

to by the President of the United States, and I am citing that as additional reason why this decree should be accepted in evidence by the Trial Examiner.

Of course, the Trial Examiner, as are other members of the staff of the Commission is entitled to and does consider the opinion of the Chief Counsel of the Commission upon questions of law.

MR. SMITH: I object to that as improper and wholly incorrect statement. We understand that the Examiner is endeavoring to act independently in taking this testimony. Your argument would be like arguing to a court that some lawyer told you this ought to be done.

Now, Major Sheppard, what you state is exactly right. We would ask again to have counsel for the Commission point out to now the part of the complaint, that is what we are meeting, which charges us with a violation of this consent decree entered fifteen or sixteen years ago. Wherein does your complaint charge us with this thing.

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MR. WHITELEY: I have read the general charge, Mr. Examiner, and the complaint proceeds after this general charging clause which I have read into the record to enumerate certain specific practices, wherein it alleges the respondent is carrying out this general scheme, among which are the following:

(a) It arbitrarily neglects or refuses to sell to manufacturers of aluminum goods and/or aluminum fabric pro-