thoroughfares, whether public or private, and any ground intended
for or used as a highway other than the public streets or avenues;
and any dwelling house now fronting an alley less than thirty feet
wide and not extending straight to the streets and provided with
sewer, water main, and light, as aforesaid, which has depreciated or
been damaged more than one-half its original value, shall not be
repaired or reconstructed as a dwelling or for use as such, and no
permit shall be issued for the alteration, repair, or reconstruction
of such a building, when the plans indicate any provision for dwelling
purposes; Provided, That rooms for grooms or stablemen to be
employed in the building to be erected, repaired, or reconstructed
may be allowed over stables, when the means of exit and safeguards
against fire are sufficient, in the opinion of the inspector of buildings,
subject to the approval of the Commissioners of the District of
Columbia; and no building now or hereafter erected fronting on an
alley or on any parcel of ground fronting on an alley less than thirty
feet wide and not otherwise in accordance with this Act shall be altered
or converted to the uses of a dwelling. Any such alley house depre-
ciated or damaged more than one-half of its original value shall be
condemned as provided by law for the removal of dangerous or unsafe
buildings and parts thereof, and for other purposes. No dwelling
house hereafter erected or placed along any alley and fronting or
facing thereon shall in any case be located less than twenty feet back
clear of the center line of such alley, so as to give at least a thirty-foot
roadway and five feet on each side of such roadway clear for a walk
or footway, and any stable or other building hereafter placed, located,
altered, or erected on or along such an alley upon which a dwelling
faces or fronts shall be set back clear of the walk or footway the
same as the dwelling or dwellings, but the fact that dwellings are
located in such alleys shall not affect the location of stables or other
buildings otherwise.

The use or occupation of any building or other structure erected
or placed on or along any such alley as a dwelling or residence or
place of abode by any person or persons is hereby declared injurious
to life, to public health, morals, safety, and welfare of said District;
and such use or occupation of any such building or other structure
on, from, and after the first day of July, nineteen hundred and
eighteen, shall be unlawful.

Sec. 2. That any person or persons, whether as principal, agent, or
employee, violating any of the provisions of this Act or any amend-
ment thereof for the violation of which no other penalty is prescribed,
shall, on conviction thereof in the police court, be punished by a fine
of not less than $10 nor more than $100 for each such violation, and
a like fine for each day during which such violation has continued
or may continue, to be recovered as other fines and penalties are
recovered.

Sec. 3. That the Act of Congress approved July twenty-second,
eighteen hundred and ninety-two, entitled "An Act regulating the
construction of buildings along alleyways in the District of Columbia,"
and all laws or parts of laws inconsistent with the provisions hereof,
are hereby repealed.

Approved, September 25, 1914.

CHAP. 311.—An Act To create a Federal Trade Commission, to define its powers
and duties, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled, That a commission is hereby
created and established, to be known as the Federal Trade Commis-

September 26, 1914.  
[Public, No. 203.]  
Federal Trade Com-
mission.  Created; composition and appointment.
Tenure of office, etc.

The first commissioners appointed shall continue in office for terms of three, four, five, six, and seven years, respectively, from the date of the taking effect of this Act, the term of each to be designated by the President, but their successors shall be appointed for terms of seven years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he shall succeed. The commission shall choose a chairman from its own membership. No commissioner shall engage in any other business, vocation, or employment. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission.

The commission shall have an official seal, which shall be judicially noticed.

Salaries.

Sec. 2. That each commissioner shall receive a salary of $10,000 a year, payable in the same manner as the salaries of the judges of the courts of the United States. The commission shall appoint a secretary, who shall receive a salary of $5,000 a year, payable in like manner, and it shall have authority to employ and fix the compensation of such attorneys, special experts, examiners, clerks, and other employees as it may from time to time find necessary for the proper performance of its duties and as may be from time to time appropriated for by Congress.

Attorneys, experts, etc.

With the exception of the secretary, a clerk to each commissioner, the attorneys, and such special experts and examiners as the commission may from time to time find necessary for the conduct of its work, all employees of the commission shall be a part of the classified civil service, and shall enter the service under such rules and regulations as may be prescribed by the commission and by the Civil Service Commission.

Application of civil service laws.

All of the expenses of the commission, including all necessary expenses for transportation incurred by the commissioners or by their employees under their orders, in making any investigation, or upon official business in any other places than in the city of Washington, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the commission.

Rent.

Until otherwise provided by law, the commission may rent suitable offices for its use.

Auditing accounts.

The Auditor for the State and Other Departments shall receive payment of expenses.

accounts and examine all accounts of expenditures of the commission.

With the exception of the secretary, a clerk to each commissioner, the attorneys, and such special experts and examiners as the commission may from time to time find necessary for the conduct of its work, all employees of the commission shall be a part of the classified civil service, and shall enter the service under such rules and regulations as may be prescribed by the commission and by the Civil Service Commission.

Bureau of Corporations abolished.

Vol. 32, p. 827.

Authority vested in commission.

Transfer of employees, records, appropriations, etc.

Post, p. 840.

SEC. 3. That upon the organization of the commission and election of its chairman, the Bureau of Corporations and the offices of Commissioner and Deputy Commissioner of Corporations shall cease to exist; and all pending investigations and proceedings of the Bureau of Corporations shall be continued by the commission.

All clerks and employees of the said bureau shall be transferred to and become clerks and employees of the commission at their present grades and salaries. All records, papers, and property of the said bureau shall become records, papers, and property of the commission, and all unexpended funds and appropriations for the use and maintenance of the said bureau, including any allotment already made to it by the Secretary of Commerce from the contingent appropriation for the Department of Commerce for the fiscal year nineteen hundred and fifteen, or from the departmental printing fund for the fiscal year nineteen hundred and fifteen, shall become funds and appropriations available to be expended by the commission in the exercise of the powers, authority, and duties conferred on it by this Act.
The principal office of the commission shall be in the city of Washington, but it may meet and exercise all its powers at any other place. The commission may, by one or more of its members, or by such examiners as it may designate, prosecute any inquiry necessary to its duties in any part of the United States.

Sec. 4. That the words defined in this section shall have the following meaning when found in this Act, to wit:

"Commerce" means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

"Corporation" means any company or association incorporated or unincorporated, which is organized to carry on business for profit and has shares of capital or capital stock, and any company or association, incorporated or unincorporated, without shares of capital or capital stock, except partnerships, which is organized to carry on business for its own profit or that of its members.

"Documentary evidence" means all documents, papers, and correspondence in existence at and after the passage of this Act.


"Antitrust acts" means the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies," approved July second, eighteen hundred and ninety; also the sections seventy-three to seventy-seven, inclusive, of an Act entitled "An Act to reduce taxation, to provide revenue for the Government, and for other purposes," approved August twenty-seventh, eighteen hundred and ninety-four; and also the Act entitled "An Act to amend sections seventy-three and seventy-six of the Act of August twenty-seventh, eighteen hundred and ninety-four, entitled 'An Act to reduce taxation, to provide revenue for the Government, and for other purposes'"; approved February twelfth, nineteen hundred and thirteen.

Sec. 5. That unfair methods of competition in commerce are hereby declared unlawful.

The commission is hereby empowered and directed to prevent persons, partnerships, or corporations, except banks, and common carriers subject to the Acts to regulate commerce, from using unfair methods of competition in commerce.

Whenever the commission shall have reason to believe that any such person, partnership, or corporation has been or is using any unfair method of competition in commerce, and if it shall appear to the commission that a proceeding by it in respect thereof would be to the interest of the public, it shall issue and serve upon such person, partnership, or corporation a complaint stating its charges in that respect, and containing a notice of a hearing upon a day and at a place therein fixed at least thirty days after the service of said complaint. The person, partnership, or corporation so complained of shall have the right to appear at the place and time so fixed and show cause why an order should not be entered by the commission requiring such person, partnership, or corporation to cease and desist from the violation of the law so charged in said complaint. Any person, partnership, or corporation may make application, and upon good cause shown may be allowed by the commission, to intervene and appear in said proceeding by counsel or in person. The testimony in any such proceeding shall be reduced to writing and filed in the office of the commission. If upon such hearing the commission shall
be of the opinion that the method of competition in question is prohibited by this Act, it shall make a report in writing in which it shall state its findings as to the facts, and shall issue and cause to be served on such person, partnership, or corporation an order requiring such person, partnership, or corporation to cease and desist from using such method of competition. Until a transcript of the record in such hearing shall have been filed in a circuit court of appeals of the United States, as hereinafter provided, the commission may at any time, upon such notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any report or any order made or issued by it under this section.

If such person, partnership, or corporation fails or neglects to obey such order of the commission while the same is in effect, the commission may apply to the circuit court of appeals of the United States, within any circuit where the method of competition in question was used or where such person, partnership, or corporation resides or carries on business, for the enforcement of its order, and shall certify and file with its application a transcript of the entire record in the proceeding, including all the testimony taken and the report and order of the commission. Upon such filing of the application and transcript the court shall cause notice thereof to be served upon such person, partnership, or corporation and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree affording, modifying, or setting aside the order of the commission. The findings of the commission as to the facts, if supported by testimony, shall be conclusive.

If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the commission, the court may order such additional evidence to be taken before the commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The commission may modify its findings as to the facts, or make new findings, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by testimony, shall be conclusive, and its recommendation, if any, for the modification or setting aside of its original order, with the return of such additional evidence. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section two hundred and forty of the Judicial Code.

Any party required by such order of the commission to cease and desist from using such method of competition may obtain a review of such order in said circuit court of appeals by filing in the court a written petition praying that the order of the commission be set aside. A copy of such petition shall be forthwith served upon the commission, and thereupon the commission forthwith shall certify and file in the court a transcript of the record as hereinbefore provided. Upon the filing of the transcript the court shall have the same jurisdiction to affirm, set aside, or modify the order of the commission as in the case of an application by the commission for the enforcement of its order, and the findings of the commission as to the facts, if supported by testimony, shall in like manner be conclusive.

The jurisdiction of the circuit court of appeals of the United States to enforce, set aside, or modify orders of the commission shall be exclusive.

Such proceedings in the circuit court of appeals shall be given precedence over other cases pending therein, and shall be in every
way expedited. No order of the commission or judgment of the
court to enforce the same shall in any wise relieve or absolve any
person, partnership, or corporation from any liability under the anti-
trust acts.

Complaints, orders, and other processes of the commission under
this section may be served by anyone duly authorized by the com-
mision, either (a) by delivering a copy thereof to the person to be
served, or to a member of the partnership to be served, or to the
president, secretary, or other executive officer or a director of the
corporation to be served; or (b) by leaving a copy thereof at the
principal office or place of business of such person, partnership,
or corporation; or (c) by registering and mailing a copy thereof addressed
to such person, partnership, or corporation at his or its principal office
or place of business. The verified return by the person so serving
said complaint, order, or other process setting forth the manner of
said service shall be proof of the same, and the return post-office
receipt for said complaint, order, or other process registered and
mailed as aforesaid shall be proof of the service of the same.

Sec. 6. That the commission shall also have power—

(a) To gather and compile information concerning, and to investi-
gate from time to time the organization, business, conduct, practices,
and management of any corporation engaged in commerce, excepting
banks and common carriers subject to the Act to regulate commerce,
and its relation to other corporations and to individuals, associations,
and partnerships.

(b) To require, by general or special orders, corporations engaged
in commerce, excepting banks, and common carriers subject to the
Act to regulate commerce, or any class of them, or any of them,
respectively, to file with the commission in such form as the comis-
sion may prescribe annual or special, or both annual and special,
reports or answers in writing to specific questions, furnishing to the
commission such information as it may require as to the organization,
business, conduct, practices, management, and relation to other cor-
porations, partnerships, and individuals of the respective corpora-
tions filing such reports or answers in writing. Such reports and
answers shall be made under oath, or otherwise, as the commission
may prescribe, and shall be filed with the commission within such
reasonable period as the commission may prescribe, unless additional
time be granted in any case by the commission.

(c) Whenever a final decree has been entered against any defendant
corporation in any suit brought by the United States to prevent and
restrain any violation of the antitrust Acts, to make investigation,
upon its own initiative, of the manner in which the decree has been
or is being carried out, and upon the application of the Attorney
General it shall be its duty to make such investigation. It shall
transmit to the Attorney General a report embodying its findings and
recommendations as a result of any such investigation, and the report
shall be made public in the discretion of the commission.

(d) Upon the direction of the President or either House of Congress
to investigate and report the facts relating to any alleged violations
of the antitrust Acts by any corporation.

(e) Upon the application of the Attorney General to investigate and
make recommendations for the readjustment of the business of any
corporation alleged to be violating the antitrust Acts in order that the
corporation may thereafter maintain its organization, management,
and conduct of business in accordance with law.

(f) To make public from time to time such portions of the informa-
tion obtained by it hereunder, except trade secrets and names of cus-
tomers, as it shall deem expedient in the public interest; and to make
annual and special reports to the Congress and to submit therewith
Publishing reports, etc.

Classifying corporations.

Investigating conditions abroad affecting foreign trade.

Formulation of decrees in antitrust suits.

Proceedings to determine.

Action of court.

Departments and offices to cooperate.

Power to secure testimony.

Issue of subpoenas etc.

Attendance of witnesses.

District courts to enforce compliance.

Punishment for contempt.

Writs of mandamus to compel compliance with Act.

Testimony by deposition.

recommendations for additional legislation; and to provide for the publication of its reports and decisions in such form and manner as may be best adapted for public information and use.

(g) From time to time to classify corporations and to make rules and regulations for the purpose of carrying out the provisions of this Act.

(h) To investigate, from time to time, trade conditions in and with foreign countries where associations, combinations, or practices of manufacturers, merchants, or traders, or other conditions, may affect the foreign trade of the United States, and to report to Congress thereon, with such recommendations as it deems advisable.

Sec. 7. That in any suit in equity brought by or under the direction of the Attorney General as provided in the antitrust Acts, the court may, upon the conclusion of the testimony therein, if it shall be then of opinion that the complainant is entitled to relief, refer said suit to the commission, as a master in chancery, to ascertain and report an appropriate form of decree therein. The commission shall proceed upon such notice to the parties and under such rules of procedure as the court may prescribe, and upon the coming in of such report such exceptions may be filed and such proceedings had in relation thereto as upon the report of a master in other equity causes, but the court may adopt or reject such report, in whole or in part, and enter such decree as the nature of the case may in its judgment require.

Sec. 8. That the several departments and bureaus of the Government when directed by the President shall furnish the commission, upon its request, all records, papers, and information in their possession relating to any corporation subject to any of the provisions of this Act, and shall detail from time to time such officials and employees to the commission as he may direct.

Sec. 9. That for the purposes of this Act the commission, or its duly authorized agent or agents, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any corporation being investigated or proceeded against; and the commission shall have power to require by subpoena the attendance and testimony of witnesses and the production of all such documentary evidence relating to any matter under investigation. Any member of the commission may sign subpoenas, and members and examiners of the commission may administer oaths and affirmations, examine witnesses, and receive evidence.

Such attendance of witnesses, and the production of such documentary evidence, may be required from any place in the United States, at any designated place of hearing. And in case of disobedience to a subpoena the commission may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence.

Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpoena issued to any corporation or other person, issue an order requiring such corporation or other person to appear before the commission, or to produce documentary evidence if so ordered, or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Upon the application of the Attorney General of the United States, at the request of the commission, the district courts of the United States shall have jurisdiction to issue writs of mandamus commanding any person or corporation to comply with the provisions of this Act or any order of the commission made in pursuance thereof.

The commission may order testimony to be taken by deposition in any proceeding or investigation pending under this Act at any
Such depositions may be taken before any person designated by the commission and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the commission as hereinbefore provided.

Witnesses summoned before the commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

No person shall be excused from attending and testifying or from testifying or from producing documentary evidence before the commission or in obedience to the subpoena of the commission on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to criminate him or subject him to a penalty or forfeiture. But no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may testify, or produce evidence, documentary or otherwise, before the commission in obedience to a subpoena issued by it: Provided, That no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

SEC. 10. That any person who shall neglect or refuse to attend and testify, or to answer any lawful inquiry, or to produce documentary evidence, if in his power to do so, in obedience to the subpoena or lawful requirement of the commission, shall be guilty of an offense and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not less than $1,000 nor more than $5,000, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Any person who shall willfully make, or cause to be made, any false entry or statement of fact in any report required to be made under this Act, or who shall willfully make, or cause to be made, any false entry in any account, record, or memorandum kept by any corporation subject to this Act, or who shall willfully neglect or fail to make, or to cause to be made, full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions appertaining to the business of such corporation, or who shall willfully remove out of the jurisdiction of the United States, or willfully mutilate, alter, or by any other means falsify any documentary evidence of such corporation, or who shall willfully refuse to submit to the commission or to any of its authorized agents, for the purpose of inspection and taking copies, any documentary evidence of such corporation in his possession or within his control, shall be deemed guilty of an offense against the United States, and shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not less than $1,000 nor more than $5,000, or to imprisonment for a term of not more than three years, or to both such fine and imprisonment.

If any corporation required by this Act to file any annual or special report shall fail so to do within the time fixed by the commission for filing the same, and such failure shall continue for thirty days after notice of such default, the corporation shall forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where the corporation has its principal office or in any district in which it shall do business.
shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeitures. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States.

Any officer or employee of the commission who shall make public any information obtained by the commission without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding $5,000, or by imprisonment not exceeding one year, or by fine and imprisonment, in the discretion of the court.

Sec. 11. Nothing contained in this Act shall be construed to prevent or interfere with the enforcement of the provisions of the antitrust Acts or the Acts to regulate commerce, nor shall anything contained in the Act be construed to alter, modify, or repeal the said antitrust Acts or the Acts to regulate commerce or any part or parts thereof.

Approved, September 26, 1914.

CHAP. 312.—An Act to authorize and require an extension of the street railway lines of the Washington Railway and Electric Company, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Washington Railway and Electric Company, of the District of Columbia be, and it is hereby, authorized and required to construct an electric railway, beginning where its present tracks on Nichols Avenue intersect Portland Street southeast, thence along Portland Street in a westerly direction to Fourth Street southwest: Provided, That said railway shall be constructed and operated by overhead electric system and may cross the tracks of the Baltimore and Ohio Railroad on grade, on condition only that before any of the cars of the said Washington Railway and Electric Company shall cross such tracks said last-named company shall, at its own expense, install at such crossing an automatic safety device of such style and pattern as will make travel over said crossing safe, and which before being operated shall be inspected and approved by the Commissioners of the District of Columbia.

Sec. 2. That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to institute in the Supreme Court of the District of Columbia, within thirty days after the passage of this Act, in accordance with the provisions of subchapter one of chapter fifteen of the Code of Laws for the District of Columbia, a proceeding in rem to condemn the land that may be necessary for the opening of Portland Street as laid down on the permanent system of highways of the District of Columbia contained in an Act of Congress approved March second, eighteen hundred and ninety-three, entitled "An Act to provide a permanent system of highways in the part of the District of Columbia lying outside of cities," as amended by an Act of Congress approved June twenty-eighth, eighteen hundred and ninety-eight, and other Acts amendatory thereof: Provided, That the entire amount found to be due and awarded by the jury in said proceedings as damages for and in respect of the land to be condemned for said extension, plus the cost and expenses of said proceedings, shall be assessed by the jury as benefits; and that there is hereby appropriated out of the revenues of the District of Columbia an amount sufficient to pay the necessary costs and expenses of the said condemnation proceedings taken pursuant hereto and for the payment of the amount awarded as damages,