3. Using the name "Kar-Chance Division of American Plastics," "Kar-Chance" or any other name of similar import to designate, describe, or refer to respondent's business.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

IN THE MATTER OF

TOPPS CHEWING GUM, INC.

ORDER, OPINION, ETC., IN REGARD TO THE ALLEGED VIOLATION OF THE FEDERAL TRADE COMMISSION ACT

Docket 8463. Complaint, Jan. 30, 1962—Decision, Apr. 30, 1965

Order adopting in part and rejecting in part the initial decision in this proceeding and dismissing, for insufficiency of evidence, the complaint which charged the Nation's largest manufacturer of bubble gum with headquarters in Brooklyn, N.Y., with using unfair methods of competition in gaining control of the baseball picture card industry.

COMPLAINT

The Federal Trade Commission, having reason to believe that the above-named respondent has violated and is now violating the provisions of Section 5 of the Federal Trade Commission Act (15 U.S.C. Section 45), and it appearing to the Commission that a proceeding by it in respect thereto would be in the public interest hereby issues its complaint, charging as follows:

PARAGRAPH 1. Respondent is a corporation organized and existing under and by virtue of the laws of the State of New York, with its principal office and place of business located at 254 36th Street, Brooklyn, New York.

PAR. 2. Respondent is now, and has been for many years last past, engaged in the manufacture, distribution and sale of bubble gum. In addition, respondent also sells picture cards, including cards containing the picture of a uniformed major league baseball player, or other professional athlete, manager or coach, either separately or in connection with the sale of its bubble gum products.

PAR. 3. The respondent is now, and has been for many years last past, engaged in commerce, as "commerce" is defined in the Federal Trade Commission Act. Respondent manufactures gum in its fac-

tory located in Brooklyn, New York, and ships, or causes to be shipped, such merchandise, as well as picture cards, via common carriers to wholesalers and direct buying retail accounts located in most of the States of the United States.

Respondent is the largest manufacturer of bubble gum in the United States having annual sales of about $14,000,000 in an industry with total annual sales in the United States by all manufacturers of approximately $30,000,000.

PAR. 4. In the course and conduct of its business in commerce, respondent is now and has been in active competition with other corporations, firms and individuals also engaged in the manufacture, distribution and sale of bubble gum and in the distribution and sale of picture card products, except to the extent that competition has been lessened and eliminated by the acts, practices and methods of respondent herein alleged to be unlawful.

PAR. 5. Among children in the United States, the hobby of collecting picture cards has been practiced for many years and is constantly growing in popularity. The most common type of card, and that with which this matter is primarily concerned, is approximately 3½" x 2½" in size, having a picture of an athlete on one side and his brief biography on the other side. Cards are also distributed and collected which contain pictures of many other subjects such as old automobiles, cowboys and Indians and famous men. Although in some instances the picture cards are sold separately, they are more commonly distributed and sold in a combination package with bubble gum.

The most popular picture cards by far are those containing pictures of major league baseball stars. Children engaged in collecting these cards will only purchase bubble gum which is packaged or accompanied with a baseball picture card. The market for bubble gum packaged and sold in combination with baseball picture cards and the market for baseball picture cards sold separately are each substantial.

PAR. 6. In the course and conduct of its business in commerce, respondent has been, and is now, engaged in unfair methods of competition and unfair acts and practices in that it has completely foreclosed competitors from the above-described baseball picture card markets by entering exclusive picture card contracts with almost all major league baseball players (approximately 414 out of the total of 421) and with practically all minor league players having a major league potential (approximately 1,500). Said contracts grant

to respondent the exclusive right to use the player's picture, name and biography on picture cards.

Players are first approached and signed to contracts while playing in the minor leagues. These contracts, entered for a nominal consideration of $5.00, bind the players to respondent when, and if, they get into the major leagues for their first five full seasons of play. The contracts are renewed and extended for various periods until the player's retirement. A clause in the contract provides that the player will not:

> * * * grant to others the rights granted to Topps hereunder, or any rights similar thereto, whether such grant or rights to others be for the term of this contract or any part thereof, or whether they be for a time commencing after the expiration of this contract.

In most instances the respondent does not give copies of these contracts to the players, and they are unaware that they are bound, by the terms of the contract, from granting future picture card rights to any person or corporation other than respondent.

The respondent has, by and through a number of means, including threats of legal action and secret payments to representatives or agents in the employ of baseball players, effectively frustrated the efforts of its competitors to secure the rights to use the pictures, names and biographies of baseball players on baseball picture cards, and has thereby foreclosed and prevented said competitors from selling their products, including bubble gum, to substantial markets.

PAR. 7. Through the medium of the aforesaid acts and practices and certain other means and methods, the respondent has created and effected a monopoly in the manufacture and distribution of baseball picture cards, in commerce, contrary to the public policy of the United States and to the detriment of free and open competition in the bubble gum and picture card industries.

PAR. 8. The acts and practices of the respondent as hereinabove alleged are to the prejudice and injury of the public and constitute unfair methods of competition and unfair acts and practices in commerce within the intent and meaning of Section 5 of the Federal Trade Commission Act.

Mr. James P. Timony and *Mr. David M. Nelson* of Washington, D.C., for the Commission.

Arent, Fox, Kintner, Plotkin & Kahn, of Washington, D.C., by *Mr. Earl W. Kintner* and *Mr. Sidney Harris* for the respondent.

INITIAL DECISION BY HERMAN TOCKER, HEARING EXAMINER

AUGUST 7, 1964

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The Federal Trade Commission, in a complaint issued January 30, 1962, has charged Topps Chewing Gum, Inc., with creating and effecting a monopoly in the manufacture and distribution of baseball picture cards in commerce by resorting to various acts and practices alleged to be unfair and to constitute unfair methods of competition in commerce within the intent and meaning of Section 5 of the Federal Trade Commission Act.[1]

[1] 38 Stat. 719; 52 Stat. 111; 15 U.S.C.A., § 45; in which, by Section 5(a)(1), it is provided, "Unfair methods of competition in commerce, and unfair or deceptive acts or practices in commerce, are hereby declared unlawful."

The respondent appeared in this proceeding and was represented by counsel. While admitting numerous facts alleged in the complaint, it denied all allegations which might serve as a basis for the issuance of an order. A full hearing has been held at which all evidence in support of the complaint and in opposition thereto has been received. Counsel supporting the complaint have submitted what they call Proposed Findings of Fact and Conclusions and a proposed Order to Cease and Desist. Respondent also has submitted what it calls Proposed Findings of Fact, Conclusions of Law and a brief in support thereof. It contends there has been an utter failure of proof and that the complaint ought to be dismissed. (As to the structure of findings of fact, see *Capital Transit Co.* v. *United States*, U.S.D.C. three judge court, 97 F. Supp. 614 at 621; *N.L.R.B.* v. *Sharples Chemicals, Inc.*, C.A. 6, 1954, 209 F. 2d 645; *N.L.R.B.* v. *Newport News*, 308 U.S. 241. What both sides submitted was a detailed and most helpful abstract of their views of what is contained in the transcript of testimony and exhibits, but neither submitted proposals which could become the subject of rulings within the contemplation of Section 8(b) of the Administrative Procedure Act and Section 3.19 of the Federal Trade Commission's Rules of Practice for Adjudicative Proceedings. The text of this decision, as a consequence, will have to be regarded as the Examiner's rulings on all issues presented.)

The Complaint

The complaint alleges that respondent is the largest manufacturer of bubble gum in the United Sates and that it is engaged also in the sale of picture cards, which include cards containing the picture of a uniformed major league baseball player or other professional athlete, manager or coach. The cards are sold either separately or in connection with the sale of bubble gum. It is alleged further that children in the United States have a hobby consisting of the collection of picture cards, that this hobby is growing constantly in popularity, and that the most popular card is 3½ inches by 2½ inches in size on one side of which is printed an athlete's picture and on the other his brief biography. While there are other picture cards such as cards showing old automobiles, cowboys and Indians, and famous men, it is alleged that the most popular are those containing pictures of major league baseball stars and their biographies or statistics relating to them. It is alleged also that, although in some instances the picture cards are sold separately, they are distributed and sold more commonly in a combination package with bubble gum

and that, "Children engaged in collecting these cards (meaning those containing pictures of major league baseball stars) will only purchase bubble gum which is packaged or accompanied with a baseball picture card."

Following all this and various allegations to support jurisdiction, the alleged unfair methods of competition and unfair acts and practices are set forth. In substance, the complaint attacks what is alleged to be "a monopoly in the manufacture and distribution of baseball picture cards, in commerce, * * * to the detriment of free and open competition in the bubble gum and picture card industries," and asserts that this monopoly was effectuated by the respondent by resorting to certain acts or practices as follows:

(1) Foreclosing competitors from the alleged "baseball picture card markets by entering exclusive picture card contracts with almost all major league baseball players (approximately 414 out of the total of 421) and with practically all minor league players having a major league potential (approximately 1,500), (which) contracts grant to respondent the exclusive right to use the player's picture, name and biography on picture cards."

(2) Respondent gets these contracts by approaching first the players in the minor leagues and binding them "for a nominal consideration of $5.00 * * * to respondent when, and if, they get into the major leagues for their first five full seasons of play."

(3) Respondent renews and extends these contracts "for various periods until the player's retirement."

(4) It imposes on the players an obligation not to "grant to others the rights granted to Topps * * * or any rights similar thereto, whether such grants or rights to others be for the term of (the) contract or any part thereof, or whether they be for a time commencing after" its expiration.

(5) Respondent "does not give copies of these contracts to the players, and they are unaware that they are bound, by the terms of the contract, from granting future picture card rights to any person or corporation other than respondent."

(6) Respondent has frustrated its competitors from securing any rights to the use of the pictures, names and biographies of baseball players on baseball picture cards "by and through a number of means, including threats of legal action and secret payments to representatives or agents in the employ of baseball players."

(7) It "has thereby foreclosed and prevented said competitors from selling their products, including bubble gum, to substantial markets."

It is necessary always to remember that this complaint is brought under Section 5 of the Federal Trade Commission Act. Its allegations must be interpreted and construed from the viewpoint of whether, in fact, what respondent has done to secure its position in its business, whether it be the sale of picture cards or the sale of bubble gum or the sale of a combination of both was done by the use of "unfair methods of competition in commerce, and unfair or deceptive acts or practices in commerce * * * ." This is the conduct made unlawful (Section 5(a)(1), *supra*). The law does not condemn enterprise or ingenuity in business. It does not condemn success in business. It does not protect businessmen from competitors. It does not reward or come to the aid of ineptitude or inefficiency in business. It protects only competition, and it proscribes that competition which is conducted through the medium of unfair acts and practices.

To support an order in this proceeding, it is not necessary that findings be made that all the acts charged in fact have been committed. Even if all are not found to have been committed, remedial action can be and should be taken to require the respondent to cease and desist from such of its acts as are found to have been unfair or deceptive. Alternatively, even if each of the acts charged, taken separately, was not unfair, the circumstances could be such that the sum total of them resulted in an unfair practice. Remedial action also would be indicated in a case of that nature. Furthermore, that the case is concerned with a product like bubble gum or with a product like baseball picture cards, or with a product that may be sold for as little as one cent, or with a product the usual package price of which may be five cents, is wholly immaterial. The public interest may be affected if the acts and practices involved have a substantial impact in interstate commerce.

The Answer

Respondent, in its answer, says that, to the extent that there is competition in the sale either of baseball picture cards or bubble gum or in the sale of a combination of both, such competition has not been lessened or eliminated by any of its acts, practices or methods. It denies that there is "a market for bubble gum packaged and sold in combination with baseball picture cards" to the exclusion of "the market for gum and the market for picture cards" or that there can be a distinction between "a market for baseball picture cards sold separately * * * from the market for picture cards."

It denies that its procedures for obtaining exclusive contracts with baseball players (whether in the major leagues or the minor leagues) are unfair and asserts "that copies of contracts are given to ball players who request such copies at the time they sign them and that copies of the form of contract are made generally available to baseball players." It denies that its contracts or its methods for obtaining such contracts are unfair practices. It denies that it "has created and effected a monopoly in the manufacture and distribution of baseball picture cards * * * to the detriment of free and open competition in the bubble gum and picture card industries", and it denies also that its acts and practices, as alleged in the complaint, "are to the prejudice and injury of the public and constitute unfair methods of competition and unfair acts and practices in commerce within the intent and meaning of Section 5 of the Federal Trade Commission Act."

Five affirmative defenses are pleaded. The first is that its relations with the ball players do not directly affect interstate commerce and consequently are not within the scope of the Federal antitrust laws. (This does not seem to have been pressed.) The second defense is that baseball picture cards are available to the public from numerous sources other than Topps. Interwoven with this defense is an argument (which also seems not to have been pressed) that picture cards are collectors' items having no other functional value and consequently are not items of trade. Thirdly, it contends that, to the extent that baseball picture cards are utilized in connection with the sale of chewing gum and other confectionery products, they are only one portion of a much larger market consisting of all promotional devices utilized in connection with the advertising and sale of such products. It asserts that its competitors have not been frustrated in the promotion and sale of their products because other types of picture cards and other promotional devices or sales aids are available to them. As a consequence, what Topps has done in connection with obtaining exclusive contracts with baseball players has "not tended to create or effect any monopoly in the large competitive market consisting of the various means of promoting sales." The fourth defense is that baseball cards, in and of themselves, are not a market or are not the relevant market; they are only part of a much larger market consisting of "every kind of picture card in connection with numerous kinds of products other than confectionery items." As a consequence, its activities "have not tended to create or effect any monopoly in the market consisting of the distribution, and sale of picture cards." Finally, its fifth defense is to

the effect that bubble gum products, in and of themselves, do not constitute a market but, if a market is involved, it includes all forms of "chewing gum and other confectionery products sold in packages at prices comparable to those of respondent's products." Its activities "have in no way interfered with the efforts of other manufacturers of chewing gum and other confectionery products to distribute and sell their products, all of which are competitive with" its chewing gum products. Consequently, its activities have not been detrimental to "free and open competition in the market for chewing gum and other confectionery products."

THE COURSE AND CONDUCT OF THIS PROCEEDING

Early in the case, it became known that counsel supporting the complaint intended to inject numerous matters into this proceeding not readily apparent from specific facts set forth in the complaint. They gave notice of their intention to inject the matter of this respondent's acquisition of all the gum-producing facilities and baseball players' and football players' picture rights theretofore owned by Bowman Gum Company, later Haelen Laboratories, Inc., coupled with an agreement on the part of Bowman not to manufacture or sell gum or picture cards for five years. Although this happened in January 1956, it had overtones of a Clayton Act, Sec. 7 case (15 U.S.C.A., Section 18), but the proceeding had not been brought under that Act. Notice was given also that Topps had engaged in "tie-in" sales practices, in discriminatory practices of refusing to sell its baseball picture cards to vending machine operators or deliberately delaying deliveries to them, and in seeking to control resale prices of its baseball picture cards—all not alleged in the complaint. Respondent consistently objected to the introduction of these matters and both sides regarded them as "issues." The Examiner frequently reminded counsel of his lack of jurisdiction to change the form or theory of the complaint (*Standard Camera Corporation*, Docket No. 8469, November 7, 1963). He suggested to Commission counsel that if he wanted to inject new *issues* or change the form of the complaint, the proper procedure would be to apply for an amended complaint (last sentence of Section 5, Pretrial Order of October 12, 1962). There has been no amendment. The Hearing Examiner ruled, however, that he would receive evidence in support of the charges with respect to the Bowman acquisition, the alleged tie-in practices, the alleged attempt at resale price maintenance and the alleged discriminations against vending machine operators, not

because he regarded them as *issues*, but because they could be considered as evidence tending to show the building up of a monopoly or the maintenance and exercise of monopoly power (last sentence of second paragraph of order dated August 8, 1963; see also orders dated February 12, 1963, September 6, 1963, and November 19, 1963). Evidence of this nature has been received over respondent's continuing objection. The recent decision of the Commission in *Grand Caillou Packing Company, Inc.*, Docket No. 7887, Pages 8 to 14, inclusive, Commission Slip Opinion, vindicates this course of procedure. (June 4, 1964.)

There have been many intermediate motions, orders, appeals, rulings by the Commission, and even a United States District Court action seeking to block the Commission's continued prosecution of this case. It is wholly unnecessary to review all this shadow-boxing except to refer particularly to two intermediate opinions of the Commission. In a decision and order dated November 15, 1962, the Commission said, "The complaint in this proceeding charges that respondent has 'created and effected a monopoly in the manufacture and distribution of baseball picture cards' in violation of Section 5 of the Federal Trade Commission Act. The complaint is premised upon a 'relevant market' of baseball picture cards, sold alone or in combination with bubble gum * * *. The complaint as drawn will require presentation of evidence establishing that the distribution of baseball picture cards, either alone or in conjunction with bubble gum, constitutes a distinct market." This expression on the part of the Commission was refined in a later opinion issued July 2, 1963.

The Commission there said:

If, as the complaint implicitly alleges, such picture cards are sold both separately and in conjunction with other products, the legality of respondent's practices can be determined by examining their probable effect upon competition either in the sale of the picture cards themselves or in the sale of the products with which they are distributed. Thus, there are in this case two potential market issues: (*1*) *Whether baseball picture cards are sufficiently distinct from other kinds of picture cards or similar picture devices to make their foreclosure to others who might wish to sell them or use them for promotional purposes competitively significant;* and (2) whether bubble gum, the product with which respondent distributed baseball picture cards, is sufficiently distinct from other gums, candies or confections to make competitively significant the foreclosure of a promotional device to other bubble gum manufacturers.

Depending upon what complaint counsel is prepared to prove, however, both of these market issues may be avoided. If complaint counsel is prepared to prove that baseball picture cards account for a sufficient share of all picture cards or devices so that respondent's exclusive arrangements foreclosed a substantial share of this larger market, the existence of a narrower market

limited to baseball picture cards would be irrelevant, * * * Similarly, *if complaint counsel is prepared to prove, as the contract provision set out in the complaint indicates, that respondent's exclusive arrangements foreclosed the use of baseball picture cards to all producers of gums, candies and confections, the existence of a narrower market limited to bubble gum would be irrelevant,* * * (Emphasis added.)

In response to the Commission's direction, the Hearing Examiner issued an order (July 5, 1963) directing counsel supporting the complaint to state what he intended to prove and the markets upon which he intended to rely. Counsel supporting the complaint filed what he called a Statement of Market and Proof, to which he attached a Prehearing Narrative previously filed. The Hearing Examiner found this unsatisfactory and not responsive either to the Commission's direction or the Hearing Examiner's order. Counsel were directed to appear before him. During the conference which ensued counsel supporting the complaint finally stated that he was prepared to prove "that respondent's exclusive arrangements foreclosed the use of baseball picture cards to all producers of gums, candies and confections." Acting upon the Commission's delineation of "two potential market issues" in its prior decision, the Hearing Examiner, in the order dated August 8, 1963, ruled "that there is only one market issue in this case, and that is:

* * * whether baseball picture cards are sufficiently distinct from other kinds of picture cards or similar picture devices to make their foreclosure to others who might wish to sell them or use them for promotional purposes competitively significant.

Despite all this, practically all the market evidence was concerned with the relation of baseball picture cards to bubble gum and with picture cards alone, but, again, over respondent's objection, the Examiner agreed to receive such evidence on the ground that sellers of bubble gum could be regarded as coming within the more inclusive word "others" which had been used by the Commission.

PICTURE CARDS IN GENERAL AND BASEBALL PICTURE CARDS IN PARTICULAR

It is almost a certainty that anyone reading this decision has seen picture cards such as are involved in this proceeding and knows what they are. The illustrations which will be inserted below are typical and sufficiently instructive to make up for any lack of familiarity. The content or subject of a picture card is and can be as varied as the ingenuity, imagination or resourcefulness of the designer or producer. There is nothing new or modern about picture

cards. They have been produced and utilized for almost one hundred years. Counsel supporting the complaint suggests, without contradiction, that some "date back beyond recorded history." Actors, actresses, sports personalities, governmental officials, military personnel, license plates, comics and cartoons, cowboys, the Wild West, flags, events (both current and historical), phenomena of nature, motion picture and television sources, all have provided material for the content, design and production of picture cards. As promotional devices in the candy, gum and confection field, we have seen them sold with caramels, Cracker Jacks, baked goods, soft drinks, ice cream and gum (CX 213, pp. 92–128).[2] Since gum has been given so much emphasis in this proceeding, it may be well to observe that a single manufacturer (not Topps) marketed gum with Indian cards in 1932 (Tr. pp. 831, 834) and with baseball cards from 1933 until 1942 (Tr. pp. 825–843; CX 98–B). That gum manufacturer was not the only one to utilize baseball picture cards in gum sales before World War II. At least four others did the same (Tr. pp. 835–837, 895, 2518; CXs 99–102). [World War II is mentioned as a time division because during that period bubble gum manufacture was curtailed "because of the war and the shortage of materials" (Tr. pp. 895–896).]

Whether a picture card be regarded as a toy, as an educational device, as a collector's item or as a mere something which catches the fancy of a child or adult for whatever subjective reason may prompt him to want it is wholly immaterial. The point is that it has some attractive quality which inspires in a person the desire to acquire it.

In recognition of the value of *baseball* picture cards as a promotional device, they have been utilized for this purpose in connection with the sale of a host of consumer products, including not only bubble gum (Leaf, Tr. pp. 2391–2394; Bowman, Tr. pp. 895–896; Fleer, Tr. pp. 1905–1907; Topps, Tr. p. 223), but also at least four brands of cookies (Tr. p. 2598; RX 9; Tr. p. 540), bread (RX 9;

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[2] Here, and throughout this decision, appear transcript and exhibit references. References to the transcript or any exhibit are for purposes of illustration or example only. In no case are they to be regarded as reason for concluding that the record does not support elsewhere any statement or conclusion. By reason of my continued and intimate association with this proceeding from its inception and during the recent long, continuous sessions of the hearing, I have obtained general impressions, understandings and views based upon the whole record and my observation of the witnesses. These are all fresh in my mind and have facilitated the writing of this decision and the disposition of the questions and issues involved. Mostly, I have resorted personally to the record for my citations. In some instances, when my recollection supported particular propositions, I have adopted without verification citations furnished by counsel.

Tr. pp. 540, 3718–3719; 168–170, 3773–3777), at least two kinds of soft drinks (CX 137, RXs 9, 288; Tr. pp. 1098–1111, 3950), at least four brands of frankfurters (RXs 9, 204–A, 291; Tr. pp. 3954–3955), two brands of potato and corn chips (RX 9; Tr. pp. 286–287, 3946–3949), dry cereals (RXs 8, 9, 144, 153, 154), dog food (RX 9), ice cream (RX 9), two desserts (RXs 8, 203–A, 154, pp. 6 and 20), chewing tobacco (RX 11), and gasoline (RX 11). One religious society and two magazines have utilized them in their publications (RXs 9, 12; Tr. p. 543). They have been used also by a shirt manufacturer (RX 10) to promote his sales. Among the foregoing are included Leaf Brands, a gum manufacturer, which sold or promoted baseball cards with marbles as well as with bubble gum, and Frank H. Fleer Corp., another bubble gum manufacturer, which did the same with cookies, also as well as with bubble gum.

Here follow nine exhibits, all part of the record herein, partially illustrating the above:*

The variety and number of different picture cards which have been utilized by all sorts of business in connection with the sale of consumer products since World War II is so great that it would be wholly unfitting to list them in this decision. As far as the respondent is concerned, the activities of Topps alone involved three kinds of cards and picture devices in 1948; seven in 1949; ten in 1950; fourteen in 1951; thirteen in 1952; eleven in 1953; twelve in 1954; thirteen in 1955; nineteen in 1956; twenty-two in 1957; twenty-one in 1958; nineteen in 1959; eighteen in 1960 and in 1961; and since then, at least seventeen (Tr. pp. 81–141, 481–482, 486, 532–534, 3842, 3847–3851, 3862; CXs 12–19, 213, RXs 189, 193–194).

While this recital testifies to the aggressiveness, creativeness and enterprise of the respondent, its past and present competitors in the gum business by no means have been missing. Bowman, prior to the acquisition of its assets by Topps in 1956, utilized not only baseball picture cards, but basketball, football, movie stars, wild man, red menace, presidents, antique autos, fire fighters, preview movies, frontier days, spacemen, Wild West, law heroes, jokes, magic pictures, peace, questions and riddles, television stars, navy victories, etc. (Tr. pp. 895–896; CX 122, 213, pp. 116–119). Frank H. Fleer Corp., the source of a major portion of the testimony in support of the complaint, in 1959 utilized baseball, Three Stooges, Chief Halftown; in 1960, baseball, Spins and Needles, Chief Halftown, Three Stooges, Yule Laff, hobby, football; in 1961, baseball, football, pirates, bas-

*Pictorial exhibits omitted in printing.