

ANNUAL REPORT

OF THE

FEDERAL
TRADE COMMISSION

FOR THE

FISCAL YEAR ENDED JUNE 30, 1921

WASHINGTON
GOVERNMENT PRINTING OFFICE
1921

ANNUAL REPORT, FISCAL YEAR 1920-21.

SUMMARY.

In the fiscal

It is a significant fact that with very few exceptions these cases have been brought to the attention of the Commission by business itself. They were initiated by business men who appealed to the Commission for protection and elimination of unfair methods of competitors, and they indicate the presence of a strong and healthy force in American business life tending towards the suppression of obstructive elements and the building of fair and moral commercial standards.

The Commission has no punitive powers. It can not fine or imprison. It may merely issue a command to an offender to cease and desist, which command or order he may have reviewed by a court.

On the score of the tendency to concentration there has come to the Commission knowledge of combinations inimical to the principle of competition, and where the Commission believed the Sherman Antitrust Law was violated it has referred such matters to the Department of Justice.

On the score of absorption of competing companies by a single unit and other practices tending to lessen competition and to create monopoly, the Commission has handled cases under certain sections of the Clayton Antitrust Act, which are within its jurisdiction. These relate to the acquisition of shares of capital stock, to interlocking directorates, to discrimination in selling price, and to tying contracts. The Commission has found that corporations frequently now absorb competitors, not by acquiring capital shares, but by acquiring the physical assets which the Clayton Act does not forbid. Likewise the Commission has found that a great business unit lessens competition more often by the device of discrimination in price in buying its raw material than by discrimination in price in selling its products. Similarly, it has been found that concentration of control of supposedly competitive units in the hands of a few is accomplished more often by ownership of capital shares by that few than by control through common directors. The activities of the Commission under the Clayton Antitrust Act have developed that frequently the effect of a tying contract may be to enable the seller to hinder competition without bringing himself within the prohibitive terms of the law. These ineffectual features of the law have been brought to the notice of the Congress. In so far as the provisions of the Clayton Antitrust Act could be applied by the Commission they have been applied. This has been done in many cases and with marked helpfulness to free and open competition.

On the score of unfair methods of competition the Commission has been diligent in its application of the remedies provided in its law, in the thought that it was not only serving the public and business, the overwhelming bulk of which does not use unfair practices, but

that in these practices are often concealed the restraints to commerce which, if unchallenged, grow to be great hindrances.

In this activity in preventing unfair methods of competition the Commission has found two general classes of cases as follows :

First, those practices where a difference of opinion as to right and wrong exists in trade itself. Such questions are highly controversial. They include and are typified in the question of resale-price maintenance--that is, the right of a vendor to compel a dealer to whom he has sold to resell at a price fixed by the original vendor. The Commission has not undertaken to pass upon the general principle, but has considered the matter in concrete cases before it, issued its order and has carried the matter to the Supreme Court of the United States, where such controverted practices must be finally adjudicated.

Second, those practices where a difference as to the right and wrong does not exist in trade itself, but where in given cases there is controversy over the facts. Such disputes are not highly controversial s rights

the Commission's orders are very rare, and further by the circumstance that only 32 appeals have been taken from orders issued during the life of the Commission. Of these 32 appeals, 12 were pump and tank cases which involved the same principle and are for the purposes of this report considered one case, which would reduce the number to 21.

The general economic inquiries conducted by the Commission have covered a large part of the industrial and commercial activities of the country. A knowledge of the organization of business and the competitive conditions in various industries and of the costs of doing business, investments, prices, and profits is of vital importance for an intelligent understanding and satisfactory solution of some of the most pressing domestic problems that confront the Nation at the present time. Experience has shown that such governmental inquiry leads to constructive results in the preservation and upbuilding of business.

The growth of domestic trade must necessarily be considered hand in hand with the development of foreign trade, which at the present time is a problem of serious import. In meeting the new conditions that affect the foreign trade of the United States, and in accord with the efforts made to retain and increase our export trade, the Commission has cooperated with our export industries in a spirit of sympathy and with a desire to render such service as comes within the scope of its jurisdiction. Appreciative response has come to the Commission not only from manufacturers and exporters at home but also from business men and the press in foreign countries emphasizing the fact that the export trade policy of the United States as expressed by the operation of the export trade act is a valuable asset in promoting abroad a good will for American foreign trade and a reputation for integrity and superior service.

The plan of an

It is recognized that competition may take many forms and that as a principle it may, in specific instances, be obscured by changes in form of organization and by variations in trade practices. But the Commission believes that the maintenance of the principle of fair competition is imperatively required for the protection of the public 262 46st,

ADMINISTRATIVE DIVISION.

The sections in this division are the ones generally adopted in all Federal Government departments and establishments to care for the business end of the work, and changes in arrangement and functions are less liable to occur in this than in the other divisions of the Commission where the character of the work is continually varying according to the demands made upon them through the several sources of direction that govern their scope and activities.

For these reasons there has not been any material change in the management, organization, and procedure of this division; all of its functions are largely governed by general statutes and orders applicable to all work of this character wheresoever situate in the Government service. Units in this division are:

Office of the secretary

mission except those of the docket section are finally receivable and cared for.

Publications section, in charge of all matters having connection with the Public

Table showing receipt and disposition of applications for complaints and formal complaints, fiscal year ended June 30, 1921.

Applications for complaints.

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APPROPRIATIONS AND EXPENDITURES.

The appropriations of the Commission for the fiscal year ended June 30, 1921, under the sundry civil appropriation act approved June 5, 1920, amount to \$955,000. In addition to

Medical attendant
Study of procedure

1,194.04
6.71

*Detailed statement of the expenditures of the Federal Trade Commission for
the fiscal year ended June 30, 1921*

Prices of combed-cotton yarns	32,304.82	12,450.36
Prices loose-leaf tobacco	2157.02	1,242.96
Decline in wheat prices	3,113.33	877.01
Total	308,275.90	29,872.22

*Detailed statement of the expenditures of the Federal Trade Commission for
the fiscal year ended June 30, 1921--Continued.*

LEGAL DIVISION.

CHIEF COUNSEL

	Office.	Field.
Annual leave	\$ 7,335.37	
Sick leave	1,902.74	
Time excused by Executive or Commission's order	83.58	
Economic supervision	7.61	
Briefs		33.31
Legal supervision	17,273.94	\$33.31
Study of procedure	55.19	
Stenographic	14.40	
Special for the commissioners	309.48	
Preliminary work on informal complaints	12.26	
Informal complaints	3,471.47	221.65
Formal complaints	70,215.34	22,690.71
Injunction proceedings against the Commission	543.31	
Trading with the enemy	135.25	
Canned goods	5.77	Cr. 2.00
Grain and produce exchanges		
Export trade	122.87	175.08
Milk products	24.00	
Stock securities	42.87	31.56
Sugar		Cr. .40
Trade practice submittal, guaranteed against price decline	34.53	
Creamery industry trade practice	1,387.38	513.42
Trade practice submittal, macaroni	5.70	
Total	103,316.20	23,663.33

CHIEF EXAMINER.

WASHINGTON (D. C.) OFFICE.

Annual leave	5,041.65	
Sick leave	901.51	
General administration	22.80	
Time excused by Executive or Commission's order	68.15	
Briefs--Immunity of witnesses	426.91	
Briefs--Digested decisions on interstate commerce	175.74	
Legal supervision	10,648.29	77.29
Detailed to United States Senate--Calder Committee--Coal	320.05	
Study of procedure	263.93	
Stenographic	889.26	259.72
Special for the commissioners	29.14	
Preliminary work on Informal complaints	2,823.99	460.78
Informal complaints	16,211.45	5,462.24
Formal complaints	11,470.92	8,415.02
Oil	8.00	
Lumber	2,762.17	1,949.03
Trading with the enemy	154.65	
Lumber		Cr. .25
Grain and produce exchanges	48.06	
Export trade	4.00	204.15
Stock securities	605.89	
California oil		133.82
Commercial feeds for animals	232.36	
Trade practice submittal, guarantee against price decline	52.99	
Creamery Industry trade practice	723.33	25.14
Trade practice submittal, knit goods	27.00	30.66
Prices combed--cotton yarns	9.80	
Prices loose-leaf tobacco	5,470.80	2,142.74
Decline in wheat prices	263.53	
Total	59,656.37	19,160.34

NEW YORK BRANCH OFFICE.

Annual leave	888.62	
Sick leave	388.26	
Time excused by Executive or Commission's order	4.02	
Legal supervision	2,433.03	66.46
Study of procedure	7.60	
Stenographic	2,669.45	
Special for the commissioners	118.02	34.30
Prs		

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Employees of the Federal Trade Commission at the close of business June 30, 1921, showing salary rates.

5 Commissioners	\$10,000	
1 Secretary	5,000	\$55,000
4 Clerks to commissioners	1,800	
1 Clerk to Commissioner	2,000	
1 Chief clerk	3,250	8,800
1 Disbursing clerk	2,880	3,250
		2,880
3 Clerks	3,000	
1 Clerk	2,880	
1 Clerk	2,520	
1 Clerk	2,500	
1 Clerk	2,220	
2 Clerks	2,100	
5 Clerks	2,000	
1 Clerk	1,960	

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*Employees of the Federal Trade Commission at the close of business June 30
1921, showing salary rates--Continued.*

1 Attorney and examiner	\$2,700	
1 Attorney and examiner	2,460	\$133,800
1 Special agent	4,800	
1 Special agent	4,500	
1 Special agent	4,000	
1 Special agent	3,600	
4 Special agents	3,300	
2 Special agents	3,000	
3 Special agents	2,500	
4 Special agents	2,400	
4 Special agents	2,280	
1 Special agent	2,250	
1 Special agent	2,100	
3 Special agents	2,000	
1 Special agent	1,800	74,470
1 Special expert	6,000	
1 Special expert	3,000	
1 Special expert	3,000	
1 Special expert	2,000	
1 Special expert	1,320	12,320
1 Special examiner	7,500	
1 Special examiner	6,000	
1 Special examiner	5,000	
2 Special examiners	3,000	24,500
2 Examiners	5,000	
1 Examiner	4,800	
1 Examiner	4,500	
1 Examiner	3,600	
2 Examiners	3,500	
1 Examiner	3,300	
1 Examiner	3,200	
1 Examiner	3,100	
6 Examiners	3,000	
1 Examiner	2,940	
2 Examiners	2,880	
2 Examiners	2,820	
1 Examiner	2,800	
1 Examiner	2,740	
1 Examiner	2,640	
2 Examiners	2,500	
1 Examiner	2,460	
4 Examiners	2,400	
1 Examiner	2,340	
2 Examiners	2,280	
2 Examiners	2,160	
3 Examiners	2,000	
3 Examiners	1,920	
7 Examiners	1,800	
3 Examiners	1,680	

Milk and Milk Products, 1914-1918, Summary of Report; June 15, 1921.

Pacific Coast Petroleum Industry, Part 1 (Production, Ownership, and Profits), Summary of Report; May 2; 1921. 19 pp.

Rules of Practice Before the Commission (amended to May 20, 1921); 8 pp. Sugar Supply and Prices; December 13, 1920. 205 pp.

Shoe and Leather Costs and Prices, Summary of Report; July 1, 1921.

Tobacco Industry; May 9, 1921. 162 pp.

Wheat Prices for the 1920 Crop; March 17, 1921. 91 pp.

Petroleum Industry of Wyoming; February 14, 1921. 54 pp.

Letter of the Federal Trade Commission to the President of the United States; April 18, 1921. 8 pp.

HOSPITAL.

The Commission maintains a small unit of a very serviceable nature in the way of a hospital and retirement or rest room for its employees. This unit is under the care of a graduate nurse and has shown great usefulness and rendered beneficial service to employees. Many employees are here from other cities and do not have facilities so easily obtainable in home surroundings and this unit partly supplies some of these needs. The graduate nurse in all cases of sudden or prolonged illness renders in the former cases immediate assistance and makes periodic visits in the latter. Thus the Commission is kept in closer touch with conditions of this sort and this activity has been the means of rendering desirable assistance that could not otherwise have been obtained.

QUARTERS.

The Commission's force is located in one of the temporary buildings erected for war purposes. It occupies one-half of the structure that is located between Twentieth and Twenty-first Streets and New York Avenue. It was the building formerly occupied by the Fuel Administration and the Commission's force moved into it the latter part of May and the early part of June, 1919. It is of frame construction and two stories in height and of the most temporary character. During the fiscal year covered by this report the Fuel Administration moved out all of its force from the eastern half of the structure and at different times other Government offices moved in. This Commission has no jurisdiction over the care and custody of the building. It is operated under the direction of the Superintendent of the State, War, and Navy Department Building, through an assignment made by the Public Buildings Commission.

LEGAL DIVISION.

The Legal Division of the Commission includes two subdivisions. The

of respondents, provisions and supplies for use and consumption upon such ships in and beyond the territorial jurisdiction of the United States. Hurst & Son in their bill for injunction averred that sections 5, 6, 9, and 10 of the act of Congress creating the Commission were unconstitutional and void for the following reasons : (a) Because beyond the powers Vested in Congress by the Constitution; (b) because there is delegated to the Commission legislative authority; (c) because the Commission Is empowered to define and determine what shall constitute "unfair methods of competition in commerce"; (d) because it deprives the parties of the right of trial by jury; (e) because the statute attempts to regulate intrastate as well as interstate commerce; (f) because the proceedings sought to be enjoined discriminate between persons engaged in the same line of business and take away the property of one without the process of law and without just compensation, while not molesting others using the same practice. and for other reasons more specifically set up in the bill of complaint. The court held that the contention that the act was unconstitutional for any of the reasons specified was without merit, and further held that the Commission had acted entirely within its rights of and concerning a matter liable to injuriously affect commerce, and declined to grant the injunction prayed for.

In the course of its opinion the court said :

The constitutionality of the act itself is challenged, also the right of the Commission to decide what shall constitute unfair competition, and of Congress to authorize it so to do, as well as the manner in which the Commission may proceed in the discharge of its duties to determine what is unfair competition, this specific complaint being that the Commission may not proceed against a particular person, firm, or corporation, believed to be engaged in unfair competition, but must in the same proceeding include all other persons similarly engaged.

After quoting the provisions of section 5 of the Federal Trade Commission act, the court then disposed of the various contentions made by the complainants, as follows

The contention that the act of Congress is unconstitutional for any of the reasons specified, is without merit, as it is manifestly within the power of Congress to legislate generally in respect to the burdens that may or may not be imposed upon foreign and interstate commerce, and it is also within its power to declare what would be fair and what unfair methods and dealings in relation thereto, and how the same should be ascertained and determined. The Commission is given full power and authority to investigate, make findings of fact, and render its judgment and order in relation thereto, and before the same is carried into effect, the judgment of the circuit court of appeals, the second highest court under the Government is to be sought by the Commission, to enforce its order, and any party required by such order to cease and desist from Using such method of competition, may obtain a review of such order in the circuit court of appeals, by filing its written petition praying therefor. The action of the circuit court of appeals is final, save when its interposition decision to the

Supreme

the United States Circuit Court of Appeals in various circuits to review such orders and within the year the following cases were disposed of :

National Harness Manufacturers' Association v. Federal Trade Commission,
268 Fed., 705 (CCA, Sixth Circuit).

In the above

By section 5 of the Federal Trade Commission act the Commission is given jurisdiction, when it has reason to believe that “any * * * person, part-

The order of the Commission, so far as it relates to the Harness Manufacturers' Association, its officers, committees, and the members of its subsidiary and affiliated associations, is affirmed.

Curtis Publishing Co. v. Federal Trade Commission, 270 Fed 806 (CCA, Third Circuit).

The complaint in this case charged the respondents with unfair methods of competition in commerce and with violating section 3 of

the Clayton Act, in that it sold and distributed periodicals published by it exclusively to dealers who would agree not to sell or distribute the publications of certain of respondent's competitors, thereby lessening competition and tending to create a monopoly. An order to cease and desist from the practices charged in the complaint was issued, whereupon the respondent petitioned the Circuit Court of Appeals, Third Circuit, to review the Commission's order. The court on March 2, 1921, filed its opinion and directed that a decree be entered vacating and setting aside the Commission's order. Thereafter the Commission applied to the Supreme Court of the United States for a writ of certiorari to review the decree of the Circuit Court of Appeals, which writ was granted on June 6, 1921.

In the petition for certiorari the following questions were presented : (a) Whether the contracts of the respondent with its distributors are contracts of sale or contracts of agency, and if contracts of sale, may their effect be to substantially lessen competition or tend to create a monopoly for the respondent, when used by it to prevent dealers from selling the magazines of competitors of respondent which they had been selling; (b) whether it is an unfair method of competition in violation of section 5 of the commission act for the respondent to make a practice of entering into contracts with wholesale dealers already engaged in the sale of magazines of other publishers, whereby such dealers were prevented from thereafter dealing in periodicals other than those published by respondent; (c) whether the Circuit Court of Appeals exceeded its jurisdiction in view of section 5 of the commission act, which provides that "the findings of the Commission as to the facts, if supported by testimony, shall be conclusive," first by making findings additional to those of the Commission, and, second, by making findings contradictory to certain of the Commission's findings which it accepted in its opinion as established.

The Winsted Hosiery CO v. Federal Trade Commission, 272 Fed 957 (CCA .Second Circuit).

The complaint in this case charged that respondent had manufactured and sold underwear made of a small amount of wool and a large amount of cotton, which it labeled, advertised, and branded as "Merino," "Wool," or "Worsted." To the complaint the respondent made answer which was in effect a confession and avoidance, and attempted to justify the practice upon the theory that it had become universal and was well recognized by the distributors of underwear. An order to cease and desist from the practices charged in the complaint was issued, whereupon the respondent petitioned the Circuit Court of Appeals, Second Circuit, for a review of the

An order to cease and desist from the practice charged in the complaint was issued by the Commission, whereupon respondent petitioned the Circuit Court of Appeals, Seventh Circuit, to review such order. The opinion of the court was filed June 29, 1921, and the order of the Commission was annulled and set aside upon the ground that the practices charged in the complaint involved common carriers and tended to very greatly affect their business, and that authority to enforce section 3 of the Clayton Act, where applicable to common carriers, was vested in the Interstate Commerce Commission, and that the Federal Trade Commission was therefore without jurisdiction. A writ of certiorari from the Supreme Court of the United States will be applied for to review the decree of the Circuit Court of Appeals in this case.

The following additional cases were argued and submitted to the court within the year, which cases were pending and undetermined on June 30, 1921:

Western Sugar Refinery v. Federal Trade Commission (CCA, Ninth Circuit).

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an opinion was filed February 26, 1920, reversing the order of the Commission, and a writ of certiorari was thereafter granted by the Supreme Court of the United States to review the decree of the Circuit Court of Appeals, which case is still pending.

Winslow & Co. v. Federal Trade Commission (CCA, Fourth Circuit).

The complaint in the above case charged that Winslow & Co., a partnership, was engaged in the business of selling chandlery supplies to ships reaching the port of Norfolk, Va., while engaged in interstate and foreign commerce, such supplies being for use and consumption on such ships in and beyond the territorial jurisdiction of the United States, and that in the course of such business respondents had given to captains and other officers and employees in charge of such ships cash commissions and gratuities to induce such officers and employees to purchase from respondent provisions and supplies for use and consumption upon the ships operated by them for the owners thereof. An order to cease and desist from the practices charged in the complaint was issued by the Commission, whereupon respondents petitioned the Circuit Court of Appeals, Fourth Circuit, to reverse the order of the Commission. Similar proceedings were had upon a complaint charging the Norden Shipping Supply Co. (Inc.) with like practices, and the two cases were argued together and presented to the court and are still pending and undetermined.

Kinney Rome Co. v. Federal Trade Commission (CCA, Seventh Circuit).

The complaint in this case charged that the respondent, a manufacturer, had practiced unfair methods of competition in violation of section 5 of the commission act, in that it had given premiums to salesmen employed by dealers through whom respondent distributed its products to induce such salesmen to enhance the sale of respondent's products to the exclusion of competing products. An order to cease and desist from the practices charged in the complaint was issued by the Commission, whereupon the respondent petitioned the Circuit Court of Appeals to reverse such order.

TRADE PRACTICE SUBMITTALS.

Two trade practice submittals, both in the oil industry, were successfully concluded during the fiscal year. The first of these was held on June 22, 1920, at Chicago, and the second, on August 19, 1920, at Denver.

The

cases final orders to cease and desist have been issued. Seventy-nine complaints have charged violations of section 3 of the act, and in 29 of these cases final orders to cease and desist have been issued. in only one case under section 3 has appeal to the court been taken from the Commission's order. Twenty-one complaints have charged violations of section 7 of the Clayton Act, and two complaints have charged violations of section 8. No final orders to cease and desist have thus far been made under either of the last two mentioned sections.

PROCEEDINGS PENDING AND DISPOSED OF.

Proceedings pending and disposed of during the fiscal year 1920 will be found in Exhibit 8.

CHIEF EXAMINER

The duty of the second branch of the Legal Division--that is, the staff under the chief examiner--is to do all investigating work in connection with applications for the issuance of complaints and the gathering of evidence in preparation of formal cases for trial. It also furnishes the examiners who sit at the trial of formal cases. The staff includes one assistant chief examiner, three attorneys and examiners in charge of branch offices, and a small force of investigators, most of whom are attorneys, besides the necessary complement of clerical and stenographic help. In addition to the supervision of the work of these investigators, the chief examiner is charged with the duty of conducting a large preliminary correspondence with applicants for the issuance of complaints.

From the beginning the Commission has interpreted its organic act as requiring such

“advice, definite guidance, and information” which the President suggested that such a commission could and would supply.

It is probably not an exaggeration to state that fully half the preliminary applications received by the Commission since its organization have had to be rejected on account of some obvious lack of jurisdiction which even a superficial knowledge of the acts which the Commission administers would have disclosed. The requirement most frequently overlooked is the jurisdictional one that the matters alleged must either involve or directly and substantially affect interstate commerce. Next in frequency, perhaps, come cases of underselling not associated with discrimination or other similar unlawful features.

Appeals are frequently made to the Commission for the enforcement of the terms of contracts, or for redress where there has been fraud or failure to carry out their terms; and it has been frequently necessary to point out to such applicants that the Commission is not a court and therefore can not

obvious that a force of this size can not handle many large investigations concurrently and at the same time take care of its current work.

An interesting feature of this work is the unusual number of applications for the issuance of complaints on account of alleged passing off of name and goods, especially the former, filed in the past 60 days.

In addition to the foregoing work by this division, it was engaged during the year in two large general investigations. The first was an investigation of conditions in the wholesale lumber industry, begun at the request of the Attorney General in November, 1919. This investigation was one of the most extensive and important ever undertaken, and the work was very thoroughly done. The field work was completed and summaries of the activities of the more important associations made. As a result, a suit was begun by the Department of Justice, in the Federal Court for the Eastern District of Missouri, alleging violation of the Sherman law by the Southern Pine Association and its members. Reports on the activities of a few other lumber associations were submitted to the department for its consideration, whe 16.56 0 TD 0 Tc () Tj 2.16 0 TD 0.02236 Tc (as) Tj

ECONOMIC DIVISION.

INTRODUCTION.

The work of the Economic Division during the fiscal year ending June 30, 1921, while extensive, did not show as much variety as in the years immediately preceding. This was due, in part, to the conclusion of nearly all work connected with cost findings for various governmental agencies

had been as great as that of wholesale prices in various basic industries, the Commission stated that in general the movement toward a reduction of price to the consumer for most industries appeared to be retarded chiefly at the retail stage. Furthermore, it was pointed out that there was a lack of adequate and reliable information with regard to the proper adjustment of manufacturers', wholesalers', and retailers' prices, and that a Federal agency in possession of such information could furnish Congress and the public with data which would enable a legislative or public opinion to be intelligently formed.

The major part of the work of the Economic Division consisted in the preparation of comprehensive economic p u b l i c

chinery. Slightly less than 80 per cent handle other commodities than grain. In the five years from 1912-13 to 1916-17 the average country elevator bought slightly less than 100,000 bushels of grain annually, but the average individual cooperative elevator bought during this period about 153,000 bushels, as compared with less than 80,000 purchased by commercial or mill line houses. About 70 per cent of the grain shipped by country elevators goes to the terminal markets and around 7 per cent to smaller local markets. Local mills absorb about 13 ½ per cent of the shipments, and interior brokers

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exchanges, aside from providing a regulated market procedure and trading places for their members, is that of collecting, recording, and distributing quotations and market information. For these services the trade at large is almost wholly dependent on exchange organizations.

Future trading operations in grain.--Volume V is the first volume of the report which deals with the subject of future trading. It comprises a survey of future trading practices and facilities and of the legal status of future trading, the description of the incidents and results of such operations being reserved for subsequent volumes. The quantity of future trading in grain varies considerably from year to year, but it was found that for certain year

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Swift and Co., Armour & Co., Morris & Co., Cudahy Packing Co., Wilson & Co. (Inc.), and certain subsidiary or affiliated corporations and certain individuals connected with the corporate defendants. The decree, among other things, enjoined and restrained the defendants from owning, either directly or indirectly, individually, individuals

ing company, the New Jersey Co., know that Mr. Prince, contrary to the provisions of the plan by which he had secured their assent, was himself a beneficiary of the surpluses they had signed away.

After presenting its objections in detail the Commission said : "For the foregoing reasons the Commission respectfully recommends that this plan be not approved."

Shortly after the transmission of the Commission's objections to the plan of the packers, the Department of Justice presented its objections to the aforesaid plan to the court, which objections were in substance and effect the same as those presented to the Attorney General by the Commission. The packers thereupon withdrew the plan.

The packers in the latter part of October, 1920, filed with the court a second plan, which again provided for the utilization of F. U. Prince & Co. as the agents through which to bring about a severance of the defendants from the ownership and operation of the stockyards. It furthermore proposed to organize a new holding company, to be known as United Stockyards (Inc.), which holding company it was proposed should combine and operate seven of the principal stockyards and place them under a 20-year operating lease to the Chicago Stockyards Co. with power in the United Stockyards (Inc.) to acquire other stockyards and lease them also to the Chicago Stockyards Co.

On November 4, 1920, Attorney General Palmer addressed a letter to the Federal Trade Commission in which, at the direction of the President, he referred this second plan of the packers to the Commission for its approval. In this letter the Attorney General stated that "the President has requested that the Department of Justice should not approve any plan for the disposition of these interests unless such a plan should first receive the unanimous approval of the Federal Trade Commission."

Pursuant to Attorney General Palmer's letter of November 4, the Commission on November 13, 1920, transmitted to the Department of Justice a second report, in which it set forth its objections to the second plan proposed by the defendants. The Commission disapproved of the plan on these grounds:

1. Inadequate assurance of final severance of defendants' interest.
2. Creation of monopoly which would otherwise be illegal.
3. Failure of provision for sale of all yards separately to separate interests.
4. Subjection of combined yards to management of Chicago Stockyards Co.
5. Expansion of stock values in favor of an underwriting syndicate, including defendants.
6. Vague and uncertain provisions relating to matters of finance.

After presenting all of its objections and the reasons therefor the Commission suggested to Attorney General Palmer the principles upon which it was prepared to approve a plan for carrying out the

decree in order that both the defendants' and public's interests might be conserved. The plan suggested by the Commission provided, in detail, for the sale of the defendants' interests through three or five trustees, to be appointed by the court from groups of

Commission appear before the court that afternoon and present the Commission's views.

Acting on the suggestion of the Attorney General, the Commission directed its counsel to appear before the court at 2 o'clock p.m. on February 28, to present the Commission's statement of objections to the sale of the Armour

ECONOMIC DIVISION. 47

the petroleum industry in the United States during the year 1919, which was obtained in response to house Resolution 501, Sixty-sixth . Congress, second session, but too late to be incorporated in the report made in answer thereto.

The outstanding facts regarding the Pacific Coast petroleum industry shown in Part I of the report may be concisely stated as follows :

the industry.

Wyoming petroleum industry.--On January 3, 1921, the Commission submitted a report to Congress on the petroleum industry of

Wyoming. The attention of the Commission was drawn to the situation in that State by a complaint alleging unsatisfactory conditions in connection with the production and sale of crude petroleum produced in the Salt Creek Wyoming field. The report covered all phases of the petroleum industry in Wyoming. The principal facts set forth in the report may be concisely stated as follows :

(1) The geographic isolation of the Wyoming Oil fields with reference to the prolific mid-continent and California fields and the absence of pipe-line transportation to the large consuming centers makes It necessary for the Wyoming producer to sell his crude petroleum to local refining companies.

(2) There is greater concentration in the control of the production of crude petroleum in the Wyoming oil fields than in any other field in the United States.

(3) From 1917-1919 the Midwest Refining interests and the Ohio Oil Co. controlled from 93 to 97 per cent of the Wyoming production.

(4) The Ohio Oil Co. is a member of the Standard Oil group, and during 1920 practical control of the Midwest Refining Co. was acquired by the Standard Oil Co. (Indiana).

(5) In 1919 the Ohio Oil Co. and the Midwest Refining Co. owned 99 per cent of the pipe-line mileage and transported about 98 per cent of the crude petroleum marketed in Wyoming.

(6) The Midwest Refining Co. and subsidiaries owned and operated 90 per cent of the refining capacity or Wyoming in 1920, and in 1919 they purchased and refined 94 per cent of all the Wyoming crude petroleum refined in the United States.

(7) In 1919 the Midwest Refining Co. sold 90 per cent of its refined products to Standard Oil . marketing companies.

(8) As shown by its records, the Midwest Refining Co. earned 33 per cent on its investment in the petroleum business in 1919, while the average from 1914, the first year operated, to 1919, was almost 26 per cent.

LEATHER AND SHOES.

Under a resolution of the House of Representatives, the Commission was directed to inquire into the increased prices of shoes, ascertaining costs and selling prices of both to b

either by means of schedules or directly from the

books of the companies by accountants of the Commission. The schedules were as

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a large factor in advancing prices of milk, butter, and cheese. In 1918 the average advance over the 1914 price paid the producer of milk by market-milk distributors was 74 per cent, by canned-milk manufacturers 76 per cent, and by butter manufacturers 80 per cent. Average production costs of evaporated milk were found to have advanced 77 per cent from 1914 to 1918. In the year of the lowest rate of profit, 1918, the canned-milk companies earned on the average, excluding returns from securities, 10.6 per cent on capital, surplus, and borrowed funds, and in the year of the highest rate of profit, 1917, 27.7 per cent on capital, surplus, and borrowed funds.

Marked concentration of control was found in the manufacture of canned milk. In 1914 three companies produced 56.5 per cent of the total output of the country, and in 1918 four companies 54.2 per cent. The two companies ranking highest in production in 1918--the Borden Co. and the Nestle' & Anglo-Swiss Condensed Milk Co.--were, throughout much of the war period, taking under contract immense quantities of the output of smaller companies. Furthermore, these two largest interests--Borden and Nestle'--have long had agreements seemingly restrictive of competition and apparently open to question under the antitrust acts.

Creamery butter is produced in two types of plants-- "centralizers," securing cream from large territories, and "locals" (including cooperative companies), relying wholly on supplies from the vicinity. It was found that the centralizers' costs increased from 27 cents per pound of butter in 1914 to 48 cents in 1918. Approximately 90 per cent of creamery butter is produced in the United States.

U.S. GOVERNMENT PRINTING OFFICE: 1918

The field work in connection with the inquiry consisted chiefly of interviews with manufacturers, dealers, and other distributors, State feed control officials, feeders, and representatives of farmers organizations, particularly with respect to the manufacture and sale of feeds, general trade practices, adulteration and misbranding, and competitive conditions in the industry. This work was supplemented by the examination of correspondence files of associations, manufacturers, and distributors. The costs and profits of a representative group of feed manufacturers were also secured, but it was found impracticable to secure such information from retail dealers. information was secured in some 70 cities and towns in the more important feed manufacturing and consuming centers.

The report on this inquiry was submitted to the Senate on March 29, 1921. The principal conclusions were as follows :

A study of the costs and profits of a representative group of mixed-feed manufacturers during 1915-1919 showed that by far the largest factor causing the high prices of ready mixed feeds in 1919 Was the great increase in the cost of raw materials.

The rate of return on investment of these mixed-feed manufacturers was found to be fairly high in each year, while in 1917 and 1919 the rate of return was considerably larger.

On the whole, competition in this industry was found to be very active. This was to be expected in an industry which includes so many different products and such a large number of widely scattered manufacturers. Competition between the different kinds of straight feeds and between such feeds and the ready-mixed feeds tends to keep prices of the different kinds of feeds in line with one another on the basis of their feed utility.

There was found to be a great lack of authoritative data in regard to many phases of the industry and there are numerous questions which are highly controversial. This is particularly true in respect to the feed value of certain products commonly known as roughage or low-grade feeds.

It was recommended that a series of exhaustive tests should be undertaken in order to determine definitely and satisfactorily the merit of these low-grade feeds.

It was found that the enactment and enforcement of feed laws has resulted in great improvement so far as fraudulent practices are concerned, and that comparatively few cases occur where feeding stuffs are adulterated with substances having practically no nutritive value.

SUGAR SUPPLY AND PRICES.

During the fiscal year a report on the supplies and prices of sugar was issued. This report was ordered by resolution of the House of Representatives, which directed that an inquiry be made

The conclusions arrived at were that the decline in wheat prices was due mainly to general conditions, but certain special factors in the situation, in particular the arbitrary buying policies of foreign governments, were regarded as important, and suggestions looking to the prevention of unnecessary fluctuations in the price of wheat were made. It was found that the various emergency war powers of the President were probably not legally available for employment under the circumstances in question, even if their employment could be considered otherwise desirable.

"BLUE-SKY" SECURITIES.

Shortly prior to the close of the fiscal year an inquiry into the Federal and State regulations of the sales of securities was begun. These regulations include what are commonly known as the "blue-sky" laws, which have been enacted by a large number of the States. An analysis of these laws is being made, their administration studied, and results secured through the laws examined.

Consideration is also being given to the activities of the Federal Government designed to restrict blue-sky operations and the legislative measures proposed for Federal enactment are being examined.

CANNED FOODS.

The costs of certain goods, chiefly canned goods, which were purchased by the Government were examined into and reported to the Food Purchase Board during the war. A summary of this work was practically completed during the fiscal year. The report deals particularly with the costs of canned corn, peas, string beans, tomatoes, and salmon.

With respect to canned foods certain inquiries have been received from the War Department regarding cases where special prices were demanded by packers affecting outstanding claims. The justification of these claims was determined by the Purchase Department (War Department) by recourse to records of the Commission relating to each individual case in dispute. Such figures as have been furnished by the Commission relate to cost, the profits to be allowed depending on agreements made by the Food Purchase Board.

COAL.

The principal work on the coal industry during the fiscal year consisted in the continuation of the mimeographed monthly bulletins on bituminous coal.

The material contained in these bulletins was collected and tabulated from the monthly reports made by operators on the Commis-

sion 's prescribed cost forms. Preliminary monthly bulletins had already been issued, beginning with January, 1920, the object being to make the unrevised information available as soon as possible after receipt of the operator's reports. Quarterly reports of revised costs followed the publication of these monthly bulletins, and in most cases modified the preliminary figures but slightly. The object of the quarterly report furnishing final statistics was to make public in authentic form the essential facts concerning changes in cost of coal from month to month and the average cost during the quarter.

Following the issue of the temporary injunction in the Maynard suit, which was described in the annual report for the year ending June 30, 1920, the Commission invited the Voluntary cooperation of the coal operators in supplying the necessary reports and made it clear that pending the final decision compulsory process on the collection of penalties would not be employed in the event of failure to file reports.

The Commission received reports from 1,589 operators for January, 1,431 operators for February, 1,081 operators for March, 812 operators for April, and 680 operators for May. In issuing its sixth monthly bulletin on bituminous coal costs, covering June, 1920, the number of operators having dwindled to 555, the Commission announced the suspension of this monthly publication rather than risk giving out figures that, being obtained from a comparatively small number of companies, might prove misleading.

Coal Cost Report No 7, Trans-Mississippi States (Bituminous) was completed and published.

Special coal reports were made to other Government agencies, by request, as follows:

Statistical data relative to bituminous coal costs, etc., were prepared for the Navy Department.

Information was furnished to the Geological Survey in April, 1921, relative to the inventories of anthracite coal for the years 1913 to 1918, inclusive.

STEEL.

Current statistical reports for the steel industry, together with the coke and pig-iron industries, which were initiated during the preceding fiscal year, beginning with January, 1920, were continued during the early part of the fiscal year here under report. As noted in the last annual report, the temporary injunction against the requirement of reports on the steel industry, which was procured by certain steel companies, made it necessary to conduct this work thereafter on a voluntary basis. The reports thus received, however, although they comprised a large proportion of the entire industry, because of the inclusion of the United States Steel Corporation,

were not considered suitable for the publication of average results, as any average figure would be practically controlled by the

In addition to the data collected by the Commission there was also included in its current bulletins data on the imports and exports of paper supplied by the Bureau of Foreign and Domestic Commerce, Department of Commerce.

Post-office envelopes.--In accordance with requests of the Post Office Department, examinations were made of the books of certain paper-manufacturing companies, and reports submitted to the Post-Office Department

EXPORT TRADE DIVISION.

The foreign trade activities of the Commission may be divided into two groups: (1) administration of the Export Trade Act (Webb-Pomerene law);¹ (2) investigation of trade conditions in and with foreign countries where associations, combinations, or practices of manufacturers, merchants or traders, or other conditions may affect of the Federal Trade Commission Act (p. 74).

PURPOSE OF THE EXPORT TRADE ACT.

The primary purpose of the Export Trade Act was to facilitate the moving of American goods to foreign markets, to serve as an encouragement to exporters, and to enable them to compete successfully with buying and selling combinations of other countries.

In 1916 the Federal Trade Commission in its report to Congress on Cooperation in American Export Trade emphasized the rapid growth of trade in foreign countries and the encouragement by foreign Governments of buying and selling combinations with which American exporters must deal and compete. To meet this important national need, the Export Trade Act was passed on April 10, 1918.

PROVISIONS OF THE ACT.

The act authorizes the formation of “associations” entered into for the sole purpose of engaging in export trade, these associations to be exempt from the antitrust laws of the United States, with the proviso that there shall be through the association no restraint of the export trade of any domestic competitor, no enhancing or depression of prices, or substantial lessening of competition within the United States.

Section 1 of the act defines “export trade” and “association.”

Sections 2 and 3 provide exemption from the antitrust laws under certain conditions.

Section 4 extends the jurisdiction of the Commission under the Federal Trade Commission act to “unfair methods of competition used in export trade against competitors engaged in export trade, even though the acts constituting such unfair methods are done without the territorial jurisdiction of the United States.”

Section 5 provides for the filing of papers by associations² with the Federal Trade Commission, and other details of administration.

¹ See Exhibit 5.

² See Exhibits 6 and 7.

In order to meet the many inquiries concerning the act, the Commission has printed a leaflet, entitled "Foreign Trade Series No. 1" covering a discussion of and practice and practice of the public. It may be obtained from Tj 2.28 155 TD .92 0 TD 0 Tc31 Tj 51.36

60 ANNUAL REPORT OF THE FEDERAL TRADE COMMISSION.

Millers Export Association (Inc.), The, 17 Battery Place, New York City.
Mississippi Valley Trading & Navigation Co., 708 Equitable Building, St. Louis, Mo
Namusa Corporation⁹

The efficiency of this plan is evidenced by the satisfaction of foreign purchasers and a very noticeable decrease in claims from foreign consignees.

Out of cooperation under the act new ideas for economical manufacture have been developed. The elimination of many unnecessary varieties and grades which may sell to advantage in the domestic market, but for which there is no demand abroad, this standardization and specialization of goods, and an effort to advertise the specialized goods abroad have proved good business.

A number of associations have adopted joint, uniform brands and trade-marks. One lumber export association s s no d n k r f l e 9 1 2 4 0 (u a E T T D D e m T r p (h a T e 2 0 4 1 0 2 1 0 7 0 n d 4 0 e T T D T c w

The plan of a combination of 62 British shoe manufacturers to control the South African market for footwear was brought to light in a recent report by a committee on the boot and shoe industry of the Union of South Africa. One of the objects of this combination was stated to be "to keep out American competition, which was bound to become prominent before long."

The formation of the British Dyestuffs Corporation (Ltd.), in July, 1919, marks a consolidation of dye interests with Government participation, which controls 75 per cent of the total output of dyes in the United Kingdom. As stated in a recent report by the British Board of Trade, "The greater financial and commercial strength of the amalgamation enables it to compete to better advantage in the home market and in the world markets with the greater and powerful dye-making concerns of Germany, Switzerland, and America."

Various export and import combines have been formed in all parts of the world. Among these may be mentioned the British Woolen Trades Export Corporation, the Canadian Export Paper Company, the "Ditag" and the Union of German Exporters, the Roubaix Exportation and the Comptoir for the Exportation of Metallurgical Products of France, the Swedish Wood Export Association, an association of Holland importers of American goods, the Purchasing and Selling Association of Cotton Spinners in Czechoslovakia, the Commercial Import Association of Brazil, the Chile Nitrate Association, an Australian association to control the exportation of shoes, and the textile syndicates of Japan.

During the past year the Commission has received frequent requests from Government departments, trade associations, and individual business concerns, to which has been furnished such information as is available concerning foreign combinations.

PRACTICES OF MERCHANTS IN FOREIGN TRADE.

In the matter of investigations of foreign trade practices under section 6 (*h*) of the Federal Trade Commission act, the services of the Commission have been utilized by the Commerce Department, State Department, the Department of Justice, and other governmental and private offices.

Some 50 complaints against American concerns (not Webb law associations) have been investigated during the past year, involving breach of contract, fraud, and other practices injurious to American foreign trade. Some of these complaints are found to be without merit, and report of the Commission may serve to clear the respondent of unjust accusation. Others are made against "fly-by-night" concerns that are difficult and sometimes impossible to locate;

but, for the most part, the trouble is due largely to negligence or procrastination.

An American concern receives an order and payment from a firm in Europe, or Africa, or some other foreign market. For one reason or another the goods are never sent, and no refund is made. After a long period of waiting and unsatisfactory correspondence the purchaser appeals to the American consul, and the case is reported back to the States for investigation.

Or goods are shipped to a foreign consignee, and upon receipt are found to be imperfect or unsatisfactory.

Apples of inferior grade are substituted for fruit of a kind specifically ordered and well known by a certain trade name which has acquired a reputation of superiority for shipping and keeping qualities.

Left-drive automobiles are sent to India or other British colonies in spite of specific orders for right-drive machines, to conform to the rule of the road in those countries; or second-hand machines are shipped instead of new ones ordered.

Goods are ex

disturb American business in general"; and, as reported by an official in South America, "an attitude of hostility toward reasonable complaints would soon wipe out an advantage gained for American trade in this market during the war."

The Commission is assured that the adjustment of even a small complaint goes far toward the establishment of confidence and good will in foreign markets.

COOPERATION WITH OTHER GOVERNMENTAL AGENCIES.

A number of governmental agencies are interested directly or indirectly in the foreign trade of the United States. It is impossible to separate exportation and importation from commodity interests, finance, transportation and shipping, trade promotion and regulation, and other phases of foreign trade and commerce.

In order to prevent overlapping and duplication of effort, there is a very close cooperation through the weekly meetings of the Economic Liaison Committee, which are attended by representatives from 15 Government bureaus, including the Federal Trade Commission. This committee serves as a clearing house of current governmental activities in the interest of foreign trade.

ENEMY TRADE DIVISION.

PATENTS.

During the fiscal year ending June 30, 1921, the Commission continued its
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218.15, covering operations previously reported and on which payment in some instances was long overdue.

Section 10 (*f*) recites the terms and conditions under which the “owner” may within a year after peace apply to the courts for the recovery from licensee of all use and enjoyment of the licensed subject matter, all of which is fully set out in appended exhibits; but at the time this legislation was enacted no seizure of patents was contemplated, and all seizures and sales authorized

Since the passage of the act only four trade-mark licenses have been issued, one to Lehn & Fink, of New York City, for the use of the trade-mark "Pebeco" for tooth paste; that to Anchor Packing Co., of Philadelphia, covering the trade-mark "Tauril" for sheet packing; the Draeger Oxygen Apparatus Co. (Now the American Atmos Corporation), of Pittsburgh, being licensed to use the trade-mark "Pulmotor," covering life-saving apparatus; and Abbott Laboratories, of Chicago, being licensed, with certain restrictions, to use the trade-mark "Veronal" in marketing a widely used sedative originally introduced into this country under that name, the patent covering the manufacture of this product being simultaneously licensed to the same firm. Subsequent to the issue of license, Lehn & Fink purchased the trade-mark "Pebeco," which had been seized by the Alien Property Custodian, and at licensee's request the issued license was thereupon canceled by the Commission. With this exception the issued licenses are still in operation and under the supervision of the Commission.

No new application for license under enemy copyright registration was filed during the year. The one application of Rudolph Presburg, of New York City, based on the dramatic composition "Der Weibsteufel," pending at the close of the preceding year, was withdrawn by applicant and the fee refunded. Of1rTj 38.76 0 fTj 38.7s

EXHIBIT 1.

FEDERAL TRADE COMMISSION ACT.

AN ACT To create a Federal Trade Commission, to define its powers and duties, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created and established, to be known as the Federal Trade Commission (hereinafter referred to as the commission), which shall be composed of five

Until otherwise provided by law, the commission may rent suitable offices for its use.

The Auditor for the State and Other Departments shall receive and examine all accounts of expenditures of the Commission.

SEC. 3. That upon the organization of the commission and election of its chairman, the Bureau of Corporations and the offices of Commissioner and

deputy Commissioner of Corporations shall cease to exist; and all pending investigations and proceedings of the Bureau of Corporations shall be continued by the commission.

All clerks and employees of the said bureau shall be transferred to and become clerks and employees of the commission at their present grades and salaries. All records, papers, and property of the said bureau shall become records, papers, and property of the commission, and all unexpended funds and appropriations for the use and maintenance of the said bureau, including any allotment already made to it by the Secretary of Commerce from the contingent appropriation for the Department of Commerce for the fiscal year nineteen hundred and fifteen, or from the departmental printing fund for the fiscal year nineteen hundred and fifteen, shall become funds and appropriations available to be expended by the commission in the exercise of the powers, authority, and duties conferred on it by this act.

The principal office of the commission shall be in the city of Washington, but it may meet and exercise all its powers at any other place. The commission may, by one or more of its members, or by such examiners as it may designate, prosecute any inquiry necessary to its duties in any part of the United States.

SEC. 4. That the words defined in this section shall have the following meaning when found in this act, to wit:

“Commerce” means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territories and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

“Corporation” means any company or association incorporated or unincorporated, which is organized to carry on business for profit and has shares of capital or capital stock, and any company or association, incorporated or unincorporated, without shares of capital or capital stock, except partnerships, which is organized to carry on business for its own profit or that of its members.

“Documentary evidence” means all documents, papers, and correspondence in existence at and after the passage of this act.

“Acts to regulate commerce” means the act entitled “An act to regulate commerce,” approved February fourteenth, eighteen hundred and eighty-seven, and all acts amendatory thereof and supplementary thereto.

“Antitrust acts” means means 4v,eif and supplementary ther-0.0254 Tc (means) Tj 28.08 0 TD 0

SEC. 5. That unfair methods of competition in commerce are hereby declared unlawful.

The commission is Hereby empowered and directed to prevent persons, partnerships, or corporations, except banks, and common carriers subject to the acts to regulate commerce, from using unfair methods of competition in commerce.

Whenever the commission shall have reason to believe that any such person, partnership, or corporation has been or is

with the return of such additional evidence. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section two hundred and forty of the Judicial Code.

Any party required by such order of the commission to cease and desist from using such method of competition may obtain a review of such order in said circuit court of appeals by filing in the court a written petition praying that

the order of the commission be set beside. A copy of such petition shall be forthwith served upon the commission, and thereupon the commission forthwith shall certify and file in the court a transcript of the record as hereinbefore provided. Upon the filing of the transcript the court shall have the same jurisdiction to affirm, set aside, or modify the order of the commission as in the case of an application by the commission for the enforcement of its order, and the findings of the commission as to the facts, if supported by testimony, shall in like manner be conclusive.

The jurisdiction of the circuit court of appeals of the United States to enforce, set aside, or modify orders of the commission shall be exclusive.

Such proceedings in the circuit court of appeals shall be given precedence over other cases pending therein, and shall be in every way expedited. No order of the commission or judgment of the court to enforce the same shall in any wise relieve or absolve any person, partnership, or corporation from any liability under the antitrust acts.

Complaints, orders, and other processes of the commission under this section may be served by anyone duly authorized by the commission, either (a) by delivering a copy thereof to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation to be served; or (b) by leaving a copy thereof at the principal office or place of business of such person, partnership or corporation; or (c) by registering and mailing a copy thereof addressed to such person, partnership, or corporation at his or its principal office or place of business. The verified return by the person so serving said complaint, order, or other process setting forth the manner of said service shall be proof of the same, and the return post-office receipt for said complaint, order, or other process registered and mailed as aforesaid, shall be proof of the service of the same.

SEC. 6. That the commission shall also have power--

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(c) Whenever a final decree has been entered against any defendant corporation in any suit brought by the United States to prevent and restrain any violation of the antitrust acts, to make investigation, upon its own initiative, of the manner in which the decree has been or is being carried out, and upon the application of the Attorney General it shall be its duty to make such investigation. It shall transmit to the Attorney General a report embodying its findings and recommendations as a result of any such investigation, and the report shall be made public in the discretion of the Commission.

(d) Upon the direction of the President or either House of Congress to investigate and report the facts relating to any alleged violations of the antitrust acts by any corporation.

(e) Upon the application of the Attorney General to investigate and make recommendation for the readjustment of the business of any corporation alleged to be violating the antitrust acts in order that the corporation may thereafter maintain its Organization, management, and conduct of business in accordance with law.

(f) To make public from time to time such portions of the information obtained by it hereunder, except trade secrets and names of customers, as it shall deem expedient in the public interest; and to make annual and special reports to the Congress and to submit therewith recommendations for additional legislation; and to provide for the publication of its reports and decisions in such form and manner as may be best adapted for public information and use.

(g) From time to time to classify corporations and to make, rules and regulations for the purpose of carrying out the provisions of this act.

(h) To investigate, from time to time, trade conditions in and with foreign countries where associations, combinations, or practices of manufacturers, merchants, or traders, or other conditions, may affect the foreign trade of the United States, and to report to Congress thereon, with such recommendations as it deems advisable.

SEC. 7. That in any suit in equity brought by or under the direction of the Attorney General as provided in the antitrust acts, the court may, upon the conclusion of the testimony therein, if it shall be then of opinion that the complainant is entitled to relief, refer said suit to the commission, as a master in chancery, to ascertain and report an appropriate form of decree therein. The commission shall proceed upon such notice to the parties and under such rules of procedure as the court may prescribe, and upon the coming in of such report such exceptions may be filed and such proceedings had in relation thereto as upon the report of a master in other equity causes, but the court may master

such corporation, or who shall willfully remove out of the jurisdiction of the United States, or willfully mutilate, alter, or by any other means falsify any documentary evidence of such corporation, or who, shall willfully refuse to submit to the commission or to any of its authorized agents, for the purpose of inspection and taking copies, any documentary evidence of such corporation in his possession or within his control, shall be deemed guilty of an offense against the United States, and shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not less

than \$1,000 nor more than \$5,000, or to imprisonment for a term of not more than three years, or to both such fine and imprisonment.

If any corporation required by this act to file any annual or special report shall fail so to do within the time fixed by the commission for filing the same, and such failure shall continue for thirty days after notice of such default, the corporation shall forfeit to the United States the sum of \$100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States brought in the district where the corporation has its principal office or in any district in which it shall do business. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeitures. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States.

Any officer or employee of the commission who shall make public any information obtained by the commission, without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by fine and imprisonment, in the discretion of the court.

SEC. 11. Nothing contained in this act shall be construed to prevent or interfere with the enforcement of the provisions of the antitrust acts or the acts to regulate commerce, nor shall anything contained in the act be construed to, alter, modify, or repeal the said antitrust acts or the acts to regulate commerce or any part or parts thereof.

Approved, September 26, 1914.

EXHIBIT 2.

PROVISIONS OF THE CLAYTON ACT WHICH CONCERN THE FEDERAL TRADE COMMISSION.

“Commerce,” as used herein, means trade or commerce among the Several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States: *Provided*, That nothing in this act contained shall apply to the Philippine Islands.

The word “person” or “persons” wherever used in this act shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the Territories, the laws of any State, or the laws of any foreign country.

SEC. 2. That it shall be unlawful for any person engaged in commerce, in the course of such commerce, either directly or indirectly to discriminate in price between different purchasers of commodities, which commodities are sold for use, consumption, or resale within the United States or any Territory thereof or the District of Columbia or any insular possession or other place under the jurisdiction of the United States, where the effect of such discrimination may be to substantially lessen competition or tend to create a monopoly in any line of commerce: *Provided*, That nothing herein contained shall prevent discrimination in price between purchasers, of commodities, on account of differences in the grade, quality, or quantity of the commodity sold, or that makes only due allowance for difference in the cost of Selling or transportation, or discrimination in price in the same or different communities made in good faith to meet competition: *And provided further*, That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade.

SEC. 3. That it shall be unlawful for any person engaged in commerce, in the course of such commerce, to lease or make a sale. or contract for sale of goods, wares, merchandise, machinery, supplies or other commodities, whether patented or unpatented, for use, consumption, or resale within the United States or any Territory thereof or the District of Columbia or any insular possession or other place under the jurisdiction of the United States, or fix a price charged therefore or discount front, or rebate upon, such price, on the condition, agreement or understanding that the lessee or purchaser thereof shall not use or deal in the goods, wares, merchandise, machinery, supplies, or other commodities of a competitor or competitors of the lessor or seller, where the effect of such lease, sale, or contract for sale or such condition, agreement

indirectly, the whole or any part of the stock or other share capital of another

corporation engaged also in commerce, where the effect of such acquisition maybe to substantially lessen competition between the corporation whose stock is so acquired and the corporation making the acquisition, or to restrain such commerce in any section or community, or tend to create a monopoly of any line of commerce.

No corporation shall acquire, directly or indirectly the whole or any part of the stock or other share capital of two or more corporations engaged in commerce where the effect of such acquisition, or the use of such stock by the voting or granting of proxies or otherwise, may be to substantially lessen competition between such corporations, or any of them, whose stock or other share capital is so acquired, or to restrain such commerce in any section or community, or tend to create a monopoly of any line of commerce.

This section shall not apply to corporations purchasing such stock solely for investment and not using the same by voting or otherwise to bring about, or in attempting to bring about, the substantial lessening of competition. Nor shall anything contained in this section prevent a corporation engaged in commerce from causing the formation of subsidiary corporations for the actual carrying on of their immediate lawful business, or the natural and legitimate branches or extensions thereof, or from owning and holding all or a part of the stock of such subsidiary corporations, when the effect of such formation is not to substantially lessen competition.

Nor shall anything herein contained be construed to prohibit any common carrier subject to the laws to regulate commerce from aiding in the construction of branches or short lines so located as to become feeders to the main line of the company so aiding in such construction or from acquiring or owning all or any part of the stock of such branch lines, nor to prevent any such common carrier from acquiring and owning all or any part of the stock of a branch or short line constructed by an independent company where there is no substantial competition between the company owning the branch line so constructed and the company owning the main line acquiring the property or an interest therein, nor to prevent such common carrier from extending any of its lines through the medium of the acquisition of stock or otherwise of any other such common carrier where there is no substantial competition between the company extending its lines and the company whose stock, property, or an interest therein is so acquired.

Nothing contained in this section shall be held to affect or impair any right heretofore legally acquired: *Provided*, That nothing in this section shall be held or construed to authorize or make lawful anything heretofore prohibited or made illegal by the antitrust laws, nor to exempt any person from the penal provisions thereof or the civil remedies therein provided.

SEC. 8. That from and after two years from the date of the approval of this act no person at the same time shall be a director in any two or more corporations, any one of which has capital, surplus, and undivided profits aggregating more than \$1,000,000, engaged in whole or in part in commerce, other than banks, banking associations, trust companies and common carriers subject to the act to regulate commerce, approved February fourth, eighteen hundred and eighty-seven, if such corporations are or shall have been theretofore, by virtue of their business and location of operation, competitors, so that the elimination of competition by agreement between them would constitute a violation of any of the provisions of any of the antitrust laws. The

eligibility of a director under the foregoing provision shall be determined by the aggregate amount of the capital, surplus, and undivided profits, exclusive of dividends declared but not paid to stockholders, at the end of the fiscal year of said corporation next preceding the election of directors, and when a director has been elected in

accordance with the provisions of this act it shall be lawful for him to continue as such for one year thereafter.

When any person elected or chosen as a director or officer or selected as an employee of any bank or other corporation subject to the provisions of this act is eligible at the time of his election or selection to act for such bank or other corporation in such capacity his eligibility to act in such capacity shall not be affected and he shall not become or be deemed amenable to any of the provisions hereof by reason of any crime in the affairs of such bank or other corporation from whatsoever cause, whether specifically excepted by any of the provisions hereof or not, until the expiration of one year from the date of his election or employment.

SEC. 11. That authority to enforce compliance with sections two, three, seven and eight of this act by the persons respectively ^{of} hereof

the court shall cause notice thereof to be served upon such person and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree affirming, modifying, or setting aside the order of the

commission or board. The findings of the commission or board as to the facts, if supported by testimony, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the commission or board, the court may order such additional evidence to be taken before the commission or board and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The commission or board may modify its findings as to the facts, or make new findings, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by testimony, shall be conclusive, and its recommendation, if any, for the modification or setting aside of its original order, with the return of such additional evidence. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section two hundred and forty of the Judicial Code.

Any party required by such order of the commission or board to cease and desist from a violation of the law shall be liable to the commission or board for the costs of the proceeding.

case he shall so state, such statement operating as a denial. Answers in typewriting must be on one side of the paper only, on paper not more than 8½ inches wide and not more than 11 inches long, and weighing not less than 16 pounds to the ream, folio base, 17 by 22 inches, with left-hand margins not less than 1½ inches wide, or they may be printed in 10 or 12 point type on good unglazed paper 8 inches wide by 10½ inches long, with inside margins not less than 1 inch wide. Three such answers must be furnished.

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IV. SERVICE.

Complaints, orders, and other processes of the Commission may be served by anyone duly authorized by the commission, either (*a*) by delivering a copy thereof to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer, or a director of the corporation or association to be served; or (*b*) by leaving a copy thereof at the principal office or place of business

that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken, and the persons taking the same, shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

VIII. TIME FOR TAKING TESTIMONY.

Upon the joining of issue in a proceeding by the Commission the examination of witnesses therein shall proceed with all reasonable diligence and with the least practicable delay. Not less than 5 nor more than 10 days' notice shall be

given by the Commission to counsel or parties of the time and place of examination

merits.

XIII. DEPOSITIONS IN CONTESTED PROCEEDINGS.

The Commission may order testimony to be taken by deposition in a contest proceeding.

Depositions may be taken before any person designated by the Commission and having power to administer oaths.

Any party desiring to take the deposition of a witness shall make application in writing, setting out the reasons why such depositions should be taken, and stating the time when, the place where, and the name and post-office address of the person before whom it is desired the deposition be taken, the name and post-office address of the witness, and the subject matter or matters concerning which the witness is expected to testify. If good cause be shown, the commission will make and serve upon the parties or their attorneys an order wherein the commission shall name the witness whose deposition is to be taken, and specify the time when, the place where, and the person before whom the witness is to testify, but such time and place, and the person before whom the deposition is to be taken, so specified in the commission's order, may or may not be the same as those named in said application to the commission.

The testimony of the witness shall be reduced to writing by the officer before whom the deposition is taken, or under his direction, after which the deposition shall be subscribed by the witness and certified in usual form by the officer. After the deposition has been so certified it shall, together with a copy thereof made by such officer or under his direction, be forwarded by such officer ~~under seal in an envelope addressed to the commission at its office in Washington, D. C.~~ Upon receipt of the deposition and copy the commission shall file in the record in said proceeding such deposition and forward the copy to the defendant or the defendant's

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All briefs must be filed with the secretary and be accompanied by proof of service upon the adverse parties. Fifteen copies of each brief shall be furnished for the use of the commission, unless otherwise ordered.

Application for extension of time in which to file any brief shall be by petition in writing, Stating the facts upon which the application rests, which must be filed with the commission at least 5 days before the time for filing the brief.

Every brief shall contain, in the order here stated--

(1) A concise abstract, or statement of the case.

EXHIBIT 4.

EXTRACTS FROM THE TRADING WITH THE ENEMY ACT AND

(d) The licensee shall file with the President a full statement of the extent of the use and enjoyment of the license, and of the prices received in such form and at such stated periods (at least annually) as the President may prescribe; and the licensee shall pay at such times as many be required to the alien property custodian not to exceed five per centum of the gross sums received by the licensee from the sale of said inventions or use of the trademark, print, label,

reasonable.

(g) Any enemy, or ally of enemy, may institute and prosecute suits in equity against any person other than a licensee under this act to enjoin Infringement of letter patent, trade-mark, print. label, and copyrights ill the United States, owned or controlled by said enemy or ally of enemy in the same manner and to the extent that he would be entitled so to do if the United States was not at war: *Provided*, That no final judgment or decree shall be entered in favor of

such

and also to fix the prices of articles and products manufactured under such licenses necessary to the health of the military and the naval forces of the United States, or the successful prosecution of the war; and to prescribe the fee which may be charged for such license, not exceeding \$100 and not exceeding 1 per

cent of the fund deposited by the licensee with the alien property custodian as provided by law.

XIX. I hereby further vest in the said Federal Trade Commission the executive administration of the provisions of section 10 (d) of the trading-with-the-enemy act, the power and authority to prescribe the form of, and time and manner of filing statements of the extent of the use and enjoyment of the license and of the prices received and the times at which the licensee shall make payments to the alien property custodian, and the amounts of said payments, in accordance with the trading-with-the-enemy act.

XX. I further hereby vest in the Federal Trade Commission the power and authority, whenever in its opinion the publication of an invention or the granting of a patent may be detrimental to the public safety or defense or may assist the enemy, or endanger the successful prosecuting of the war, to order that the invention be kept secret and the grant letters patent withheld until the end of the war.

XXI. The said Federal Trade Commission is hereby authorized to take all such measures as may be necessary or expedient to administer the powers hereby conferred.

EXHIBIT 5.

[PUBLIC--NO. 126--65TH CONGRESS.]

[H. R 2316.]

An Act To promote export trade, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States Of America in Congress assembled, That the words "export trade" wherever used in this act mean solely trade or commerce in goods, wares, or merchandise exported, or in the course of being exported from the United States or any Territory thereof to any foreign nation; but the words "export trade" shall not be deemed to include the production, manufacture, or selling for consumption or for resale, within the United States or any Territory thereof, of such goods, wares, or merchandise, or any act in the course of such production, manufacture, or selling for consumption or for resale.

That the words "trade within the United States" wherever used in this act mean trade or commerce among the several States or in any Territory of the United States, or in the District of Columbia, or between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia, or between the District of Columbia and any State or States.

That the word "association" wherever used in this act means any corporation or combination, by contract or otherwise, of two or more persons, partnerships, or corporations.

SEC. 2. That nothing contained in the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July second, eighteen hundred and ninety, shall be construed as declaring to be illegal an association entered into for the sole purpose of engaging in export trade and actually engaged solely in such export trade, or an agreement made or act done in the course of export trade by such association, provided such association, agreement, or act is not in restraint of trade within the United States, and is not in restraint of the export trade of any domestic competitor of such association: *And provided further,* That such association does not, either in the United States or elsewhere, enter into any agreement, understanding, or conspiracy, or do any act which artificially or intentionally enhances or depresses prices within the United States of commodities of the class exported by such association, or which substantially lessens competition within the United States or otherwise restrains trade therein.

SEC. 3. That nothing contained in section seven of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October fifteenth, nineteen hundred and fourteen, shall be construed to forbid the acquisition or ownership by any corporation of the whole or any part of the stock or other capital of any corporation organized solely for the purpose of engaging in export trade, and actually engaged solely in such export trade, unless the effect of such acquisition or ownership may be to restrain trade or substantially lessen competition within the United States.

SEC. 4. That the prohibition against “unfair methods of competition” and the remedies provided for enforcing said prohibition contained in the act entitled “An act to create a Federal trade commission, to define its powers and

duties, and for other purposes," approved September twenty-sixth, nineteen hundred and fourteen, shall be construed as extending to unfair methods of competition used in export trade against competitors engaged in export trade, even though the acts constituting such unfair methods are done without the territorial jurisdiction of the United States.

SEC 5. That every association now engaged solely in export trade, within sixty days after the passage of this act, and every association entered into hereafter which engages solely in export trade, within thirty days after its creation, shall file with the Federal Trade Commission a verified written statement setting forth the location of its offices or places of business and the names and addresses of all its officers and of all its stockholders or members, and if a corporation, a copy of its certificate or articles of incorporation and by-laws, and if unincorporated a copy of its articles or contract of association, and on the first day of January of each year thereafter it shall make a like statement of the location of its offices or places of business and the names and addresses of all its officers and of all its stockholders or members and of all amendments to and changes in its articles or contract of association or in its articles or contract of association. It shall also furnish to the commission such information as the commission may require as to its organization, business, conduct, practices, management, and relation to other associations, corporations, partnerships, and individuals. Any association which shall fail so to do shall not have the benefit of the act.

For the purpose of enforcing these provisions the Federal Trade Commission shall have all the powers, so far as applicable, given it in "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes."

Approved, April 10, 1918.

EXHIBIT 6.

FEDERAL TRADE COMMISSION,
WASHINGTON, D. C.

FIRST REPORT FROM EXPORT ASSOCIATIONS,
DUE WITHIN 30 DAYS AFTER CREATION.

1. Name

Address

(Here insert address of principal office.)

2. *Statement.*--This corporation or association was organized or entered into for the sole purpose of engaging in export trade, and is now or about to be solely engaged in the export trade as defined in the export trade

passage of this act, and every association entered into hereafter which engages solely in export trade, within thirty days after its creation, shall file with the Federal Trade Commission a verified written statement setting forth the location of its offices or places of business and the names

EXHIBIT 7.

FEDERAL TRADE COMMISSION,

WASHINGTON, D. C.

REPORT FROM EXPORT ASSOCIATIONS,

DUE JANUARY 1, ----

1. Name -----

Address -----

(Here insert address of principal office.)

2. *Statement.--This* corporation or association was organized or entered into for the sole purpose of engaging in export trade and is now solely engaged in the export trade as defined in the export trade act, approved April 10, 1918, viz: "Trade or commerce in goods, wares, or merchandise exported or in the course of being exported from the United States or any Territory thereof, to any foreign nation."

3. There is hereunto annexed and made a part hereof a schedule, showing in paragraph "A" *the location of its offices or places of business*; in paragraph "B," *the names and addresses of* all its officers and directors; in paragraph "C," *the names and addresses of* all its stockholders or members; in paragraph "D," *all amendments to and changes in its articles or certificate of incorporation, or articles or contract of association and by-laws,*

by - 5

Subscribed and sworn to before me this ----- day of -----, 19---.

Notary Public.

SCHEDULE 1.

(A) The following are the locations of all offices and places of business:

(B) The following were officers or directors, as at January 1, 1919:

Names.	Office held.	Addresses.
-----	-----	-----
-----	-----	-----

(C) The following were stockholders or members January 1, 1919:

Names.	Addresses.	Number of shares.
-----	-----	-----
-----	-----	-----
-----	-----	-----

(D) Since the last report to the Federal Trade Commission the articles of or certificate of incorporation, articles of association, and by-laws have been amended or changed as follows:

(E) The following briefly describes the methods and plan under which our business is done and states our relations with other associations, corporations, and individuals, with such other information as we deem should be in the export files of the Federal Trade Commission:

NOTES.

1. The information required by this report is to be furnished to the Federal Trade Commission under "An act to promote export trade, and for other purposes," approved April 10, 1918 (the export trade act), which provides in section 5 thereof, as follows:

SEC. 5. That every association now engaged solely in export trade, within sixty days after the passage of this act, and every association entered into hereafter which engages solely in export trade, within thirty days after its creation, shall file with the Federal Trade Commission a verified written statement setting forth the location of its offices or places of business and the names and addresses of all its officers and of all its stockholders or members, and if a corporation, a copy of its certificate or articles of incorporation and by-laws, and if unincorporated, a copy of its articles or contract of association, and on the first day of January of each year thereafter it shall make a like statement of the location of its offices or places of business and the names and addresses of all its officers and of all its stockholders or members

and of all amendments to and changes in its articles or certificate of incorporation or in its articles or contract of association. It shall also furnish to the Commission such information as the Commission may require as to its organization, business, conduct, practices, management, and relation to other associations, corporations, partnerships, and individuals. Any association which shall fail so to do shall not have the benefit of the provisions of section two and section three of this act, and it shall also forfeit to the United States the sum of \$100 for each

and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where the association has its principal office, or in any district in which it shall do business. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of the forfeiture. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States * * *

2. The word "association" wherever used in the "export trade act" or in this report means "any corporation or combination, by contract or otherwise, of two or more persons, partnerships, or corporations."

EXHIBIT 8.

PROCEEDINGS PENDING AND DISPOSED OF.

PROCEEDINGS PENDING JUNE 30, 1921.

Complaint No. 25.--Federal Trade Commission v. J. F. Hillerich & Son Co. Charge: Unfair methods of competition in connection with the manufacture, marketing, and sale of baseball bats by fixing resale prices and refusing to supply those who do not agree to maintain such selling prices, or who do not sell at the prices fixed, in alleged violation of section 5 of the Federal Trade Commission act; price discrimination, the effect of which may be to substantially lessen competition or tend to create a monopoly, in alleged violation of section 2 of the Clayton Act. Status: This proceeding is awaiting decision of the Supreme Court of the United States in the Beech-Nut Packing Co. case, now pending on a writ of certiorari to the United States Circuit Court of Appeals, second circuit, which court reversed an order of the Commission against the Beech-Nut Packing Co. to cease and desist the practice in question.

Complaint No. 28.--Federal Trade Commission v. Ward Baking Co. Charge: Stifling and suppressing competition by fixing resale prices and refusing to sell to those who will not agree to maintain such standard resale prices or who do not resell at such standard selling prices, price

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Complaint No. 87.--Federal Trade Commission v. Crescent Manufacturing Co.
Charge: stifling and suppressing competition in the manufacture, marketing, and sale
of baking powder, spices, teas, coffees, and flavoring extracts by fixing resale prices
and refusing to sell those who will not agree to maintain such specified standard resale
prices, in alleged violation of section 5 of the Federal Trade Commission act. Sta 600

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exhibition of moving-picture films by forcing exchanges to accept its terms on threat to cause exhibitors to refuse to handle otherwise; causing contracts between exhibitors and exchanges to be broken by divers means and methods, including prior exhibition of films in neighboring theaters after "first exhibition" had been advertised by the other; threatening withdrawal of patronage if exchanges continued to supply exchanges; threatening curtailing supply unless exhibitors dealt with respondent; inducing employees of competitors to leave their employment, all in alleged violation of section 5 of the Federal Trade

Commission act. Status: The final determination of this case is suspended awaiting the outcome of cases involving the same industry now before the Commission.

Complaint No. 163.--Federal Trade Commission v. Armour & Co. Charge: Stifling and suppressing competition in the manufacture and sale of dairy products by concealing its control of and affiliation with Beyer Bros. Co., a creamery company, while directing the efforts and business of said company; discriminating in prices paid for butter fat or cream; and by purchasing and offering to purchase butter fats or cream in certain localities at prices unwarranted by trade conditions and so high as to be prohibitive to small competitors, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in course of trial.

Complaint No. 167.--Federal Trade Commission v. United Electric Co. Charge: Stifling and suppressing competition in the manufacture, marketing, selling, and reselling of its vacuum cleaning machines by fixing standard resale prices and refusing to sell to those who fail to maintain such prices, in alleged violation of section 5 of the Federal Trade Commission act; price fixing and establishing discounts or rebates on condition that the purchasers shall not use or deal in the goods of competitors, the effect of which is to substantially lessen competition or to tend to create a monopoly, in alleged violation of section 3 of the Clayton Act. Status: (Ante, complaint No.25).

Complaint No. 168.--Federal Trade Commission v. The National Wholesale Druggists' Association et al. Charge: Engaging in a combination or conspiracy among themselves with the intent, purpose, and effect of discouraging, stifling, and suppressing competition in the wholesale drug trade and of unfairly hampering and obstructing certain of their competitors by inducing or compelling manufacturers to refuse to recognize competitors as jobbers and as entitled to the benefits such competitors as jobbers would receive, by means of oral and written notices to manufacturers to the effect that certain competitors, not eligible to membership in the association, were not entitled to recognition as jobbers; the appointment of committees to confer with manufacturers to the end that they adopt sales methods in harmony with the policies of the association, written and oral notices by the secretary of the association to manufacturers to the effect that competitors are selling below the manufacturers' established resale price, or that such competitors are persistent price cutters; the compilation and distribution among manufacturers and wholesalers of lists of so-called legitimate jobbers, and by bringing influence to bear on various local associations of drug jobbers and wholesalers to adopt policies in harmony with the policies of the association, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in preparation for trial.

Complaint No. 170.--Federal Trade Commission v. Kryptok Sales Co. Charge: Stifling and suppressing competition in the sale of "Kryptok" spectacle lenses by fixing and maintaining resale prices, requiring dealers to maintain such resale prices, and refusing to sell to those who will not maintain such resale prices, in alleged violation of section 5 of the Federal Trade Commission act. Status: (Ante, complaint No.25).

Complaint No. 171.--Federal Trade Commission v. The Goodyear 5uch

which are such as are ordinarily furnished by retail dealers; compelling dealers to carry excessive stocks, refusing to allow dealers to make adjustments on unsatisfactory tires; requiring dealers who also handle automobiles to specify Goodyear tires on all automobiles, motor trucks, and motor cycles

the Federal Trade Commission act. Status : This proceeding is now before the Commission for final disposition.

Complaint No. 213.--Federal Trade Commission v. American Thermos Bottle Co. Charge: Stifling and suppressing competition in the sale of temperature-retaining vessels by fixing and maintaining resale prices, requiring dealers to retain such resale prices, and refusing to sell to those who will not maintain such resale prices, priceswleged(15-File-39-110

and making contracts for sale of its products to dealers in automobile accessories upon the condition, agreement, or understanding that said dealers shall at all times carry a stock of Klaxon warning signals in the minimum amount of \$300, in alleged violation of section 5 of the Federal Trade Commission act, selling and making contracts for sale of its products on the condition, agreement, or understanding that the purchasers thereof shall not use or deal in the warning signals of competitors, the effect of which is to substantially lessen competition or tend to create a monopoly, in alleged violation of section 3 of the Clayton Act. Status : (Ante, complaint No.25).

Complaint No. 218.--Federal Trade Commission v. The Proctor & Gamble Co., and the Proctor & Gamble Distributing Co. Charge : Stifling and suppressing competition in the sale of soap and kindred articles by fixing and maintaining resale prices, requiring dealers to maintain such resale prices, refusing to sell to those who will not maintain such resale prices, and refusing to sell mixed car-load lots of its products unless the purchaser thereof will also buy from them respondents' "Ivory" soap, in alleged violation of section 5 of the Federal Trade Commission act. Status : (Ante, complaint No.25).

Complaint No. 227.--Federal Trade Commission v. Helvetia Milk Condensing Co. Charge : Using unfair methods of competition in the sale of evaporated milk, viz, guaranteeing its customers against decline in the price of goods purchased and not resold at the time of any subsequent decline in the market price, and in the event of such decline refunding to such purchasers an amount equal to the difference between the purchase price of the undisposed goods and the market price to which they had declined, in alleged violation of section 5 of the Federal Trade Commission act. Status : Negotiations are pending for an agreed statement of facts upon which to submit this case to the Commission for final determination.

Complaint No. 228.--Federal Trade Commission v. The De Laval Separator Co. Charge : Stifling and suppressing competition in the sale of cream separators by fixing and maintaining resale prices, requiring dealers to maintain such resale prices, and refusing to sell to those who will not maintain such resale prices, in alleged violation of section 5 of the Federal Trade Commission act. Status : (Ante, complaint No.25).

capital of the Alexander Campbell Milk Co., the effect of such acquisition being to substantially lessen competition between the respondent and the Alexander Campbell Milk Co. and tend to create a monopoly, in alleged violation of section 7 of the Clayton Act. Status : This proceeding is now before the Commission for final determination.

Complaint No. 259.--Federal Trade Commission v. Oldbury Electro-Chemical Co., J. L. & D. S. Biker (Inc.), and Central Railway Signal Co. Charge : Using unfair methods of competition in the manufacture and sale of railway signal fuseses by an alleged combination between the respondents whereby the Oldbury Co., through its sales agent, J. L. & D. S. Biker (Inc.), refuses to manufacture and sell an

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manufacture Central Railway Signal Co. ()

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dictions concerning the business, organization, assets, capital stock, financial standing, and prospective profits of respondent, find concealing from the public material facts relating to and affecting the plans, organization, business, and capital stock of the respondent, and making, publishing, and circulating false statements regarding the existence, character, strength, efficiency, and operation of a drilling device or apparatus for the manufacture of which the respondent was ostensibly organized, and also falsely stating, representing, and advertising that it is engaged in business as a drill contractor, whereas its activities have been confined solely to the sale of its capital stock, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is now before the Commission for final determination.

Complaint No. 303.--Federal Trade Commission v. Utah-Idaho Sugar Co., Amalgamated Sugar Co., E. R. Wooley, A. P. Cooper, and E. F. Cullen. Charge : Using unfair methods of competition in connection with the manufacture and sale of beet sugar, consisting in the circulation of false and misleading reports concerning the business methods and financial standing of competitors and the inability of competitors to produce sugar, due to the alleged fact that all the producing territory is controlled by respondent; making long-term contracts with growers in territories where competitors were intending to erect factories; causing railroads to delay building tracks and other facilities for competitors and causing banks to withhold credit; spying upon the private and business affairs of competitors; establishing factories and buying up supplies in territories about to be occupied by competitors; preventing manufacturers of machinery from supplying competitors; secretly paying others to institute litigation against competitors and furnishing money to secret agents for the purpose of acquiring the controlling interest in the business of competitors in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent and is shortly to be transmitted to the Commission for its final determination.

Complaint No. 306.--Federal Trade Commission v. High Rock Knitting Co. Charge: Stifling and suppressing competition in the sale of knit wholesaler by fixing and maintaining certain specified standard prices at which the knit underwear manufactured and sold by respondent shall be resold to the purchasers thereof; requiring purchasers to agree to maintain or resell such knit underwear at such standard selling prices; refusing to sell its products to dealers who will not agree to maintain such specified standard resale prices and compelling wholesalers, jobbers, and dealers to refuse to sell its products to other wholesalers, jobbers, and dealers who do not maintain the resale prices fixed by respondent in alleged violation of section 5 of the Federal Trade Commission act. Status : (Ante, complaint No.25).

Complaint No. 308.--Federal Trade Commission v. The Ohio Cities Gas Co. Charge : Using unfair methods of competition in the business of purchasing and selling refined oil and gasoline and the leasing and loaning of oil pumps, storage tanks, or containers and their equipments by selling, leasing, or loaning oil pumps, storage tanks, or containers, etc., at prices which do not represent a reasonable return on the investment, many such sales, leases, or loans being made at prices below the cost of producing and vending the same, and many of the contracts for the lease or loan of such devices, etc., providing, or being entered into, with the understanding that the lessee or borrower shall not place in such devices or use in connection therewith any refined oil or gasoline of a competitor in alleged violation of section 5 of the Federal Trade Commission act; and leasing and making contracts for the lease of its devices, etc., on the condition, agreement, or understanding that the lessees thereof shall not use

or purchase or deal in the products of a competitor or competitors of respondent in alleged violation of section 3 of the Clayton Act. Status : This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in course of trial..

Complaint No. 321.--Federal Trade Commission v, The ~~of~~ ~~its~~ ~~TD~~ ~~0~~ ~~Tc~~ ~~(,):~~ ~~(pro)~~ ~~Tj~~ 14.76 04 ~~Tc~~

manufactured, handled, and sold by respondent, in alleged violation of section 2 of the Clayton Act. Status: (Ante, complaint No.25).

Complaint No. 351.--Federal Trade Commission v. Armour & Co. Using unfair methods of competition by acquiring the capital stock of E. II. Stanton Co., engaged in a similar business to that of respondent, and prior to such acquisition directly in competition with respondent, with the effect of substantially lessening competition between these two companies, restraining commerce in certain sections of the United States, and inain thetwostock and

Complaint No. 367.--Federal

Trust & Securities Co., the Prudential Oil & Refining Co., and the General Oil Co., all of Texas, for the purpose of misleading and deceiving the

This proceeding is at issue upon the complaint of

and other cleansing compounds. (Ante, complaint No. 424.) Status : (Ante, complaint No.424).

Complaint No. 427.--Federal Trade Commission v. B. T. Babbitt (Inc.). Charge : Using unfair methods of competition in the sale of soap, soap powders, and other cleansing compounds. (Ante, complaint No. 424.) Status : (Ante, complaint No.424).

Complaint No. 428.--Federal Trade Commission v. Curtice Brothers Co. Charge: Using unfair methods of competition in the sale of canned food products. (Ante, complaint No. 424.) Status: (Ante, complaint no. 424).

Complaint No. 429.--Federal Trade Commission v. Joseph Campbell Co. Charge: Using unfair methods of competition in the sale of canned soups. (Ante, complaint No. 424.) Status: (Ante, complaint No. 424).

Complaint No. 430.--Federal Trade Commission v. Russell Grader Manufacturing Co. Charge: (Ante, complaint No. 404). Status : (Ante, complaint No.404).

Complaint No. 431.--Federal Trade Commission v. The Barber Asphalt Paving Co. Charge: (Ante, complaint No. 404). Status : (Ante, complaint No. 404).

Complaint No. 432.--Federal Trade Commission v. The Dyar Supply Co. Charge : (Ante, complaint No.404). Status : (Ante, complaint No.404).

Complaint No. 433.--Federal Trade Commission v. Chas. Hvass & Co. (Inc.)-Charge : (Ante, complaint No.404). Status : (Ante, complaint No.404).

Complaint No. 434.--Federal Trade Commission v. The Austin-Western Road Machinery Co. Charge: (Ante, complaint No.404). Status : (Ante, complaint No.404).

Complaint No. 435.--Federal Trade Commission v. Stockland Road Machinery Co. Charge: (Ante, complaint No.404). Status : (Ante, complaint No.404).

Complaint No. 436.--Federal Trade Commission v. Gallon Iron Works & Manufacturing Co. Charge : (Ante, complaint No. 404). Status : (Ante, complaint No.404).

Complaint No. 437.--Federal Trade Commission v. J. D. Adams, R. E. Adams, et al., copartners doing business under the name and style of J. D. Adams & Co. Charge : (Ante, complaint No.404). Status : (Ante, complaint No.404).

Complaint No. 438.--Federal Trade Commission v. The Barr Sales Co. Charge : (Ante, complaint No.404). Status : (Ante, complaint No 404).

Complaint No. 439.--Federal Trade Commission v. The Good Roads Machinery Co. Charge: (Ante, complaint No.404). Status : (Ante, complaint No.404).

Complaint No. 440.--Federal Trade Commission v. The Chamberlain Road Machine Co. Charge: (Ante, Complaint No.404). Status : (Ante, complaint No. 404).

Complaint No. 441.--Federal Trade Commission v. Acme Road Machinery Co. Charge : Ante, complaint No.404). Status: (Ante complaint No.404).

Complaint No. 444.--Federal Trade Commission v. The Gates Rubber Co. and J. R. Hunt and William H. Klinefelter, copartners, doing business under the firm name and style of J. R. Hunt & Co. Charge : Stifling and suppressing competition in the sale of fan belts, tires, brake linings, tire patches, and other automobile accessories by fixing and maintaining certain specified standard prices at which such products shall be resold to the purchasers thereof; requiring purchasers to agree to maintain or resell the above-mentioned commodities at said standard selling prices; refusing to sell said commodities to jobbers or dealers who will not agree to maintain or resell the said commodities at standard resale prices fixed by respondents, or who do not resell such products at such fixed prices; inducing and requiring jobbers or dealers to spy upon others dealing in the said commodities who have not maintained said standard prices

or who have resold to jobbers or dealers to whom respondents have directed that the said products should not be resold; refusing to sell to jobbers or dealers engaged in the mail-order business; and employing divers other means, in alleged violation of section 5 of the Federal Trade Commission act. Status: (Ante, complaint No.25).

Complaint No. 446.--Federal Trade Commission v. Van Camp Packing Co. and Van Camp Products Co. Charge : Using unfair methods of competition in the sale of canned food products. (Ante, complaint No.424.) Status : This proceeding has been consolidated with complaint No.227 (ante).

Complaint No. 449.--Federal Trade Commission v. Wilson & Co. (Inc.). Charge : That the respondent purchased all the property of the Morton Gregson Co., a Nebraska corporation, theretofore engaged in the same line of business as respondent and in active competition with it, and thereafter organized under the laws of the State of Delaware a subsidiary corporation called the "Morton Gregson Company," which proceeded to take over the property thus purchased and to operate the business of the said Nebraska corporation, with the effect of eliminating competition previously existing between Morton Gregson Co., the Nebraska corporation, and the respondent, in alleged violation of section 5 of the Federal Trade Commission act and section 7 of the Clayton Act. Status : This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in preparation for trial.

Complaint No. 450.--Federal Trade Commission v. Wilson & Co. (Inc.), Charge : That the respondent acquired the whole of the common or voting stock of the Paul O. Reyman Co., a corporation, the effect of such acquisition being to enable respondent to completely dominate the business and policy of said Paul O. Reyman Co., to restrain competition between said respondent and said Paul O. Reyman Co., and to tend to create a monopoly in the sale of meats and like products, in alleged violation of section 5 of the Federal Trade Commission act and section 7 of the Clayton Act. Status : This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in preparation for trial.

Complaint No. 451.--Federal Trade Commission v. The Cudahy Packing Co. Charge : That respondent acquired 55 per cent of the shares of capital stock of the Nagle Packing Co., a competitor; 95 per cent of the capital stock of the D. E. Wood Butter Co., a competitor; and that a subsidiary corporation, the Dow Cheese Co., purchased the business and good will of a competitor, the A. C. Dow Co., with the effect that respondent has dominated the business of the Nagle Packing Co. and the D. E. Wood Butter Co. and has eliminated competition theretofore existing between the three above-mentioned companies and the respondent, In alleged violation of section 5 of the Federal Trade Commission act and section 7 of the Clayton Act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in preparation for trial.

Complaint No. 452.--Federal Trade Commission v. Morris & Co. Charge: That the respondent acquired approximately 75 per cent of the capital stock of the Crescent City Stock Yard & Slaughter House Co., a competitor; that it acquired stock in the Bluefield Produce & Provision Co.; that it acquired the whole of the capital stock of the Holland Butterine Co. and held the same out to the public as wholly independent and without connection with respondent; that it acquired 66 per cent of the common stock of the Providence Churning Co., a competitor, and organized a corporation to take over and succeed to the business and property of said Providence Churning Co.; that it acquired one-half of the entire capital stock of the Eskerson Co., a competitor; that it

acquired one-half of the capital stock of the Jacob Marty Co., a competitor; that it acquired

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Complaint No. 481.--Federal Trade Commission v. Amalgamated Roofing Co. Charge : (Ante, complaint No.472). Status : (Ante, complaint No.472).

Complaint No. 482.--Federal Trade Commission v. The Chatfield Manufacturing Co. Charge: (Ante, complaint No.472). Status : (Ante, complaint No. 472).

Complaint No. 483.--Federal Trade Commission v. H. W. Johns-Mansville Co. Charge : (Ante, complaint No.472). Status : (Ante, complaint No.472).

Complaint No. 484.--Federal Trade Commission v. Keystone Roofing Manufacturing Co. Charge : (Ante, complaint No.472). Status : (Ante, complaint .No.472).

Complaint No. 485.--Federal Trade Commission v. The Barrett Co. Charge : (Ante, complaint No.472). Status : (Ante, complaint No.472).

Complaint No. 486.--Federal Trade Commission v. Patent Vulcanite Roofing Co. Charge : (Ante, complaint No.472). Status : (Ante, complaint No.472).

Complaint No. 487.--Federal Trade Commission v. Philip Carey Manufacturing Co. Charge: (Ante, complaint No.472). Status : (Ante, complaint No. 472).

Complaint No. 488.--Federal Trade Commission v. H. F. Watson Co. Charge : (Ante, complaint No.472).. Status : (Ante, complaint No.472).

Complaint No. 489.--Federal Trade Commission v. The Paraffine Co. (Inc.). Charge : (Ante, complaint No.472). Status : (Ante, complaint No.472).

Complaint No. 490.--Federal Trade Commission v. Sylvester L. Weaver, trading as the Weaver Roof Co. Charge : (Ante, complaint No.472). Status :(Ante, complaint No.472).

Complaint No. 496.--Federal Trade Commission v. Universal Road Machinery Co. Charge: (Ante, complaint No.404). Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent and is In preparation for trial.

Complaint No. 497.--Federal Trade Commission v. New England Road Machinery Co. Charge: (Ante, complaint No.404). Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent and is In preparation for trial.

Complaint No. 499.--Federal Trade Commission v. The Bayer Co. (Inc.)

entering into agreements with dealers to maintain prices specified by respondent
refusing to sell to dealers who will not

of section 5 of the Federal Trade Commission ac

Charge : (Ante, complaint No.550). Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 556.--Federal Trade Commission v. The G. H. Hammond Co. Charge : (Ante, complaint No.550). Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No 557.--Federal Trade Commission v. Morris & Co. Charge : (Ante, complaint No.550). Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No 558.--Federal Trade Commission v. Wilson & Co. Charge:(Ante, complaint No.550). Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 559.--Federal Trade Commission v. Troco Nut Butter Co. Charge : (Ante, complaint No.550). Status : This proceeding is at Issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 560.--Federal Trade Commission v. Friedman Manufacturing Co. Charge : (Ante, complaint No.550). Status : This proceeding is at issue . upon the complaint of the Commission and the answer of the respondent.

Complaint No. 568.--Federal Trade Commission v. Rueckheim Bros. & Eckstein. Charge : (Ante, complaint No.562). Status : This proceeding is awaiting the decision of the United States Circuit Court of Appeals, Second Circuit, in the Kinney-Rome case now pending on a petition for review of the order of the Commission filed in that case against the Kinney-Rome Co.

Complaint No. 566.--Federal Trade Commission v. The F. J. O'Neill Medicine Co. Charge: Using unfair methods of competition by simulating in the marketing of its products, the trade-mark, advertising matter, form of contracts for special agency, the containers, and the product itself of the A. H. Lewis Medicine Co., with the design of deceiving and misleading the purchasing public and causing purchasers to believe that respondent's product is one and the same as that manufactured and sold by A. H. Lewis Medicine Co., and by printing on its advertising matter respondent's trade name or mark and the words "Registered U. S. Pat. Office," when said trade name or mark has not been registered in the United States Patent Office, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 568.--Federal Trade Commission v. Darling & Co. Charge : Using unfair methods of competition by causing through its agents, servants, and employees, its competitor's trucks to be followed and their business spied upon for the purpose of

a competitor, and the whole of the capital stock of the Graham Glass Co., with the effect of eliminating competition in sections

Cochran, copartners doing business under the firm name and style of Frank Samuel; W. F. B. Leavitt and Charles D. Robb, copartners doing business under the firm name and style of C. W. Leavitt & Co. Charge: Using unfair methods of competition by selling ferromanganese imported from respondents' British principals at prices substantially less than the

actual market value at the time of exportation from England plus freight and expenses incident to importation and sale in the United States, with the intent of stifling the industry which had developed in the United States by persons other than respondent during the late war owing to the British embargo on the exportation thereof, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent, and is in the course of trial.

Complaint No. 581.--Federal Trade Commission v. L. B. Silver Co. Charge: Using unfair methods of competition by false and misleading circulars, advertisements, etc., setting forth that it is a breeder of hogs, it

violation of section 5 of the Federal Trade Commission act. Status: This proceeding is awaiting the decision of the United States Circuit Court of Appeals, Second Circuit, in the Kinney-Rome case now pending on a petition for review of the order of the Commission filed in that case against the Kinney-Rome Company.

Complaint No. 586.--Federal Trade Commission v. Southern Macaroni Manufacturing. Charge: Using unfair methods of competition by offering and giving to jobbers and salesmen of jobbers handling respondent's products bonuses and cash prizes based on the increase in the sales of one or more of respondent's products, and graduated according to the percentage of such increase; and conducting, in pursuance of said offers of bonuses and cash prizes, correspondence encouraging and setting forth the advantages of those who made special efforts to sell respondent's goods by reason of said offers, with the effect of tending to cause and create extra and abnormal financial interest to said jobbers and said salesmen of jobbers in the sale of respondent's products and thereby tending to induce said jobbers and said salesmen of jobbers to give special attention and efforts to selling respondent's products, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is awaiting the decision of the United States Circuit Court of Appeals, Second Circuit, in the Kinney-Rome case now pending on a petition for review of the order of the Commission filed in that case against the Kinney-Rome Co.

Complaint No. 587.--Federal Trade Commission v. Tide-Water Oil Co., Tide Water Oil Sales Corporation, and Tide Water Oil Co. of Massachusetts. Charge: (Ante, complaint No. 305). Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 588.--Federal Trade Commission v. Esco Hosiery Co. (Inc.). Charge: Using unfair methods of competition by labeling, advertising, stamping, and branding on packages containing hosiery bought and sold by it representations that the hose contained in said packages are silk, when in truth and in fact the material in said hose is not all silk, but only a portion of such material in such hose is silk, the remaining portion

complete the product and sell and distribute the same, the price or prices thereof being at all stages in the progress of the article prescribed and rigidly maintained by the express terms and conditions of its licensing agreements and by the refusal of respondent to sell to those who do not maintain such resale prices, in alleged violation of section 5 of the Federal

Trade Commission act; and by agreements with certain of its so-called licensees, upon the agreement or understanding that such licensees shall not use or deal in the product of a competitor or competitors of respondent, with the effect of substantially lessening competition or tending to create a monopoly, in alleged violation of section 3 of the Clayton Act. Status: (Ante, complaint No. 25).

Complaint No. 594.--Federal Trade Commission v. Butterick Co., Federal Publishing Co., Standard Fashion Co., Butterick Publishing Co., New Idea Pattern Co., and Designer Publishing Co. Charge: Using unfair methods of competition by entering into contracts with approximately 20,000 retail dry goods dealers whereby its paper dress patterns are to be resold at certain prices fixed and established by respondents, and refusing to sell to those who do not maintain such resale prices, in alleged violation of section 5 of the Federal Trade Commission act; and entering into contracts whereby its dealers are prohibited from dealing in patterns manufactured by competitors of respondents, and enforcing such contracts by refusal to sell to such dealers who do not maintain such agreements and by threats of suits and institution of suits for damages, in alleged violation of section 3 of the Clayton Act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 595.--Federal Trade Commission v. Dove Oil Co. Using unfair methods of competition in the sale of stock and securities by circulation of false statements as to the location and proven production of its property, with the effect of deceiving the purchasing public as to the true value of the stock of respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is before the Commission for final determination.

Complaint No. 599.--Federal Trade Commission v. International Fur Exchange (Inc.), Funsten Bros. & Co., F. C. Taylor Fur Co., and Mallory, Mitchell & Faust. Charge: Using unfair methods of competition by refusing to advertise in newspapers except upon condition that the advertising matter from competitors setting forth the prices said competitors are willing to pay for furs purchased from trappers and hunters, be declined; and that by reason of the position of respondents in the fur purchasing business, newspapers have been so coerced, with the effect of depriving the owners of furs of the means of knowing the prices competitors of said respondents are willing to pay therefor, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent and is in course of trial.

Complaint No. 601.--Federal Trade Commission v. Sealwood Co. Charge: Using unfair methods of competition by giving and offering to give to employees, who in the regular course of their employment use shellac, or who direct its use by others, or who are required to purchase shellac or recommend the purchase of shellac to their respective employers, gratuities, such as money, liquor, cigars, meals, and other personal property, as inducements to said employees to influence their respective employers to purchase from respondent its said substitute for shellac (sealwood) and the reducer used in connection therewith, with the effect of excluding the products of its competitors unfairly, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is before the Commission for final determination.

Complaint No. 602.--Federal Trade Commission v. Check Writer Manufacturers (Inc.), and William Hutter. Charge: Using unfair methods of com-

unfair methods of competition by adopting a plan of boycott and withdrawal of patronage from manrom

officials for the purpose of inspecting respondent's machinery, and as an inducement to influence such public officials and employees employees enpoye TD 0 Tc.uTj 307

sion act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent, and the answer of the respondent, and is now ready for trial.

Complaint No. 619.--Federal

Complaint No. 666.--Federal Trade Commission v. Charles J. McNally, doing business under the trade name and style of Macfountain Pen & Novelty Co. Charge : Using unfair methods of competition in the sale of fountain pens by marketing fountain pens in boxes or containers labeled with fictitious resale prices many times greater than the fair market value of the pens, thereby enabling dealers to defraud the purchasing public or mislead it into the belief that a high-grade pen is being sold at a reduced price, in alleged violation of section

5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 667.--Federal Trade Commission v. N. Shure Co. Charge : Using unfair methods of competition in the sale of fountain pens by marketing fountain pens in boxes or containers labeled with fictitious resale prices many times greater than the fair market value of the pens, thereby enabling dealers to defraud the purchasing public or mislead it into the belief that a high-grade pen is being sold at a reduced price, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 668.--Federal Trade Commission v. Meyer Levin, Morris L. Levin, Isaac P. Levin, and Max Levin, partners, styling themselves Levin Brothers. Charge : Using unfair methods of competition in the sale of fountain pens by offering and selling fountain pens in boxes or containers labeled with fictitious resale prices many times greater than the fair market value of the pens and equipping certain of these fountain pens with pen points which are stamped "14 k. gold plated," by having said pen points so inserted that the words "gold plated" are hidden, thereby misleading the purchasing public in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 670.--Federal Trade Commission v. James Kelley. Charge : Using unfair methods of competition in the sale of fountain pens and boxes therefor by marketing fountain pens in boxes or containers labeled with fictitious prices many times greater than the fair market value of the pens, thereby enabling dealers to defraud the purchasing public or mislead it into the belief that a high-grade pen is being sold at a reduced price, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 671.--Federal Trade Commission v. Everett Jones, trading under the name and style of the Standard Pen Co. Charge : Using unfair methods of competition by offering and selling fountain pens fitted with pen points stamped "14k. gold plated" with said points so inserted as to make invisible the word "plated," and also sells circulars to accompany the pens when resold, which circulars purport to describe the pens and includes false and misleading statements as to price and guaranty, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 672.--Federal Trade Commission v. Karl Guggenheim

of the pens, thereby enabling dealers to defraud the purchasing public or mislead it into the belief that a high-grade pen is being sold at a reduced price, in alleged violation of section 5

of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 674.--Federal Trade Commission v. Davidson, Leay, Adanis Co.
Charge : Using unfair methods of competition in the purchase and sale of eggs, poultry,

parts, as “Silk lisle” or “Cashmere,” with the effect of misleading and deceiving the purchasing public, in alleged violation of section

silk” or “Silk plated” and by placing on hosiery containing no genuine silk the label “Silk isle” and by labeling hosiery made of mixed cotton and wool as “Cashmere,” with the effect of misleading and

deceiving the purchasing public, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 688.--Federal Trade Commission v. Reber Manufacturing Co. Charge: Using unfair methods of competition in the manufacture and sale of hosiery made of mixed cotton and silk by labeling it "World's best pure thread silk" or "Silk plated," and by labeling hosiery containing no genuine silk as "Silk lisle," and by labeling hosiery made of mixed cotton and wool as "Cashmere," with the effect of misleading and deceiving the purchasing public in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceedingw

of trial.

Complaint No 695.-Federal Trade Commission v. Associated Oil Co. (Inc.), Adey-Johnston Co. (Inc.), E. A. Adey, jr., S.B. Coleman, and B. V. Johnston.

telephonic appliances, equipment, and supplies while functioning as the manufacturing department of the American Telephone & Telegraph Co. and competing with other manufacturers and dealers for the business of independent tele-

phone companies by (a) contracting for the sale of its goods at fixed prices on condition that purchasers will not use the telephonic equipment sold by competitors of the respondent, (b) making false and misleading statements to the effect that Independent companies using its equipment will thereby secure better terms from the "Bell System" for toll service or will be unable to secure long distance or toll connections without the use of respondent's equipment, (c) utilizing the influence of banks to induce independent telephone companies to purchase their appliances, equipment, and supplies from the respondent, (d) procuring the cancellation of contracts entered into between independent telephone companies and respondent's competitors by special reductions in its prices to such prospective customers, and (e) falsely representing that certain of its competitors are going out of business or closing branch offices and that the customers of said competitor will thereupon be unable to secure repair parts and additional equipment, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No 703.--Federal Trade Commission v. Morgan Razor Works. Charge : Using unfair methods of competition in the sale of razor strops by adopting the trade names established by the Torrence Co. with the metho Tc () Tj 2.52 0 TD (by) Tj 10.92 0 T13.52.6

U s 1 1 . 0 4 -- F e d e r a l T r a d e C o m m i s s i o n v . M o r g a n R a z o r W o r k s . C h a r g e : U s i n g u n f a i r m e t h o d s o f c o m p e t i t i o n i n t h e s a l e o f r a z o r s t r o p s b y a d o p t i n g t h e t r a d e n a m e s e s t a b l i s h e d b y t h e T o r r e n c e C o . w i t h t h e m e t h o d T c () T j 2 . 5 2 0 T D (b y) T j 1 0 . 9 2 0 T 1 3 . 5 2 . 6
T j 3 4 . 9 2 N O U s T r a d e C o m m i s s i o n v . M o r g a n R a z o r W o r k s . C h a r g e : U s i n g u n f a i r m e t h o d s o f c o m p e t i t i o n i n t h e s a l e o f r a z o r s t r o p s b y a d o p t i n g t h e t r a d e n a m e s e s t a b l i s h e d b y t h e T o r r e n c e C o . w i t h t h e m e t h o d T c () T j 2 . 5 2 0 T D (b y) T j 1 0 . 9 2 0 T 1 3 . 5 2 . 6
T j 3 4 . 9 2 N O U s T r a d e C o m m i s s i o n v . M o r g a n R a z o r W o r k s . C h a r g e : U s i n g u n f a i r m e t h o d s o f c o m p e t i t i o n i n t h e s a l e o f r a z o r s t r o p s b y a d o p t i n g t h e t r a d e n a m e s e s t a b l i s h e d b y t h e T o r r e n c e C o . w i t h t h e m e t h o d T c () T j 2 . 5 2 0 T D (b y) T j 1 0 . 9 2 0 T 1 3 . 5 2 . 6
T j 3 4 . 9 2 N O U s T r a d e C o m m i s s i o n v . M o r g a n R a z o r W o r k s . C h a r g e : U s i n g u n f a i r m e t h o d s o f c o m p e t i t i o n i n t h e s a l e o f r a z o r s t r o p s b y a d o p t i n g t h e t r a d e n a m e s e s t a b l i s h e d b y t h e T o r r e n c e C o . w i t h t h e m e t h o d T c () T j 2 . 5 2 0 T D (b y) T j 1 0 . 9 2 0 T 1 3 . 5 2 . 6

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course of trial.

Complaint No. 707.--Federal Trade Commission v. Buffalo-Springfield Roller Co. Charge: Using unfair methods of competition in the sale of rollers and old machinery by offering and giving to public officials and prospective customers and competitor's customers, gratuities including money, liquor, cigars, meals, theater tickets, and entertainment as an inducement to influence said public officials and employees to purchase from respondent its rollers and other old machinery, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No 709.--Federal Trade Commission v. Cigar Manufacturers' Association of Tampa, Fla., an incorporated association, its officers, and member cigar manufacturers. The Tampa Box Co., a corporation, D. N. Holway, J. W. Young, and J. Van Roe, copartners under the firm name and style of D. N. Holway & Co., George F. Weidman, T. D. Fisher, and J. A. B. Anderson, copartners under the firm name and style of Weidman-Fisher & Co. Charge : That the respondent cigar manufacturers attempted to restrain competition in the sale of cigars and to create a monopoly of the supply of an essential element in the sale of cigars by entering into an agreement with the respondent, cigar box manufacturers, the intent and effect of which was to vest in the respondent association control of the supply of cigar boxes upon which the manufacture of cigars in Tampa and vicinity are dependent, the respondent association employing its control of the supply of cigar boxes to deny and to withhold from non-members and competing cigar makers their necessary supply of boxes, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent and is in course of trial.

Complaint No 710.--Federal Trade Commission v. Tide Water Oil Co. and Tide Water Oil Sales Corporation. Charge : Using unfair methods of competition in the sale of lubricating oils by inserting in their advertising matter a facsimile copy of a letter from the Bethman Motor Co. to the Tide Water Oil Co. containing a statement to the effect that Henry Ford & Son (Inc.) recommended for exclusive use in Fordson tractors the respondents' heavy special Veedol oil, which statement was known to the respondents to be false and was calculated to mislead the purchasing public and owners of Fordson tractors, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent and is in course of trial.

Complaint No. 711.--Federal Trade Commission v. A. L. Bramble, trading under the name and style of A. L. Bramble Co. Charge: Using unfair methods of competition in the sale of ship chandlery by giving expensive gifts and large sums of money in the form of cash commissions to officers and employees of

the respondent's products that such products are the Same as those of the Vacuum Oil Co., and suggests

that they be sold from the Vacuum Oil Co.'s containers as "Genuine mobile oils," thereby causing customers and prospective customers to believe that the products of the respondents are those of the Vacuum Oil Co., in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent, and is in course of trial.

Complaint No. 713.--Federal Trade Commission v. Hall-Marvin Co. and the Reynolds-Thompson Co. Charge : Using unfair methods of competition in that the respondents, controlled by the same stockholders, carry on their business in such a manner as to mislead the purchasing public into the belief that their business and goods are the same as those of the long established and favorably known Herring-Hall-Marvin Safe Co., and to further the deception, have established their office at 393 Broadway, New York, directly opposite the principal office of said Herring-Hall-Marvin Safe Co., and display their advertising matter in such a manner as to create the false impression that the respondents and the Herring-Hall-Marvin Safe Co. are one and the same, all in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No 715.--Federal Trade Commission v. United Allegretti Co. Charge : Using unfair methods of competition in that the name under which the respondent was incorporated, the names, brands, and marks of its goods, and its advertising matter simulate those of the long established and favorably known Allegretti Chocolate Cream Co., with the purpose of deceiving the public and leading the public to believe that its candies are the same as those manufactured and sold by the said original Allegretti Co., in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent, and is in course of trial.

Complaint No 716.--Federal Trade Commission v. Simon Adelson, trading under the name and style of United States Refining Co. Charge : Using unfair. methods of competition in the manufacture and sale of paints and other products by using false advertising matter and deceptive labels to lead the purchasing public into the erroneous belief that his product is ground in pure linseed oil or is pure white lead and is procured from or manufactured by the United States Government, in alleged violation of section

will purchase their coffee, teas, and spices from the respondent, the effect of which is to substantially lessen competition and create a monopoly, in alleged violation of section 5 of the Federal Trade Commission act.

to substantially lessen competition and create

numerous items of building material without disclosing the fact that they were its competitors, and using said estimates and bids in

seeking customers in competition with said company and for the purpose of underbidding it and

unfair methods of competition by the use of false and deceptive labels on hosiery made of wool and other material in approximately equal propor-

tions, which create the belief that its hosiery was made wholly of wool, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No 737.--Federal Trade Commission v. Margaret Newson and George B. Ketchum, doing business under the name and style of The Model Market. Charges : Using unfair methods of competition by offering and giving to captains and other officers of vessels, cash commissions and gratuities to induce them to purchase their meats, poultry, fish, vegetables, and other food products from the respondents, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 738.--Federal Trade Commission v.

Congressional Oil Co. By the use of said company as a

device for the disposition of certain oil leases at exclusive and fictitious prices; by published false and misleading statements relative to the company's property, earnings, and prospects, and by deceiving the purchasing public by numerous fraudulent schemes of promotion, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 743.-Federal Trade Commission v. Ernst Bischoff Company (Inc.). Charge : Using unfair methods of competition in the manufacture and sale of textile mill supplies, including dyestuffs, soaps, and oils, by offering and giving cash commissions or gratuities to dyers, finishers, and other employees in textile mills as an inducement to recommend the purchase of respondent's product in preference to the products of competitors of the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 744.-Federal Trade Commission v. Wm. Robinson, doing business under the name and style of Southern Machine Works. Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to engineers and other officers and employees of vessels valuable gifts and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 745.-Federal Trade Commission v. Austin, Nichols & Co. (Inc.) (Virginia). Charge : That Austin, Nichols & Co. (Inc.) entered into an agreement with Wilson & Co. (Inc.)

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5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 750.--Federal Trade Commission v. Benjamin H. Cappe, trading under the name and style of Asbestos Roofing Co. Charge : Using unfair methods of competition by publishing false and deceptive statements as to the quality of respondent's "asbestos liquid roofing," which falsely represents his product as made of the same material as those which enter into a favorably known roof-coating preparation, the product of a prominent manufacturer of asbestos products, and by simulation of its trade name, with the effect of misleading and deceiving the purchasing public in violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No 751.--Federal Trade Commission v. Crystal Ice & Storage Co. Charge : That the respondent by acquiring control of the Mt. Hood Ice Cream Co. and Hazelwood Ice Cream Co. and the Norman Ice Cream Co. tends to suppress competition, restrain commerce, and create a monopoly in the manufacture and sale of ice cream in the Oregon and Washington territory served by said companies and the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 752.--Federal Trade Commission v. Juvenile Shoe Co. (Inc.), Charge : Using unfair methods of competition by simulating the name, trade-mark, labels, tags, and stamping of the Juvenile Shoe Corporation, a previously incorporated manufacturer of children's shoes of superior quality selling for higher prices than the shoes sold by the respondent, with the effect of misleading and deceiving the purchasing public, in violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 753.--Federal Trade Commission v. De Soto Paint Manufacturing Co. Charge : Using unfair methods of competition in the manufacture and sale of paints, stains, varnishes, etc., by paying rebates or bonuses to certain purchasers of its "De Soto heavy body paints," and by giving certificates redeemable for cash to professional or contracting painters as a means of inducing them to further the sale of respondent's products to the exclusion of products of competitors of the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Status : This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 754.--Federal Trade Commission v. H. Skourap and D. E. Toplon, partners, styling themselves National Products Co. Charge : Using unfair methods of competition by means of combination sales and false statements concerning their groceries which mislead the public to believe that staple products are sold at prices below current retail prices, whereas the listing of other items included in the combination offer at prices greater than current retail prices results in a price for the whole substantially the same or greater than prices charged by retailers for like assortments as a whole, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and the answer of the respondent.

Complaint No. 755.--Federal Trade Commission v. Clara L. Doll, doing business under the trade name of Burham Safety Razor Co. Charge : Using unfair methods of

competition by assembling, packing, and selling safety razors in individual boxes or containers, which are stamped, marked, or branded with fictitious, misleading, and excessive prices calculated to mislead and deceive the purchasing public as to the grade or quality of the said safety razors, in alleged violation of section 5 of the Federal Trade Commission act. Status: This pro-

a notice to the effect that the device is sold and licensed for sale and use only while filled by the respondent and when sold for not less than

the thethe

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the fixed price, the cylinder being exchangeable in the Prest-O-Lite system only when filled and issued by the respondent. ~~Disclosed to the public under FOIA (b) (7) (C) and (b) (7) (D).~~

Charge: Using unfair methods of competition in the sale of furniture and house-furnishing goods at retail by falsely advertising "No extra charge"

for credit," whereas substantial discounts from quoted or marked prices are in fact given when goods are sold for cash, in allege

Charge : Using unfair methods of competition in the manufacture and sale of razors by printing fictitious and excessive prices on the containers in which its razors are sold, with the effect of misleading and deceiving the purchasing public as to the

Complaint No 777.--Federal Trade Commission v. Phillips Brothers & Co. Charge : Using unfair methods of competition in the manufacture and sale of pork sausage by labeling its product so as to simulate in size, style of type,

typographical arrangement, and general appearance the labeling of a similar and favorably known product marketed since 1859 by the Jos. Phillips Co., with the effect of misleading and deceiving the purchasing public, in alleged violation of section 5 of the Federal Trade Commission act. Status Answer to the Commission's complaint in this proceeding is not yet due.

Complaint No 778.--Federal Trade Commission v. Tide Water Oil Co. and Tide Water Oil Sales Corporation. Charge : That the respondents by maintaining a system of rebates and discounts based and graduated on the separate purchases of their petroleum products by dealers during a maintaining d1.16 0 TD 0 Tc () Tj 1.68 (p.1111) gTj rebatE

business relations with the Government, when in fact the respondent does not conduct a salvage business and has no contract

Rubber Co., aims to mislead the purchasing public to believe the products of the respondent are the products of the Diamond Rubber Co., in alleged violation of section 5 of the Federal Trade Commission act. Status : Answer to the Commission's complaint in this proceeding is not yet due.

made to municipalities, bridge builders, and contractors; procuring consent decrees for patent infringements in favor of respondent and publishing them without showing that they were entered by consent; publishing and

proceeding was dismissed without prejudice.

Complaint No. 305 (July 18, 1919).-Federal Trade Commission v. Thomas K. Brushart, doing business under the trade name of Motor Fuel & Lubricating Co
Charge: Using unfair methods of competition in the business of purchasing

and selling refined oil and

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ing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 332 (July 18, 1919).--Federal Trade Commission v. The Lubric Oil Co. Charge: (Ante, complaint No.805).

Complaint No. 341 (Sept. 2, 1919).--Federal Trade Commission v. W. A. Case & Son Manufacturing Co. (Inc.). Charge : Use of unfair methods of competition in the manufacture and sale of water-closet tanks by advertising such water-closet tanks at " Vitro," and advertising, holding out, and selling such product as being composed of vitreous material, whereas in fact it is a compound of asbestos fiber, rosin, and lime, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing this proceeding was dismissed for failure of proof.

Complaint No.343 (Sept. 2, 1919).--Federal Trade Commission v. Guarantee Veterinary Co. and George L. Owens. Charge Unfair methods of competition in the distribution of advertising matter containing false and misleading statements as to the medicinal ingredients contained in the "Sal-Tonik" blocks sold by respondents; that the respondents operate a number of factories in various parts of the United States, the total produce of one of which are purchased and indorsed by the Quartermaster Department of the United States Army; and that the respondents own and operate certain large and extensive machinery necessary for the manufacture of said product, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After bearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No.344 (Sept. 2, 1919).--Federal Trade Commission v. The Oakes Co. Charge : Using unfair methods of competition in the

violation of section 5 of the Federal Trade Commission act. Disposition : After hearing this proceeding was dismissed without prejudice.

Complaint No. 350 (Sept. 2, 1919).--Federal Trade Commission v. H. Norwood Ewing, doing business under the firm name and style of Liberty Paper Co. Charge : Using unfair methods of competition in the sale of paper products by respondent selling its paper products in commerce under the firm name and style of Liberty Paper Co., the name of a company long established and well known and engaged in the manufacture and sale in like territory of various paper products, with the effect of causing embarrassment and confusion, and of securing to the respondent the benefit of the advertising of the original corporation of the same name; and falsely representing to the public and the paper-buying trade that respondent is a manufacturer of paper, when in fact he is not a manufacturer of paper, but a purchaser of paper in bulk, which is converted into the finished product, thereby gaining an advantage over other jobbers who are not and do not hold themselves out to be manufacturers of paper, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 352 (Sept. 2, 1919).--Federal Trade Commission v. L. I. Wolper and H. B. Wolper, copartners, trading under the name and style of Errant-Knight Co., Lewis Grocery Co., and Ira Lester Co. Charge : Use of unfair methods of competition in the sale of groceries by circulating false statements regarding respondent's business and its ability to sell goods at prices lower than other dealers; and selling certain staple commodities, such as sugar and flour, at a loss, and charging prices on other products sold in combination so that the assortment as a whole yields respondent a satisfactory profit, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 356 (Sept. 2, 1919).--Federal Trade Commission v. Remington Typewriter Co. Charge: Using unfair methods of competition by giving to purchasers of its products at the end of each calendar year, or at the end of a definite period, certain rebates or discounts based or estimated upon the aggregate of the purchases made by such dealers during the calendar year or fixed period, with the object of causing such purchasers to confine their purchases to respondent's products, and to hinder its competitors from making sales to such purchasers except at a loss; and giving rebates or discounts based on the number of machines used by a purchaser irrespective of make or manufacture, thereby giving an undue advantage to the large purchaser and hindering the small user or purchaser of such machines from obtaining the same discounts and rebates as a large purchaser, in alleged violation of section 5 of the Federal Trade Commission act; and by adopting and maintaining the practice of giving rebates or discounts to purchasers on condition that they purchase all or a large percentage of their typewriters, parts and supplies therefor, from the respondent; and by entering upon contracts upon the express condition that purchasers named therein would purchase all or a large percentage of their typewriting, calculating, or adding machines from respondent, with the effect of preventing competitors of respondent from selling their products to aforesaid purchasers, with the further effect of substantially lessening competition and tending to create a monopoly, in alleged

violation of section 3 of the Clayton Act. Disposition : After hearing this proceeding was dismissed.

Complaint No.357 (Sept. 2, 1919).--Federal Trade Commission v. Royal Type-writer Co. Charge : (Ante, complaint No. 356). Disposition : After hearing this proceeding was dismissed.

Complaint No. 358 (Sept. 2, 1919).--Federal Trade Commission v. L. C. Smith & Bros. Typewriter Co. Charge : Unfair methods of competition by giving to purchasers of its products at the end of each calendar year, or at the end of a definite period, certain rebates or discounts based or estimated upon the aggregate of the purchases made by such dealers during the calendar year or fixed period, with the object of causing such purchasers to confine their purchases to respondent's products and to hinder its competitors from making sales to such purchasers except at a loss; and giving rebates or discounts based on the number of machines used by a purchaser irrespective of make or manufacture, thereby giving an undue advantage to the large purchaser and hindering the small user or purchaser of such machines from obtaining the same discounts and rebates as a large purchaser, in alleged violation of section 5 of the Federal Trade Commission act. Status: This proceeding is at issue upon the complaint of the Commission and answer of the respondent and is in course of trial. Disposition : After hearing this proceeding was dismissed.

Complaint No. 359 (Sept. 2, 1919).--Federal Trade Commission v. Underwood Typewriter Co. Charge: (Ante, complaint No.358). Disposition: After hearing this proceeding was dismissed.

Complaint No. 360 (Sept. 2, 1919).--Federal Trade Commission v. Woodstock Typewriter Co. Charge : (Ante, complaint No.358). Disposition : After hearing this proceeding was dismissed.

Complaint No. 368 (Sept. 2, 1919).--Federal Trade Commission v. Corona Typewriter Co. (Inc.). Charge: (Ante, complaint No.358). Disposition: After hearing this proceeding was dismissed.

Complaint No. 368 (Sept. 2, 1919).--Federal Trade Commission v. The Noiseless Typewriter Co. Charge: (Ante, complaint No.358). Disposition: After hearing, this proceeding was dismissed.

Complaint No. 374 (Sept. 2, 1919).--Federal Trade Commission v. Lasker & Bernstein. Charges : Using unfair methods of competition by deceptively in creasing and falsifying the weight of sponges by loading them with foreign material and selling such loaded sponges by weight, thereby creating a fictitious price for said sponges, defrauding and misleading customers, and causing prejudice and injury to competitors, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 375

~~375~~ *Complaint No. 375 (Sept. 2, 1919).*--Federal Trade Commission v. Lasker & Bernstein. Charges : Using unfair methods of competition by deceptively in creasing and falsifying the weight of sponges by loading them with foreign material and selling such loaded sponges by weight, thereby creating a fictitious price for said sponges, defrauding and misleading customers, and causing prejudice and injury to competitors, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 379 (Sept. 2, 1919).--Federal Trade Commission v. H. L. Eitman
Sponge Co. Charge: (Ante, complaint No. 374). Disposition : After hearing an order
was entered requiring respondent to cease and desist from using the practice
complained of under section 5 of the Federal Trade Commission act.

Complaint No. 380 (Sept. 2, 1919).--Federal Trade Commission v. Greek American
Sponge

section 5 of the Federal Trade Commission act.

Complaint No. 392 (Sept. 2, 1919).--Federal Trade Commission v. Emil Bloch.
Charge : (Ante, complaint No. 374). Disposition : After hearing an

order was entered requiring respondent to cease and desist from using the practice

was not a legitimate jobber but was

Complaint No. 501 (Nov. 25, 1919).--Federal Trade Commission v. Wholesale Grocers' Association of El Paso, Tex.; The F. S. Ainsa Grocery (Inc.); M.

Ainsa & Sons (Inc.) ; American Grocery Co. (Inc.) ; Bray & Co. (Inc.) ; The James A. Dick Co.; Tie 11 Lesinsky Co.; Trueba-Zozaya-Seggerman (Inc.) ; Western Grocery Co. (Inc.); Dan T White and John H. Grant, doing business under the name of White-Grant Co.; J. W. Lorentzen & Co.; W. H. Constable Co. (Inc.); H. W. Taylor and H. C. Smith, doing business under the name of Taylor & Smith; John H. McMahon, doing business under the name of John McMahon & Co.; W. T Bush; and The George H. Griggs Co. Charge: Using unfair methods of competition by combining and conspiring to prevent the Standard Grocery Co. from obtaining commodities dealt in by it from manufacturers and manufacturers' agents and other usual sources of supply; hampering and obstructing and attempting to hamper and obstruct the said Standard Grocery Co. by inducing and compelling and attempting to induce and compel manufacturers of grocery products and their agents to refuse to sell to said Standard Grocery Co. upon the terms, conditions, and at the prices usually accorded to dealers who buy and sell in wholesale quantities, and to compel said Standard Grocery Co. to pay for the commodities purchased by it prices higher than those charged to other dealers who buy and sell in wholesale quantities, with the effect of stifling and suppressing competition in the sale of grocery products at wholesale, in alleged violation of section 5 of the Federal Trade Commission act.

wholesale and wholesale refusal to sell at stiflingu4.2r Tc () o
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patents have long since expired and have no legal force or effect, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing this proceeding was dismissed.

Complaint

name of a brand of matches made in Sweden and imported into the United States and resold by a competitor of respondent, with the effect of confusing the trade and enabling respondent to compete unfairly for the trade of its competitors, and misleading the purchasing public

into the belief that the matches sold by respondent were in fact made in Sweden, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing this proceeding was dismissed for want of sufficient proof.

Complaint No. 539 (Feb. 4, 1920).--Federal Trade Commission v. Royal Baking Powder Co. Charge : Using unfair methods of competition by misbranding and falsely advertising its product as containing substantially the same ingredients as the product of its predecessor, Price Baking Powder Co., which predecessor's product had a large trade and valuable good will for 60 years and had a standard retail price of 40 to 50 cents per can of 12 ounces and other sizes in like proportions, and that the prices advertised by respondent, although about half the former prices of its said predecessor's product, were still much in excess of the current and reasonable prices of baking powders such as respondent was in fact selling, thus injuring and restraining the business of its competitors and deceiving and misleading purchasers and consumers, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 542 (Jan. 14, 1920).--Federal Trade Commission v. Edwin S Jones, doing business under the name and style of Philadelphia Textile Chemical Works. Charge : Using unfair methods of competition by giving and loaning to employees of his customers, without the knowledge and consent of their employers, sums of money as an inducement to influence their said employers to purchase or contract to purchase from the respondent soap and wood oil, or to influence such customers to refrain from dealing or contracting to deal with competitors of the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 543 (Jan. 21, 1920).--Federal Trade Commission v. Ricco Co. (Inc.). Charge: Using unfair methods of competition by giving and offering to give to employees of both its customers and prospective customers, and its competitors' customers and prospective customers, sums of money as an inducement to influence their employers to purchase or contract to purchase from the respondent, or to influence such employers to refrain from dealing or contracting to deal with competitors of respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 547 (Feb. 4, 1920).--Federal Trade Commission v. Big Four Grocery Co. Charge: Using unfair methods of competition by offering,

belief that such average retail prices are higher than they are in truth and in fact, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease

and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 548 (Feb. 4, 1920).-Federal Trade Commission v. Vacuum Oil Co. Charge : Using unfair methods of competition by maintaining in its business a system of giving cumulative discounts or rebates in the sale of its products whereby purchasers of its products obtain at the end of each calendar year, or at the end of a definite period, certain rebates or discounts based and estimated upon the aggregate of the separate purchases made by such dealers during the calendar year, or such fixed period; selling lubricating oils to automotive manufacturers for use in their machines, being sold at list prices, that is to say, prices to consumers, less 40 per cent discount, irrespective of amount, and an additional 5 per cent on carload lots ; and giving and offering to give an additional rebate of the cost of a half gallon of oil per machine sold to all such manufacturers who

for the respondent the good will established by the said Wittenberg Coal Co. for its brand name "Acme" when used in connection with coal, with its principal office in the same city in which the Wittenberg Coal Co. also has an office for the transaction of its business of selling coal, in

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Storage Sales Co., and Tyrolia Talking Machine Co. Charge: Using unfair

unusual reductions from full standard resale values, when in fact said phonographs are not privately owned, but are new and unused and of grade and quality much inferior to phonographs of the standard makes which they are made to imitate, and are manufactured by respondents and sold to purchasers for less than one-third of the standard resale prices at which they are listed in respondent's advertising matter; and that phonographs so advertised have been stored for safekeeping with one or the other of respondents, Illinois Storage Co. or Chicago Storage Co. or Chicago Storage Sales Co., and are being offered for sale for the purpose of reimbursing one or the other of said respondents for unpaid storage charges, when in fact such phonographs have never been so stored, nor do said respondents now nor have they or any of them at any time since March, 1919; conducted a storage or warehouse business of any kind, but respondents have been and are using the titles Illinois Storage Co., Chicago Storage Co., and Chicago Storage Sales Co. as sham trade names for the purpose and with the effect of accomplishing said deceptions in selling phonographs of their own manufacture, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing an order was entered requiring respondents to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 575 (Feb. 28, 1920).--Federal Trade Commission v. P. Tyrrell Ward, trading under the name and style of Household Storage Co. Charge : Using unfair methods of competition by putting in catalogues and advertising matter false and misleading statements that

Complaint

putting same

of Household

Storage Co. 1920. 0062146

complained of under section 5 of the Federal Trade Commission act.

Complaint No. 582 (Mar. 31, 1920).--Federal Trade Commission v. Universal Motor Co. and Universal Products. Charge : Using unfair methods of competition by advertising and selling and offering for sale to the trade and general

public lighting plants for which they have adopted and assumed the trade names of Universal Lighting Unit, Universal Unit Lighting Plants, and Universal Farm Lighting Unit, when the trade name "Universal" had previously become well

the Universal

Commission

Flaxol Co. Charge : Using unfair methods of competition by selling a certain product which respondent has named and advertises as "Flaxol," thereby indicating that it is a product or derivative of flax and the equivalent of linseed oil, the well-known product of flax, when in fact "Flaxol" contains only a small and immaterial amount of linseed oil, is not a product or derivative of flax or the equivalent of linseed oil, and the natural and probable effect of such holding out of the commodity is to mislead the public into believing that "Flaxol" is produced from flax, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 598 (Apr. 29, 1290) --Federal Trade Commission v. Everybody's Mercantile Co. Charge: Using unfair methods of Competition by giving and offering to give customers and prospective customers, as an inducement to secure their trade and patronage, certain papers, coupons, or certificates which are redeemable in various prizes or premiums consisting of personal property of unequal values, the distribution of which is determined by chance or lot, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 600 (Apr. 27, 1920) --Federal Trade Commission v. Lewis Pelstring. Charge : Using unfair methods of competition by advertising paints under the names of "Government Supply House," "Pelstring's Government Supply House," etc., with the effect of misleading the purchasing public into the belief that such products were formerly the property of the United States Government, when in fact said products were bought from other dealers in the ordinary course of business and were never the property of the United States Government, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 605 (May 4, 1920) --Federal Trade Commission v. Adolph Braude & Louis Braude, doing business as Franklin Knitting Mills. Charge : Using unfair methods of competition by conducting its business of buying and selling knitted goods as wholesale merchants or jobbers under the trade name of Franklin Knitting Mills, which assumed trade name leads the customers and public generally to believe that the respondent firm operating under said firm name is a manufacturer of the goods sold by it, when such is not the fact, but respondent is a merchant or jobber and buys the goods so sold ; and by adopting the name of Franklin Knitting Mills when there was in existence a corporation whose legal corporate name was "Franklin Knitting Mills (Inc.)," a long established firm which was engaged in lo ((flat) IT 25 Esp 60) 1920-02 TIT 0 (16 mar 1920)

when in truth and in fact said liquid roofing cement does contain which fact is well known to the respondent in alleged violation of

order

Complaint No. ~~Mo.5j 42352~~TD 08.2int

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Inc.), TD 026.8int

Who and Why," etc., made up similar in size, color, binding, and general appearance to the publication of A. N. Marquis & Co.'s "Who's Who in America," well known through years of circulation and usage, and by making use of clippings from the Marquis

violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was

entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 632 (Sept. 8, 1920)--Federal Trade Commission v. Albert P. J. Voight, doing business under the trade name and style of Voight Machine Shop. Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 633 (Sept. 8, 1920) --Federal Trade Commission v. J. Bader, doing business under the trade name and style of Vulcan Iron Works. Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 634 (Sept. 8, 1920)--Federal Trade Commission v. Gray's Engineering Works (Inc.). Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 635 (Sept. 8, 1920) --Federal Trade Commission v. John P. McDonough, doing business under the trade name and style of McDonough Iron Works. Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 636 (Sept. 9, 1920)--Federal Trade Commission v. Marine Iron Works (Inc.). Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 637 (Sept. 8, 1920).--Federal Trade Commission v. A. V. McFadden and Carl McFadden. partners styling themselves the Texas Iron Works. Charge: Using unfair methods of competition in the business of re-

pairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 638 (Sept. 8, 1920).--Federal Trade Commission v. R. Kellogg, J. C. Currie, and J. H. Giddens, partners styling themselves the Port Arthur Marine Engineering Works. Charge: Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 639 (Sept. 9, 1920).--Federal Trade Commission v. Johnson Iron Works (Ltd.) . Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 640 (Sept. 17, 1920).--Federal Trade Commission v. Everett Supply Company (Inc.). Charge : Using unfair methods of competition in the sale of ship chandlery by giving expensive gifts, liquor, cigars, meals, theater tickets, automobile drives, and other forms of entertainment, amusement, or diversion, totaling approximately \$850 per month, to captains and other officers of ships to induce them to purchase ship chandlery and supplies from the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 641 (Sept. 9, 1920).--Federal Trade Commission v. Stern Foundry & Machinery Co. (Inc.). Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 642 (Sept. 9, 1920).--Federal Trade Commission v. Crescent City Machine & Manufacturing Works (Inc.). Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal

Trade Commission act. Disposition: After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 643 (Sept. 14, 1920)--Federal Trade Commission v. Alex. Dussel Iron Works (Inc.). Charge: Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 644 (Sept. 9, 1290)--Federal Trade Commission v. The Union Iron Works, (Inc.). Charge: Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered re requiring the respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 645 (Sept. 9, 1920)--Federal Trade Commission v. William J. Tierney, doing business under the trade name and style of New Orleans Machine Works. Charge : Using unfair methods of competition in the business of repairing ships and furnishing repair parts by giving to captains and other officers and employees of vessels valuable gifts, cash commissions, and gratuities as an inducement to have the ships operated by them for the owners thereof repaired by respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

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alleged violation of section 5 of the Federal Trade Commission act. Disposition :
After hearing an order was entered requiring respondent to cease and desist from using
the practice complained of under section 5 of the Federal Trade Commission act.

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Complaint No. 650 (Sept. 14, 1920).--Federal Trade Commission v. Henderson Ship Building Co. (Inc.). Charge : Using unfair methods of Competition in the business of re

Federal Trade Commission act.

and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 656 (Sept. 17, 1920).--Federal Trade Commission v. W. A. Rhea, Charge : Using unfair methods of competition in the sale of ship chandlery by giving cash commissions and gratuities to captains and other officers of ships to induce them to purchase ship chandlery and supplies from the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring respondent to cease and desist from using the practice complained of under section 5 of the Federal Trade Commission act.

ships operated by them for the owners thereof repaired by the respondent, in alleged violation of section 5 of the Federal Trade Commission act. Disposition: After hearing an order was entered requiring respondent to cease

desist from using the practice complained of under section 5 of the Fed-I Trade Commission act.

Complaint No. 669 (July 2, 1920).--Federal Trade Commission v. George C. LeGendre and George Chadwick LeGendre, partners, styling themselves George LeGendre & Son. Charge : Using unfair methods of competition in the sale of ship chandlery by

requiring respondent to cease and desist the practice complained of under section 5 of the Federal Trade Commission act.

Complaint No. 700 (Dec. 28, 1920).--Federal Trade Commission v. Albany Chemical Co. Charge: That the respondent, subsequent to the cancellation of

the United States trade-mark "Aspirin" upon the expiration of the patent, the property of the Bayer Company (Inc.) for acetyl salicylic acid, obtained State registration of the word "Aspirin" as its trade-mark and thereupon made numerous erroneous deceptive statements concerning aspirin and respondent's right to the use of the word and informed dealers in drugs and medicines that the use of the word in connection with products other than those of the respondent would be regarded as an infringement of its property rights in said trade-mark, in alleged violation of section 5 of the Federal Trade Commission act. Disposition : After hearing an order was entered requiring

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