

25

Pat. 10
1073
34-H

Vol. I
TRANSCRIPT OF RECORD

Supreme Court of the United States

OCTOBER TERM, 1935

No. 268

**THE SUGAR INSTITUTE, INC., THE AMERICAN
SUGAR REFINING COMPANY, MARGARET A.
JAMISON, ET AL., APPELLANTS,**

vs.

THE UNITED STATES OF AMERICA.

**APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF NEW YORK.**

FILED JULY 22, 1935.



SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1935

No. 268

THE SUGAR INSTITUTE, INC., THE AMERICAN
SUGAR REFINING COMPANY, MARGARET A.
JAMISON, ET AL., APPELLANTS,

vs.

THE UNITED STATES OF AMERICA.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR
THE SOUTHERN DISTRICT OF NEW YORK.

VOL. I.

INDEX.

	Original	Print
Record from D. C. U. S., Southern New York	1	1
Præcipe for transcript of record	2	1
Præcipe for additional portions of record	7	4
Petition	11	6
Order substituting party defendant	35	21
Answer	38	22
Exhibit "A"—Certificate of Incorporation of The Sugar Institute, Inc.	103	66
Exhibit "B"—By-laws of The Sugar Institute, Inc.	111	71
Exhibit "C"—Letter, Wm. J. Donovan to W. L. Cum- mings, Jan. 26, 1928	126	81
Order amending petition, April 8, 1932	129	83
Order amending petition, April 20, 1932	132	84
Opinion, Mack, J	134	85
Appendix—Code of ethics of The Sugar Institute, Inc.	322	260

JUDD & DETWEILER (INC.), PRINTERS, WASHINGTON, D. C., AUGUST 26, 1935.

	Original	Print
Findings of fact and conclusions of law	327	263
Final decree	373	319
Petition for appeal	383	326
Assignments of error	387	328
Order allowing appeal, etc.	427	358
Bond on appeal	(omitted in printing) ..	431
Citation	(" " ") ..	435
Order extending time	438	359
Stipulation re order extending time	439	360
Stipulation re transcript of record	441	360
Clerk's certificate	(omitted in printing) ..	443
Narrative statement of evidence	445	361
Caption	445	361
Testimony of Wm. W. Gardiner	446	361
Frank C. Lowry	469	374
Henry King	499	390
Frank D. Eaman	502	392
Herbert I. Smith	508	396
Harold L. Brown	525	405
Eugene J. O'Riley	534	411
Sherman L. Brown	555	422
Russell R. Roberts	563	427
John B. Meier	567	429
Louis A. Parker	573	432
Albert Pritchard	580	437
Lewis C. Dever	586	440
Joseph O. Adams	591	442
Clinton G. Edgar	593	443
T. E. Hopson	673	485
Albert W. Beebe	680	489
Percy A. Clayton	711	507
Theodore F. Olson	715	509
Fred Heimer	718	511
Yancey Altsheler	728	516
James E. Wilson	735	520
Edwin R. Meyer	741	523
C. A. Humphrey	750	528
Clint Hollady	755	531
Loren H. Stevens	763	536
C. E. Herbert	765	537
George D. Griffin	768	539
Solomon Goldberg	771	540
Jacob F. Giering	778	544
Phillip H. Cass	780	545
Joseph E. Weil	782	546
B. M. Ruse	794	553
John A. Taylor	796	554
Carl H. Wortz	804	559
John H. Muller	808	561
Rochester H. Rogers	818	567
Marion H. Forchheimer	823	570
Harry H. Bernstein	829	573

INDEX

iii

	Original	Print
Testimony of Wilbur L. Cummings	852	585
Wm. W. Gardiner (recalled)	931	629
Evan T. Fisher	935	631
Charles H. White, Jr.	985	659
Martin E. Goetzinger	1003	669
Henry E. Worcester	1031	685
Wm. H. Hoodless	1052	696
Louis R. Campiglia	1066	704
Paul M. Ripley	1094	719
Stipulation to eliminate production of expert evidence on question of transiting	1128	737
Testimony of Fred G. Taylor	1198	773
Evan T. Fisher	1213	782
Fred G. Taylor (recalled)	1214	782
Joseph F. Abbott	1222	787
Louis R. Campiglia (recalled)	1262	807
Hans C. Petersen	1280	817
Martin E. Goetzinger (recalled)	1286	821
Louis V. Place, Jr.	1296	827
John W. Lowe, Jr.	1337	849
Stipulation re testimony of Morton Myers re Exhibit "U-4"	1341	851
Testimony of V. K. Raymond.....	1342	851
Charles H. White (recalled)	1362	861
Charles B. Castle	1379	870
Evan T. Fisher (recalled)	1385	874
Frank E. Sullivan	1402	881
Fred G. Taylor (recalled)	1421	891
Lambert V. B. Cameron	1437	899
Form of application used by National Brokers' Ass'n, year 1927	1443	902
Testimony of Evan T. Fisher (recalled)	1445	903
Louis V. Place (recalled)	1452	907
Fred G. Taylor (recalled)	1460	911
Evan T. Fisher (recalled)	1471	917
Fred G. Taylor (recalled)	1487	925
Charles B. Castle (recalled)	1490	926
Louis V. Place (recalled)	1499	931
W. D. Flintom	1544	956
Charles H. White (recalled)	1555	961
Charles B. Castle (recalled)	1572	970
Fred G. Taylor (recalled)	1579	973
Evan T. Fisher (recalled)	1592	981
Fred G. Taylor (recalled)	1604	987
John L. Many, Jr.	1611	991
John W. Symons, Jr.	1631	1002
Francis E. Kamper	1637	1005
Charles Duncan	1641	1008
Fred G. Taylor (recalled)	1647	1011
Louis V. Place (recalled)	1662	1018
Fred G. Taylor (recalled)	1673	1024
Charles B. Castle (recalled)	1676	1026

	Original	Print
Testimony of J. Henry Lienau (recalled)	1679	1027
Fred G. Taylor (recalled)	1683	1029
Mark W. Lowe	1689	1032
Pedro P. Polakoff	1691	1033
Wm. E. Foster	1693	1034
Martin E. Goetzinger (recalled) ...	1713	1044
Mr. Fisher	1721	1048
Martin E. Goetzinger (recalled)	1722	1049
Walter C. Pitner	1724	1049
Hugh Dawson	1726	1051
Joe E. Carter	1728	1052
Ophel W. Gates	1731	1053
Walter L. Lefew	1732	1054
R. Fleming Johnson	1734	1055
Leonard C. Adams	1736	1056
LeRoy Moore	1738	1058
Austin Whitener	1739	1059
James H. Post	1740	1059
Charles B. Castle (recalled)	1748	1064
Alfred H. Munch	1753	1066
Ralph S. Stubbs	1765	1073
Wilbur L. Cummings (recalled)	1778	1079
Excerpt from report of Federal Trade Commission on sugar supplies and prices, November 15, 1920	1781	1082
Testimony of Charles B. Castle (recalled)	1788	1088
Edgar H. Stone	1792	1090
Wm. H. Harper	1799	1093
John H. Ketcham	1801	1094
John W. Lowe	1809	1099
Arthur B. Wollan	1810	1099
Paul M. Ripley (recalled)	1819	1104
Stipulation re testimony of Thomas J. Gallagher and Arthur Weidener	1822	1105
Stipulation re testimony of Charles B. Castle and Samuel Kerwin	1828	1109
Stipulation re certain testimony of representatives of fifteen defendant refiners	1831	1111
Testimony of Evan T. Fisher (recalled)	1843	1117
Stipulation re Exhibit "E-17"	1844	1118
Testimony of Edwin R. A. Seligman	1855	1125
Rudolph Spreckels	1894	1147
Stipulation re testimony of Alfred H. McCausland	1894	1147
Testimony of Fred G. Taylor (recalled)	1897	1149
Louis V. Place (recalled)	1902	1151
Thomas S. Adams	1912	1157
Order approving statement of evidence	1933	1168
Stipulation as to accuracy of narrative statements.....	1935	1169
Statement of points to be relied upon and designation of parts of record to be printed	1937	1170
Designation by appellee of additional parts of record to be printed	1939	1170