

MEETING OF THE FEDERAL TRADE COMMISSION

September 7, 1917, 10:30 a. m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

(Mr. Fort absent on account of illness.)

Mr. Victor Murdock, having been duly nominated by the President and confirmed by the Senate, and having taken the oath of office on September 4, 1917, as a member of the Federal Trade Commission for a term of office ending September 25, 1918, was present and met with the Commission.

The minutes of the meetings of August 27th and August 30th, respectively, were read and approved.

The work of the Commission with reference to the administration of the coal industry, in connection with Dr. Harry A. Garfield, Coal Administrator, was taken up, and after discussion it was agreed to arrange for a conference with Dr. Garfield for the purpose of advising him of the Commission's ideas regarding certain features of the coal situation, and also to ascertain the nature of the work that would be required of the Commission in connection with the coal administration.

Mr. Davies reported that the President had called him

by telephone and asked when certain data concerning the price of steel products would be prepared, and that he had advised the President that such data would be submitted at an early date; that the President suggested that he communicate and confer with the War Industries Board in reference to costs of certain steel products essential to the conduct of the war.

Mr. Davies further reported that misstatements had been found in the data submitted by certain steel companies; that in his opinion such misstatements indicated guilty intent, and he thereupon asked for authority of the Commission to investigate further and, if the facts justified, submit the matter to the Department of Justice with a recommendation that the offenders be vigorously prosecuted. Such authority was duly granted.

At 1:00 o'clock p.m. a recess was taken until 2:30 p.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

The Commission reassembled at 2:30 p.m.

Dr. Harry A. Garfield and Mr. Nims met with the Commission and discussed at length the coal situation and the proposed plan for the administration of the coal business under the provisions of the Lever law.

Thereupon, at the hour of 4:00 p.m., the Commission adjourned to meet Saturday, September 8, 1917, at 10:30 a.m.


Chairman.

Attest:



Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 8, 1917, 4:00 p.m.

William J. Harris, Chairman
Joseph E. Davies
Victor Murdock

The Commission considered a draft of the preliminary report to the President covering the cost of production of certain steel products essential to the conduct of the war, which after discussion was approved. Mr. Davies reported that the President had requested that a copy of the report be delivered to the War Industries Board for consideration. It was unanimously agreed that such copy would be delivered to Mr. Robert S. Lovett of that Board, in the absence of Chairman Scott.

Mr. Davies presented report setting forth the understanding reached between the Commission and Dr. Harry A.

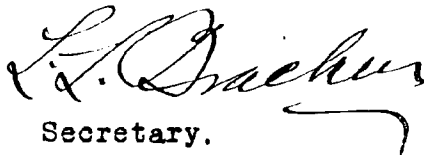
September 8, 1917.
September 11, 1917.

Garfield, Fuel Administrator, growing out of the conference on yesterday afternoon, covering the work to be done by the Commission in connection with the Fuel Administrator.
(See file Coal Mem 5 Dav 5)

Thereupon, at the hour of 6:00 p.m., the Commission adjourned to meet Tuesday, September 11, 1917, at 10:30 a.m.


Chairman.

Attest:


Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 11, 1917, 3:30 p. m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock


The minutes of the meetings of September 7th and 8th, respectively, were read and approved.

The activities of the Commission in connection with work of Dr. Harry A. Garfield, Coal Administrator, were discussed; also the future work of the Commission in continuing its

investigation into the coal business independent of the coal administration was considered. The matter of recommending certain modifications in the pronouncements made by the President in reference to the prices of coal and the classification of mines by districts was taken up, and after discussion, by unanimous consent, was laid on the table for action as a special order of business at 11:00 a.m. tomorrow.

Mr. Davies presented a written report of a conversation with the President by which he was requested to submit the Commission's report on the prices of steel to the War Industries Board. The report also set forth the fact that the report had been delivered as directed. (See file 8910-2)

Thereupon, at the hour of 5:30 p.m., the Commission adjourned to meet Wednesday, September 13, 1917, at 10:30 a.m.


Chairman.

Attest:


Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 12, 1917, 10:30 a. m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

Mr. Davies presented report in re file 1-340, application of C. F. Pritchard for issuance of a complaint against The House of Rothschild. Report approved, and resolution embodied in report of Joint Board of Review, recommending dismissal of application, adopted.

The following resolution, offered by Mr. Davies, was unanimously adopted:

WHEREAS, There are now pending in the Commission several cases, to wit, the American Radiator case, the National Biscuit case, the Coca-Cola case, and others, the disposition of which is dependent upon the determination of a question of policy; therefore

BE IT RESOLVED, That a date and time certain be set for the consideration of the following question: "Is accumulative discount paid by a producer at the end of a fixed period to a customer, contingent upon the gross amount of purchase at the end of a period of time, an unfair method of competition in operating either in effect as a tying contract or as an unfair method of competition in full line forcing where the seller handles more than one commodity?" and

BE IT RESOLVED, That in the consideration the Economic Advisory Board, Board of Review, and such examiners as have worked upon the cases be requested to appear to present their views to the Commission.

By unanimous agreement the hearing ordered in the above resolution was set for special order of business September

20th, 1917, at 2:30 p.m.

On motion of Mr. Fort, the Chief Examiner was directed to again assemble all applications for complaints and pending formal complaints involving questions of resale price maintenance and report the same to the Commission, after which time a date certain would be fixed for the consideration of such cases by the Commission.

Messrs. Harris and Colver, committee on docket, calendar, organization and procedure, presented a written report. After some discussion it was unanimously agreed that the matter would be laid on the table until 3:00 p.m. this afternoon.

At 1:00 o'clock p.m. a recess was taken until 3:00 p.m.

William J. Harris, Chairman
William B. Colver
John F. Fort
Victor Murdock

The Commission reassembled at 3:00 p.m.

The Commission considered the reports on the prices of oil and lumber.

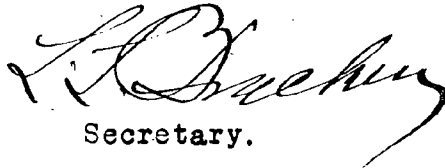
September 13, 1917.

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Thereupon, at the hour of 5:00 p.m., the Commission adjourned to meet Thursday, September 13, 1917, at 10:30 a.m.


Chairman.

Attest:


Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 13, 1917, 10:30 a. m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

The Commission considered the report of Messrs. Harris and Colver, committee on docket, calendar, organization and procedure, which report was discussed and by unanimous consent laid on the table for special order of business for the meeting to be held this afternoon at 2:30 o'clock.

Mr. Colver presented memoranda and recommendations in reference to certain changes in the Executive Orders of August 22d and 23d concerning coal, as follows:

(1) Brazil Block Indiana -- Recommending that such coal be classified separately from other Indiana coal.

(2) Jobbers, Registration of Same -- Recommending that jobbers of coal and coke be required by the President to enroll themselves with the Commission, the idea being that it might be necessary in the future to license such jobbers.

(3) Contracts -- Recommending that an executive order require filing with the Commission copies of contracts for the purchase and sale of coal and coke.

(4) Anthracite Pea Coal Prices -- Recommending increase in the price of pea coal.

(5) Classification of Jellico Districts -- Recommending the price of certain grades of bituminous coal mined in sections of Kentucky, Tennessee and Virginia.

(6) Cartage at wagon mines -- Recommending that cartage be allowed as a cost at wagon mines under license by the Fuel Administrator.

(7) Alabama Coal Prices -- Analysis of coal prices -- No specific recommendations.

On motion of Mr. Murdock, duly seconded, the Secretary was directed to transmit at once the above memoranda and recommendations, together with supporting data, to Dr. Harry A. Garfield, the Fuel Administrator.

Mr. Davies moved that a corps of investigators and accountants be provided by the Commission and sent simultaneously into the several coal fields of the United States for the purpose of ascertaining cost of production and other facts in connection with the coal business. After some discussion the matter was laid on the table for consideration at a future meeting.

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At 1:00 o'clock p.m. a recess was taken until 2:30 p.m.

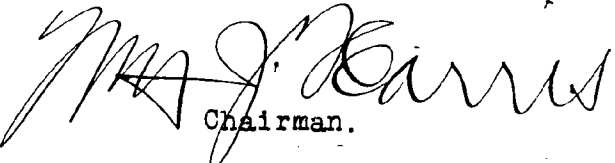
William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

The Commission reassembled at 2:30 p.m.


The Commission briefly considered the report of the committee on docket, calendar, organization and procedure.

After discussion Mr. Murdock moved that the matter be laid on the table until tomorrow morning at 10 o'clock, at which time it was to be taken up as a special order of business with the understanding that it remain before the Commission until disposed of.

Thereupon, at the hour of 5:45 p.m., the Commission adjourned to meet Friday, September 14, 1917, at 10:30 a.m.


Chairman.

Attest:.


Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 14, 1917, 10:00 a. m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

Mr. Davies moved that the Commission consider the Oil Report and Lumber Report prepared at the request of the President before taking up the report of the committee on docket, calendar, organization and procedure which was made the special order of business for this hour. The motion was duly seconded and carried.

Dr. Haney was called into conference and the Commission discussed and considered the Oil Report prepared for and submitted to the President.

The following motion, offered by Mr. Colver, was duly adopted:

MOVED, That a letter be directed today to the Fuel Administration setting forth the fact that the "Memorandum on the Cost of Producing Gasoline and Fuel Oil, June, 1917, by the Federal Trade Commission," now in the hands of the Fuel Administration, was drawn, as stated in said memorandum, only for the purpose of determining the costs of production of certain petroleum products already used and to be used by the Navy Department in order that proper compensation for such products used by the Navy might be determined.

Also that this memorandum was not drawn in aid of any price fixing as to petroleum products to the public.

September 14, 1917.

The memorandum was so drawn in response to a request of the Secretary of the Navy, through the President.

That the Commission is engaged in procuring cost figures for the whole industry under the resolutions of Senators Gore and Owen. Such figures would be useful in aid of price fixing as to the public.

The following motion was offered by Mr. Fort:

In fixing the final cost figures in any industry or business there shall be added to the cost total, as found by the actual computation of the items going into the costs, a percentage of five per cent of the amount of such costs so specifically ascertained, to cover possible expense or damage for contingencies incident to the conduct of the business, which percentage shall be tabulated and included in the cost estimate in every case.

Seconded by Mr. Colver.

After discussion it was unanimously agreed that such motion be referred to a committee consisting of Messrs. Harris, Fort and Murdock for consideration and report; such committee to report on Tuesday, September 18, 1917.

Mr. Davies moved that a hearing be granted to oil companies affected by the cost determination as to fuel oil and gasoline which have been supplied to the Navy, or are under contract for supplying the Navy, as requested by some of the companies. The motion was duly seconded, and an aye and nay vote taken, Messrs. Harris, Davies and Fort voting in the affirmative, and Messrs. Colver and Murdock in the negative. The Chairman declared the motion carried.

At the hour of 1:00 p.m. a recess was taken until 2.30 p.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fert
Victor Murdock

The Commission reassembled at 2:30 p.m.

Upon motion of Mr. Colver the consideration of the report of the committee on docket, calendar, organization and procedure was made a special order of business for 10:00 a.m. Monday, September 17, 1917.

Mr. Davies moved that the services of a corps of investigators and accountants be provided by the Commission, and that such employees be sent into the several coal fields of the United States, simultaneously, for the purpose of ascertaining costs and other material facts in connection with the production and distribution of coal. Such motion was duly seconded and carried.

Mr. Davies presented draft of a formal complaint in the matter of file 1-390, application of the Federal Trade Commission for issuance of a complaint against the Association of Flag Manufacturers of America, et al., and moved the approval and issuance of such formal complaint. Motion duly carried and issuance of complaint ordered.

September 17, 1917.

Thereupon, at the hour of 6:00 p.m., the Commission adjourned to meet Monday, September 17, 1917, at 10:30 a.m.

Attest:

L. L. Baepur
Secretary.

Wm J Harris
Chairman.

September 15, 1917. No meeting held.

September 16, 1917. Sunday.

MEETING OF THE FEDERAL TRADE COMMISSION

September 17, 1917, 10:00 a. m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

The minutes of the meetings of September 13th and 14th were read, and, after certain corrections, approved.

Mr. Davies reported that Mr. Baruch, in behalf of the War Industries Board, had asked for a conference with the Commission for this afternoon at 2:30 o'clock. By unanimous consent it was agreed to confer with members of such Board at the time mentioned.

The members of the Advisory Economic Board were called into the room and various methods of determining the prices of the materials essential to the conduct of the war were discussed at length.

The following motion, offered by Mr. Colver, was adopted:

MOVED, That the committee report on organization and procedure set down as a special order for today, and displaced by the steel report, be made a special order for 10:00 o'clock a.m. tomorrow, September 18, 1917.

At 1:00 p.m. a recess was taken until 2:30 p.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

The Commission reassembled at 2:30 p.m.

Messrs. Robert E. Lovett, B. M. Baruch, R. S. Brookings, Rear-Admiral F. F. Fletcher, Hugh Frayne, and Lieut.-Col. P. E. Pierce, members of the War Industries Board, conferred with the Commission with reference to methods of determining the prices of materials essential to the conduct of the war.

September 18, 1917.

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Thereupon, at the hour of 5:00 p.m., the Commission adjourned to meet Tuesday, September 18, 1917, at 10:30 a.m.

W. J. Harris
Chairman.

Attest:

L. S. Dauchy
Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 18, 1917, 10:00 a.m.

William J. Harris, Chairman
Joseph E. Davies
John F. Fort
Victor Murdock

The following resolution, offered by Mr. Davies, was adopted:

RESOLVED, That the Secretary employ whatever additional first-class stenographers are needed, to be paid out of the funds allotted to us by the President from the National Security and Defense Fund.

The Secretary reported that Dr. Garfield had advised that he did not deem the plan of securing copies of contracts from the coal operators by Presidential order as feasible. After discussion the following motion by Mr. Fort was adopted:

MOVED, That the Secretary forthwith put into operation the proper steps for securing all existing bona fide contracts for the sale of coal which the operators themselves deem legal and enforceable at law.

The resolution heretofore adopted, on September 14, 1917, directing the further and simultaneous investigation into the coal industry, was considered; whereupon it was unanimously agreed that the Secretary be directed to see that the work ordered by the resolution be projected, and, further, that the Secretary be authorized to communicate and cooperate as the representative of the Commission, when necessary, with the Fuel Administrator, and report to the Commission.

At 1:00 p.m. a recess was taken until 3:00 p.m.

William J. Harris, Chairman
Joseph E. Davies
John F. Fort
Victor Murdock

The Commission reassembled at 3:00 o'clock p.m.


The Commission considered the reports, prepared at the direction of the President, in connection with the cost of production of lumber and cement.

September 19, 1917.

Thereupon, at the hour of 5:45 p.m., the Commission adjourned to meet Wednesday, September 19, 1917, at 10:30 a.m.


Chairman.

Attest:


Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 19, 1917, 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies
John F. Fort
Victor Murdock

The Commission considered and discussed draft of a letter directed to the President in reference to the points developed at the conference held by the Commission with members of the War Industries Board in reference to steel. A draft of the letter was approved and signed by all members present; Mr. Fort attaching an explanatory note.

At 12:30 p.m. a recess was taken until 2:00 p.m.

William J. Harris, Chairman
Joseph E. Davies
John F. Fort
Victor Murdock

The Commission reassembled at 2:00 o'clock p.m.

The following resolution was unanimously adopted:

WHEREAS, It is expedient and desirable that the Commission procure from each coal mine operator and coal jobber in the United States a report in writing of (a) all documents relating to the purchase or sale of bituminous coal by them which they claim constitute bona fide contracts enforceable at law, and in full force and effect on the 21st day of August, 1917; (b) all documents relating to the purchase or sale of anthracite coal by them, which documents they claim constitute bona fide contracts enforceable at law, and in full force and effect on the 1st day of September, 1917, and to file with such report true copies of any such documents relating to the purchase or sale of coal by them which they claim constitute bona fide contracts enforceable at law, and to state in reference to each of said contracts (1) the date of its execution; (2) the price at which coal bought or sold pursuant thereto was billed by, or to them, on August 21st, 1917, or the nearest date thereto, if for bituminous coal, and the price as aforesaid on September 1st, 1917, or the nearest date thereto, if for anthracite coal; (3) the quantity of coal which has been delivered or received thereon to August 21st, 1917, if for bituminous coal, or to September 1st, 1917, if for anthracite coal; and (4) a definite specification or statement of any allowance, split commission, premium, rebate, or payment of any sort made, or to be made, by them to any sales agent or jobber or any person interested in the coal transferred or to be transferred by such contract,

THEREFORE, BE IT RESOLVED, AND IT IS HEREBY ORDERED, That pursuant to the provisions of Section 6 of an Act of Congress, approved September 26, 1914, entitled "An Act To create a Federal Trade Commission, to define its powers and duties, and for other purposes," all coal mine operators and jobbers in the United States be required, and they are hereby required, to file with the Commission at its office at Fifteenth and K Streets NW, Washington, D. C., within fifteen days after the receipt of the notice of the Commission so to do, a report in writing containing the information referred to above, and be it further

resolved that the Secretary serve notice on all coal mine operators and jobbers in the United States, requiring them to file such report, and that he serve upon such coal mine operators and jobbers a notice to make and file such report in substantially the form hereunto annexed.


BE IT FURTHER RESOLVED, That the Commission interposes no objection to the Fuel Administrator in endorsing at the foot of said notice the following:

The undersigned, United States Fuel Administrator, hereby joins in the foregoing demand and notice, this 20th day of September, A. D. 1917.

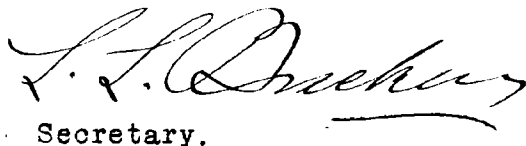
(Signed) H. A. GARFIELD,
United States Fuel Administrator.

The Commission considered reports directed to the President on the cost of production of cement and lumber. The cement report was, after some modification, approved, and its transmission to the President directed.

Thereupon, at the hour of 6:15 p.m., the Commission adjourned to meet Thursday, September 20, 1917, at 10:30 a.m.


Chairman.

Attest:


Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 20, 1917, 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies
John F. Fort
Victor Murdock

The question of giving access to the correspondence and records of the Commission, relating to the so-called arbitration agreement between the publishers and news-print paper manufacturers, was considered, and after discussion it was unanimously agreed to send a letter to all publishers who had accepted the terms of the award following the arbitration, advising them that such access would be granted to the files and records of the Commission.

The report of the Commission on the cost of producing lumber was presented by Mr. Harris, and after discussion approved and ordered transmitted to the President.

The report of the Chief Examiner in response to a motion of September 12, 1917, directing him to assemble all applications for complaints and pending formal complaints involving questions of resale price maintenance, was presented (see file 8181-36), and after discussion the following motion by Mr. Davies was adopted:

MOVED, That all cases mentioned in the report of the Chief Examiner be reassigned to Mr. Fort for personal supervision, and that a plan for a general hearing by the whole Commission at an early date be fixed, and notice thereof be duly given to all attor-

September 20, 1917.


September 25, 1917.

neys and other persons interested in the cases enumerated in the report of the Chief Examiner.

Thereupon, at the hour of 5:15 p.m., the Commission adjourned to meet at 10:30 a.m., Friday, September 21, 1917.


Chairman.

Attest:


Secretary.

September 21, 1917. No meeting held.
September 22, 1917. No meeting held.
September 23, 1917. Sunday.
September 24, 1917. No meeting held.

MEETING OF THE FEDERAL TRADE COMMISSION

September 25, 1917, 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

The matter of permitting some one from the staff of the Commission to testify in the trial of the United States vs. Mead, et al., as requested by the Attorney General, regarding the process of the manufacture of paper and conditions surrounding the same, together with the cost of

production, was considered, and on motion the Secretary was directed to advise the Attorney General that members of the Commission's staff would be permitted to testify in the case, regarding the matters above indicated, as to all information in the possession of the Commission except that expressly promised to be held confidential.

The following motion, offered by Mr. Colver, was duly seconded and adopted:

MOVED, That the staff of the Commission be instructed that no promises as to the holding in confidence of any information given to the Commission may be made by members of the Commission's staff, and that no engagements or stipulations may be made by members of the staff which shall be considered binding upon the Commission.

Any such promises or engagements may be made only by the explicit authority of the Commission.

Draft of a letter to Hon. William B. Wilson, Secretary of Labor, requesting the detail of an expert from the Bureau of Labor Statistics for service in connection with the ascertainment of the cost of steel, was presented by Mr. Davies and unanimously approved.

Draft of a letter to be mailed to expert accountants for the purpose of enlisting their services for the Commission at a reasonable compensation, was presented by Mr. Davies and approved.

A letter from Mr. Herbert C. Hoover, bearing date of

September 25, 1917.

September 22d, stating that he had selected Messrs. E. Dana Durand and Harry Wheeler as assistants to aid in the determination of prices for meats, and asking that such gentlemen be given access to materials collected by the Commission in connection with its meat investigation, was presented, and upon motion of Mr. Davies it was unanimously agreed that, in response to Mr. Hoover's request, the Commission will direct its agents to furnish information as desired, with the suggestion that the proceeding be that such requests be made in detail and in writing to the Commission, and that written memoranda be promptly supplied in response thereto.

At 1:00 p.m. a recess was taken until 3:00 p.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

The Commission reassembled at 3:00 o'clock p.m.

On motion of Mr. Harris, a letter was ordered prepared advising the President that the Canadian Government had fixed the prices of news-print paper to Canadian publishers, and that the limitations on the prices do not apply to the publishers of the United States; that such discrimination does not seem fair in the light of the fact that this Government is furnishing coal and other materials to the consumers of Canada at the same prices required from the consumers in the

United States, and further that the Commission is submitting such information because it feels that it is the only administrative body connected with the Government acquainted with all the facts.

It was unanimously agreed that representatives of all the oil companies supplying oil to the Navy and mentioned in the report on the cost of oil submitted to the President be given an opportunity to be heard if they so desired.

The following resolution with reference to the administration of certain features of House Bill No. 4960, known as the Trading with the Enemy Bill, was duly adopted:

WHEREAS, Section 10 of H. R. 4960, the Trading with the Enemy Bill, as passed by the House of Representatives on July 11 and reported favorably by the Senate Commerce Committee to the Senate on August 23d and August 31st, proposed to authorize the Federal Trade Commission, when it should deem it for the public welfare, to grant a license, exclusive or non-exclusive and under such rules and upon such conditions as it might prescribe, to any citizen of or corporation organized within the United States to manufacture, or cause to be manufactured, any article or carry on, or cause to be carried on, any process protected by any patent, or to use any trade mark, print, label, or copyrighted matter owned or controlled by an enemy or ally of enemy; and

WHEREAS, This Commission, deeming it advisable that an agency for the administration of said section should be available immediately upon its passage, directed C. H. McDonald to make a study and report in reference thereto; and

WHEREAS, Pursuant to this direction a study of the section and its purposes has been made; various data on the subject, including English and Canadian laws, rules, forms, etc., have been secured, and steps taken to secure similar information in regard to France and Australia; and tentative rules, forms and plans for

September 25, 1917.

the administration of the section have been prepared;
and

WHEREAS, By an amendment proposed in the Senate during the consideration of the bill the authority to be invested in this Commission was conferred upon the President of the United States, to be exercised directly by him or "through such officer or officers as he shall direct;" and

WHEREAS, Such change was proposed in the Senate and made by Congress for the sole purpose of harmonizing the bill by giving the President power to administer, or cause to be administered, all its provisions (which had been previously contemplated by the bill as to every section except section 10), and not because there was any lack of trust in the Federal Trade Commission or division of opinion as to the wisdom of granting such authority to this Commission; and

WHEREAS, The public has been led to believe, and now generally understands, that the Federal Trade Commission will be authorized to grant such licenses, and further as numerous inquiries, letters and applications for license have been and are now being received by this Commission; and

WHEREAS, Data now in the possession of the Commission, the Commission's familiarity with present business conditions and its experience in adjusting trade differences place it in a peculiarly advantageous position for administering the aforesaid section; and

WHEREAS, Such administration would give the Commission insight into many industries, result in the acquisition of valuable business information, foster mutual frankness and trust between the Commission and various business interests of the country, and afford an opportunity for the initiation and study of and comparison between regulated monopoly and regulated competition;

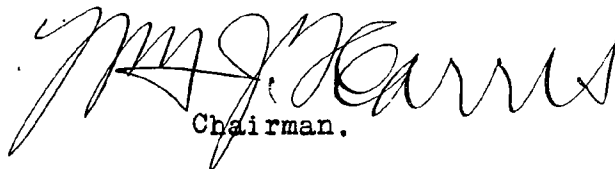
NOW THEREFORE BE IT RESOLVED, That the Federal Trade Commission acquaint the President with the work done by this Commission preparatory to the administration of section 10 of the Trading with the Enemy Act, and point out the advantages which would accrue to the Commission through such administration.

The resignation of Mr. Harold V. Amberg, Attorney-Examiner, was presented and accepted. The Secretary was directed

to express to Mr. Amberg the Commission's appreciation of his services and regret at his leaving.

Mr. Davies presented report in connection with applications for complaints (files 1-344 and 1-378) against Ward Baking Company of New York, together with draft of formal complaint prepared by the Acting Chief Counsel charging the Ward Baking Company of New York with violating the provisions of Section 5 of the Federal Trade Commission Act, and recommended that such complaint be issued, subject to the approval of Mr. Fort. Report approved and recommendation adopted.

Thereupon, at the hour of 5:45 p.m., the Commission adjourned to meet at 10:30 a.m., Wednesday, September 26, 1917.


Chairman.

Attest:


Secretary.

September 26, 1917.

MEETING OF THE FEDERAL TRADE COMMISSION

September 26, 1917, 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

Draft of a letter and report, addressed to the President, in regard to the work done in connection with the costs of war materials and the expenditures therefor, were presented. The report and the letter were approved with the understanding that the facts in the letter were to be covered in brief form.

The following resolution, offered by Mr. Davies, was unanimously adopted:

WHEREAS, The supervision of the important work of the Commission was divided among four Commissioners, then serving; and

WHEREAS, it is desirable that the important work should be divided equally among all the members of the Commission; therefore be it

RESOLVED, That the Meat Packing Investigation now under the supervision of Commissioner Davies be assigned to Commissioner Murdock for his supervision from this time forward.

The Secretary called the attention of the Commission to the importance of considering the annual report, and especially possible recommendations to Congress in connection therewith.


September 26, 1917.
September 27, 1917.

The matter of preparation of the estimates of appropriations necessary for the fiscal year 1919 was also brought up by the Secretary and briefly discussed.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet Thursday, September 27, 1917, at 10:30 a.m.


Chairman.

Attest:


Secretary.

MEETING OF THE FEDERAL TRADE COMMISSION

September 27, 1917, 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

Mr. Murdock moved the reconsideration of the resolution of yesterday transferring the meat packing investigation from Mr. Davies to Mr. Murdock. Motion seconded by Mr. Colver, and after discussion it was agreed to lay the matter over for consideration at the next meeting of the Commission.

Mr. Colver presented a rough draft of report on the

September 27, 1917.

costs of production of lead and zinc, which was considered by the Commission. It was agreed to grant a hearing to representatives of the companies interested on September 29, 1917.

ORDERED, That Henry F. Cochems be subpoenaed to appear before the Commission in connection with its lead and zinc hearing to be held September 29, 1917.

Mr. Murdock moved that the Commission begin its hearings on the cost of production of petroleum at 10 o'clock October 5th, and continue such hearings until their conclusion, without intervening motion or business.

Thereupon, at the hour of 1:00 p.m., the Commission adjourned to meet Friday, September 28, 1917, at 10:30 a.m.


Chairman.

Attest:


Secretary.

MEETING OF FEDERAL TRADE COMMISSION

September 28, 1917 - 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

Mr. Murdock's motion to reconsider the resolution offered by Mr. Davies, transferring the meat packing investigation from Mr. Davies to Mr. Murdock, was duly seconded and carried, and upon reconsideration it was unanimously determined to rescind the action of the Commission transferring the meat packing investigation to Mr. Murdock.

The Secretary called attention to the necessity of preparing the estimates of appropriations for the fiscal year 1919. After some discussion, on motion of Mr. Davies, the matter of preparing estimates for consideration by the Commission was referred to a committee consisting of the Secretary, Acting Chief Counsel, Chairman of the Joint Board of Review and the Advisory Economic Board.

ORDERED, that the salary of Everett M. Hawley, Special Attorney, be increased from \$2280 per annum to the rate of \$2400 per annum, the same to take effect on October 1, 1917.

ORDERED, that the salary of E.O. Merchant, Special Agent, be increased from \$3300 per annum to \$3600 per annum, the same to take effect on October 1, 1917.

September 28, 1917.
September 29, 1917.

On motion of Mr. Davies, the Secretary was requested to advise the Acting Chief Counsel to be prepared to appear before the Commission at an early date and report the present status of the several formal complaints heretofore issued by the Commission.

Thereupon, at the hour of 1:45 p.m., the Commission adjourned to meet at 10:30 a.m., Saturday, September 29, 1917.


Chairman.

Attest:


Secretary.

MEETING OF FEDERAL TRADE COMMISSION

September 29, 1917 - 10:00 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

A number of gentlemen interested in the investigation of the Commission into the cost of producing lead and zinc appeared before the Commission, and were heard with reference to conditions in the industry and the costs of producing lead and zinc. (see file Docket - General 40-1-13-1)

The Commission recessed from 1:00 p.m. until 2:00 p.m.

September 29, 1917.
October 3, 1917.

The hearing into the cost of production of lead and zinc was continued.

Thereupon, at the hour of 5:30 p.m., the Commission adjourned to meet at 10:30 a.m., Monday, October 1, 1917.

W. J. Harris
Chairman.

Attest:

J. E. Davies
Secretary.

MEETING OF FEDERAL TRADE COMMISSION

October 3, 1917 - 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

A number of persons appeared before the Commission and discussed the question of resale price maintenance, referring particularly to the legality of such practice under the Clayton Act and the Federal Trade Commission Act as affecting competition, and also the general ethics of such a proposition from a business standpoint. (see file Docket - General 40-2-1)

The Commission recessed from 1:00 p.m. to 2:30 p.m.

At 2:30 p.m., the Commission reassembled and continued the hearing on resale price maintenance.

October 4, 1917.

Thereupon, at the hour of 5:30 p.m., the Commission adjourned to meet at 10:00 a.m., Friday, October 4, 1917.


Chairman.

Attest:


L. S. Grackins
Secretary.

MEETING OF FEDERAL TRADE COMMISSION

October 4, 1917 - 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

Mr. John Franklin Fort having been duly nominated by the President and confirmed by the Senate, was sworn in for a term of office ending September 25, 1924.

The Secretary advised the Commission that Captain Robert H. Vorfeld had been ordered to report for duty in the Quartermaster General's Department, U.S. Army. It was unanimously agreed that Captain Vorfeld's services are indispensable at this time, and the Secretary was directed to communicate with the Quartermaster-General with a view to having Captain Vorfeld's services continued with the Commission.

October 4, 1917.
October 5, 1917.

The hearing begun yesterday on the question of resale price maintenance, was continued before the Commission.

The Commission recessed from 1:00 p.m. to 2:30 p.m.


At the hour of 2:30 p.m., the Commission reassembled and continued the hearing on resale price maintenance.

The hearing on the question of resale price maintenance not being completed, it was unanimously agreed that such hearing be continued to Tuesday, October 23, 1917 at 10:30 a.m.

Thereupon, at the hour of 6:30 p.m., the Commission adjourned to meet at 10:00 a.m., Friday, October 5, 1917.


Chairman.

Attest:


Secretary.

MEETING OF FEDERAL TRADE COMMISSION

October 5, 1917 - 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

OCTOBER 5, 1917.
 October 6, 1917.

A number of persons representing oil companies interested in the Commission's report on the cost of production of petroleum appeared and were heard by the Commission. (see file ^{Docket} General } 40-1-5-9 }

Thereupon, at the hour of 7:00 p.m., the Commission adjourned to meet at 10:30 a.m., Saturday, October 6, 1917.


 Chairman.

Attest:


 Secretary.

MEETING OF FEDERAL TRADE COMMISSION

October 6, 1917 - 12:00 noon

William J. Harris, Chairman
 Joseph E. Davies
 William B. Colver
 John F. Fort
 Victor Murdock

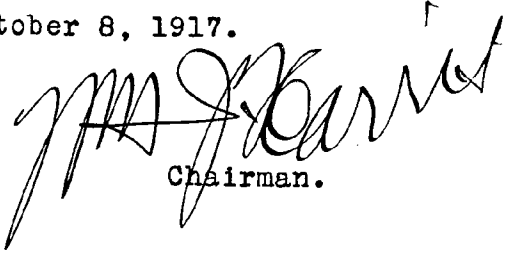
The Secretary presented reports prepared by members of the staff in the Coal Division in re applications for changes in the prices of coal made by the President in certain districts of Oklahoma, Wyoming, Colorado and Washington; report of special petition of the Big Bend Coal Corporation of Ill., and also recommendations covering prepared sizes of bituminous coal and jobbers commission. After discussion, on motion of Mr. Murdock, the matter was referred to Mr. Fort for the purpose of revising the form of the report so as to omit recommendations.

On motion of Mr. Murdock, Messrs. Harris and Colver were authorized to communicate with the Interstate Commerce Commission with the view of securing the service of cost accountants connected with the Division of Physical Valuation of Railroads for work in connection with the Commission's coal investigation.


It was agreed to make the consideration of estimates of appropriations for the fiscal year 1919 the special order of business for Wednesday morning, October 10th, at 10:30 oclock.

On motion of Mr. Colver, the consideration of the report of the committee on docket, calendar, organization and procedure was made the special order of business for Monday morning, Oct., 8th, at 10:00 oclock, and to remain before the Commission until disposed of, without intervening motion or business.

Thereupon, at the hour of 2:00 p.m., the Commission adjourned to meet at 10:00 a.m., Monday, October 8, 1917.


Chairman.

Attest:


Secretary.

MEETING OF FEDERAL TRADE COMMISSION

October 8, 1917 - 10:30 a.m.

William J. Harris, Chairman
 Joseph E. Davies
 William B. Colver
 John F. Fort
 Victor Murdock

The minutes of the meeting of October 6, 1917, were read and approved.

Mr. Fort presented a letter, dated October 6, 1917, addressed to the Secretary from the Fuel Administrator setting forth the character of the information desired by the Fuel Administrator in connection with applications for changes in the prices of coal as fixed by the President. The letter was read and ordered filed. After discussion it was unanimously agreed that all information furnished to the Fuel Administrator as to costs be transmitted through the Secretary's office. (file

Coal)
 Cor 5)
 Uni 58)
 Part 2)

At this time Mr. Davies was excused from the meeting.

Consideration of the question of the continuance of Mr. J. Lee Nicholson with the Commission was taken up, and after discussion the following motion by Mr. Murdock, was unanimously adopted:

MOVED, that the Chairman be requested to state that the Commission would be pleased to have Mr. Nicholson remain with the Commission as Chief of the Division of Quartermaster, Construction and Food Administration Costs, with the same authority as the other chiefs of divisions.

After further discussion the following motion by Mr. Fort was unanimously adopted:

MOVED, that the supervision of the work of the Division of Quartermaster, Construction and Food Administration Costs, be delegated to Mr. Murdock.

The Commission recessed from 12:30 p.m. to 2:00 p.m.

The Commission reassembled at 2:00 p.m.

William J. Harris, Chairman
William B. Colver
John F. Fort
Victor Murdock

The report of the committee on docket, calendar, organization and procedure was presented and read by Mr. Colver. After consideration by the Commission, certain portions of the report, with changes as indicated, were unanimously adopted.

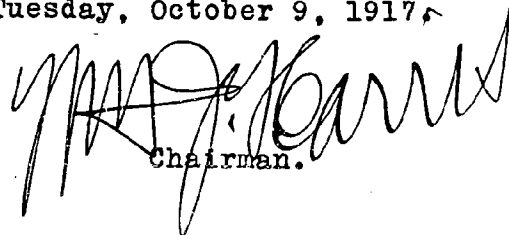
The following motion, offered by Mr. Colver and seconded by Mr. Fort, was unanimously adopted:

MOVED, that consideration of the report of the committee on docket, calendar, organization and procedure be the special order of business for tomorrow morning at 10:30 a.m.

Thereupon, at the hour of 5:07 p.m., the Commission adjourned to meet at 10:30 a.m., Tuesday, October 9, 1917.

Attest:


Secretary.


Chairman.

MEETING OF FEDERAL TRADE COMMISSION

October 9, 1917 - 10:00 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

The minutes of the meeting of October 8, 1917, were read and approved.

The Commission conferred with B. M. Baruch and other members of the War Industries Board with reference to steel costs. Following such conference Mr. Davies presented memorandum of understanding reached as to future work to be done by the Commission, which was approved. (file Docket - General 4C-1-12-1)

The following motion, offered by Mr. Colver, was unanimously adopted:

MOVED, that the Secretary be directed to take such action as may be necessary to reorganize the present accounting force, readjusting salaries in consultation with Dr. Walker, and to employ forthwith the additional force required in the Presidential examinations as to costs in lumber, metals, canning, petroleum, beef, steel and flour.

Mr. Davies presented written report of conference on Oct. 1, 1917, with the Secretary of Agriculture, relative to cooperation between the Commission and the Department of Agriculture as to division of work and issuance of reports, in connection with the Food Investigation. Report approved and ordered filed. (file 8517-89)

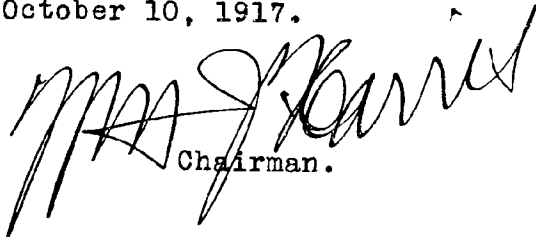
October 9, 1917.
October 10, 1917.

Mr. Harris presented letter, under date of October 8, 1917, from Mr. B.M. Baruch of the Council of National Defense, requesting the Commission to make an investigation into the costs of fire brick. Upon motion of Mr. Colver it was unanimously agreed to refer such matter to Mr. Murdock for supervision.

On motion of Mr. Colver, the lead and zinc hearing was made a special order of business for ten oclock tomorrow morning.

On motion of Mr. Colver, consideration of the report of the committee on docket, calendar, organization and procedure was made a special order of business for 2:30 tomorrow afternoon.

Thereupon, at the hour of 1:15 p.m., the Commission adjourned to meet at 10 a.m., Wednesday, October 10, 1917.


Chairman.

Attest:


Secretary.

MEETING OF FEDERAL TRADE COMMISSION

October 10, 1917 - 10:00 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
John F. Fort
Victor Murdock

October 10, 1917.

The minutes of the meeting of October 9, 1917, were read and approved.

The Commission heard Wm. T. Chantland of counsel for the Commission, and counsel of record for certain of the respondents in the matter of the complaint of the Commission against the Bureau of Statistics of the Book Paper Manufacturers, et al, Docket No. 17, the case coming on for hearing upon complaint of the Commission and answers of respondents. Upon oral motion of counsel for respondents, the Commission, being advised by its counsel, set the 29th day of October, 1917, at 10:30 a.m. as the time for beginning the taking of testimony on behalf of the Commission, with the understanding and agreement that, in the meantime, counsel for the Commission and counsel for respondents are to endeavor to agree upon a stipulation of findings and form of order looking to the final disposition of the proceeding, and present the same to the Commission for its consideration. (stenographic report in Docket 17)

At this time Mr. Fort was excused from the meeting.

Dr. L.H. Haney was called into the meeting and the Commission entered upon consideration of its report on the cost of production of lead and zinc, covering June 1917, for certain companies furnishing such products to the Navy Department. After discussion, the report, with changes as agreed upon, was approved and ordered sent to the President for transmittal to the Secretary of the Navy. It was also ordered that certain information relative to complaints as to zinc prices, received in the course of this investigation, be forwarded in the form

of a letter, to the War Industries Board.

The Commission recessed from 1 p.m., to 2:30 p.m.

Mr. Davies was excused to attend a meeting of the War Industries Board, in behalf of the Commission, in conference with steel men as to steel prices.

Messrs. Walsh, C.H. McDonald, Choate and Duganne, members of the staff, were called into the meeting and presented tentative draft of estimates of appropriations for the fiscal year 1919. After discussion the following motion by Mr. Murdock was unanimously adopted:

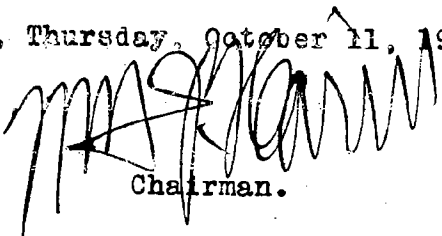
MOVED, that the Secretary prepare estimates for submission to the Treasury Department of the needs of the Commission for the fiscal year beginning July 1, 1918 and ending June 30, 1919, following the general form of last year's estimates beginning with the statutory roll, making such revisions as to personnel and salaries as may be deemed necessary; and continuing with the lump-sum appropriation, adding such new lump-sum estimates as may be deemed advisable.

It was unanimously agreed to continue the consideration of estimates of appropriations at the meeting of the following day.

Upon motion of Mr. Colver, it was unanimously agreed that consideration of the report of the committee on docket, calendar, organization and procedure be a special order of business for 10:30 a.m., Thursday, October 11, 1917.

October 11, 1917.

Thereupon, at the hour of 4:45 p.m., the Commission adjourned to meet at 10:30 a.m., Thursday, October 11, 1917.



Chairman.

Attest:



Secretary.

MEETING OF FEDERAL TRADE COMMISSION

October 11, 1917 - 10:30 a.m.

 William J. Harris, Chairman
 Joseph E. Davies
 William B. Colver
 John F. Fort
 Victor Murdock

Mr. Colver presented letter, dated October 9, 1917, from Messrs. Shattuck, Glenn, Huse & Ganter, Attorneys for the Pejepscot Paper Company, questioning the powers of the Commission in requiring certain reports from paper manufacturers, and requesting a hearing thereon. After discussion, and on motion of Mr. Murdock, the matter was referred to Mr. Colver for supervision.

The following motion, offered by Mr. Fort, was unanimously adopted:

MOVED, that in every case, where in the public interest it is possible, that in reporting costs, before the costs are reported upon, some or all parties whose costs are found shall be given an opportunity for a hearing on such costs.

Dr. L.H. Haney was called into the meeting and the Commission considered certain matters relative to its supplemental reports on the cost of production of cement and lumber; and also its report as to costs of ship timbers. After discussion Dr. Haney was directed to arrange for hearings before the Commission of such companies interested in these reports as desired to be heard.

The Commission continued its consideration of estimates of appropriations for the fiscal year 1919; members of the staff being called into the meeting for consultation.

The Commission recessed from 12:45 p.m. to 2:15 p.m.

The Commission reassembled at 2:15 p.m., and continued its consideration of estimates of appropriations.

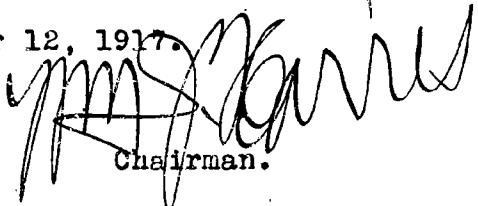
Mr. Davies filed a written report in re conference with the War Industries Board as to prices of steel. (file 8910-2)

The report of the committee on docket, calendar, organization and procedure was called up by Mr. Colver, and further considered by the Commission, and with certain amendments shown in the Secretary's copy (file 8005-17) was adopted.

Thereupon, at the hour of 6:30 p.m., the Commission adjourned to meet at 10:30 a.m., Friday, October 12, 1917.

Attest:


Secretary.


Chairman.

MEETING OF FEDERAL TRADE COMMISSION

October 12, 1917 - 10:45 a.m.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

Mr. Davies was authorized to confer with the War Industries Board in connection with complaints that consumers of steel are not being supplied with material at the prices as fixed by the War Industries Board.

Upon motion of Mr. Colver consideration of the report of the coal section as to prices of coal in the Massillon, Ohio, district, was made a special order of business for 10:30 a.m., Saturday, October 13, 1917.

Upon motion of Mr. Davies, it was unanimously agreed that the matter of formulating a proper record for the receipt and the means of custody of coal contracts received under subpoena, be referred to Acting Chief Counsel Walsh.

Mr. Murdock was authorized to forward certain figures on copper production and consumption to Representative Rankin of Montana.

Mr. Murdock was directed to forward to J. Lee Nicholson a letter reciting his duties as Consulting Cost Specialist, in charge of various investigations.

October 13, 1917.

Thereupon, at the hour of 1 p.m., the Commission adjourned to meet at 10:30 a.m., Saturday, October 13, 1917.

W. J. Harris
Chairman.

Attest:

L. A. Buckley
Secretary.

MEETING OF FEDERAL TRADE COMMISSION

October 13, 1917 - 10:30 a.m.

William J. Harris, Chairman
Joseph E. Davies.
William B. Colver
Victor Murdock

The minutes of the meetings of October 10th and 12th, 1917, respectively, were read, and after correction, approved.

Mr. Harold Thompson appeared before the Commission and discussed coal prices in the Pittsburgh district.

The following motion by Mr. Colver was unanimously adopted:

MOVED, that the Commission request of the War Department to excuse from call, Wilfred Eldred, special examiner, until December 10th, in order that he may complete his report on the cost of milling on the Pacific Coast which is in the process of being written and which represents his summer's work, and in the absence of which the Commission will be required to have the work entirely done over.

Roll call:

October 13, 1917.

After further consultation with members of the staff, the Commission agreed upon amounts and form of presentation of its estimates of appropriations for 1919; the Secretary being directed to prepare and forward such estimates to the Secretary of the Treasury.

The following motion by Mr. Colver was unanimously adopted:

MOVED, that the consideration of the Commission's policy as to the management of the Book Paper complaint be set as a special order for Wed., October 17, 1917, at 3 p.m., and that the Chief Counsel, Chief Law Examiner and Chairman of the Board of Review be notified to be present.

The Commission recessed from 1 p.m. to 3 p.m.

The Commission reassembled at 3 p.m.

William J. Harris, Chairman
William B. Colver
Victor Murdock

The report of the Commission's investigation into the cost of production of coal in the Massillon, Ohio, district, was presented by the Secretary. After consideration and on motion of Mr. Murdock, the report, with page 5 thereof stricken out, was approved and ordered transmitted to the Fuel Administrator.

Thereupon, at the hour of 4 p.m., the Commission adjourned to meet at 10:30 a.m., Monday, October 15, 1917.

Attest:

L. S. Brachy
Secretary

W. J. Harris
Chairman

MEETING OF FEDERAL TRADE COMMISSION

October 15, 1917 - 10:30 a.m.

- William J. Harris, Chairman
- Joseph E. Davies
- William B. Colver
- Victor Murdock

The minutes of the meetings of October 11th and 13th, 1917, respectively, were read and approved.

The following motion offered by Mr. Colver was unanimously adopted:

MOVED, (1) that C.H. McDonald be designated as Chairman of the Board of Review; that T.M. Robertson and A.F. Busick be designated as the additional members of the Board of Review, and that Dr. W. H. S. Stevens be assigned to it as economist; (2) that the Board of Review organize forthwith and suggest to the Commission the names of candidates for attorney adviser to be assigned to the Board of Review; (3) that the Board of Review be directed to hold daily sessions at 9:30 a.m., each day; (4) that the committee charged with putting the newly adopted rules of organization and procedure into effect be directed to meet as soon as may be for the purpose of inaugurating the system and reassigning pending cases and to report to the Commission not later than Monday, October 22, 1917, and (5) that for the time being Dr. Stevens sit as a member of the Board of Review, and that the Board of Review recommend the names of candidates for the temporary assignment to the Board of Review of an advisory economist.

The following motion offered by Mr. Colver, was unanimously adopted:

MOVED, that a matter may be set down for consideration for a time certain by majority vote of the Commission, and if displaced by majority vote such matter shall thereupon be set down for another time certain.

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October 15, 1917.

At this time the Chairman was excused from the meeting.

Upon motion of Mr. Davies it was unanimously agreed to

hold a preliminary conference with members of the staff concerning jurisdictional questions to be determined by the Commission, at 3:30 p.m., this afternoon, and that the Chairman of the Board of Review, the Chief Examiner, Dr. W.H.S. Stevens, Attorneys to Commissioners, and the Advisory Economic Board be notified to be present.

It was unanimously agreed, upon motion of Mr. Davies, that the Secretary be directed to outfit the hearing room at once.

Upon motion of Mr. Davies, it was unanimously agreed that hereafter all official meetings of the Board of Commissioners be held in the board room.

The Commission recessed from 1:15 p.m. to 3 p.m.

The Commission reassembled at 3:30 p.m., in the board room.

William J. Harris, Chairman
Joseph E. Davies
William B. Colver
Victor Murdock

The Commission held an informal conference with members of the staff relative to certain jurisdictional questions, in connection with pending cases, to be determined by the Commission. After discussion, on motion of Mr. Davies, it was decided

to continue such conference at 3 p.m. the following day, con- sidering certain specific questions as outlined by Mr. Davies and set forth in the stenographers report. (file 8005-7)

Thereupon, at the hour of 6:15 p.m., the Commission adjourned to meet at 10:30 a.m., Tuesday, October 16, 1917.

W. J. Harris
Chairman.

Attest:

J. E. Davies
Secretary.

MEETING OF FEDERAL TRADE COMMISSION

October 16, 1917 - 10:30 a.m.

- William J. Harris, Chairman
- Joseph E. Davies
- William B. Colver
- John F. Fort
- Victor Murdock

The minutes of the meeting of October 15, 1917, were read, and after correction, approved.

The following motion offered by Mr. Colver was unanimously adopted:

MOVED, that pending the organization of the Commission's activities under the Trading with the Enemy Act that communication be opened up with the Surgeon-General's Office looking to making speedily available a supply of Salvarsan or any other drug, remedy or device necessary for war use.

October 16, 1917.

On motion of Mr. Murdock, Mr. Colver was directed to prepare for report to the Commissioner-in-charge of the trading with the enemy activities, the present status of the Salvarsan situation.

Upon motion of Mr. Colver, the Secretary was authorized to arrange for a conference with Mr. Edward Rogers of Chicago, for Thursday, October 18, 1917, in connection with the Trading with the Enemy Act.

The Secretary was authorized to communicate with the Adjutant-General, U.S. Army, with the view of having Mr. D.D. Felix detailed to the Commission for work in connection with the Trading with the Enemy Act.

It was unanimously agreed, upon motion of Mr. Davies, that all the duties under the provisions of the 'Trading with the Enemy Act' of June 15, 1917, vested in this Commission under said act, or by the Executive Order of the President promulgated October 12, 1917, especially subdivisions XVII, XVIII, XIX, XX, and XXI of said Executive Order, be assigned for supervision under said Act and Order to Commissioner Fort, and that he be authorized to establish a force, through the Secretary of the Commission, to handle the necessary work incident to the carrying out of the provisions of said Act and Order.

All licenses required to be executed shall be signed by the Secretary of the Commission, upon the direction of the Commission, or said Commissioner, or some other Commissioner in his

absence.

Mr. Harris presented draft of conference ruling in connection with file 1-352, application of B.M. McDade for issuance of a complaint against The Acme White Lead & Color Works, et al, which after discussion was referred to the Board of Review for consideration and report on Friday of this week if possible.

Mr. Harris presented letter from the Secretary of the National Association Printing Ink Makers asking for an informal conference. It was unanimously agreed that such conference be granted and that Mr. Harris represent the Commission.

Mr. Harris also presented an invitation from the President of the Paint Manufacturers Association of the United States to send a representative to meeting of said association in Chicago on November 15, 1917. It was decided to decline this invitation.

Mr. M.Q. Macdonald was called into the meeting and the Commission entered upon consideration of its investigation into the subject of commercial bribery. After discussion it was agreed that the Commission continue its investigation and submit a report of the facts to Congress with recommendations for the enactment of criminal legislation covering this subject.

Following resolution, offered by Mr. Davies, was unanimously adopted:

WHEREAS, the President has announced it as the policy of the Government to make provision that the

October 16, 1917.

public shall have the benefit of all prices fixed by the Government for its use or the use of the allies, -- and

WHEREAS, the War Industries Board is now engaged in fixing prices for certain commodities, -- and

WHEREAS, the President has designated the Commission as the cost finding agency, - for the guidance of such agency, --

BE IT RESOLVED, that the Commission address a letter to the War Industries Board making inquiry as to what commodities they can now foresee that costs will be required, so that work can be done in the interim.

The Commission recessed from 1:30 p.m. to 3 p.m.

The Commission reassembled at 3 p.m., and continued its conference with members of the staff in connection with jurisdictional questions to be determined by the Commission. It was decided that this subject be further considered at 3 p.m., Thursday, October 18, 1917.

Thereupon, at the hour of 6 p.m., the Commission adjourned to meet at 10 a.m., Wednesday, October 17, 1917.


Chairman.

Attest:


Secretary.