

bound by the lettered sub-divisions of paragraph 3 to which we have referred and we respectfully submit that the Commission is bound by its pleading in this case and that it is apparent from the reading of paragraph 3 that they now develop something not even hinted at, not even charged. We amplify our objection further by calling attention to the fact that the practices complained of in paragraph 3 are stated as having been done in the United States. This case now spoken of are acts in British Guiana, wholly outside of the United States. We further call the attention of the Commission to the fact that the evidence now offered is an attempt to impose the evidence of Mr. Whelan, a witness already called for the Commission, who gave an entirely different reason for his abandonment of efforts to go into the aluminum business under the testimony already taken. And in this connection I call attention to the testimony given by Mr. Whelan, found on page 1788 of the record. And while we call attention to and rely on our testimony, we specifically direct attention of the Examiner of the Commission to this testimony of the witness, Mr. Whelan.

"9 Would you mind saying Mr. Whelan what -- why you had reached the conclusion that you did not desire to go into the aluminum industry? EXAMINER SHEPARD: Yes, go into some detail in regard to that question and tell the whole facts