

MR. WHITELEY: Of course, Mr. Examiner, that cannot be passed upon until we reach that point and I would like to add to my statement that at that time I was prepared to close the case, I mean, at the close or conclusion of the hearings now scheduled or to be scheduled during this present trip, I will be prepared to close the case with the exception of the taking of that deposition and such other testimony as may be required from Edward G. Budd, Manufacturing Company, as to certain documents that may not be attached to and made a part of the deposition. Of course, I am unable to state that that situation will arise and I wanted to make that clear that we will be complete at that time.

MR. SMITH: That would make it more awkward to have other testimony or something else pending.

THE EXAMINER: We will cross that bridge when we come to it.

MR. WHITELEY: Before calling the present witness I desire to offer in evidence as Commission's Exhibit No. 738, a copy, certified from the records of the District Court of the United States for the Western District of Pennsylvania, under the Seal of the Clerk of that Court, Mr. J. Wood Clark, of a Decree handed down by the Federal Court by James S. Young, Judge, in the case of the United States of America v. The Aluminum Company of America, No. 159 in Equity, on to wit, the 7th day of June, 1912.