THE EXAMINER: Pursuant to the order of the Commission requiring the trial in the Aluminum Company Case to reconvene on April 10, 1928, in Philadelphia, the case is now convened and set ready for trial. Show the same appearances that you had in the previous hearings.

MR. WHITELEY: Before proceeding with the taking of testimony this morning I want to state on the record as briefly as possible the reason for the somewhat extensive delay that has occurred since our last hearing in this case in Cleveland, I believe, onFebruary 4, 1927, and I have made a memorandum which I will read as it will save time.

At the conclusion of the hearings in Cleveland on the 4th day of February, 1927, counsel for the Commission stated on the record that because of the trial of another case before the Commission which had been set for the 10th of February,in which both Trial Examiner and Counsel for the Commission were engaged, it would be impossible to proceed with the taking of any further testimony in the instant case until some time in March and that he understood that both counsel for the respondent and the President of the respondent company, Mr. Arthur V. Davis, had indicated that it would be extremely difficult, if not impossible, for them to participate in any proceedings in this case during the month of March.

At that time counsel for the Commission had given notice