Request from Commission's attorney J. P. Clark, for use of the hearing room on November 26th and 27th for taking of testimony in this case. The request was approved.

Mr. Gaskill laid before the Commission the following noted reports, prepared and submitted by the Economic Division. The reports were assigned among the several commissioners as follows, for reading and report to the Commission:

<u>Commissioner</u>	<u>Report</u>
1. Mr. Harbock	Manuscript of chapters 1, 2, 3, 6, 7 and 8 of report on the Leather and Shoe Industries, prepared in response to House Resolution No. 217 (Congressman Igoe).

November 23, 1920.

<u>Commissioner</u>	<u>Report</u>
2. Mr. Thompson.	Manuscript of chapters 2, 3, 4, 5, and 11 of report on the California Oil Industry, prepared in response to Senate Resolution No. 138 (Senator Poindexter).
3. Mr. Gaskill.	Manuscript of complete report on War Costs of Canned Foods.
4. Mr. Pollard.	Manuscript of report on Costs and Profits in the Southern Pine Industry in 1918.

Mr. Gaskill submitted the following listed applications for complaints, and action as indicated was taken thereon by the Commission:

(a) Files-

0-1741, F.T.C. vs. W. W. Lee;
 1-627, Frost Railway Supply Co. vs. W. E. Miner & Co.;
 0-1931, F.T.C. vs. M. E. Swing Company;
 9-1376, " " Dixon Oil Company;
 9-1366, " " Burk-Burnett Center Oil Co.;
 9-1327, " " Texas Oil Producing Company;
 9-1388, " " American Industrial Oil Co.;
 0-1773, " " Hall-Hartwell Company.

Memoranda by Mr. Gaskill approved. Reports of the Board of review approved. Ordered that the applications be, and the same are hereby, dismissed.

(b) File-

0-1731, F.T.C. vs. Manufacturers of Lox Shooks on the Pacific Coast.

Memorandum by Mr. Gaskill approved. Ordered that the application be, and the same is hereby, dismissed for want of jurisdiction in the Commission, and that the California Canneries Company be so advised; that Mr. Wooden's report be referred to the Department of Justice for consideration by that Department in connection with the letter to it of February 4, 1920, from the California Canneries Company, for such action as the Department may see fit to take in the premises, and that the California Canneries Company be so advised. The Chief Examiner was directed to attend to the necessary correspondence.

(c) File-

9-1393, F.T.C. vs. Wichita-Eagle Oil Company.

Memorandum by Mr. Gaskill approved. Report of the Board of review approved. Ordered that formal complaint issue and be served without further action by the Commission, and that the

November 23, 1920.

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files be referred to the Chief Counsel to prepare such complaint and return the same to the office of the Secretary for service. Resolution directing the issuance and service of the complaint was adopted. The date of the complaint to be the date of its mailing.

Upon motion of Mr. Pollard, it was directed that the attention of the Post Office authorities be called by the Chief Examiner to this case.

(d) File-
O-2059, American Federation of Labor vs. Cigar Manufacturers Ass'n of Tampa, Fla., et al., and Thompson & Co., Inc.

Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission, and that the files be referred to the Chief Counsel to prepare such complaint and return the same to the office of the Secretary for service. Resolution directing the issuance and service of the complaint was adopted. The date of the complaint to be the date of its mailing.

Ordered further that the application for complaint against Thompson & Company, Inc., be, and the same is hereby, dismissed.

(e) Files-
O-1897, Boy Scouts of America vs. Excelsior Shoe Company.
O-1738, F.T.C. vs. Calve's Brothers.

Memoranda by Mr. Gaskill approved. Reports of the Board of Review approved. Ordered that formal complaints issue and be served without further action by the Commission and that the files be referred to the Chief Counsel to prepare such complaints and return the same to the office of the Secretary for service. Resolutions directing the issuance and service of the complaints were adopted. The date of the complaint to be the date of its mailing.

(f) File-
O-2030, The Shade Shop vs. Alfred Klesner.

Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission and that the files be referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. Resolution directing the issuance and service of the complaint adopted. The date of the complaint to be the date of its mailing.

As to the foregoing action of the Commission, Messrs. Har- dock and Gaskill voted in the affirmative and Mr. Pollard voted in the negative.

November 23, 1920.

(g) File-
O-1742, F.T.C. vs. Marine Supply Co.

Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission. Resolution directing issuance and service of the complaint adopted. The date of the complaint to be the date of its mailing. Draft of complaint, drawn by the Acting Chief Counsel pursuant to the Commission's general order of September 28, 1920, was submitted by Mr. Gaskill with the recommendation that the same be approved. The complaint as submitted was approved and referred to the Docket Section for service.

(h) File-
O-2097, Gordon-Van Tine & Co. vs. Atlas Lumber Co.

Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed, and that the necessary letters to carry out the recommendations be prepared by the Secretary for the Chairman's signature.

As to the foregoing action, Messrs. Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

(i) File-
9-1450, Frings Bros. Co. vs. Philadelphia Jobbing Confectioners Association, et al.

Memorandum by Mr. Gaskill approved. Ordered that the case be transferred to the Suspense Calendar, and the record be transferred to the Department of Justice by the Chief Examiner for consideration as to whether or not the conduct shown is in violation of the decree referred to in the record, and such action as the Department of Justice may take thereon, if it concludes that the decree is in fact being violated.

(j) File-
O-1987, Winthrop Chemical Co., Inc. vs. Abbott Laboratories.

Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that the application for complaint against the Abbott Laboratories be, and the same is hereby, dismissed, and that formal complaint against the Winthrop Chemical Co., Inc., issue and be served without further action by the Commission, and that the files be referred to the Acting Chief Counsel to prepare such complaint and return the same to the office of the Secretary for service. Resolution directing the issuance and service of the complaint was adopted. The date of the complaint to be the date of its mailing.

November 23, 1920.

(k) File-
O-2029, Concordia Creamery Co. vs. Helton Creamery Co.

Mr. Gaskill submitted written report agreeing with the Board of Review and recommending that the case be dismissed. Attorney-Examiner Flannery recommended complaint. Mr. Flannery was given opportunity to study Mr. Gaskill's report and the report of the Board of Review and was heard, and thereafter, upon motion of Mr. Murdock, seconded by Mr. Pollard, the case was referred back for further investigation by Attorney Flannery for proof of all instances relative to the conduct of the respondent which go to establish the use of unfair methods of competition, with the direction that the case be resubmitted to the Board of Review.

(l) File-
9-1028, Jaques Manufacturing Co. vs. Calumet Baking Powder Co.

Memorandum by Mr. Gaskill approved. Ordered that the application be, and the same is hereby, dismissed.

The Commission recessed at 1:30 P. M. and reassembled at 2:30 P. M.

Victor Murdock, Chairman,
Huston Thompson,
Nelson B. Gaskill,
Jno. Garland Pollard.

Mr. Pollard submitted form of complaint against certain concerns in the knit goods industry (Files O-1835; O-1833; O-1838; O-1839; O-1840; O-1836; 9-1519). The form of the complaint was revised and referred back to the Acting Chief Counsel to be redrawn.

Thereupon, at the hour of 3:30 P. M., the Commission adjourned to meet at 10:30 A. M., November 24, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

November 24, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

November 24, 1920 - 12:15 P. M.

Victor Murdock, Chairman,
Nelson P. Caskill,
Jno. Garland Pollard.

Mr. Pollard submitted file O-1834, Esco Hosiery Co., Inc. vs. Oscar Schmied, et al. Memoranda by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaints against Oscar Schmied, the New York Hosiery Works and Piling & Madely, issue and be served without further action by the Commission, and that the files be referred to the Acting Chief Counsel with instructions to prepare such complaints and return the same to the office of the Secretary for service. Resolutions directing the issuance and service of the complaints were adopted. The date of the complaints to be the date of their mailing.

The Chairman submitted the following matters, and action as indicated was taken by the Commission:

(1) Memorandum of November 18th, from the Export Trade Division, transmitting file of papers received from the Department of Commerce, with respect to complaint by Elias Espino, against Spanish American Bureau of Information Mercantile Agency. Upon consideration it was ordered that this matter be docketed as an application for complaint and investigated by the Export Trade Division, and report made thru the Chief Examiner in the regular course.

(2) Form of telegram to M. L. Obenchain, Secretary-Treasurer, Spotted Poland-China Record Association, insisting upon retraction of certain statements appearing in the November 20th issue of "The Spotted Poland China Journal." The wire was revised, approved, signed by the Chairman and forwarded (See file).

November 24, 1920.

- (3) Docket 564, F.T.C. vs. Turner & Harris Pen Mfg. Co.
 " 565, " " Hunt Pen Company.

Complaints in these cases were dismissed on June 30, 1920. Form of Orders of Dismissal was presented by the Chief Counsel and assigned to the Chairman for report as to the form of the Order. The Orders were read by the Chairman and upon motion of Mr. Gaskill, seconded by Mr. Pollard, were found to be in proper form, and were referred to the Docket Section for service. The date of the Orders to be the date of their mailing.

As to the approval of the Orders as submitted, Messrs. Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

- (4) Docket 585, F.T.C. vs. Larabee Flour Mills Corp'n.

Upon motion of Mr. Murdock, it was directed that the case be assigned to a commissioner who voted in favor of the complaint. The case was thereupon assigned by the Secretary to Commissioner Gaskill.

- (5) Memorandum from Mr. T. M. Robertson of the staff, with respect to Trade Associations. The memorandum was read and ordered filed (See file).

Pursuant to the Commission's action of November 9, 1920, the Chairman named Mr. Pollard as head of the Committee on Publication of Monographs.

Mr. Pollard laid before the Commission draft of formal complaints ordered to issue on October 26, 1920, in the following cases, which were submitted for approval as to their form:

Files-

C-1836, Esco Hosiery Co., Inc. vs. Moore & Fisher, et al.
 Separate complaints against Moore & Fisher and Reber Mfg. Co.
 C-1837, Esco Hosiery Co., Inc. vs. G. A. Miss, et al.
 Complaint against George Boyden & Son.

C-1838, Esco Hosiery Co., Inc. vs. Aristo Hosiery Co., Inc., et al.
 Separate complaints against Aristo Hosiery Company and Rockford Hitten & Hosiery Company.

November 24, 1920.

0-1838, Esco Hosiery Co., Inc. vs. Emery-Peers Co., Inc., et al.
 Separate complaints against Hancock Knitting Mills and Fidelity Knitting Mills.

0-1839, Esco Hosiery Co., Inc., vs. Kahn & Frank, et al.
 Separate complaints against Kahn & Frank and Thompson Bros.

0-1840, Esco Hosiery Co., Inc. vs. Daum-Rogers-Spritzer
 Co., et al.
 Complaint against Daum-Rogers-Spritzer Company.

0-1836, Esco Hosiery Co., Inc. vs. Brown-Durrell Company.
 Separate complaints against Nolde & Horst Co. and Brown-Durrell Co.

9-1819, Better Business Commission vs. Rex Hosiery Co.
 Separate complaints against Rex Hosiery Company and Alamance Hosiery Mills.

Upon consideration, the complaints were revised, approved and referred to the Docket Section for service. The date of the complaints to be the date of the mailing.

Mrs. M. R. Wilson of the staff appeared and presented application of the Meadows Oil & Chemical Corporation for license under trade-mark "Ichthyol." together with written report recommending denial of the application and form of order. Upon consideration and on motion of Mr. Gaskill, the Commission entered the following order denying the application and directing that the fee be refunded:

UNITED STATES OF AMERICA
 FEDERAL TRADE COMMISSION.

 IN THE MATTER OF APPLICATION OF :
 MEADOWS OIL & CHEMICAL CORPORATION :
 FOR LICENSE UNDER TRADE-MARK "ICHTHYOL." :

ORDER.

Upon reading and filing attached report in the matter above identified, the Commission finds that for the reason stated in said report it is not for the public interest that the license applied for be granted.

November 24, 27, 1920.

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IT IS THEREFORE ORDERED: That the application of Meadows Oil & Chemical Corporation of New York City for license under the Trade-Mark "Ichthyol" be denied and that the fee of \$100 deposited in connection with the application be refunded to the applicant.

Thereupon, at the hour of 1:15 P. M., the Commission adjourned to meet at 10:30 A. M., Friday, November 26, 1920.

Attest:

Victor Murdock
Chairman.

Secretary.

November 25, 26, 1920 - No meetings held.

MEETING OF THE FEDERAL TRADE COMMISSION

November 27, 1920 - 11:00 A.M.

Victor Murdock, Chairman,
Huston Thompson,
Jno. Garland Pollard.

The Chairman submitted tentative Findings of Facts, Conclusion and Order to Cease and Desist, as shown by the Chief Counsel in Docket No. 536, F.T.C. vs. Champion Blower and Motor Company, and moved that the same be approved and issued. Upon consideration the motion was adopted and such findings, etc., were approved and entered of record by the Commission with the direction that the Order be served forthwith.

Mr. Thompson reported his appearance on Friday, November 26, 1920, before the House Committee on Appropriations concerning the Commission's 1922 appropriations.

November 27, 29, 1920.

Thereupon, at the hour of 12:15 P. M., the Commission adjourned to meet at 2:00 P. M., Monday, November 29, 1920.

ATTENSE:

Victor Murdock
Chairman.

Secretary.

November 28, 1920 (Sunday) - No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

November 29, 1920 - 11:00 A. M.

Victor Murdock, Chairman,
Fuston Thompson,
Nelson E. Gaskill,
Jno. Garland Pollard.

The Chairman laid before the Commission petition of International Association of Bridge, Structural & Ornamental Iron Workers for application for complaint against the National Erectors' Association and Iron League Erectors' Association. Chief Examiner Hudson was heard with respect to the despatching of this application. After discussion and on motion of Mr. Pollard, Mr. Thompson was requested by the Commission to take this matter up and confer with the Department of Justice and report back his recommendations to the Commission.

Mr. Pollard presented the following noted applications for complaint, and upon his motion, action as indicated was taken by the Commission:

November 29, 1920.

(1) File-
O-1541, F.T.C. vs. Wilson & Co., Inc.

Memorandum by Mr. Pollard approved. Ordered (1) that the application be, and the same is hereby, dismissed, and (2) that the matter be referred by the Chief Examiner to the Bureau of Chemistry of the Department of Agriculture.

(2) File-
9-1316, F.T.C. vs. Texas Oil Clearing House.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed.

The Secretary submitted the first draft of the first four chapters of the Tobacco Report, prepared under the direction of the Chief Examiner, in response to House Resolution No. 533, dated June 3, 1920. Memorandum of November 29th was received from the Chief Examiner. After consideration and upon motion of Mr. Pollard, these chapters were referred back to the Chief Examiner with instructions to complete the entire report and lay the same before the Commission at the earliest possible date, in order that the report be made to Congress by December 6, 1920.

The Commission recessed at the hour of 12:30 and reassembled at 2:00 P. M.

Victor Murdock, Chairman.
Euston Thompson,
Nelson B. Gaskill,
Jno. Garland Pollard.

Pursuant to arrangements, the Commission met at 2:00 P.M. to hear Mr. John Walsh, counsel for prospective respondent in the matter of file 1-385, application of the Equity Cooperative

November 29, 1920.

Exchange for complaint against Minneapolis Chamber of Commerce, et al. The hearing was concluded at 3:00 P. M.
See stenographic report.

The Commission then proceeded to a consideration of financial matters, which were set as a special order of business. Members of the staff were present. The Auditor presented statement showing details of expenditures for the first three months of the present fiscal year, and after a general discussion, upon motion of Mr. Pollard, duly seconded, it was agreed that the Commission meet on Friday, January 14th, at 10:30 A.M., to hear the report from the Auditor on finances for the first six months of the present fiscal year. The Auditor's report is on file.

The following motion was offered by Mr. Gaskill and duly seconded:

MOVED, That all free reserves and surplus be credited to the Chief Examiner, Trading with the Enemy, and Economic Division, in the order named, as of October 31, 1920.

As to the foregoing motion, Messrs. Gaskill and Pollard voted in the affirmative and Messrs. Murdock and Thompson voted in the negative. The motion was thereupon declared by the Chairman to be lost.

Upon motion duly seconded and unanimously passed, the Commission abolished the following orders with respect to keeping of Court Bills:

(a) The following item found on page 20 of the rules on docket, etc., adopted October 11, 1917:

November 29, 1920.

There shall be kept in the file of each application for complaint a cost bill upon which shall be noted each month all expense involved in such case as to time, travel, etc., and a record of hours worked. There shall similarly be kept a cost bill in the file of each economic investigation.

(b) The following motion adopted by the Commission on June 16, 1920:

(a) That there be annexed to each report from the Chief Examiner's office, on application for complaint, a cost bill showing the expenses of the Examiner's Division incurred so far in respect to that application.

(b) That there be annexed to each formal complaint a cost bill showing the expenses incurred in the Chief Counsel's office on that complaint, this statement to accompany the complaint when sent to the Commission for a final decision.

(c) That there be annexed to each report from the Economic Division, when laid before the Commission, a cost bill, showing the expenses incurred by the Economic Division with respect to the study and preparation of such report.

Mr. Pollard presented file 9-1499, Iowa Oil Company vs. Leader Oil Company. Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed.

Whereupon, at the hour of 4:00 P. M., the Commission adjourned to meet at 10:30 A. M., November 30, 1920.

ATTEST:

John M. ...
Chairman.

Secretary.

November 30, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

November 30, 1920 - 10:30 A. M.

Victor Murdock, Chairman,
Fuston Thomson,
Nelson P. Gaskill,
Jno. Garland Pollard.

The minutes of November 23rd, 24th, 27th and 28th, 1920, were read and after certain corrections and additions, were approved.

The Secretary presented the following matters arising in the Chief Examiner's office, and action as indicated was taken by the Commission:

(a) Memorandum of November 22nd, from the Chief Examiner, transmitting file of papers from the Black Diamond Company, publishers of a coal trade paper called "Black Diamond," complaining of the competition of another paper known as "Coal Review," a house organ of the National Coal Association. Upon consideration the Commission approved the recommendation of the Chief Examiner that this matter be not docketed as an application for complaint.

As to the foregoing action, Messrs. Thomson, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

(b) Memorandum of November 22nd, from the Chief Examiner, transmitting file of correspondence from the Rice Coal Company and Tompkins Cove Stone Company, with respect to conditions in the anthracite coal industry. Upon consideration, the Commission adopted the recommendation by the Chief Examiner that the files be referred to the Department of Justice, and it was so ordered.

The Secretary presented the following matters arising in the Acting Chief Counsel's office, and action as indicated was taken by the Commission:

(a) Docket 214, F.T.C. vs. Winsted Hosiery Co.
In memorandum of November 30th, the Acting Chief Counsel submits memorandum by counsel for respondent, proposing to

UNBC

November 30, 1920.

withdraw the petition for review of this case in the Second Circuit, on the condition that the Commission make a statement which will exonerate the United Company from any intent to defraud by the use of misbranding charged in the Commission's complaint. Memorandum of November 24th from Attorney James T. Clark of the staff was read. Upon consideration of the record, and upon motion of Mr. Pollard, the Commission declined the proposition offered by the respondent, and directed counsel for the Commission to proceed with the taking of evidence.

(b) Docket 132, F.T.C. vs. Standard Oil Company of Ohio.

In memorandum of November 24th, the Acting Chief Counsel submitted proposed stipulation between the Commission and respondent, together with draft of new complaint. Upon consideration and by motion of Mr. Gaskill, the Commission approved the stipulation as submitted, and approved form of complaint as submitted, with the direction that the same issue and be served. Resolution directing the issuance and service of the complaint was adopted. The date of the complaint to be the date of its mailing.

(c) Memorandum dated November 19th, from Attorney James H. Brinson of the staff, reporting his appearance before the United States District Court for the Southern District of New York, in connection with the production of certain papers in the custody of the Commission for use as evidence in the case of the United States vs. Williams Oil Co., et al. It was directed that the report be circulated among the several commissioners.

On motion of the Chairman, the Commission then considered the form of complaint drawn pursuant to the Commission's action of October 16, 1920, in the matter of file 1-385, Equity Co-operative Exchange vs. Minneapolis Chamber of Commerce, et al.

Form of complaint as drawn by Attorney Flannery and approved by the Acting Chief Counsel was read. The Acting Chief Counsel and Attorney Flannery were heard, and thereafter Mr. Thompson offered the following motion:

"I move that complaint be amended so as to recite a second cause of action charging unfair methods of competition not done in pursuance of a conspiracy."

November 30, 1920.

To the foregoing motion, Mr. Pollard offered the following amendment:

"I move as an amendment to Mr. Thompson's motion, that the complaint be redrawn pursuant to his motion and to issue upon approval by Mr. Thompson without further action by the Commission."

Mr. Pollard's amendment was seconded by Mr. Murdock and adopted by the Commission. Messrs. Murdock, Thompson and Pollard voted in the affirmative and Mr. Gaskill voted in the negative and made the following statement for the record:

"I vote 'no' for the reason that I have not found evidence in the record of the continuance of all of the practices charged in the complaint; consequently, I am not satisfied that the complaint should issue with reference to these practices."

Complaint was thereupon referred back to the Acting Chief Counsel to be redrawn so as to contain a second cause of action, as directed by the Commission; that such complaint when redrawn be submitted to Mr. Thompson for his approval, and upon such approval being given, the complaint to be served without further action by the Commission.

The Commission recessed at 1:00 P. M., and reassembled at 2:30 P. M.

Victor Murdock, Chairman,
Nelson E. Gaskill,
Jno. Garland Pollard.
(Mr. Thompson absent on official business)

The Secretary presented the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

November 30, 1920.

(1) Docket 280, F.T.C. vs. Prest-O-Lite Co., Inc.

Memorandum of November 29th was received from the Acting Chief Counsel, fixing responsibility for failure to submit form of Order of Dismissal. The memorandum was received and filed.

(2) Docket 548, F.T.C. vs. Vacuum Oil Co.

Pursuant to the Commission's action of November 10th, in dismissing its complaint in this case, form of Order of Dismissal was submitted for approval. The Order was approved and ordered served.

(3) File-
O-1777, F.T.C. vs. United Chemical Products Corporation.

In response to the Commission's action of November 9th, the Acting Chief Counsel reported that this case should meet every test that might be put upon it by the courts, and distinguished the case from the New Jersey Asbestos case. Upon consideration, suggestions of the Acting Chief Counsel as to methods of showing public interest were adopted and draft of formal complaint, as revised, was approved as to form and ordered referred to the Docket Section for service.

(4) File-
O-2021, F.T.C. vs. Thomas Duggan & Son.

Draft of complaint, as issued by the Commission on November 11th, was submitted by the Acting Chief Counsel for approval as to form. The complaint was read, approved as to form and referred to the Docket Section for service.

(5) Docket 512, F.T.C. vs. Great Western Oil Co.

Form of Order of Dismissal was submitted by the Acting Chief Counsel in response to the Commission's action on November 8th in dismissing this complaint. The Order was read, approved, issued and directed to be served. As to the foregoing action, Messrs. Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

(6) Docket 335, F.T.C. vs. Lewis Blaustein.

In compliance with the Commission's direction of October 19th, the Acting Chief Counsel reported that certain of the proposed findings of facts are not supported either by the evidence or by admissions in the answer or supplemental answer of respondent. Upon consideration of the entire record, and on motion of Mr. Gaskill, duly seconded, it was ordered that the complaint in this case be, and the same is hereby, dismissed because the acts complained of do not come within the jurisdiction of the Commission under the commerce clause.

November 30, 1920.

(7) Docket 126, F.T.C. vs. Ironite Company.

In response to the Commission's direction of November 10th, the Acting Chief Counsel reported that the Order to Cease and Desist, heretofore proposed to be issued in this case will not have any remedial effect that is not now secured by the decree of the Federal Court in the proceeding by the Department of Justice, and submitted form of Order of Dismissal as directed by the Commission. The Order of Dismissal was read, approved as to form, and referred to the Docket Section for service.

(8) File-

O-1991, F.T.C. vs. Paul Forbriger & Co.

Draft of formal complaint, drawn by the Acting Chief Counsel, pursuant to the Commission's action on September 18th, was submitted. The complaint was read, approved as to its form, and referred to the Docket Section for service.

(9) File-

O-1887, Vacuum Oil Company vs. Carbo Oil Co., et al.

Draft of complaint, drawn by the Acting Chief Counsel in response to the Commission's action of September 18th, was submitted by the Acting Chief Counsel, read, approved as to form and referred to the Docket Section for service.

(10) Docket 605, F.T.C. vs. Franklin Knitting Mills.

Draft of Findings of Facts, Conclusions and Order to Cease and Desist, were submitted by the Acting Chief Counsel, read, and after consideration, were approved and entered of record by the Commission with the direction that the Order be served forthwith.

(11) Docket 610, F.T.C. vs. Montgomery Ward & Co.

Draft of Findings of Facts, Conclusion and Order to Cease and Desist were submitted by the Acting Chief Counsel and read to the Commission. Attorney Boehm of the staff was heard. Upon consideration, the findings were revised by the Commission and referred back to counsel to have such revisions incorporated, with the direction that after revision the findings and Order be submitted to Mr. Pollard for his approval, and upon such approval to issue and be served without further action by the Commission.

Chairman Murdock offered the following motion, which was duly seconded and unanimously passed by the Commission:

November 30, 1920.

"I offer the following resolution and move its adoption:

RESOLVED, That in accordance with the rules of the Commission, Mr. Huston Thompson assume the Chairmanship of the Commission, with Commissioner Gaskill as First Vice-Chairman and Commissioner Pollard as Second Vice-Chairman, effective December 1, 1920.

Thereupon, at the hour of 4:15 P. M., the Commission adjourned to meet at 10:30 A. M., December 1, 1920.

ATTEST:

Victor M. ...
Chairman.

Secretary.

December 1, 2, 1920 - No meetings held.

December 3, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

December 3, 1920 - 10:30 A.M.

Huston Thompson, Chairman,
Nelson P. Gaskill,
Hon. Garland Pollard,
Victor Murdock.

The minutes of November 30, 1920, were read and after certain additions and corrections were approved.

Chairman Thompson presented the following matters, and action as indicated was taken by the Commission:

(1) Docket No. 304, F.T.C. vs. Utah-Idaho Sugar Co., et al. Wire of December 2nd from Attorney Bear of the staff, asking intervention in the matter of postponement of the case, as requested by counsel for certain of the respondents. Upon consideration the Acting Chief Counsel was directed to advise Attorney Bear that notwithstanding the desire of the Commission to close this case as soon as possible, the Commission grants the request, and has postponed the case to January 10, 1921, at 10:30 A. M. Attorney Bear was directed to return to Washington immediately for reassignment.

(2) Pursuant to the Commission's request of November 28th, Mr. Thompson reported the result of conference with the Department of Justice in the matter of the petition of the International Association of Bridge, Structural & Ornamental Iron Workers vs. National Erectors' Association, et al. Mr. Thompson's report was accepted and ordered filed, and upon his motion it was agreed that the Commission assign an employee to attend the hearings on the investigation of the National Erectors' Association at New York, and report back to the Commission any information which he deems should be brought to its attention that may develop in that hearing, and which relates to a violation of any law over which the Commission has jurisdiction.

The Chairman was asked by the Commission to designate the member of the staff and to instruct him in his duty.

It was agreed that the petition before the Commission be not docketed as an application for complaint at this time, and that the papers be left in the custody of the Chief Examiner.

(3) The Chairman reported receipt of a request from Senators Calder and Edge that the Commission assign a man to assist the Senate Committee make inquiry into the anthracite coal situation. It was agreed that if anyone be assigned to this work, that Mr. Jas. E. Black be assigned.

(4) The Chairman reported that upon request, Messrs. T.M. Robertson and Geo. P. Watkins of the staff had conferred with Congressman L. J. Dickinson of Iowa, and Congressman Robt. M. Evans of Nebraska, with respect to legislation to be proposed by these gentlemen looking to the regulation of opium exchanges. Mr. Robertson appeared and reported the results of the conference.

(5) Letter of December 1, 1920, from the Latent Fingerprint & Surety Company, requesting copies of certain data from the files of the Capital Issues Committee, with respect to an application by Vermilion County, Illinois to that committee for the issue of investment bonds. The Commission adopted the recommendation of Mr. Thompson that the list of papers desired, together with copy of letter from the Surety Company, be transmitted to Mr. Chas. S. Hamlin for his approval or disapproval of the request. It was agreed that upon receipt of Mr. Hamlin's approval, copies of the data requested be furnished from the files of the Capital Issues Committee.

Mr. Hardeck reported his attendance on December 1, 1920, upon the meeting of the Cleveland Garment Manufacturers Association at Cleveland, Ohio.

Mr. Gaskill reported his attendance on December 1, 1920, upon a meeting of Textile & Allied Associations at New York City, relative to a National Bureau of Commercial Contract.

Upon motion of Mr. Hardeck, Mr. Gaskill was expected to bring to the Commission at the first meeting of the Commission after the steel hearing, all formal cases now pending before the Commission for final determination.

Acting Chief Counsel Busick appeared and submitted recommendations for salary increases and new appointments.

Upon motion of Mr. Pollard, duly seconded, the Commission (1) decreased the salary of Attorney L. B. Glavin from \$4,000 to \$4,500 per annum, the same to be effective as of December 1, 1920; (2) authorized the appointment of Mr. Earl E. Steinhauser as Attorney-Examiner, Trial Division, at a salary of

December 3, 1920.

4,000, the same to be effective upon taking the oath of office and entering on duty; and (3) agreed that the consideration of certain other salary increases, recommended at this time by the Acting Chief Counsel, be postponed until after the receipt of the Auditor's report on the Commission's financial condition on January 14, 1921, at which time a general survey of the salary list of the Commission will be made.

Upon motion of Mr. Caskill, seconded by Mr. Pollard, the Commission terminated the services of Messrs. Benedict Gordon and Stuart Chase, employees of the Economic Division, to be effective at the close of business on December 31, 1920, and directed that immediate notice of such termination be given. Mr. Caskill stated that these releases were part of a necessary reduction in personnel, due to limited appropriations.

In the matter of Docket No. 603, F.T.C. vs. Southern Hardware Jobbers Association, et al., it was ordered that George McGorkle, an examiner of the Commission, do and is hereby designated to receive testimony, and that hearing of the complaint begin at Atlanta, Ga., December 14, 1920, at 10 o'clock A.M.

In the matter of Docket No. 576, F.T.C. vs. P. A. Starch Piano Company, it was ordered that Clarence T. Sadler, an examiner of the Commission, do and is hereby designated to receive testimony, and that hearing of the complaint begin at Chicago, Ill., December 3, 1920, at 10:30 o'clock A. M.

Thereupon, at the hour of 12:30 P. M., the Commission adjourned to meet at 9:30 A. M., Monday, December 6, 1920.

Attest:

Secretary.

Chairman.

SUBC

December 6, 1920.

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December 4, 5 (Sunday), 1920 - No meetings held.

MEETING OF THE FEDERAL TRADE COMMISSION.

December 6, 1920 - 10:00 A.M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

The minutes of December 3, 1920, were read and after certain corrections were adopted.

Mr. Thompson reported that James E. Black of the staff had been assigned to assist Senators Calder and Edge of the Senate Committee, making inquiry into the anthracite coal situation.

Mr. Thompson laid before the Commission manuscript copy of report relating to the cause of decline in prices of loose leaf tobacco, prepared under the direction of the Chief Examiner in response to House Resolution No. 533. It was suggested by Mr. Gaskill that reference in the introduction to violations of the Federal Trade Commission Act, and also comments in the conclusions with reference to this Act, be stricken out. Mr. Pollard suggested that the chapter on recommendations be entirely redrawn. These suggestions were adopted by the Commission and on motion of the Chairman, the report was referred to Messrs. Gaskill and Pollard for revision and preparation in final form to be submitted to Congress, with the understanding that when such report has received the approval of Messrs. Gaskill and Pollard, it shall be forwarded without further action by the Commission.

The Chairman submitted memorandum of December 4th from the Chief Economist, setting forth the necessity of additional field work in the matter of Report, Part IV, Costs and Profits of the Grain Trade. Upon motion of Mr. Gaskill, the additional investigation recommended was authorized, with the direction that the same be completed within eight weeks from date.

Mr. Gaskill submitted manuscript of the report of the Commission upon revised costs on bituminous coal for the second quarter of 1920, this being Quarterly Report No. 2, under date of December 6, 1920. The issuance and publication of the report as submitted was authorized.

The Secretary submitted the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

December 6, 1920.

(1) Memorandum of December 4th from the Acting Chief Counsel, advising of request by Lieutenant Canham of the Navy Department, for a certified copy of the President's letter of July 25, 1917, directing the Commission to ascertain costs for the Government. It was agreed that Lieutenant Canham be furnished certified copy of this letter by the Acting Chief Counsel.

(2) Docket No. 506, F.T.C. vs. Mennen Company.
Upon receipt of memorandum of December 4th from the Acting Chief Counsel, the Commission fixed December 14, 1920, at 2:00 P. M., as the time for hearing upon respondent's motion to dismiss, and directed that parties at interest be notified.

(3) Docket No. 536, F.T.C. vs. Taiyo Trading Company,
" " 570, " " Consaco Sales Co.
Upon receipt of memorandum of December 2nd from the Acting Chief Counsel, the Commission fixed January 6, 1921, at 2:00 P. M., as the time for final argument in Docket No. 536, and January 7, 1921, at 2:00 P. M., for final argument in Docket No. 570, with the direction that notice be given interested parties.

It was agreed that the Commission meet at 9:30 A. M., December 7, 1920, for consideration of matters arising in the Chief Counsel's office.

At the hour of 10:30 A. M., pursuant to arrangements, rehearing in the matter of file 9-1296, application of the Western Association of Rolled Steel Consumers for complaint against United States Steel Corporation, et al., continued from November 17, 1920, was resumed before the Commission. Counsel for the United States Steel Corporation and others was heard. See stenographic report.

The morning hearing continued until the hour of 12:30 P. M., at which time an adjournment was taken until 2:30 in the afternoon.

The Commission recessed at 12:30 P. M. and reassembled at 2:30.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Mardock.

Rehearing in the steel case was resumed before the Commission and continued until the hour of 4:40, at which time an adjournment was taken until the hour of 10:30, December 7, 1920.

December 6, 7, 1920.

Counsel for the U. S. Steel Corporation and associated companies was heard. See stenographic report.

Thereupon, at the hour of 4:40 the Commission adjourned to meet at 9:30 A. M., December 7, 1920.

ATTEST:

Huston Thompson
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION,

December 7, 1920 - 9:30 A.M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

The minutes of December 6, 1920, were read and approved.

Mr. Gaskill laid before the Commission page proof of the Report on Sugar, prepared in response to House Resolution No. 150, and upon his motion it was ordered that the proof be sent to the Public Printer for final printing.

Upon motion of Mr. Gaskill it was agreed that the Wheat Report to the President be taken up by the Commission immediately upon conclusion of the steel hearings.

Mr. Murdock submitted memorandum of November 29th from the Export Trade Division, transmitting complaint of Stanley E. Green, Ltd., Sydney, Australia, vs. Pacific Commercial Co. of New York City, received by the Commission from the Department of Commerce. Upon motion of Mr. Murdock, it was directed that the papers be referred to the Chief Examiner to determine whether or not the matter should be entered as an application for complaint, with the further direction that if the Chief Examiner recommend in favor of an application for complaint, that the papers be docketed and referred to the Export Trade Division for inquiry and report thru the Chief Examiner in the regular course.

The Secretary submitted the following matters arising in

December 7, 1920.

the Chief Counsel's Office, and action as indicated was taken by the Commission:

- (1) Docket 579, F.T.C. vs. Atlanta Wholesale Grocers, et al.

Ordered that William F. Kelley, an examiner of the Commission, be and is hereby designated to receive testimony, etc.

- (2) Docket 339, F.T.C. vs. Pictorial Review Company and Oklahoma Publishing Company.

Memorandum of November 30th was received from the Acting Chief Counsel, asking instructions of the Commission in the matter of further evidence to determine whether the dealers from whom respondent, Oklahoma Company, obtained the data in question for the Pictorial Company were agents of the Curtis Publishing Company. Upon consideration and on motion of Mr. Gaskill, this case was referred back to the Acting Chief Counsel to be held by him and brought before the Commission at the conclusion of Docket No. 15, F.T.C. vs. Curtis Publishing Company, now on appeal in the Circuit Court at Philadelphia.

- (3) Docket 335, F.T.C. vs. Louis Blaustein.

Complaint in this case was dismissed by the Commission on November 30, 1920. Form of Order of dismissal, as submitted by the Acting Chief Counsel, was approved by the Commission with the direction that the same be referred to the Docket Section for service. The date to be the date of mailing.

- (4) Memorandum of December 2nd from the Acting Chief Counsel with respect to an inquiry of the Milwaukee Tank Works, to be advised what oil companies have discontinued the giving away and leasing of pumps and tanks under the agreements in issue in the pending oil cases. The Acting Chief Counsel also submitted suggested form of letter complying with the request. The letter was approved.

The Secretary submitted the following matters arising in the Chief Examiner's office, and action as indicated was taken by the Commission:

- (1) Memorandum of December 4th from the Chief Examiner, reporting that examination had been made of the minutes of the Shoe Lace Manufacturers' Association, now on file in the Commission; that it appears from the records available that this Association has done nothing which can be construed as a possible violation of law, the enforcement of which rests with the Commission. Upon motion of Mr. Murdock, the report was accepted and the Chief Examiner was directed to notify the Secretary of the defunct association.

- (2) Docket 537, F.T.C. vs. Shibakawa Co., Inc.

Memorandum of December 6th was received from the Chief Examiner, reporting the results of further inquiry as directed by the Commission on November 9th, and recommending that the

December 7, 1920.

complaint be dismissed. The Acting Chief Counsel was heard. Upon motion of Mr. Gaskill, seconded by Mr. Pollard, it was ordered that the complaint in this case be and the same is hereby dismissed for the reason that it now appears that the acts complained of were committed by a predecessor of the respondent.

As to the foregoing action, Messrs. Thompson, Gaskill and Pollard voted in the affirmative, and Mr. Murdock voted in the negative.

Upon receipt of recommendation of December 7th from the Acting Chief Counsel, the Commission changed the designation of William T. Kelley of the staff from that of Attorney to that of Attorney-Examiner, the same to be effective immediately.

At the hour of 10:30 A. M. pursuant to arrangements, rehearing in the matter of file 9-1296, application of the Western Association of Rolled Steel Consumers for complaint against United States Steel Corporation, et al., continued from the previous day, was resumed before the Commission. Counsel for the United States Steel Corporation and associated companies continued their argument. See stenographic report.

The morning session continued until the hour of 12:30, at which time an adjournment was taken until 2:30 in the afternoon.

The Commission recessed at 12:30 P. M. and reassembled at 2:30 P. M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

Rehearing in the steel case was resumed before the Commission and continued until the hour of 4:30 P. M., at which time an adjournment was taken until the hour of 10:00 A.M., December 8, 1920. Counsel for the United States Steel Corporation and associated companies continued their argument throughout the afternoon. See stenographic report.

Thereupon, at the hour of 4:30 P. M., the Commission adjourned to meet at 10:00 A.M., December 8, 1920.

ATTEST:

Secretary.

Huston Thompson
Chairman.

December 8, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

December 8, 1920 - 10:00 A. M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

Rehearing in the matter of file 9-1296, application of the Western Association of Rolled Steel Consumers for complaint against United States Steel Corporation, et al, adjourned from the previous day, was resumed before the Commission. Counsel for the United States Steel Corporation and associated companies were heard. The morning session continued until the hour of 12:30 P. M., at which time an adjournment was taken until 2:00 P.M. See stenographic report.


The Commission recessed at 12:30 P. M. and reassembled at 2:30 P. M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

The steel hearing was resumed and continued throughout the afternoon. Counsel for the United States Steel Corporation and associated companies were heard and concluded their argument. See stenographic report. It was agreed that the Commission meet at 9:30 A. M., on December 9th to hear rebuttal by applicants.

Thereupon, at the hour of 5:00 P. M., the Commission adjourned to meet at 9:30 A. M., December 9, 1920.

ATTEST:



Chairman.

Secretary.

December 9, 10, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

December 9, 1920 - 9:30 A. M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

Rehearing in the matter of file 9-1296, application of the Western Association of Rolled Steel Consumers for complaint against United States Steel Corporation, et al., adjourned from the previous day, was resumed before the Commission. Counsel for applicant were heard in rebuttal and concluded their case. See stenographic report.

The hearing was concluded and the matters presented taken under advisement by the Commission.

Thereupon, at the hour of 1:00 P. M., the Commission adjourned to meet at 10:30 A. M., December 10, 1920.

ATTEST:

Huston Thompson
Chairman

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

December 10, 1920 - 11:00 A.M.

Nelson B. Gaskill, Acting Chairman,
Jno. Garland Pollard,
Victor Murdock.

The minutes of the meetings of December 7th, 8th and 9th, 1920, were read and approved.

The Acting Chief Counsel appeared and presented certain matters, and action as indicated was taken by the Commission:

December 10, 1920.

(1) Docket 126, F.T.C. vs. Ironite Company.

In memorandum of December 10th, the Acting Chief Counsel submitted form of order correcting an error appearing in the original Order of Dismissal. The original order was rescinded, the corrected order approved, and ordered to issue and be served.

(2) Docket 131, F.T.C. vs. Atlantic Refining Company.

In this case counsel previously recommended that the Commission's Order to Cease and Desist be rescinded for the reason that the Order does not follow the complaint, and in view of the probable appeal of the case. Mr. Busick reported to the Commission that the Commission's memorandum of November 10th asking Mr. Thompson to confer with Mr. Burdeau as to the 311 cases had been referred to him by Mr. Thompson to be brought to the Commission. Upon consideration and on motion of Mr. Gaskill, seconded by Mr. Pollard, the Commission rescinded its Order to Cease and Desist in this case, and adopted a resolution authorizing and directing issuance and service of a new complaint, without further action by the Commission.

(3) The Acting Chief Counsel asked the instruction of the Commission in the matter of permitting counsel for applicants to sit with counsel for the Commission at the trial table in formal cases. The Acting Chief Counsel suggested that this practice be not permitted. The discussion of the suggestion by the Commission established a unanimous opinion that such activities on the part of applicants' counsel during the taking of a hearing was not desirable, and that the Acting Chief Counsel should arrange the matter by instructions to his staff.

The Secretary presented the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission.

(1) File-

9-1543, F.T.C. vs. Adey-Johnston Co., Inc.

Complaint in this case was issued October 27th. Draft of complaint as drawn by the Acting Chief Counsel was submitted, read, approved as to its form, and referred to the Docket Section to be served.

(2) Docket 455, F.T.C. vs. Armour & Company.

The Commission entered its order appointing Clarence T. Sadler, an examiner of the Commission, to receive testimony, etc.

(3) Docket 591, F.T.C. vs. Onepiece Bifocal Lens Co.

The Commission entered its order appointing F. C. Baggerly, an examiner of the Commission, to receive testimony, and directing that the hearing begin at Washington, D.C., December 16, 1920, at 10:30 A. M.

(4) Memorandum of November 23rd from the Docket Section, asking instructions as to whether the minute of September 28th fixing the date to be shown on complaints, and the Secretary's interpretation thereof that the minute apply also to Findings and

December 10, 1920.

Orders, is to be applied to orders other than Orders to Cease and Desist.

Upon consideration it was the direction of the Commission that complaints, Findings as to Facts, Orders to Cease and Desist, Orders of Dismissal, and all other formal orders entered by the Commission in docket cases, bear the date of their mailing.

(5) Pursuant to the Commission's direction of October 26th, three certain memoranda were received from the Acting Chief Counsel with respect to resale price maintenance cases. The Acting Chief Counsel was heard and thereafter it was the direction of the Commission that such cases be held in the Chief Counsel's office to await the determination of the question of resale price maintenance by the courts.

(6) File-

9-1197, F.T.C. vs. Buffalo-Springfield Roller Co.

Draft of formal complaint as directed by the Commission was submitted. The report of the Board of Review was read. Memorandum by Attorney Kane was read. Upon consideration and by motion of Mr. Gaskill, the case was referred back to Mr. Pollard for examination of the record and report to the Commission.

The Secretary presented letter of November 30th from C. H. Shubert, Oklahoma City, for information from the files of the Capital Issues Committee, concerning the Oklahoma Oil & Refining Company. It was the direction of the Commission that this letter be held pending reply to the Commission's letter addressed to Mr. Chas. S. Hamlin, late Chairman of the Capital Issues Committee, with respect to a request from Actna Casualty & Surety Company.

The Secretary presented memorandum from the Chief Examiner asking instructions as to further proceeding in file O-1232, F.T.C. vs. Corset Manufacturers' Association of the United States. Upon motion of Mr. Pollard, it was directed that this case be held on the Suspense Calendar and called to the attention of the Commission when the Kinny-Rome case is determined in the courts.

Upon motion of Mr. Harlock, consideration of bogus independent applications for complaint was made a special order of business before the Commission at 10:30 A. M., December 22, 1920.

December 10, 1920.

In memorandum of December 10th to the Commission, Mr. Pollard submitted copies of resolutions adopted at two trade practice submittals at which Mr. Pollard presided at the direction of the Commission, to-wit:

1. Conference at Chicago, June 23, 1920, of members of the oil industry operating in the States of Indiana, Illinois, Michigan, Wisconsin, Minnesota, Missouri, Iowa, North Dakota, South Dakota, northern Oklahoma and Kansas.
2. Conference at Denver August 19, 1920, of members of the oil industry operating in the States of Colorado, Montana, Idaho, Utah and New Mexico.

The memorandum was received and it was directed that the resolution be placed on file.

Mr. Gaskill submitted the following noted applications for complaints, and action as indicated was taken by the Commission:

(a) File-

9-946, F.T.C. vs. United States Refining Co.
Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission and that the files be referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service. Resolution directing the issuance and service of the complaint was adopted.

(b) File-

9-1580, American Ironing Machine Co. vs. Pittsburgh Electric & Manufacturing Company.
Memorandum by Mr. Gaskill approved. Ordered that the application be and the same is hereby dismissed. Ordered further that applications for complaints be docketed in the name of the Commission, as set forth in Mr. Gaskill's memorandum.

Thereupon, at the hour of 1:00 P. M., the Commission adjourned to meet at 10:30 A. M., December 14, 1920.

ATTEST:

Adon B. Gaskill

Acting Chairman.

Secretary.

December 11, 1920.

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MEETING OF THE FEDERAL TRADE COMMISSION

December 11, 1920 - 10:30 A.M.

Huston Thompson, Chairman.
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

Mr. Gaskill reported that in considering file O-2043, on application for complaint against Central Light & Paint Company on an allegation of misbranding and false advertising, he found in the report of the Board of Review the statement that this application is one of a series against the same respondent which have been assigned to different commissioners and the recommendation that all these applications be considered together, and moved that files O-2035, O-2036, O-2040, O-2041, O-2042 and O-2043 be lifted and reassigned to one commissioner.

It was agreed that these cases be assigned to the commissioner who would receive the next new application, and that it be assigned in lieu of such new case.

Mr. Gaskill brought up matter of issuing Volume II of the Grain Report. After discussion it was decided to send letter of submittal in Volume I to the President and simultaneously give it to the public and press, and the Secretary was directed to do this with explanation to the White House that printed volume will follow in about ten days.

Mr. Thompson presented letter (see file) from John Barton Payne, Secretary of the Interior, requesting information re oil. The Chairman was instructed to reply, and to get out Midwest part of oil report, if possible, as separate report.

Mr. Murdock presented draft of response to President's request re falling grain prices. Discussion continued until 12:40, at which time an adjournment was taken until 2 P.M.

The Commission recessed at the hour of 12:40 and re-assembled at 2:00 P. M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

The Secretary presented memorandum of December 6th from the Docket Section, giving the status of file 1-96.

December 11, 13, 1920.

Fosston Mfg. Company vs. J. L. Owens Company, and file 1-97.
J. L. Owens Company vs. Fosston Mfg. Company. Upon consideration of the entire record of these cases, it was ordered that the applications be and the same are hereby dismissed.

Messrs. Gaskill and Pollard laid before the Commission final manuscript copy of the Commission's report to the House of Representatives on the Tobacco Industry, prepared in response to House Resolution No. 533, 66th Congress, June 3, 1920 (Congressman Fields). The report as submitted was considered, approved by the several commissioners and ordered forwarded.

The Commission authorized and directed the printing of 250 copies of the report for distribution by the Commission.

/in response to his direction of December, 1920,

Further consideration was given to draft of wheat report to the President, as presented by Mr. Murdock at the morning session. The report as submitted was read, revised and finally approved and referred back for final typing, with the direction that the report be forwarded to the President after signature without further action by the Commission.

Thereupon, at the hour of 5:00 P. M., the Commission adjourned to meet at 2:00 P. M., December 13, 1920.

ATTEST:

Huston Thompson

Chairman.

Secretary.

December 12, 1920 (Sunday) - no meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

December 13, 1920 - 2:00 P.M.

Huston Thompson, Chairman,
Nelson P. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

The Commission heard final argument of counsel in the matter of Docket No. 533, F.T.C. vs. American Mutual Seed Company. Attorney G. Edwin Rowland was heard in support of the Commission's complaint and Herbert J. Campbell was heard on behalf of the respondent. At the conclusion of the argument the case was taken under advisement by the Commission.

December 13, 14, 1920.

Thereupon, at the hour of 4:30, the Commission adjourned to meet at 10:30 A. M., December 14, 1920.

ATTEST:

Huston Thompson
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

December 14, 1920 - 10:30 A.M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

The minutes of the meetings of December 10th, 11th, and 13th, 1920, respectively, were read and after certain corrections were approved.

Upon motion of Mr. Gaskill, it was directed that the office copy of the Commission's report on the Tobacco Industry, in response to House Resolution No. 533, June 3, 1920, be loaned and immediately forwarded to Congressman Fields, who introduced the resolution.

The special order on bogus independent applications for complaint, now set for December 22nd, was changed to December 21, 1920, at 10:30 A. M.

At the suggestion of the Secretary, the Commission fixed 2:30 P. M., December 15th, as the time for conference with Mr. Allen of Hulse & Allen, official reporters for the Commission.

The Secretary submitted memorandum of December 3rd from the Auditor in the matter of the Commission's General Order No. 12, fixing the dates on which payments would be made for services for office and field employees, with the recommendation that the order be rescinded. Upon consideration the order in question was rescinded, and the Auditor was directed to submit to the Secretary at his earliest convenience, proper regulations to guard the Commission against overpayments, etc., to field employees.

December 14, 1920.

The Secretary also presented memorandum of December 6th from the Acting Chairman of the Board of Review, suggesting the docketing of certain applications. The recommendations were approved, and it was ordered that applications for complaint be docketed in the name of the Commission against Tousey Varnish Company of Chicago, Ill.; Sherwin-Williams Company, and Monroe, Lederer & Tausig, and handled in the regular course.

The Commission considered Docket No. 533, F.T.C. vs. American Mutual Seed Company, argued on the previous day. Upon motion of Mr. Pollard, the Acting Chief Counsel was directed to prepare and submit draft of Findings of Facts, Conclusions and Order to Cease and Desist, containing references to the pages in the record to support the Findings.

Mr. Pollard raised the question of the best procedure to be followed in bringing to the attention of the Commission docket cases awaiting final action, and moved that a list of such cases be read by the Clerk each day. After discussion, Mr. Thompson offered the following substitute motion, which was seconded by Mr. Gaskill and adopted by the Commission:

Moved, that the Commission set Friday at 10:30 of each week as the day to consider and vote on all pending motions and complaints awaiting final determination by the Commission, and that the Clerk supply a list of such matters to the Commissioners not later than Wednesday of each week.

The Secretary presented the following matters arising in the Chief Counsel's office, and action thereon as indicated was taken by the Commission:

(1) Docket 530, F.T.C. vs. Vacuum Cleaner Specialty Co., Inc.

Upon receipt of memorandum of December 11th from the Acting Chief Counsel, the date of December 17th, now set for final argument, was cancelled, and the case set down for argument on January 12, 1921, at 2:00 P.M., with the direction that the parties be notified.

(2) Docket 541, F.T.C. vs. W. A. Case & Son Mfg. Co.

In response to the Commission's direction of November 10, 1920, the Acting Chief Counsel reports that a case to support Findings and Order to Cease and Desist has not been made out, and submits recommendation for dismissal. Upon motion of Mr. Gaskill it was ordered that the complaint be and the same is hereby dismissed.

(3) File-

O-2059, American Federation of Labor vs. Cigar Mfrs. Ass'n et al.

Draft of formal complaint as ordered to issue on November

December 14, 1920.

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24, 1920, was submitted by the Acting Chief Counsel for approval as to form. At Mr. Gaskill's suggestion, the complaint was referred to him for examination and report back.

(4) File-

O-2030, The Shade Shop vs. Alfred Klesner.

Draft of formal complaint, as ordered to issue on November 23, 1920, was submitted by the Acting Chief Counsel for approval as to form. Upon examination complaint was found to be in proper form, was approved and referred to the Docket Section for service.

(5) File-

O-1893, E. E. Shartle vs. Accounting Machine Co., Inc.

Draft of formal complaint, as ordered to issue on November 10, 1920, was submitted by the Acting Chief Counsel for approval as to form. Upon examination and at Mr. Pollard's suggestion, the complaint was referred to Mr. Pollard for examination and report back, and the Acting Chief Counsel was directed to confer with Mr. Pollard.

(6) File-

O-1834, Esco Hosiery Co., Inc. vs. Oscar Schmied, et al.

Drafts of complaints against Oscar Schmied, Pilling & Madely, and New York Hosiery Works, as ordered to issue on November 24, 1920, were submitted by the Acting Chief Counsel for approval as to form. Upon examination, the complaints were found to be in proper form, were approved and, upon motion of Mr. Pollard, referred to the Docket Section for service.

Docket 576, F.T.C. vs. Starck Piano Company.

Ordered that Walter B. Wooden, an examiner of the Commission, be designated in the place of Clarence T. Sadler to hear testimony, etc.

Memorandum of December 10th was received from the Chief Examiner, recommending the docketing of applications for complaint in the name of the Commission, upon a charge of commercial bribery, against Orleans Iron Works, P. G. McFarlane, and Southern Iron Works, all of New Orleans, La. The recommendation was approved and it was ordered that applications be docketed.

The Commission recessed at the hour of 12:30 P. M. and re-assembled at the hour of 2:00 P. M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Kardoek.

December 14, 15, 1920.

The Chairman reported that he had signed the letter to the President, transmitting report of an inquiry concerning decline in wheat prices, and that the letter and report were delivered to the President today.

Pursuant to arrangements, the Commission heard argument upon respondent's motion to dismiss the complaint in Docket 606, F.T.C. vs. The Kernen Company. Attorney Gilbert H. Montague was heard in support of respondent's motion, and Attorney E.M. Flannery was heard in opposition thereto. At the conclusion of argument, the matter was taken under advisement by the Commission. Stenographic report was not made.

Thereupon, at the hour of 4:00 P.M., the Commission adjourned to meet at 10:30 A. M., December 15, 1920.

ATTEST:

Huston Thompson
Chairman.

Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

December 15, 1920,- 10:30 A.M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Burdick.

The minutes of December 14, 1920, were read and approved.

The Chairman presented the following listed applications for complaint, and upon his motion action as indicated was taken by the Commission:

(a) File-

9-1049, F.T.C. vs. Queen Oil Company.

Memorandum by Mr. Thompson approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed, and that the New York office be directed to follow this case up and inquire what has been done with the indictment referred to in this case and report, but not bring the case back.

December 15, 1920.

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(b) File-

O-2092, Englander Spring Bed Co. vs. United States Cabinet Bed Co., et al.

Memorandum by Mr. Thompson approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(c) File-

O-1737, F.T.C. vs. S. Davidson Company.

Memorandum by Mr. Thompson approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of the complaint was adopted. Draft of formal complaint, as submitted by Mr. Thompson with the file, was referred back to counsel to be redrawn so as to name as respondents the three individual parties and the company.

(d) File-

O-1990, National Beverage Co., et al. vs. U. S. Beverage Company.

Memorandum by Mr. Thompson approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed. Mr. Thompson's further recommendation that the application of the respondent against the applicant be not docketed, but that the matter be called to the attention of the Department of Agriculture, and that the applicant and respondent be notified of this Commission's action, was approved.

List of cases on the Conference Calendar for December 17, 1920, was called up by the Chairman, who moved that the Commission be prepared to act on the first four cases listed on the calendar at 10:30 A. M., Friday, December 17th. The first four cases are:

Dockets Nos. -

159, F.T.C. vs. United Rendering Company, et al.
168, " " National Wholesale Druggists' Ass'n.
224, " " National Bridge Company.
277, " " Boston Piano & Music Company.

The motion was seconded by Mr. Pollard and unanimously passed.

The Commission considered its decision in the matter of respondent's motion to dismiss, heard on the previous day, in the matter of Docket No. 606, F.T.C. vs. The Mennen Company. Upon motion of Mr. Pollard, seconded by Mr. Thompson, it was ordered that the respondent's motion to dismiss be and the same is hereby overruled.

As to the foregoing action, Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative.

December 15, 1920.

The Acting Chief Counsel was directed to prepare the necessary order overruling this motion.

Upon motion of Mr. Pollard, seconded by Mr. Thompson, it was ordered that the case be referred to Mr. Gaskill with the request that he bring to the Commission a suggested form of amended complaint.

Mr. Pollard submitted file O-1984, L. O. Boyle vs. The Aladdin Company, together with written report recommending that the matter be referred back to the Chief Examiner to complete the record. After discussion and on motion of Mr. Thompson, seconded by Mr. Burdock, it was ordered that formal complaint issue with respect only to the dollar a knot deceptive advertising, and be served without further action by the Commission. The files were referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service.

The Secretary presented the following matters arising in the Chief Counsel's office, and action as indicated was taken by the Commission:

(a) Docket 537, F.T.C. vs. Shibakawa & Co., Inc.

This case was dismissed on December 7, 1920. Form of Order of Dismissal, as submitted by the Acting Chief Counsel, was approved as to form and referred to the Docket Section for service.

(b) Docket 575, F.T.C. vs. Household Storage Company.

Upon receipt of memorandum of December 14th from the Acting Chief Counsel, advising that the Findings of Fact conform to the complaint and are such as to enable the Commission to contest a petition for review, the Findings, Conclusion and Order, as submitted, were approved and entered of record by the Commission, with the direction that the Order be served.

(c) Docket 574, F.T.C. vs. Illinois Storage Company, et al.

Upon receipt of memorandum of December 14th from the Acting Chief Counsel, advising that the Findings of Fact conform to the complaint and are such as to enable the Commission to contest a petition for review, the Findings, Conclusion and Order, as submitted, were approved and entered of record by the Commission, with the direction that the Order be served.

(d) O-1865, The Vim vs. South Bend Bait Company.

Draft of formal complaint, as ordered to issue on November 11, 1920, was submitted by the Acting Chief Counsel for approval as to form, for the reason that this case involves questions similar to those under consideration in Docket 606, F.T.C. vs. The Kernen Company. Upon motion of Mr. Pollard, the complaint was referred to Mr. Gaskill for examination and report back.

December 15, 1920.

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(e) Docket 501, F.T.C. vs. Wholesale Grocers' Ass'n of El Paso, Texas, et al.

The Acting Chief Counsel submitted letter of December 6, 1920, from J. W. Lorentzen & Co., El Paso, Texas, one of the respondents in this case, making inquiry with respect to a proposed future course of conduct to be followed by this respondent in view of the Commission's order. The Acting Chief Counsel was directed to prepare and submit to the Commission draft of reply in accordance with the instructions given.

Upon motion of Mr. Thompson, it was agreed that the Commission consider at 10:30 A. M., December 23, 1920, the action to be taken as to the reports from Attorney Wooden with respect to the Southern pine situation.

Memorandum of December 13th was received from the Chief Examiner, with respect to a proposed application for complaint by Stanley E. Green, Ltd. vs. Pacific Commercial Company. The recommendation of the Chief Examiner that the matter be docketed for investigation under Section 5 was approved, and it was directed that after docketing the file be referred to the Export Trade Division for inquiry and report in the regular course thru the Chief Examiner.

The Commission recessed at 12:30 and reassembled at 2:30 P. M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Mardock.

The Commission conferred with Messrs. Hulse & Allen, official reporters, with respect to the elimination of complaints arising from the activities of the reporters in the sale of transcripts.

Messrs. Hulse & Allen agreed (1st) to make no use of respondents' names in circulars or letters advertising transcripts of record for sale; (2nd) to use an order blank separate and apart from the appearance card used at hearings; and (3rd) in all cases which are continued to an unusual extent, to notify subscribers for copies of transcript of the accumulation of charges.

The Commission concluded that in order to eliminate misunderstanding with respect to the status of these transcripts as official records and with respect to the prices to be paid therefor, that at hearings conducted by the Commission, the Chairman, and at all hearings conducted by examiners the examiner, would at the opening of the hearing make the following statement:

December 15, 16, 1920.

Any person desiring a typed copy of the proceedings of the Commission in the matter now pending, can obtain an order blank for that purpose from the official stenographer. The price for the same, established by contract with the stenographer, who is not a Government employe, is at the rate of 15 cents per page.

Thereupon, at the hour of 4:00 P. M., the Commission adjourned to meet at 10:30 A. M., December 16, 1920.

ATTEST:

Huston Thompson
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

December 16, 1920 - 10:30 A.M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

The Chairman brought to the attention of the Commission the following matters:

(1) Letter from the Secretary to the President, advising the Commission that its Wheat Report had been brought to the attention of the President.

(2) The Congressional Record of December 15, 1920, showing the passage by the Senate of House Resolution 13,931, 66th Congress, giving the Commission jurisdiction over associations or producers of agricultural products (known as the Capper Bill) was submitted by the Chairman with the recommendation that some action be taken by the Commission. The matter was discussed. The Chairman asked that the record show that no action was taken by the Commission on the matter, and that the question did not come to vote.

(3) The printed report of the Commission on Sugar Supply and Prices, dated November 15, 1920, and prepared in response to House Resolution No. 150, passed October 1, 1919 (Congressman Sinkham). The Chairman stated that the report had been delivered to the Speaker of the House of Representatives today.

December 16, 1920.

(4) Letter of December 15, 1920, from Milton C. Elliott, Counsel for Meadows Oil & Chemical Corporation, asking the Commission to grant a hearing in the matter of this corporation's application under the Trading with the Enemy Act, to use the trade-mark "Ichthyol," which application was denied by the Commission on November 24, 1920, without hearing. Upon consideration, the Commission fixed January 17, 1921, at 2:00 P. M., as the time for hearing of these parties, and requested the Chairman to give notice thereof.

Mr. Pollard called the attention of the Commission to the fact that on the previous day complaint was issued in file C-1984, L. C. Boyle vs. The Aladdin Company, without permitting the Board of Review to be heard upon its recommendation for dismissal. After discussion and on motion of Mr. Pollard, the Commission reconsidered and rescinded its action of December 15th in issuing complaint in this file, and directed that the case be set down for conference with the Board of Review on December 22, 1920, at 3:00 P. M., and that the Board of Review be directed to appear at that time.

Mr. Gaskill offered the following motion, which was seconded by Mr. Pollard, and after full discussion by the Commission was unanimously adopted:

Moved, that upon the dismissal of a complaint, either before or after final hearing, the Order of Dismissal shall state whether the Commission acts upon its own motion or the motion of the respondent, and that the reason for such dismissal be briefly stated in such order.

Mr. Gaskill presented the following listed applications for complaint, and action as indicated was taken by the Commission:

- (a) File-
C-1983, H. J. Stead Optical Company vs. Onepiece Bifocal Lens Company.

Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

- (b) File-
C-2065, Hoover Suction Sweeper Company vs. John W. Lockerbie Company.

Mr. Gaskill submitted written report recommending the issuance of complaint, the docketing of an application against the distributors of the Eureka Sweeper, and that the Board of Review be heard. The Board of Review was heard. The case was discussed at length, and thereafter the following motion was made by Mr. Gaskill:

I move that complaint issue.

December 16, 1920.

In substitution of the foregoing motion, Mr. Pollard offered the following:

I move that the case go to the Suspense Calendar pending decision of the Kinny-Rome case in the Circuit Court.

Mr. Pollard's substitute motion was duly seconded, and upon vote Messrs. Thompson and Murdock voted in the negative and Messrs. Gaskill and Pollard voted in the affirmative. The substitute motion was thereupon declared lost by the Chairman.

The vote then recurred on Mr. Gaskill's motion for complaint. As to this motion, Messrs. Thompson and Pollard voted in the negative and Messrs. Gaskill and Murdock voted in the affirmative. The motion was thereupon declared lost by the Chairman. Mr. Thompson then offered the following motion, which was seconded by Mr. Pollard:

I move that the application be dismissed.

As to this motion, Messrs. Thompson and Pollard voted in the affirmative and Messrs. Gaskill and Murdock voted in the negative. The motion was thereupon declared lost by the Chairman.

Mr. Thompson then moved to reconsider the case and offered the following motion:

I move that the case go to the Suspense Calendar to await the decision by the Circuit Court of the Kinny-Rome case.

This motion was seconded by Mr. Pollard and unanimously passed.

(c) File-

9-1315, Bond Brothers & Co. vs. Austin Bond.

Mr. Gaskill submitted written report recommending that the application which was dismissed on February 4, 1920, be reopened upon application of the Chief Examiner, for the reason that new and additional evidence has been laid before the Chief Examiner by the applicant. Motion to reconsider was approved. The action of February 4, 1920, in dismissing the application was rescinded. Upon motion of Mr. Gaskill, the case was referred back to the Chief Examiner with instructions to submit the additional evidence to the Board of Review for report in the regular course.

Mr. Gaskill submitted memorandum in the matter of Docket 585, F.T.C. vs. Larabee Flour Mills Corporation, and moved that the Acting Chief Counsel endeavor to secure a satisfactory stipulation, as set forth in the memorandum.

As a substitute to Mr. Gaskill's motion for stipulation

December 16, 1920.

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Mr. Pollard moved that the case be referred to the Acting Chief Counsel to hold until the Circuit Court has rendered a decision in the Kinny-Rome case, and that thereafter the Larabee case be brought to the Commission for attention. Mr. Pollard's motion was duly seconded and adopted by the Commission.

As to the adoption of Mr. Pollard's motion, Messrs. Gaskill, Pollard and Murdock voted in the affirmative, and Mr. Thompson voted in the negative and stated that he believed that the case should proceed to trial.

The Commission recessed at 12:30 and reassembled at 2:00 P. M.

Huston Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

Mr. Gaskill submitted the following listed applications for complaint, and action as indicated was taken by the Commission:

- (a) File-
O-1898, Herring-Hall-Marvin Safe Co. vs.
Hall-Marvin Company.

Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that complaint against Hall-Marvin Company and against Reynolds-Thompson Company issue and be served without further action by the Commission. Resolution directing the issuance and service of the complaint was adopted. Draft of complaint as submitted by Mr. Gaskill was approved, with the direction that the Reynolds-Thompson Company be made party respondents, and the draft was referred back to the Acting Chief Counsel to include this company, and thereafter the complaint is to be transmitted by the Secretary to the Docket Section for service.

- (b) File-
O-1845, Stamford Rolling Mills Co. vs. Pope Metals
Company, Inc.

Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed, and that the Chief Examiner give the Stamford Rolling Mills Company an explanation of this dismissal, as recommended by Mr. Gaskill.

The Secretary submitted the following matters arising in the Chief Counsel's office:

December 16, 1920.

(1) Docket 132, F.T.C. vs. Standard Oil Company of Ohio. Form of Order of Dismissal, drawn pursuant to the Commission's previous action in dismissing this complaint, was submitted, approved as to form, and referred to the Docket Section for service.

(2) Docket 690, F.T.C. vs. Standard Oil Company of Ohio. Findings of Facts, Conclusion and Order to Cease and Desist, as submitted by the Acting Chief Counsel, were approved and entered of record by the Commission with the direction that the Order be served.

A draft of a proposed executive order for the signature of the President, rescinding his order of July 3, 1918, transferring to the Fuel Administration certain authority with respect to requiring reports from coal operators, was called from the table, and in conference with Messrs. Walker and Durand of the staff was considered. Revisions to the proposed order were suggested and agreed upon, and the order was referred to Mr. Gaskill with the request that the same be redrawn and brought to the Commission.

The Chairman laid before the Commission the request of representatives of the Midwest Refining Company for an opportunity to meet with the Commission with respect to its forthcoming report on the oil situation in the California and Wyoming fields, prior to the issuance of the report. The request was approved, and the Commission fixed December 21st, at 10:30 A. M., as the time for the conference, and directed that telegraphic notification be given.

Messrs. Thompson, Pollard and Mardock voted in favor of granting the hearing, and Mr. Gaskill voted in opposition thereto.

The Chairman also raised with the Commission the question as to whether or not the Commission desires to issue separate reports concerning the California and Wyoming oil situation. Upon consideration it was the direction of the Commission that two separate reports be issued, one in response to the Poin-dexter Resolution to cover the California situation, and the second to cover the Wyoming field.

In view of the setting of the oil conference on the 21st, the Commission fixed December 22nd, at 10:30 A.M., as a special order of business for Mr. Mardock to present applications for complaint with respect to bogus independents.

Mr. Pollard submitted the following listed applications

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for complaint, and action as indicated was taken by the Commission:

(a) File-

O-1979, Rubber and Celluloid Products Co. vs.
American Safety Razor Corporation.

Memorandum by Mr. Pollard approved. Upon motion of Mr. Pollard, the Commission reconsidered and rescinded its action of October 16, 1920, in dismissing this application, and reinstated such application for the reason that further evidence has been laid before the Commission by the applicant.

The case was further discussed and upon motion of Mr. Pollard, it was then ordered that formal complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of the complaint was adopted. The files were referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary.

(b) File-

O-2034, W. Bolus & Company vs. Henry Alkan & Co.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(c) File-

O-2094, California Packing Corporation vs. California Pacific Packing Company.

Memo. by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(d) File-

O-2031, F.T.G. vs. Sulloway Mills.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaint issue against Sulloway Mills and be served without further action by the Commission. Resolution directing the issuance and service of complaint was adopted. Draft of complaint as prepared by the Acting Chief Counsel was submitted by Mr. Pollard, approved by the Commission and forwarded to the Docket Section for service.

Upon motion of Mr. Pollard, it was further directed that an application for complaint be docketed in the name of the Commission against Simons, Hatch & Whitten.

It was further ordered that an investigation be made by the Chief Examiner with respect to G. & A. Wise of New York, as recommended by Mr. Pollard, and submit report.

(e) File-

O-1889, The Bayer Company, Inc. vs. Albany Chemical Co.

Mr. Pollard submitted draft of formal complaint ordered to issue on October 16, 1920, and submitted for approval as to

for complaint, and action as indicated was taken by the Commission:

(a) File-

O-1979, Rubber and Colluloid Products Co. vs.
American Safety Razor Corporation.

Memorandum by Mr. Pollard approved. Upon motion of Mr. Pollard, the Commission reconsidered and rescinded its action of October 16, 1920, in dismissing this application, and reinstated such application for the reason that further evidence has been laid before the Commission by the applicant.

The case was further discussed and upon motion of Mr. Pollard, it was then ordered that formal complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of the complaint was adopted. The files were referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary.

(b) File-

O-2034, W. Bolus & Company vs. Henry Alkan & Co.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(c) File-

O-2094, California Packing Corporation vs. California Pacific Packing Company.

Memo. by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(d) File-

O-2031, F.T.C. vs. Sulloway Mills.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaint issue against Sulloway Mills and be served without further action by the Commission. Resolution directing the issuance and service of complaint was adopted. Draft of complaint as prepared by the Acting Chief Counsel was submitted by Mr. Pollard, approved by the Commission and forwarded to the Docket Section for service.

Upon motion of Mr. Pollard, it was further directed that an application for complaint be docketed in the name of the Commission against Simons, Patch & Whitten.

It was further ordered that an investigation be made by the Chief Examiner with respect to G. & A. Wise of New York, as recommended by Mr. Pollard, and submit report.

(e) File-

O-1889, The Bayer Company, Inc. vs. Albany Chemical Co.

Mr. Pollard submitted draft of formal complaint ordered to issue on October 16, 1920, and submitted for approval as to

for complaint, and action as indicated was taken by the Commission:

(a) File-

O-1979, Rubber and Celluloid Products Co. vs. American Safety Razor Corporation.

Memorandum by Mr. Pollard approved. Upon motion of Mr. Pollard, the Commission reconsidered and rescinded its action of October 16, 1920, in dismissing this application, and reinstated such application for the reason that further evidence has been laid before the Commission by the applicant.

The case was further discussed and upon motion of Mr. Pollard, it was then ordered that formal complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of the complaint was adopted. The files were referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary.

(b) File-

O-2034, W. Bolus & Company vs. Henry Alkan & Co.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(c) File-

O-2094, California Packing Corporation vs. California Pacific Packing Company.

Memo. by Mr. Pollard approved. Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed.

(d) File-

O-2031, F.T.C. vs. Sulloway Mills.

Memorandum by Mr. Pollard approved. Report of the Board of Review approved. Ordered that formal complaint issue against Sulloway Mills and be served without further action by the Commission. Resolution directing the issuance and service of complaint was adopted. Draft of complaint as prepared by the Acting Chief Counsel was submitted by Mr. Pollard, approved by the Commission and forwarded to the Docket Section for service.

Upon motion of Mr. Pollard, it was further directed that an application for complaint be docketed in the name of the Commission against Simons, Hatch & Whitten.

It was further ordered that an investigation be made by the Chief Examiner with respect to G. & A. Wise of New York, as recommended by Mr. Pollard, and submit report.

(e) File-

O-1889, The Bayer Company, Inc. vs. Albany Chemical Co.

Mr. Pollard submitted draft of formal complaint ordered to issue on October 16, 1920, and submitted for approval as to

December 16, 17, 1920.

its form. Upon examination, the complaint was found to be in proper form, and upon motion of Mr. Pollard was approved and referred to the Docket Section for service.

Mr. Murdock laid before the Commission letter of December 14th from the News Print Service Bureau, New York City, asking the Commission to show in its monthly statement upon the production of news print, the amount of paper produced by individual mills. It was the opinion of the Commission that it would be unwise to identify the companies as suggested, and form of letter so advising the Service Bureau, as presented by Mr. Murdock, was approved by the Commission.

Thereupon, at the hour of 4:00 P. M., the Commission adjourned to meet at 10:30 A. M., December 17, 1920.

ATTEST:

Euston Thompson
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

December 17, 1920 - 10:30 A.M.

Euston Thompson, Chairman.
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

The minutes of the meeting of December 16, 1920, were read and approved.

The Conference Calendar was called up as a special order of business by the Chairman, and the cases listed thereon were considered by the Commission, and action taken as indicated:

(1) Docket 159, F.T.C. vs. United Rendering Company, et al.
Attorney E. L. Smith of the staff was heard. After full discussion and upon motion of Mr. Thompson, duly seconded, it was the direction of the Commission that an Order to Cease and Desist issue, that the respondents refrain from carrying out the conspiracy, and that the Order and findings, when drawn, be turned over to Mr. Pollard for his approval, and upon such approval that the findings and order issue without

December 17, 1920.

further action by the Commission and be served.

(2) Docket 163, F.T.C. vs. National Wholesale Druggists' Association.

This case was held pending decision in the Varness Case (Docket 15) in the Sixth Circuit, and is submitted to the Commission for instruction as that case has now been determined. Upon consideration and upon motion of Mr. Burdock, it was directed that the attention of the Acting Chief Counsel be called to the fact that the previous order of suspense of the case is no longer in effect, and that the Acting Chief Counsel is directed to proceed in the case.

(3) Docket 324, F.T.C. vs. National Bridge Co.

This case has been held pending decision in the Eighth Circuit in the case of Luten vs. Wilson. Memorandum of October 2, 1919, was received from the Chief Counsel, recommending dismissal of the case. Upon motion of Mr. Burdock the case was dismissed on the ground that the parties responsible for this complaint are now fully protected by the decision of the Circuit Court of Appeals of the Eighth Circuit, and the Acting Chief Counsel was directed to prepare and submit the necessary order.

(4) Docket 277, F.T.C. vs. Boston Piano & Music Co.

This case was submitted upon testimony, brief and final argument. Tentative findings and order were submitted by counsel. Upon consideration and on motion of Mr. Burdock, findings as to the facts, conclusions and order to cease and desist, modified as suggested by Mr. Cassill, were approved and entered of record by the Commission, with the direction that the order be served.

As to the foregoing action, Messrs. Thompson, Cassill and Lurach voted in the affirmative and Mr. Pollard voted in the negative.

(5) Docket 307, F.T.C. vs. St. Louis Lighter Co.

This case is submitted upon testimony, brief and argument. Tentative findings were submitted by counsel. Mr. Burdock submitted memorandum recommending the adoption of the findings except with respect to paragraph 19 concerning "pivot grip." The case was considered and laid over for further discussion on the next conference day.

Pursuant to the Commission's request of the previous day, Mr. Cassill submitted draft of proposed executive order regarding Executive Order of July 3, 1918, which authorized the Coal Administration to use certain powers with respect to the collection of coal data. The proposed order was approved and submitted and referred back to Mr. Cassill with the request that he prepare a suitable letter for the Chairman's signature, forwarding the proposed order to the President.

December 17, 18, 1920.

Mr. Pollard offered the following motion, and the same was unanimously adopted:

I move that the Conference Calendar be taken up on the 23rd of December at 10:30 A.M., instead of on the usual day, inasmuch as Mr. Gaskill will not be here after the 23rd and that the accumulation of cases would otherwise have to be carried over until the next year.

Thereupon, at the hour of 10:30 P.M., the Commission adjourned to meet at 10:30 A.M., December 20, 1920.

ATTEST:

Huston Thompson
Chairman.

Secretary.

MEETING OF FEDERAL TRADE COMMISSION

December 18, 1920 - 11:00 A.M.

Huston Thompson, Chairman,
Helson T. Gaskill,
Jno. Garland Pollard,
Victor Lurisch.

The Chairman advised the Commission of request from Senator Wm. S. Kenyon, for the detail of an employee of the Commission to assist United States Committee created by Resolution No. 350, adopted April 15, 1920, in its work with respect to the coal industry.

Senator Kenyon was advised by letter of this date that the Commission had designated Mr. Walter Durand of the staff to assist the Committee. The letter also calls attention to the restraint upon the Commission under the temporary restraining order in the Maynard Coal Company case in the Supreme Court of the District of Columbia, a copy of which was forwarded to the Senator (See file).

December 18, 20, 1920.

Thereupon, at the hour of 11:45 the Commission adjourned to meet at 10:30 A.M., December 21, 1920.

ATTEST:

Huston Thompson
Chairman.

Secretary.

December 19, 1920 (Sunday) - No meeting held.

MEETING OF FEDERAL TRADE COMMISSION

December 20, 1920 - 11:00 A.M.

Huston Thompson, Chairman,
Nelson E. Baskill,
Jas. Garland Pollard,
Victor Murdock.

The Chairman laid before the Commission a letter from Senator Calder, asking for the transfer to the Senate Committee on Reconstruction S.R. 353, adopted April 18, 1920, of approximately ten accountants and in pursuance of such request, the Commission transferred to the direction and care of the Senate Committee, the following employees as set forth in letter of this date to the Senator.

Baney, J. J.	Marriott, S. E.
Baxter, Dorothy E.	Moore, Thelma
Futchins, Mary A.	Smith, Bessie
James, J. W.	Weiss, E. A.
Webster, Louise A.	

Thereupon, at the hour of 12:15 P.M., the Commission adjourned to meet at 10:30 A.M., December 21, 1920.

ATTEST:

Huston Thompson
Chairman.

Secretary.

December 21, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

December 21, 1920 - 10:00 A.M.

Huston Thompson, Chairman,
 Nelson W. Cassill,
 Jno. Garland Pollard,
 Victor Burdock.

Pursuant to the Commission's direction of December 11th, the Secretary submitted letter to the President, transmitting the summary of the Commission's report on Country Grain Marketing, Part I of the Report on the Grain Trade. The Secretary stated that this report was addressed to the Congress, but had not yet been sent as copies had not been received from the Public Printer, and inquired whether or not the Commission desired this report to go to the President prior to being forwarded to the Congress. It was the direction of the Commission that the summary go to the President at the same time that the report goes to Congress and that there be a simultaneous release to the public.

At their request the Commission met at the hour of 10:30 with representatives of the Midwest Refining Company for a conference with respect to the Commission's forthcoming report on the Wyoming Oil situation. Those in attendance were E. A. Davis, Vice-President, Midwest Refining Company, Denver, Colo.; E. A. Kelley, Denver, Colo., representing Midwest Oil Company and Salt Creek Producers' Association; and John T. Carrett, Denver, Colo., President, Mountain Producers' Corporation, and Wyoming Associated Oil Corporation. The conference was concluded at the hour of 1:00 o'clock. See stenographic report.

Messrs. Walker and England of the staff were present.

Thereupon, at the hour of 1:00 P.M., the Commission adjourned to meet at 10:30 A.M., December 22, 1920.

ATTENT:

Huston Thompson

Chairman.

Secretary.

December 22, 1920.

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MEETING OF THE FEDERAL TRADE COMMISSION

December 22, 1920 - 10:30 A.M.

Huston Thompson, Chairman,
Nelson F. Gaskill,
Jno. Harland Pollard,
Victor Murdock.

The minutes of the meetings of December 17, 18, 20 and 21, 1920, respectively, were read and approved.

Mr. Gaskill presented resignation of Mr. Kemper Simson of the Economic staff, to be effective at the close of day on December 23, 1920, and moved its acceptance. The resignation was accepted.

Mr. Murdock submitted the following listed applications for complaint, and action as indicated was taken thereon by the Commission. These applications involved the question of the operation of bogus independent, and were set as a special order of business for today. The Board of Review was present during the consideration of these cases, and was heard upon applications, wherein the Commissioner and the Board disagreed.

At his request, Mr. Pollard was excused from participating in proceedings in any case in which Armour Company is interested. For the reason set forth in the minutes of April 27, 1920.

(1) Cases-

C-1725, F.T.C. vs. Libby McNeill & Libby, in re Alaska Fish-
ermens Packing Co.
C-1520, " " Swift & Co. - in re Western Packing Co.
C-1619, " " " " - in re United Dressed Beef Co.
C-1574, " " Armour & Co. in re New York Butchers
Dressed Meat Co.
C-1418-2-11, F.T.C. vs. Morris & Co. - in re Mindner Packing
Provision Co.
C-1557, F.T.C. vs. Swift & Co. in re W. P. Parrott Co.
C-1639, " " Morris & Co., in re Forest City Cattle
Kill Mills.
C-1724, " " Libby, McNeill & Libby, in re Thayer Pro-
vision Co.
C-1557, " " Wilson & Co., Inc., in re Union Food Corp.
C-1547, " " Armour & Co., in re Ala. Cattle Products Co.
C-1572, " " Morris & Co., in re Modern Sls.
C-1535, " " Armour & Co., in re Waigler State Packing Co.

December 22, 1934.

1-1671, T.B.C. vs. Morris & Co., in re Greenville Cotton Oil Mills.
 C-1602, " " Armour & Co., in re Atlantic Hotel Supply Co.
 1-1611, " " " " " in re J. K. Messer Co. of West Virginia, Chicago, Ill.
 C-1613, " " Wilson & Co., Inc., in re Standard Provision Company.
 C-1717, " " Libby, McNeill & Libby, in re Delaware Canning Co.
 C-1559, " " Armour & Co., in re T. H. Wheeler Co.
 C-1578, " " " " " in re Breckmont Meat Co.
 C-1611-C-11, " " " " " in re Eastern Leather Co.
 C-1593, " " " " " in re Lovelllyn Bean Co.
 C-1664, " " Swift & Co., in re Canfield Commission Co.
 1-1720, " " Libby, McNeill & Libby, in re St. Joseph Warehouse & Cold Storage Co.
 C-1677, " " Morris & Co., in re Brooklyn Beef & Provision Co.
 C-1577, " " Armour & Co., in re Utility Operating & Supply Co.
 C-1552, " " Wilson & Co., in re Naberman Co., Inc.
 C-1603, " " Armour & Co., in re Brandt Leather Corp.
 C-1604, " " Armour & Co., in re Brandt Leather Co.
 C-1723, " " Libby, McNeill & Libby, in re Franco-Swiss Catering Co.
 C-1650, " " Swift & Co., in re Wallabout Market Packing Company.
 C-1590, " " Armour & Co., in re Alvarado Cotton Oil Mill.
 C-1649, " " Morris & Co., in re Eataria Canning Co.
 C-1605, " " Armour & Co., in re Cirale S. Provision Co.
 C-1598, " " " " " in re Temple Cotton Oil Mill.
 C-1605, " " Morris & Co., in re Joseph Stern Sons Co., Inc.
 C-1720, " " Libby, McNeill & Libby, in re P. H. Willard Company.
 C-1574, " " Morris & Co., in re Pipe Plant Cotton Oil Mills.
 C-1943, " " Swift & Co., in re Stephenville Cotton Oil Mills.
 C-1641, " " Swift & Co., in re Shelby County Cotton Oil Mill.
 C-1950, " " Swift & Co., in re Alamo Oil & Refining Co.
 C-1638, " " Morris & Co., in re National Hotel Supply Co.
 C-1637, " " Swift & Co., in re Flamington Trading Co.
 C-1949, " " " " " in re Roton Cotton Oil Mills.
 C-1665, " " " " " in re H. S. Doris Co.
 C-1642, " " " " " in re Metropolitan Hotel Supply Company.
 C-1639, " " Morris & Co., in re Willard Supply Co.
 C-1661, " " Swift & Co., in re Ete Produce Co.
 C-1658, " " " " " in re J. F. Priere Co.
 C-1666, " " Cadash Packing Co., in re Sunlight Produce Company.
 C-1571, " " Armour & Co., in re Colorado Packing & Provision Co.
 C-1670, " " Morris & Co., in re Globe Cotton Oil Mills.
 C-1703, " " Wilson & Co., Inc., in re Gotham Hotel Supply Co., Inc.

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O-1722, F.T.C. vs. Libby, McNeill & Libby - in re Emery Food Co.
O-1658, " " Swift & Co., in re Hammond Reef Co.
O-1574, " " Armour & Co., in re Hammond Packing Co.

Memoranda by Mr. Harlock approved. Reports of the Board of Review approved. Ordered that the foregoing applications be, and the same are hereby, dismissed.

(2) File O-1781, F.T.C. vs. Libby, McNeill & Libby, in re American Milk Company.

Mr. Harlock submitted memorandum and moved that the application be remanded to the Chief Examiner for further information. In substitution, Mr. Gaskill moved that the case be dismissed. This motion was seconded by Mr. Pollard.

Upon vote, Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Mr. Harlock voted in the negative. The report of the Board of Review was approved and the application dismissed.

(3) File O-1719, F.T.C. vs. Libby, McNeill & Libby, in re Continental Packing Company.

Mr. Harlock submitted memorandum and moved that the case be remanded to the Chief Examiner for further information. In substitution thereof Mr. Gaskill moved that the application be dismissed. Mr. Harlock seconded Mr. Gaskill's motion. Upon vote on the substitute motion, Messrs. Thompson, Gaskill and Harlock voted in the affirmative, and Mr. Pollard voted in the negative on the ground that there is no evidence in the record except a simple statement of the respondent that he is not engaged in interstate commerce and that such statement ought not to be accepted without investigation. Mr. Harlock explained his vote and gave as his reason therefor that upon second consideration, it appeared that the public interest could not be served by further investigation of this application. The report of the Board of Review was approved and the application dismissed.

(4) File O-1709, F.T.C. vs. Wilson & Company, in re Stiefel & Stern Company.

Mr. Harlock submitted memorandum and moved that the application be dismissed. Mr. Gaskill seconded this motion. Upon vote, Messrs. Thompson and Pollard voted in the negative and Messrs. Gaskill and Harlock voted in the affirmative. The motion was thereupon declared by the Chairman to be lost. After further discussion and after hearing the Board of Review, Mr. Thompson moved that complaint issue. This motion was seconded by Mr. Pollard. Upon vote, Messrs. Thompson, Pollard and Harlock voted in the affirmative and Mr. Gaskill voted in the negative for the reason that in his opinion, there is no public obligation to make disclosure and no actual deception is shown. Ordered that complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of complaint was adopted. The files were referred to the Acting Chief Counsel with instructions to prepare complaint and return the same to the Secretary for service.

Dec. 22, 1920.

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- (5) File O-1724, F.T.C. vs. Libby, McNeill & Libby, in re Wilson & Rogers.

Mr. Murdock submitted memorandum and moved that complaint issue and that the Board of Review be heard. Seconded by Mr. Pollard. The Board of Review was heard. Upon Mr. Murdock's motion for complaint, Messrs. Thompson, Pollard and Murdock voted in the affirmative and Mr. Gaskill voted in the negative. Ordered that complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of complaint was adopted. The files were referred to the Acting Chief Counsel with instructions to prepare such complaint and submit the same to the secretary for service.

- (6) File O-1541, F.T.C. vs. Swift & Co., in re A. C. Lawrence Leather Co.

Mr. Murdock submitted memorandum and moved (1) that the application be dismissed, and (2) that the files be referred to the Chief Examiner for determination whether the company in question is a bogus independent of the National Leather Co. Mr. Pollard seconded the motion. The motion was divided (1) as to dismissal and (2) as to reference to the Chief Examiner. Upon dismissal the vote was unanimous in favor thereof. Upon reference to the Chief Examiner, Messrs. Thompson, Pollard and Murdock voted in the affirmative and Mr. Gaskill voted in the negative. Ordered that the application be and the same is hereby dismissed and the files referred to the Chief Examiner as moved by Mr. Murdock.

- (7) File O-1593, F.T.C. vs. Wilson & Co., Inc., in re T.M. Sinclair & Co., Ltd.

Memorandum by Mr. Murdock approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of complaint adopted. Files were referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the secretary for service.

The following listed applications for complaint involving bogus independents, heretofore submitted to the Commission by Mr. Murdock and laid on the table, were called up and action as indicated was taken by the Commission:

- (a) File O-1609, F.T.C. vs. Armour & Co., in re Keystone Hotel Supply Company.

Memorandum by Mr. Murdock under date of April 23, 1920, was read. Upon discussion of the entire record and upon motion of Mr. Gaskill, the Commission reconsidered its action of April 27, 1920, and ordered that the application be and the same is hereby dismissed.

- (b) File O-1723, F.T.C. vs. Libby, McNeill & Libby, in re Fulton Reef Company.

Memorandum by Mr. Murdock under date of July 10, 1920, was read. Upon consideration of the entire record and upon motion of Mr. Gaskill, the Commission ordered that the application be,

Dec. 22, 1920.

- (5) File O-1724, F.T.C. vs. Libby, McNeill & Libby, in re Wilson & Rogers.

Mr. Murdock submitted memorandum and moved that complaint issue and that the Board of Review be heard. Seconded by Mr. Pollard. The Board of Review was heard. From Mr. Murdock's motion for complaint, Messrs. Thompson, Pollard and Murdock voted in the affirmative and Mr. Gaskill voted in the negative. Ordered that complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of complaint was adopted. The files were referred to the Acting Chief Counsel with instructions to prepare such complaint and submit the same to the Secretary for service.

- (6) File O-1641, F.T.C. vs. Swift & Co., in re A. C. Lawrence Leather Co.

Mr. Murdock submitted memorandum and moved (1) that the application be dismissed, and (2) that the files be referred to the Chief Examiner for determination whether the company in question is a bogus independent of the National Leather Co. Mr. Pollard seconded the motion. The motion was divided (1) as to dismissal and (2) as to reference to the Chief Examiner. Upon dismissal the vote was unanimous in favor thereof. Upon reference to the Chief Examiner, Messrs. Thompson, Pollard and Murdock voted in the affirmative and Mr. Gaskill voted in the negative. Ordered that the application be and the same is hereby dismissed and the files referred to the Chief Examiner as moved by Mr. Murdock.

- (7) File O-1693, F.T.C. vs. Wilson & Co., Inc., in re T.M. Sinclair & Co., Ltd.

Memorandum by Mr. Murdock approved. Report of the Board of Review approved. Ordered that formal complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of complaint adopted. Files were referred to the Acting Chief Counsel with instructions to prepare such complaint and return the same to the office of the Secretary for service.

The following listed applications for complaint involving bogus independents, heretofore submitted to the Commission by Mr. Murdock and laid on the table, were called up and action as indicated was taken by the Commission:

- (a) File O-1609, F.T.C. vs. Armour & Co., in re Keystone Hotel Supply Company.

Memorandum by Mr. Murdock under date of April 22, 1920, was read. Upon discussion of the entire record and upon motion of Mr. Gaskill, the Commission reconsidered its action of April 27, 1920, and ordered that the application be and the same is hereby dismissed.

- (b) File O-1723, F.T.C. vs. Libby, McNeill & Libby, in re Fulton Reef Company.

Memorandum by Mr. Murdock under date of July 10, 1920, was read. Upon consideration of the entire record and upon motion of Mr. Gaskill, the Commission ordered that the application be,

December 22, 1920.

and the same is hereby dismissed. As to this action, Messrs. Gaskill, Pollard and Murdock voted in the affirmative and Mr. Thompson voted in the negative.

Mr. Murdock offered the following motion, which was unanimously adopted:

MOVED, That Mr. T. M. Robertson, of the staff, prepare for the Commission a memorandum setting forth the need of legislation with respect to disclosure of ownership in trade names, to be used as the basis for a special report to Congress by the Commission.

The Commission recessed at 1:00 P.M. and reassembled at 3:00 P.M.

Fulton Thompson, Chairman,
Nelson B. Gaskill,
Jno. Garland Pollard,
Victor Murdock.

Mr. Pollard presented File O-1984, E. C. Boyle vs. The Aladdin Company, which case was set for a special order of business this afternoon to permit the Board of Review to be heard. The Board of Review was heard. After discussion, on motion of Mr. Pollard, the case was referred back to the Chief Examiner with instructions that he complete the record by ascertaining and reporting whether the respondent is willing to eliminate this deceptive feature from his advertising.

As to the foregoing action, Messrs. Thompson, Gaskill and Pollard voted in the affirmative and Mr. Murdock voted in the negative, and made the following statement for the record:

"I vote 'no' for the reason that I believe complaint should issue and that, if this party desires to alter the practice in question, he should take such action."

Mr. Pollard also presented the following listed application for complaint and action thereon, as indicated, was taken by the Commission:

(a) File O-211, Francis E. De Wasi vo. National Shoe Manufacturing and Repair Co.

Mr. Pollard submitted memorandum and moved that the application be dismissed, and that the Board of Review be heard. The motion was duly seconded. The Board of Review was heard. Upon consideration of the entire record, and upon motion of Mr. Pollard, it was ordered that the application be and the same is hereby dismissed. The memorandum by Mr. Pollard was approved.

December 28, 1920.

(b) File 9-1197, P.T.C. vs. Wiffalo-Springfield Teller Co.
Draft of complaint, as prepared by counsel, was referred to Mr. Pollard on December 16th for examination of the complaint. Mr. Pollard submitted revised draft of complaint which was approved by the Commission and ordered to issue and be served. Resolution directing the issuance and service of the complaint was adopted.

The Commission agreed to meet in regular session at 10:30 A.M. on December 28, 29, 30 and 31st.

The Secretary presented the following matters arising in the Acting Chief Counsel's office, and action as indicated was taken by the Commission:

(a) Docket 606, P.T.C. vs. The Menner Co.
Draft of order over-ruling respondent's motion to dismiss, in compliance with the Commission's instruction of December 15, was submitted for approval as to form. Upon examination, the order was found to be in proper form and was referred to the Docket Section for service.

(b) Docket 624, P.T.C. vs. National Bridge Co., et al.
Draft of order of dismissal, in compliance with the Commission's action of December 17, 1920, was submitted for approval as to form. The order was revised, approved and referred to the Docket section for service.

(c) Docket 641, P.T.C. vs. J. A. Duse & Son Mfg. Co.
Draft of order of dismissal, pursuant to the Commission's action of December 14, 1920, was submitted for approval as to form. After revision, the order was approved and referred to the Docket section for service.

Whereupon, at the hour of 5:00 P.M., the Commission adjourned to meet at 10:30 A.M. December 28, 1920.

ATTNBT:

Winston Thompson
Chairman.

Secretary.

December 23, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

December 23, 1920 - 10:30 A.M.

Euston Thompson, Chairman,
Helson P. Gaskill,
Jno. Garland Pollard,
Victor Harlock.

--- The applicant in the case
against the Lebane Iron Red Co.,

The Chairman submitted letter of December 16th from Mr. J.S. Manning, counsel for Lebane Bedding Co., asking the Commission to state the reasons for the dismissal of its complaint in Docket No. 592, F.T.C. vs. Lebane Iron Red Co. At the request of the Commission, Mr. Harlock prepared a reply, which was approved by the Commission, signed by the Chairman and forwarded (see file):

--- The Chairman laid before the Commission letter of December 8, from the Department of Justice, transmitting communication from Mr. Edward Reeves, complaining of practices on the part of the A. & H. Walker Company of Pittsburgh, together with request for instructions from the Chief Examiner as to whether or not the matter should be docketed. It was the direction of the Commission that the papers be entered as an application for complaint.

--- Mr. Gaskill presented suggested reply to request of J.W. Lorentzen & Company, one of the respondents in Docket No. 591, F.T.C. vs. El Paso Groceries, for a ruling in advance. The reply, as revised by Mr. Gaskill, was read and ordered to be forwarded.

--- Mr. Gaskill presented File C-2062, F.T.C. vs. Gold Medal Grocery Co. Memorandum by Mr. Gaskill approved. Report of the Board of Review approved. Ordered that the application be, and the same is hereby, dismissed.

--- Upon motion of the Chairman, the Commission directed that, beginning Jan. 1, 1921, Dr. Hotz of the Export Trade Division make investigation of each of the associations who have filed under the Webb-Cramer Act (Export Trade Act), and if necessary, take with him an accountant to be detailed for that purpose from the Economic Division, and report the results of his investigation to the Commission.

December 23, 1920.

Under special order of business, fixed by the Commission, the conference calendar was called up by the Chairman, and cases considered and action taken by the Commission as follows:

- (1) Docket No. 307, E.T.O. vs. St. Louis Lightning Rod Company.

This case was submitted on the previous conference day by Mr. Murdock, with memorandum recommending the adoption of the Findings except with respect to paragraph 19, concerning the "rivet grip," and was then laid over as special order for today. The case was discussed at length and after a number of intervening motions which failed, Mr. Pollard offered a following motion which was seconded by Mr. Murdock and duly adopted by the Commission:

MOVED, That the file in this case be referred to the Acting Chief Counsel, with instructions to re-draft the Findings of Facts and Order in light of the Gratz decision, and to eliminate, both in the Findings and in the Order, reference to the rivet grip.

Upon the foregoing motion, Messrs. Thompson, Pollard and Murdock voted in the affirmative and Mr. Caskill voted in the negative.

In explanation of his vote, Mr. Caskill made the following statement for the record:

"I vote 'no' for the reason that there is no proof to sustain the charges set out in paragraphs 2, 4, 5 and 6 of the complaint, nor as to that part of paragraph 3 which refers to the use of the words, 'Monarch Lightning Rod Company,' and I believe that this respondent is entitled to acquittance as to charges stated in the complaint which have been made public, and as to which the Commission finds that the proof is insufficient to warrant the issuance of an order thereon."

In explanation of his vote, Mr. Murdock made the following statement for the record:

"I vote 'aye' because I believe (1st) that the spirit of the charges of the complaint was proved upon hearing; that there was evidence therein of deception in the matter of the rivet grip but the proof was not sufficient to probably sustain the Findings; (2nd) that there was evidence therein of espionage but not sufficient probably to sustain the Findings; (3rd) that there was evidence therein that the Monarch Lightning Rod Co. was formed with the intention of deception, that it was held out as a manufacturing concern when it was not, and that both its formation and its advertising were deceptive to the public in

violation of existing statute, but that the allegations could not be included in the findings of facts or corresponding order made because the Commission did not plead plainly those two circumstances in the original complaint issued; and (4th) that the facts established beyond peradventure of a doubt that the St. Louis Lightning Rod Co. formed the Franklin Lightning Rod Co. with the intention to deceive, and that it was advertised as a manufacturer when it was not so in fact, that the public was thus deceived and injury followed to the business of a competitor who manufactured and sold a rod under the name of Franklin, which name had been long established and used as an original trade mark."

(2) Docket 460, F.T.C. vs. Raymond Brothers-Clark Co.

This case was submitted upon testimony, briefs and argument. After brief discussion, upon motion of Mr. Pollard, it was unanimously agreed that this case go over until the next conference day in order to permit further study. Mr. Gaskill stated that he was prepared to vote on the case and was in favor of dismissal and authorized the Chairman to cast his vote for dismissal in the event the case came to vote during his absence.

(4) Docket 248, F.T.C. vs. Aluminum Co. of America.

This case was submitted upon testimony, briefs and argument. After discussion, Mr. Pollard moved that the complaint in the case be dismissed.

In substitution thereof, Mr. Gaskill moved that an order issue in accordance with the terms of the complaint. This motion was seconded by Mr. Burdock. Upon vote, Messrs. Gaskill and Burdock voted in the affirmative and Mr. Pollard voted in the negative, and Mr. Thompson did not vote.

Mr. Burdock thereupon withdrew his affirmative vote, and directed that he be recorded as not voting. The vote, therefore, upon Mr. Gaskill's substitute motion for an order in accordance with the terms of the complaint stands as follows: Mr. Gaskill voted in the affirmative, Mr. Pollard voted in the negative, and Messrs. Thompson and Burdock did not vote. The motion was declared by the Chairman to be lost.

Mr. Gaskill advised the Commission that he had reached a conclusion upon this case, and believed that an order should issue in accordance with the terms of the complaint for the reason that there was a complete monopoly in the hands of one company, and requested the Chairman to go next his vote, should the case come to vote during his absence.

December 25, 1920.

(4) Docket No. 535, F.T.C. vs. American Mutual Seed Co. This case was submitted upon testimony, briefs and argument. Upon consideration, it appeared that the tentative findings and Order have not yet reached the Commissioners. It was agreed that the case go over until the next calendar day.

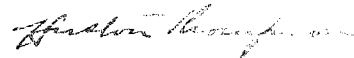
The question as to order of voting was raised. After discussion, it was unanimously agreed that in voting upon final determination of formal docket cases, there should be a roll call without motion of the Commissioners by the Clerk and that the order of voting should be determined by positions held by Commissioners under the rule adopted July 1, 1919, which provides for a Chairman and four Vice Chairmen. The present order of voting is therefore as follows:

First vote - - - Fourth Vice Chairman, vacant.
Second vote - - - Third Vice Chairman, Mr. Murdock.
Third vote - - - Second Vice Chairman, Mr. Pollard.
Fourth vote - - - First Vice Chairman, Mr. Baskill.
Fifth vote - - - Chairman, Mr. Thompson.

Mr. Baskill advised the Commission that he was satisfied with the present spinning oil report and authorized the Chairman to sign his name thereto, in the event the report was presented in final form for signature in his absence.

Whereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 10:00 A.M., December 27, 1920.

WITNESSED:



Chairman.

Secretary.

December 24, 25, 26 (Sunday) 27, 1920 - No meetings held.

December 28, 1920.

MEETING OF THE FEDERAL TRADE COMMISSION

December 28, 1920 - 10:30 A.M.

Huston Thompson, Chairman,
Geo. Garland Pollard,
Victor Mordock.

The minutes of the meetings of December 22nd and 23rd, 1920, respectively, were read and after certain corrections were approved.

The Chairman brought the following matters to the attention of the Commission, and action as indicated was taken by the Commission:

(1) Wyoming Oil Report. The Chairman reported with respect to certain changes which had been incorporated at the suggestion of the Commission. It was agreed that the report when finally typed be brought in for signature and forwarded to Congress and made public simultaneously.

(2) Letter of December 23rd from the Department of Justice, asking the Commission to furnish certain cost statements filed with the Commission by the Chesapeake & Ohio Coal & Coke Company, for the period September, 1918, to October, 1920, and advising the Commission that these data were for use in a case by the United States in the case of the Red River Collieries Company vs. United States, in the District Court for the District of New Jersey. Upon consideration, it was the sense of the meeting that the matter be left to the Department of Justice for the Commission.

(3) Memorandum of December 15th from the Chief Examiner, asking the instruction of the Commission as to whether or not a file of correspondence from the Gallon Store of Vancouver, Canada, relative to alleged unfair practices by the Wine Carters Mercantile Company of Vancouver, should be entered as an application for complaint. The correspondence was read, and upon consideration it was the direction of the Commission that this matter be not included as an application for complaint. The Chief Examiner was directed to so advise the Gallon Store.

(4) Memorandum of December 23rd from the Chief Examiner, asking certain instructions with regard to the hearing of the case of the Western Petroleum Corporation on January 12th upon application for license to use the trade-mark "Red Oil." Upon consideration of the memorandum, it was the direction of the Commission that the customary notices be sent by the Bureau of Trade Division to Ford & Company, representative of the Western Petroleum, and to the Oil Trade Board, giving notice of the hearing and permitting a representative of each to attend. The Commission also

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approved the recommendation of the Econ. Trade Division, and authorized and directed the detail of Attorney S. W. Hoagwer to assist this Division in the preparations for the hearing.

(5) The Chairman stated that the President signed the suggested form of Executive Order, signed by the Commission, rescinding the Executive Order of July 3, 1918, concerning certain powers of the Coal Administration to require coal cost reports.

The Secretary brought to the attention of the Commission the following matters, and action as indicated was taken:

(1) The resignation of Mr. Samuel W. Tator, of the Economic staff, effective at the close of business on December 27, 1920. The resignation was accepted.

(2) The Secretary reported with respect to the need of additional stenographers, and upon motion of Mr. Thompson, the Commission authorized the employment of not more than three additional temporary stenographers for a period not to exceed three months, with the direction that the Secretary report the status of the stenographic work on February 1, 1921.

(3) Memorandum of December 16th from the Auditor, suggesting the issuance of an order covering telegraphic correspondence with a view of eliminating unnecessary verbiage and designations. The Secretary reported as to expenditures for telegraphic service, and suggested that some one person be charged with the duty of examining all outgoing telegrams with a view to eliminating unnecessary words. Upon consideration it was the direction of the Commission that the previous rule that all outgoing telegrams pass through the hands of a commissioner or the Secretary be enforced by the Secretary.

(4) Memorandum from the Acting Chief Counsel suggesting that the Commission hear final argument in Docket 250, F.T.C. vs. Borden's Farm Products Co., Inc., on January 10, 1921, at 2:00 P.M. The date was so fixed by the Commission, with the direction that parties be duly notified.

The Chairman presented the following listed applications for complaint, and upon his motion action as indicated was taken by the Commission:

- (1) Files-
 6-2061, H. A. Johns-Manville Co. vs. Franklin A. Miller & Company.
 -2043, Edward A. Hirschner vs. Central Light & Paint Company.
 6-2004, F. Lansdown Company vs. Dakota Steel & Door Co., et al.

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Memoranda by Mr. Thompson approved. Reports of the Board of Review approved. Ordered that the applications be and the same are hereby dismissed.

(8) File 9-1127, A.T.C. vs. National Not Mailing Corp'n.
Mr. Thompson submitted memorandum recommending dismissal. After discussion, on motion of Mr. Pollard, it was directed that the case be referred back to the Chief Examiner with instructions to inform the New York District Attorney of the pendency of this application before the Commission, and make inquiry concerning the status of the indictment against these parties and the intention as to further proceedings.

(9) File 9-1036, Husker Co. vs. Holman Soap Co., et al.
The report of the Board of Review was read. Draft of complaints against Holman Soap Company and James S. Kirk & Co. were read. Mr. Thompson reported that he was in favor of complaints against these parties, but was not in favor of the drafts of complaints as drawn by Attorney Reeves, and suggested that the complaints be revised as recommended in memorandum of December 14th by Mr. Busick so as to allege the ancient usage and customs with respect to castile soap. After consideration of the entire record, it was the direction of the Commission that the files be referred back to the Acting Chief Counsel with instructions to prepare and submit draft of complaints against all parties who may be found to be indulging in false advertising or misbranding in this line. The complaints are to allege ancient usage and customs concerning castile soap, as suggested by Mr. Busick. The Acting Chief Counsel was directed to confer with the Chief Examiner as to further investigation.

Mr. Pollard presented File 9-2049, Gutler's German vs. Samuel H. Bernstein. Memoranda by Mr. Pollard reviewed. Report of the Board of Review approved. Ordered that complaint be and be served without further action by the Commission. Resolution directing the issuance and service of the complaint was adopted. Draft of complaint, as drawn by counsel, was presented by Mr. Pollard with his approval, approved by the Commission, and referred to the Docket Section for service.

Pursuant to the Commission's request of December 14th, Mr. Pollard submitted draft of complaint in the matter of File 9-1893, H. H. Sharple vs. Recotating Machine Co., Inc., and reported that he had gone over the complaint with counsel, and that the form set with his approval. The form of the complaint was approved by the Commission and referred to the Docket Section for service.

December 29, 1920.

Whereupon, at the hour of 10:30 A.M., the Commission adjourned to meet at 10:30 A.M., December 29, 1920.

ATTEND:

Huston Thompson
Chairman.

Secretary

MEETING OF THE FEDERAL TRADE COMMISSION

December 29, 1920, - 10:30 A.M.

Huston Thompson, Chairman,
Enc. Garland Pollard,
Victor Murdock.

The minutes of the meeting of December 28, 1920, were read and after certain corrections were approved.

Mr. Murdock submitted letter of December 23rd from Congressman J. R. Fincher, asking for all the data gathered by the Commission with respect to the grain option business for use by the House Committee on Agriculture in connection with hearings to be held January 15th. Mr. Murdock reported that Volumes II and V of the Grain Report are available, but said until Volume I comes from the printer. It was agreed that Mr. Fincher be furnished immediately with copy of the wheat letter to the President and with copies of Volumes I, II and V of the Economic Grain Report as soon as Volume I comes from the printer, and prior to the release of these reports, with the understanding that the Grain Reports are for the confidential use of the Committee and not to be made public until submitted by the Commission to Congress. Draft of letter to Mr. Fincher, as prepared by Mr. Murdock, was approved and ordered forwarded.

The Chairman submitted the following listed applications for complaints, and upon his motion action as indicated was taken by the Commission:

- (1) File 9-1814, National Varnish Manufacturers' Assn. vs. Standard Linseed Company.
Report of the Board of Review approved. Ordered that

SMBBC

December 21, 1926.

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complaint issue and be served without further action by the Commission. Resolution directing the issuance and service of the complaint was adopted. Draft of complaint as presented by Mr. Thompson, was approved as to form and referred to the Docket Section for service.

(2) File C-1985, Montgomery County Trust Co. vs.
H. V. Greene Co., Inc.

Report of the Board of Review approved. Ordered that the application be and the same is hereby dismissed and that the Chief Examiner advise the applicants that the Commission dismissed this case because of lack of sufficient evidence.

Mr. Thompson also submitted memorandum of December 28th from the Acting Chief Counsel, together with application of counsel for P. Lesinsky Company, one of the respondents in Docket 241, F. T. C. vs. Wholesale Grocers' Association of El Paso, Texas, et al., for re-argument and correction of findings. Following the recommendation of counsel, and on motion of Mr. Thompson, the Commission declined to grant re-argument, and directed that respondent be so advised.

The following matters arising in the Chief Counsel's office were presented by the Secretary, and action as indicated was taken by the Commission:

(1) Docket 276, F. T. C. vs. F. A. Starch Piano Co.

Ordered that Edward M. Averill, an examiner of the Commission, be and is hereby appointed in place of Walter T. Coleman to hear testimony and receive evidence in this case.

(2) Docket 131, F. T. C. vs. Atlantic Refining Co.

In response to the Commission's action of December 14, 1926, the Acting Chief Counsel submitted draft of order receding the findings and Order in this docket. The order as submitted was approved as to form and referred to the Docket Section for service.

(3) Docket 310, F. T. C. vs. Oklahoma Producing and Refining Corporation of America.

Memorandum of December 28th received from counsel recommending dismissal. Upon consideration it was ordered that the complaint be and the same is hereby dismissed without prejudice, and the Acting Chief Counsel was directed to prepare and submit the necessary order.

(4) Docket 223, F. T. C. vs. Sunlight Creameries.

Upon receipt of memorandum of December 28th from the Acting Chief Counsel, the Commission entered its order overruling respondent's motion to dismiss made in the answer, with directions to the examiner who sits in the case to state on the record in the opening session that the motion has been denied.

December 29, 1920.

(5) File 6-1757, F.T.C. vs. S. Davidson.

In response to the Commission's action of December 18th, the Acting Chief Counsel submitted draft of complaint naming as respondents the three individual parties and the company. Upon examination such complaint was found to be in proper form and referred to the Docket Section for service.

(6) File 4-1331, J. S. Lawrence Sales Co. vs. Morgan Razor Works, et al.

In response to the Commission's direction of November 10th, the Acting Chief Counsel submitted recent communications from the applicant, and reported results of negotiation with the respondent. Counsel also submitted draft of formal complaint against Morgan Razor Works and Wagner Razor Strip Co. Upon consideration of the entire record, the Commission ordered that draft of complaints as submitted, issued and be served without further action, and be referred to the Docket Section for service. Resolutions directing the issuance and service of the complaints were adopted.

(7) File 1-318, Swedish-American Telegraph Mfg. Co. vs. Eastern Electric Co., et al.

Draft of formal complaint, drawn pursuant to the Commission's action of November 18th, was submitted by the Acting Chief Counsel, approved as to form, and referred to the Docket Section for service.

(8) File 6-354, American Federation of Labor vs. Cigar Manufacturers' Assn., et al.

Draft of formal complaint, drawn pursuant to the Commission's action of November 23, 1920, and bearing the approval of Mr. McGillivray in accordance with the action of December 14, 1920, was submitted by Acting Chief Counsel, approved as to form, and referred to the Docket Section for service.

The Secretary also submitted report of work of December 1920 from the Chief Examiner, asking further instructions in the matter of File 1-1111, F.T.C. vs. National Electric Light Association. The Chairman directed the preparation of Mr. Holland, the Chief Examiner was directed to make investigation in this case proceed as soon as other work and the Chief Examiner's force will permit.

The Chairman submitted letter of Senator Edge, transmitting certain coal cost statistics of unidentified companies, as requested by the Senate Committee asking inquiry into the coal situation. The letter as submitted was approved by the Commission, signed by the Chairman and forwarded (see File Coal, Cor 5 Gen 5)

November 29, 30, 1934.

Respectfully, at the hour of 1:30 P.M., the Commission adjourned to meet at 1:30 P.M., December 1, 1934.

1934:

Huston Thompson
Chairman.

Secretary,

MEETING OF THE FEDERAL TRADE COMMISSION

December 1, 1934 - 1:30 P.M.

Huston Thompson, Chairman,
Jas. Garland Rollins,
Victor Harboon.

The Chairman presented the following matters, in a motion as indicated was taken by the Commission:

(1) Letter of December 21st from Senator Reed Smoot, requesting a list of all legal residents of Utah employed in the Commission, with designation of their positions and salaries. The Secretary was directed to furnish the data requested.

(2) Letter of December 2 to the Hon. William C. Clegg, Attorney General, requesting that the action of the Commission in refusing this company's application for a license to operate in the State of Utah be reconsidered. The Secretary was directed to prepare a report, in response to House Resolution No. 150, of June 1, 1934, as prepared by Mr. Thompson, was read, approved and forwarded (see file).

(3) Letter of Dec. 21, 1934, from the Department of the Navy, requesting certain cost data for the use in a contract of work provided by the Atlantic Shipping Company. The Secretary was directed to collect the material requested and bring the same to the Commission on the following day.

The Secretary presented the following applications, transmitted to the Commission by former Chief Counsel Porter:

- (1) File 1-448, Charles Leich & Co. vs. American War Assets Corp'n.
- File 1-657, U.S.C. vs. Union Carbide & Carbon Corp'n.

December 29, 29, 1933.

Whereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 1:30 P.M., December 31, 1933.

Witness:

Huston Thompson
Chairman.

Secretary.

MEETING OF THE COMMISSION - THIRD GENERAL MEET.

December 31, 1933 - 11:30 A.M.

Huston Thompson, Chairman,
Ans. Garland Willard,
Victor Harboon.

The Chairman presented the following matters, and action as indicated was taken by the Commission:

(1) Letter of December 21, 1933 from Kenneth Reed Smith, requesting a list of all local residents of Utah employed in the Commission, with designation of their positions and salaries. The Secretary was directed to furnish the data requested.

(2) Letter of December 21, 1933 from Michael Harris, asking for the Commission to make a study of the sugar industry in the action of the Commission in making this company a part of the delinquents for refusing to furnish data to the Commission required in the preparation of the sugar report, in response to House Resolution No. 180. Term of reply, as prescribed by Mr. Thompson, was read, discussed and forwarded to be filed.

(3) Letter of Dec. 31, 1933, from the Register General of the Land, requesting certain cost data for use in a case of suit brought by the Atlantic Refining Company. The Secretary was directed to collect the material requested and bring the same to the Commission on the following day.

The Secretary presented the following applications, transmitted to the Commission by former Chief Counsel Porter:

- (1) File 1-48, Charles Reich & Co. vs. American War
Roads Works.
File 1-657, P.T.C. vs. Union Carbide & Carbon Corp'n.

As to the foregoing action of dismissal, Messrs. Thompson and Pollard voted in the affirmative, and Mr. Ingham voted in the negative.

Mr. Harbock reported estimate made by the Publication Section of the cost of printing the Wheat report to the President. After discussion and suggestion of Mr. Thompson, seconded by Mr. Harbock, the Commission ordered the printing of 3200 copies of this report, dated December 14, 1920.

Upon motion of Mr. Thompson, the Chief Economist was directed to report to the Commission on December 31st the status and probable date of completion of the milk inquiry in response to Senate Resolution No. 431, dated January 31, 1919, introduced by Senator Cassius M. Jones.

On motion of Mr. Pollard, the Acting Chief Counsel was directed to present tentative findings and Orders in the sponge case, Dockets Nos. 374 to 376 inclusive, to the Commission at 2:00 P.M. Thursday, January 13, 1921, said findings and Orders to be considered at that time as a special order of business.

Upon motion of Mr. Pollard, the Commission fixed Wednesday, January 12th, at 1:00 A.M., as the time to consider part of general complaints in board independent cases as a special order of business, with direction to the Acting Chief Counsel to have prepared all such complaints heretofore ordered.

Thereupon, at the hour of 1:30 P.M., the Commission adjourned to meet at 10:00 A.M., December 31, 1980.

Hector Thompson

Grading:

~~SECRET~~

December 31, 1920.

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MINUTES OF THE FEDERAL TRADE COMMISSION

December 31, 1920 - 10:00 A.M.

Huston Thompson, Chairman,
J. C. Garland Pollard,
Victor Furber.

The minutes of the meeting of December 30, 1920, were read and after certain corrections were approved.

The following matters were laid before the Commission by the Chairman, and action as indicated was taken:

(1) Memorandum of December 31st from the Chief Economist, reporting in response to the Commission's direction of the previous day the status and available date of completion of the ninth report in response to Senate Resolution 431 (Senator Jones). Upon motion of Mr. Thompson, the Commission directed that the report be completed by the Economic staff and laid before the Commission by January 15, 1921.

(2) Memorandum of December 30th from the Publication section, illustrating the cost of printing of Commission's reports when printed by the Commission, by the Congress, or by a committee of Congress. The report was received and ordered to be filed.

(3) Letter of December 21st from the State Law Reporting Company with respect to handling the Commission's reported work. The Secretary was directed to advise this concern that its work will be given in about 1921 and will be given in about 1921 by the Commission.

(4) Draft of address to be made by Mr. J. V. Darnall of the staff before the American Farm Economic Association at its session on January 1st, submitted to the Commission in accordance with the rules. The Commission did not object to Darnall's address, provided it was clearly understood and stated at the meeting that it was made by Mr. Darnall as an individual upon his own responsibility and not as an employee of the Federal Trade Commission, and that it was in no wise an endorsement by the Commission.

The following items were taken up on the Conference Calendar and were called up for consideration, and action as indicated was taken by the Commission:

(1) Docket 450, I.O.G. vs. Improved Rosin Company.
This case was submitted upon testimony, brief and argument.

December 31, 1921.

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MEETING OF THE FEDERAL TRADE COMMISSION

December 31, 1920 - 10:30 A.M.

Huston Thompson, Chairman,
Joe Garland Collard,
Victor Hurdock.

The minutes of the meeting of December 29, 1920, were read and after certain corrections were approved.

The following matters were laid before the Commission by the Chairman, and action as indicated was taken:

(1) Memorandum of December 21st from the Chief Economist, reporting in response to the Commission's direction of the previous day the status and probable date of completion of the milk report in response to Senate Resolution 431 (Senator Jones). Upon motion of Mr. Thompson, the Commission directed that the report be completed by the Economic staff and laid before the Commission by January 15, 1921.

(2) Memorandum of December 24th from the Publication section, illustrating the cost of printing of Commission's reports when printed by the Commission, by the Congress, or by a committee of Congress. The report was received and ordered to be filed.

(3) Letter of December 24th from the State Law Association Company with respect to handling the Commission's reported work. The Secretary was directed to advise this concern that opportunity will be given to submit bids for this work and call for the Commission.

(4) Draft of address to be made by Mr. J. Y. Duval of the staff before the American Farm Economic Association at Washington on January 1st, submitted to the Commission in accordance with the rules. The Commission did not object to the address, provided it was clearly understood and stated at the meeting that it was made by Mr. Duval as an individual upon his own responsibility and not as an employee of the Federal Trade Commission, and that it was in no wise an exercise by the Commission.

The following formal legal cases appearing on the Conference Calendar were called up for consideration, and action as indicated was taken by the Commission:

(1) Doan vs. A.C. vs. Edward Rosell Company.
This case was submitted upon testimony, brief and argument.

December 31, 1930.

ELMBC

After discussion of the record and on motion of Mr. Burdock, seconded by Mr. Thompson, the Commission issued its findings of facts and order to cease and desist, in accordance with the terms of the complaint, and directed that such findings and order be prepared by the Acting Chief Counsel and submitted to the Commission at the earliest possible date. Upon roll call, the vote was unanimous in favor of the foregoing action.

(2) Docket 133, P.M.C. vs. American Mutual Lead Co.

This case was submitted upon testimony, brief and argument. Tentative findings of facts and order to cease and desist were submitted by the Acting Chief Counsel. Upon consideration, such findings and order, after revision, were approved and entered of record by the Commission with the direction that the same be served. Upon roll call, the vote was unanimous in favor of the foregoing action.

(3) Docket 218, P.M.C. vs. Aluminum Company of America.

This case was submitted upon testimony, brief and argument. Tentative findings of facts were submitted by the Acting Chief Counsel. Upon brief consideration it was agreed that this case go over until the next calendar day.

The Acting Chief Counsel appeared and presented the following matters, action upon which was taken by the Commission as indicated:

(1) Docket 214, P.M.C. vs. United Talcum Company.

Mr. Burdock advised the Commission that the taking of testimony had been concluded, and asked instructions of the Commission with respect to argument. Upon consideration and motion of Mr. Holland, the Commission directed the Acting Chief Counsel to prepare proposed findings of facts and order to cease and desist by the record, and transmittal copies of the same to the Commission with advice that the same be served upon the respondent on January 11, 1931, at 11:00 P.M.

(2) Letter of December 31 from Francis T. Miller,

United States Attorney at New York City, requesting to be supplied with the Commission's file in a proceeding entitled "Federal Trade Commission vs. General Electric Company," re electric heating device license. The letter was referred to Mr. Thompson to answer for the Commission. Mr. Thompson directed that Mr. Burdock call Mr. Miller on the phone and request to him that he send some to Manhattan and examine the files, and to inform the Commission upon his arrival of the confidential nature of this record.

(3) Docket 211, P.M.C. vs. Wholesale Grocers Assn. of

El Paso, Texas, et al.

As to the Commission's action on December 14th, the Acting Chief Counsel submitted form on right to the Commission of record, re. Wholesale Grocers Assn. of El Paso, Texas, et al.

December 31, 1920, January 4, 1921.

For completion of findings. The form of the order was approved and referred to the Board for service.

(1) Board of Directors, American National Bank, Chicago, Ill., advised that the Board of Directors of the American National Bank, Chicago, Ill., the Acting Chief Counsel submitted form of order of disbarment and referred to the Board for consideration, the order was found to be in proper form and was referred to the Board for service.

The Board of Directors accepted the resignation of Miss Margaret Hirsch, effective January 3, 1921, and the resignation of Mr. James H. Hirsch, to be effective December 31, 1920. The resignations were accepted.

At the meeting of the Board of Directors, held at 1:00 P.M., the Board of Directors adjourned to meet at 1:00 P.M., January 3, 1921.

Attest:

Hudson Thompson
Chairman.

Secretary.

January 1, 2, (Sunday), 3, 1921 - No meetings held.

MEETING OF THE BOARD OF DIRECTORS

January 4, 1921 - 1:00 P.M.

Hudson Thompson, Chairman,
The National Bank of Chicago,
Chicago, Illinois.

The minutes of December 31, 1920, were read and approved.

The Chairman reported that applications originally of the Commission's request with regard to the National Industry of America, and under authority of Section 6, paragraph (a) of the Federal Trade Commission Act, had been transmitted on the previous day to the President of the Senate and the Speaker of the House of Representatives, under the power granted the Commission by paragraph (2) of Section 6 of the same Act.

December 31, 1920, January 4, 1921.

For correction of findings. The form of the order was approved and referred to the Docket for service.

(4) Docket 313, U. S. vs. Winona Petroleum Co., et al. Winona Petroleum Co., et al. Pursuant to the Commission's action of December 24th, the Acting Chief Counsel submitted form of Order of Dismissal for approval as to form. Upon examination, the Order was found to be in proper form and was referred to the Docket for service.

The Secretary presented the resignation of Miss Margaret Eldred, to be effective January 3, 1921, and the resignation of Mr. James E. Black, to be effective December 31, 1920. The resignations were accepted.

Thereupon, at the hour of 2:15 P.M., the Commission adjourned to meet at 10:30 A.M., January 3, 1921.

ATTORNEY:

Euston Thompson
Chairman.

Secretary.

January 1, 2, (Sunday), 3, 1921 - No meetings held.

MINUTES OF THE FEDERAL TRADE COMMISSION

January 4, 1921 - 10:30 A. M.

Euston Thompson, Chairman,
Jno. Garland Pollard,
Victor L. Smith.

The minutes of December 31, 1920, were read and approved.

The Chairman reported that duplicate originals of the Commission's report with respect to the Petroleum Industry of Mexico, made under authority of Section 3, paragraph (c) of the Federal Trade Commission Act, had been transmitted on the previous day to the President of the Senate and the Speaker of the House of Representatives, under the power granted the Commission by paragraph (f) of Section 3 of the same act.
