

General Files
1742

November 21, 1934

Dear Mr. Secretary:

Re: File No. 2-1112

This Commission is considering the institution of proceedings under Section 8 (d) of the Securities Act of 1933 to suspend the effectiveness of a registration statement covering securities offered by a company which proposes to engage in potash mining in New Mexico.

Representatives of this Commission have consulted Mr. A. L. Scott, Assistant Solicitor of your Department, and Mr. H. I. Smith of the Geologic Survey, and these men have stated their willingness to testify in such proceedings, subject to your permission. I am writing to request that permission.

If proceedings are commenced, the hearing will be held at the offices of this Commission in Washington, and it is anticipated that it will require not more than an hour or two of their time.

The subject matter upon which we would like to have them testify covers generally the conditions under which potash mining leases are issuable by your Department, your present policy with reference to granting or suspending action on applications for such leases, and the volume of production and sales in 1934 by United States potash producers, as reported to your Department. We recognize that certain information on the last point is regarded as confidential, and may not be available to us without the consent of the reporting companies.

It is believed that the testimony of Mr. Scott and Mr. Smith will be quite valuable in presenting the Commission's case, and I shall appreciate very much your making it available to us, if that would not conflict with the policy of your Department.

Yours very truly,

Joseph P. Kennedy,
Chairman.

Honorable Harold L. Ickes
Secretary of the Interior
Washington, D. C.
DBS:MTP (RAS)