



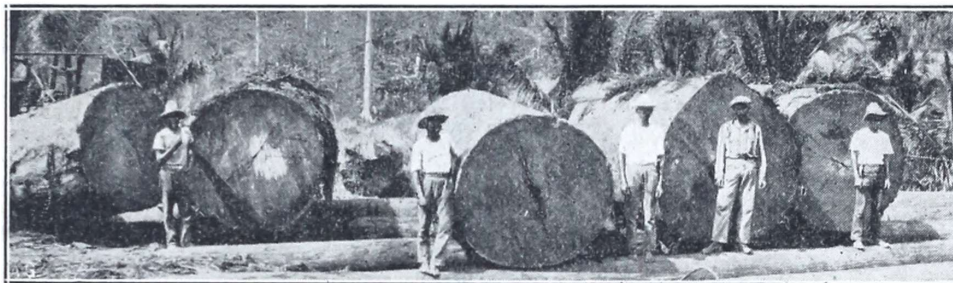
Yes! Philippine Mahogany Wins!

This best substitute for true mahogany available in exhaustless quantities sold by "N. H. L. A." grading...By W. W. HARRIS



The lumber the Philippines export to the United States as *Philippine mahogany* is inexhaustible in quantity. Philippine hardwood forests are immense, and carefully administered and protected. The manufacturer who decides upon the use of this wood can rest assured he will always buy it at reasonable prices: it is manufactured at ocean-port points in the Philippines contiguous to the forests, the mills are of the most modern and economic type, and the graded lumber goes directly by scow from the yards to shipside for loading to points throughout the world.

This lumber is selected for export, and graded strictly in accordance with the regulations of the National Hardwood Association of the United States. America has no such wood as this, in quantities required by the trade, and you get no other similar wood in as satisfactory form as this from the Philippines. Every piece of this Philippine mahogany is good, the mills stand behind their shipments; so does the Philippine Hardwood Export Association.



Logs like these are making a name for Philippine Woods in World markets

Nearly all other hardwoods imported into the United States go there in logs; the waste in turning these logs into lumber, sometimes more, sometimes less, is indeterminable. But Philippine mahogany goes to the buyer as the finished mill product—it is good to the last foot.

Philippine mahogany does not warp, split or check. Its grain is equal, often superior, to that of true mahogany; its lasting qualities are not less than those of mahogany, and it kiln-dries as well as mahogany does. It isn't a new wood in the United States, England, Australia, and other countries buying it. For 25 years it has been exported from the Philippines, always with success because of the care taken with it and because of its fine qualities as a hardwood; and now the last case against it in the Federal Trade Commission has been dismissed and our right is upheld to export it under the name *Philippine mahogany*.

On June 3, 1931, the Federal Trade Commission rendered a decision dismissing proceedings against the Gillespie Furniture Company of Los Angeles, Cal., which was charged with unfair methods of competition because the respondent applied the name *Philippine Mahogany* to designate Philippine woods used for certain articles of furniture.

The decision is important owing to the fact that Philippine mahogany is used extensively by high-grade furniture manufacturers, and by builders of boats, trim and other cabinet builders. As a result, the Philippine Islands will continue to supply their portion of the species commercially termed Philippine mahogany as used in this country.

The Gillespie Furniture case is said to be a reopening or a re-trial of the old Philippine mahogany case which the Federal Trade Commission started originally in 1925 against a few Philippine mahogany distributors because it was alleged that Philippine mahogany is not botanically a mahogany wood. The defense of the respondent at that time was that the particular species which was termed, and still is termed, Philippine mahogany was entitled to

that name in commercial transactions the same as are certain species of commercial mahogany from other sources, which likewise can enter the American markets under the comprehensive trade designation mahogany, qualified by some descriptive adjective.

Botanically the Philippine mahogany tree is not related to the Cuban, Mexican or African varieties, but the wood is very similar, and it is said to be very difficult to distinguish it from other commercial mahoganies when it is used in commercial practice.

In 1926 the Federal Trade Commission entered a decree against several Philippine mahogany dealers ordering them to discontinue the use of the term Philippine mahogany. The Circuit Court of Appeal finally sustained the Commission, one justice claiming that the Commission's findings of fact, while binding upon the court, were against the weight of evidence. Moreover in view of the fact that the U. S. Supreme Court refused to review the case, the dealers and distributors of Philippine mahogany, who were not connected with the original case, felt that it was unfair to expect them to agree not to use the name Philippine mahogany until after the question was given consideration in new proceedings. In fact, it is said that all the Philippine maho-

gany proponents doubted the correctness of the decision, and believed that new proceedings before the Federal Trade Commission would develop more facts.

In consequence of the general dissatisfaction, the Insular Lumber Company of Philadelphia, Pa., offered to finance the defense of any concern against whom the Commission might bring further test action. The result was that the Commission evolved proceedings against the Gillespie Furniture Company of Los Angeles, Cal., and during the course of the new hearings more than 6,000 pages of testimony were taken, and hundreds of exhibits were introduced. The Commission took testimony in Los Angeles, San Francisco, Seattle, Spokane, Chicago, Cincinnati, Indianapolis, Jamestown, New York City, and Washington, D. C.

The Insular Lumber Company through its attorneys, Harry D. Nims of New York and Daniel R. Forbes of Washington, D.C., protested the original Commission findings, and presented new facts and testimony impugning the fairness and correctness of testimony offered in the previous case, and contending that there was no fraud or deceit involved in the selling of certain specific Philippine woods, commercially, as Philippine mahogany.

The resultant dismissal by the Commission means, of course, that the Commission found no cause for complaint against the trade designation Philippine mahogany. Thus that trade name can legally be continued in use for the several woods which have been sold and used since 1905, and, of course, commodities produced with Philippine mahogany can be designated and sold as Philippine mahogany in commercial practice. Producers, dealers and consumers are thus also free from any inhibition in the matter of advertising or otherwise offering the specific woods from our possessions under the trade name Philippine mahogany.

The outcome of this Gillespie case is generally attributed to the persistent work by the executives of the Insular Lumber Company, supported by development of facts on the part of those whose testimony was solicited not only by the respondent but also by the Commission; in fact, the reports would indicate that many of the Commission's witnesses contributed to the factual evidence which prompted the decision.