

Salesmen of the securities business—Continued

- Background of
 - full-time and part-time compared 1: 114
 - real estate syndicate salesmen 1: 579
 - statistical picture of 1: 94-96
- “Boiler-room floaters” 1: 154
- Bonding, fidelity, states requiring 1: 133
- Broker-dealer firms’ employment of
 - full-time and part-time (percent in each group) (table) 1: 173
- Case studies of four firms 1: 53-65
- Change of firms, re-registration following 1: 96
- Character and integrity of, controls relating to NYSE 1: 120-124
 - See New York Stock Exchange
- Compensation: See Compensation of persons in the securities business
- Complaints of statute or regulation violation
 - SEC action respecting 1: 304
- Controls over 1: 115-133
 - disciplinary measures, Special Study summary 1: 156; 5: 43
 - licensing, national system of
 - Special Study recommendation 1: 156, 157
- Controls over qualifications of: Federal
 - direct controls, absence of 1: 115
 - Exchange Act provisions 1: 115
 - Maloney Act 1: 115
 - registration, Commission’s power to deny or revoke 1: 115
- Controls over qualifications of: NASD
 - See National Association of Securities Dealers
- Controls over qualifications of: NYSE
 - See New York Stock Exchange
- Customer’s dependence or reliance upon 1: 252
 - discretion as to buying and selling securities 1: 252
- Disciplinary actions and procedures regarding
 - See Disciplinary actions and procedures; see also individual agencies
- Duties 1: 93, 94
- Earnings
 - training period, during, NYSE member firms 1: 105
 - turnover cause, as 1: 98, 99
- Education
 - employment requirement, as 1: 100
 - mutual fund salesmen 1: 96
- Examination of for registering
 - exchanges’ varying types 1: 130, 131
 - See also individual exchanges
 - NASD and NYSE combined examination 1: 120
 - Special Study summary and conclusions 1: 155; 5: 42
 - State standards and procedures 1: 132, 133
- Exchanges’ role in control of qualifications of 1: 129-131
 - See also individual exchanges
 - minor role, outside of NYSE, as 1: 129, 131
 - number of registered salesmen as factor in 1: 131

Salesmen of the securities business—Continued

- Expelled firms, former employees of 1: 101
- Experience and competence of 1: 95
 - employment requirement, as 1: 100
 - hired 1961, where 15 or more representatives (table) 1: 170
 - lack of as possibly desirable 1: 100
 - NASD controls over
 - See National Association of Securities Dealers
 - 1: 103, 118–120
 - NYSE firms 1: 103
 - Special Study summary and conclusions 1: 153–155; 5: 40–42
- Fair dealing, duty concerning 1: 253
- Fiduciary relationship of to customer 1: 252, 253
- Financial public relations firms as 3: 71
- “Floaters” 1: 96–100
- Full-time, broker-dealers’ employment of, table of 1: 173
- Improper selling tactics
 - full-time and part-time salesmen compared 1: 114
- Increased number of and problems raised thereby 1: 124
- Industry standards and practices 1: 99–115
 - hiring and screening of salesmen 1: 99–103
 - recruiting practices 1: 99
 - screening and selection 1: 100
 - part-time salesmen 1: 112–115
- Integrity of
 - Special Study summary 1: 155, 156; 5: 42, 43
- Investment advice for use of: See Investment advice
- Investment advice, giving 1: 142, 252
- Knowledge of merchandise sold, complaints as to lack of 1: 269
- Licensing, Special Study recommendation of 1: 156, 157
- Market break of 1962 as causing unemployment among 4: 837
- Mutual funds
 - See Mutual funds: Sales organizations, structure of
- NASD and SEC cooperation to discover backgrounds 4: 718
- NASD registration procedures for 4: 669
- Number employed in various organizations 1: 16
- Occupational background of 1: 95
- Part-time salesmen 1: 112–115
 - background, effect of compared to full-time salesmen 1: 114
 - broker-dealers’ employment of, table of 1: 173
 - defense of 1: 114
 - exchanges’ policy regarding 1: 131
 - extent of broker-dealers’ employment of (table) 1: 173
 - full-time salesmen’s training and selling tactics compared 1: 114
 - mutual funds sales force concentration 1: 112–114; 4: 116
 - NASD view of 1: 114, 115
 - NYSE Rule 346 prohibiting in member firms 1: 113
 - number of registrants, 1961 1: 112
 - objections to, controversy as to 1: 113
 - overly aggressive sales tactics of 1: 113, 114
 - problem of, discussion of 1: 113
 - ratio of to full-time salesmen 1: 112
 - real estate securities salesmen 1: 588

Salesmen of the securities business—Continued

- Background of
 - full-time and part-time compared 1: 114
 - real estate syndicate salesmen 1: 579
 - statistical picture of 1: 94-96
- “Boiler-room floaters” 1: 154
- Bonding, fidelity, states requiring 1: 133
- Broker-dealer firms’ employment of
 - full-time and part-time (percent in each group) (table) 1: 173
- Case studies of four firms 1: 53-65
- Change of firms, re-registration following 1: 96
- Character and integrity of, controls relating to NYSE 1: 120-124
 - See New York Stock Exchange
- Compensation: See Compensation of persons in the securities business
- Complaints of statute or regulation violation
 - SEC action respecting 1: 304
- Controls over 1: 115-133
 - disciplinary measures, Special Study summary 1: 156; 5: 43
 - licensing, national system of
 - Special Study recommendation 1: 156, 157
- Controls over qualifications of: Federal
 - direct controls, absence of 1: 115
 - Exchange Act provisions 1: 115
 - Maloney Act 1: 115
 - registration, Commission’s power to deny or revoke 1: 115
- Controls over qualifications of: NASD
 - See National Association of Securities Dealers
- Controls over qualifications of: NYSE
 - See New York Stock Exchange
- Customer’s dependence or reliance upon 1: 252
 - discretion as to buying and selling securities 1: 252
- Disciplinary actions and procedures regarding
 - See Disciplinary actions and procedures; see also individual agencies
- Duties 1: 93, 94
- Earnings
 - training period, during, NYSE member firms 1: 105
 - turnover cause, as 1: 98, 99
- Education
 - employment requirement, as 1: 100
 - mutual fund salesmen 1: 96
- Examination of for registering
 - exchanges’ varying types 1: 130, 131
 - See also individual exchanges
 - NASD and NYSE combined examination 1: 120
 - Special Study summary and conclusions 1: 155; 5: 42
 - State standards and procedures 1: 132, 133
- Exchanges’ role in control of qualifications of 1: 129-131
 - See also individual exchanges
 - minor role, outside of NYSE, as 1: 129, 131
 - number of registered salesmen as factor in 1: 131

Salesmen of the securities business—Continued

- Expelled firms, former employees of 1: 101
- Experience and competence of 1: 95
 - employment requirement, as 1: 100
 - hired 1961, where 15 or more representatives (table) 1: 170
 - lack of as possibly desirable 1: 100
 - NASD controls over
 - See National Association of Securities Dealers
 - 1: 103, 118-120
 - NYSE firms 1: 103
 - Special Study summary and conclusions 1: 153-155; 5: 40-42
- Fair dealing, duty concerning 1: 253
- Fiduciary relationship of to customer 1: 252, 253
- Financial public relations firms as 3: 71
- “Floaters” 1: 96-100
- Full-time, broker-dealers’ employment of, table of 1: 173
- Improper selling tactics
 - full-time and part-time salesmen compared 1: 114
- Increased number of and problems raised thereby 1: 124
- Industry standards and practices 1: 99-115
 - hiring and screening of salesmen 1: 99-103
 - recruiting practices 1: 99
 - screening and selection 1: 100
 - part-time salesmen 1: 112-115
- Integrity of
 - Special Study summary 1: 155, 156; 5: 42, 43
- Investment advice for use of: See Investment advice
- Investment advice, giving 1: 142, 252
- Knowledge of merchandise sold, complaints as to lack of 1: 269
- Licensing, Special Study recommendation of 1: 156, 157
- Market break of 1962 as causing unemployment among 4: 837
- Mutual funds
 - See Mutual funds: Sales organizations, structure of
 - NASD and SEC cooperation to discover backgrounds 4: 718
 - NASD registration procedures for 4: 669
 - Number employed in various organizations 1: 16
 - Occupational background of 1: 95
 - Part-time salesmen 1: 112-115
 - background, effect of compared to full-time salesmen 1: 114
 - broker-dealers’ employment of, table of 1: 173
 - defense of 1: 114
 - exchanges’ policy regarding 1: 131
 - extent of broker-dealers’ employment of (table) 1: 173
 - full-time salesmen’s training and selling tactics compared 1: 114
 - mutual funds sales force concentration 1: 112-114; 4: 116
 - NASD view of 1: 114, 115
 - NYSE Rule 346 prohibiting in member firms 1: 113
 - number of registrants, 1961 1: 112
 - objections to, controversy as to 1: 113
 - overly aggressive sales tactics of 1: 113, 114
 - problem of, discussion of 1: 113
 - ratio of to full-time salesmen 1: 112
 - real estate securities salesmen 1: 588

Salesmen of the securities business—Continued

- Part-time salesmen—Continued
 - rule forbidding, prediction as to effects of 1: 114
 - size of firm as factor in employment of 1: 112
 - Special Study's findings as to 1: 113-115, 161
 - supervision of, inadequacy of 1: 113
 - training inadequacies of 1: 113
- Percent of force hired and leaving in 1961 (tables) 1: 170, 171
- Prior employment by disciplined firms 1: 98
- "Professionalism" of defined 1: 93
- Questionnaire STS-1 concerning, text of
 - screening, training and supervision by larger firm 1: 177-204
- Questionnaire STS-2 concerning, text of
 - screening, training and supervision by smaller firms (table) 1: 204-230
- Real estate securities 1: 588
 - background and compensation 1: 579
- Records relating to
 - absence of in SEC files 1: 115, 116
 - broker-dealers' questionnaire records 1: 116, 305
 - NASD records 1: 115
- Recruiting practices, industry standards of 1: 99
 - advertisements 1: 99
 - compensation during training as inducement 1: 99
 - "floaters" 1: 99
 - Mutual funds: See Mutual funds: Selling practices 4: 113-116
 - NYSE member firms from nonmember firms 1: 99
- Registration of 1: 131-133; 5: 43
 - See Registration of salesmen of securities
- Sales efforts of 1: 250-253
 - "Boiler room" tactics 1: 251
 - critical nature of in merchandising 1: 250
 - fair dealing, duty concerning 1: 253
 - fiduciary relationship to customer 1: 252, 253
 - investment advice, offering 1: 252, 253
 - leads, various types of 1: 252
 - lists of prospects, working from 1: 251
 - mail 1: 251
 - "order taker," salesman as 1: 252, 253
 - prospecting for new customers 1: 250
 - selecting right security for right customer 1: 251
 - servicing old and new customers 1: 250
 - telephone, use of 1: 251
- Screening and selection of potential salesmen 1: 101-103
 - application forms, filling out 1: 101
 - aptitude tests 1: 101-103
 - bonding companies, reliance upon 1: 102
 - education and experience called for 1: 100
 - exclusion, Hamilton Management Corp. policy 1: 100, 101
 - expelled firms, hiring former employees of 1: 101
 - interviews 1: 101
 - NYSE recruiting pamphlet 1: 100
 - desirable qualifications listed in 1: 100

Salesmen of the securities business—Continued

- SEC record of salesmen as a group 1: 115, 116
 - broker-dealers' questionnaire records 1: 116
- Selling practices of: See Selling practices; Selling practices: supervision of
- Size of sales force
 - concentration in 1: 19
- Special Study summary 1: 153-157; 5: 40-44
 - "boiler-room floaters" 1: 154; 5: 40
 - competence of salesmen 1: 153-155; 5: 40-42
 - disciplinary measures, problems of 1: 156; 5: 43
 - examination programs 1: 155; 5: 42
 - firms' responsibility for quality of salesmen employed
 - 1: 154; 5: 41
 - integrity of salesmen 1: 155, 156; 5: 42, 43
 - licensing system 1: 156, 157
 - employment restriction to licensees 1: 157; 5: 43, 44
 - mutual fund salesmen 1: 154; 5: 40
 - on-the-job training 1: 155; 5: 41, 42
 - training of salesmen 1: 155; 5: 41, 42
- Standards of, ethical and legal 1: 93, 94
 - two views of 1: 94
- Suitability of security recommended to customer
 - Mutual fund salesmen's representation, review by home office 4: 151, 153
 - NASD "Suitability rule" surveillance 1: 238, 239; 4: 141, 669
- Supervision of selling efforts: See also Selling practices: Supervision of
 - mutual funds, salesmen 4: 146-156
 - See Mutual Funds: Selling practices
 - part-time salesmen, inadequacy of 1: 113
- Training programs for 1: 103-115
 - See also under individual exchanges: NASD
 - absence of prior training and reliance on on-the-job training
 - 1: 103
 - branch office programs 1: 106, 107
 - broker-dealer sponsorship of, State requirement 1: 133
 - burden of on employers 1: 103
 - classroom programs in local schools 1: 107
 - coaching 1: 109
 - compensation of trainees 1: 109
 - correspondence courses 1: 108
 - cost per NYSE member firm trainee 1: 105
 - distance between office and training facilities 1: 108
 - evening training classes 1: 110
 - examinations, role of 1: 109, 116-120
 - exchanges' practices
 - See also individual exchanges 1: 130
 - extent of 1: 104
 - financial planning 1: 110
 - firm size as factor in
 - emphasis on 1: 104

Salesmen of the securities business—Continued

Training programs for—Continued

- firms not members of NYSE 1: 109-115
- hours devoted to by
 - non-NYSE member firms 1: 111
- inadequacies of 1: 109-112
- Investment Bankers Association sponsorship of courses 1: 108
- life insurance, in 1: 110
- listening to other salesmen 1: 109
- manuals or study plans 1: 108
- methods and content of 1: 103-112
- mutual fund dealers, by 1: 104
- mutual funds emphasis 1: 110
 - NYSE and nonmembers contrasted 1: 110, 111
 - sales techniques stress 1: 110
- mutual fund salesmen: See also Mutual funds: Selling practices
- part-time: see Part-time salesmen, *above*
- protection of public, as needed for 1: 94
- NASD examinations 1: 109
- NYSE member firms
 - See New York Stock Exchange 1: 104-109, 125
- need of 1: 103
- number being trained by NYSE and NASD firms 1: 103
- odd-lots, lectures on 1: 108
- on-the-job 1: 106, 107, 155
 - firm size as factor in 1: 104
 - limitations on 1: 107
 - nonmembers of NYSE, by 1: 109
- outside schools, use of 1: 107
- reading material, use of 1: 109
- sales techniques, time devoted to 1: 109, 110
- schools, firms maintaining 1: 104-108, 110
- securities aspects not related to firms' activities 1: 110
- Special Study review of 1: 105, 155
- Training by firms not NYSE members 1: 109-115
 - effectiveness, evaluation of 1: 111
 - hours per week devoted to 1: 111
 - inadequacies of 1: 109-112
 - NASD examination, limiting to preparation for 1: 111
- Training by NYSE member firms 1: 104-109
 - See New York Stock Exchange: Salesmen of member firms
- Turnover of 1: 95-98
 - "boiler room" employees 1: 98
 - change of firm, reregistration following 1: 96
 - compensation during training period as factor 1: 98
 - danger to public, question of 1: 97
 - disciplinary action against employing firms as factor 1: 98
 - industry problem, as 1: 96
 - mutual fund salesmen 1: 95, 96
 - percent hired and leaving in 1961 (tables) 1: 170, 171
- Types, background, experience 1: 19
- Unethical practices in some larger firms 1: 269

- Salesmen of securities, qualifications of 1: 93-133
 - Age of 1: 95
 - Controls over: Exchanges 1: 120-131
 - See individual exchanges
 - Controls over: Federal 1: 115
 - Controls over: NASD 1: 116
 - Controls over: States 1: 131
 - Real estate securities, controls regarding salesmen of 1: 585
 - Records of, broker-dealers' under Rule 17a-3(a)12(A) 1: 305
 - Registration: See Registration of salesmen of securities
- Salt Lake City Stock Exchange
 - Disciplinary actions, 1953-62 (table) 4: 743
 - Stocks traded on 4: 599
- San Francisco Mining Exchange
 - Disciplinary actions
 - types of violations, 1953-62 (table) 4: 743
 - Stocks traded on 4: 599
- San Francisco Stock Exchange
 - Pacific Coast Stock Exchange, merger with 2: 927
- Saperstein Interpretation
 - See Specialists
- Savings
 - Institutional investors, diversion to 2: 839
 - Securities, amount invested in 1: 9
- Schools for training salesmen
 - Trainee programs 1: 104-108, 110
 - See Salesmen of the securities business
- Secondary distributions of securities
 - Block transactions in listed stocks
 - exchange members' participation in 2: 843, 844
 - popularity of with institutional investors 2: 845
 - Definitions of, stock exchange and Securities Act distinguished
 - 1: 563; 2: 5, 843
 - Disclosure in
 - announcement of distribution, how made 1: 567
 - registered distributions compared 1: 566
 - speed of transactions a preventing proper disclosure 1: 567
 - unregistered securities 1: 564
 - Dollar volume of, 1959-61 1: 483, 484
 - NYSE rules and procedure respecting 1: 564
 - Over-the-counter distributions 1: 563
 - Premium over original offering, to command 1: 501
 - Price 1: 564
 - Real property securities
 - integrated registration statements, need of 1: 592
 - Salesmen's compensation respecting 1: 564
 - Ticker tape announcement of 1: 564
 - Unregistered issues: See Unregistered securities, distributions of
- Secondary markets
 - Trading markets, as 2: 12
 - Varying meanings of term 2: 12, 13

Securities

- See also Listed securities in the over-the-counter markets; Listing and delisting of securities; Over-the-counter securities; individual stock exchanges
- Allocation of to markets: See Trading markets
- Analysis of as investment advice basis:
 - See Investment advice; Investment analysts; Investment advisers and counsellors, registered
- Assets of issuer
 - market allocation by (table) 2: 966
- Automated reporting of 2: 656, 657
- Business: See Securities business
- Certificates, nondelivery of as affecting price 1: 527, 528
- Certificates of
 - delivery of, Special Study recommendation 1: 558; 5: 72
- Corporate, distribution to public through primary and secondary markets
 - See Distributions to the public: Primary and secondary distributions
- Corporate, volume of post-World War II distributions 1: 481
- Customers', held by broker-dealers 1: 397
 - See Customers' accounts, funds and securities, protection of
- Delivery of by broker-dealer 1: 416-428
 - See Delivery of securities
- Distributions by primary and secondary markets
 - See Distributions to the public: Primary and secondary distributions; see also Exchange markets; Over-the-counter markets; Trading markets; and individual exchanges
- Dollar value of security holdings 1: 9
- Dollar volume of sales of
 - 1959-61 1: 484
 - electronic and electric industries, new issues by 1: 486
 - postwar years 1: 482
 - registered issues 1: 483
 - underwriter's share as related to age of firms 1: 494
 - U.S. and foreign securities, by class of investor (table) 2: 970
- Dollar volume of stock offerings
 - persons other than issuers, by 1: 483
- Exchange-listed: See Listed securities
- "Frozen stock," floor traders' restrictions as to 2: 234, 235
- Government issues, exemption of from securities laws 2: 542
- "Haircuts" on 1: 408-410, 415, 416
- Hypothecation of customers'
 - See Customers' accounts, funds and securities
- Identification of customers'
 - See Customers' accounts, funds and securities
- Industry: See Securities business
- Investors in
 - See Investors in listed and unlisted securities
- Issuers of publicly held, obligations of
 - See Issuers of publicly held securities, obligations of; see also Banks; Insurance companies; Over-the-counter stocks
- Lending of customers'
 - See Customers' accounts, funds and securities

Securities—Continued

- Listed: See Listed securities; Listed securities in the over-the-counter markets; Listing and delisting of securities
- Margin securities defined 1: 446
- Market sponsorship of: See Market sponsorship
- Markets for
 - See Exchange markets; Over-the-counter markets; Trading markets
- Merits of, passing upon 1: 3
- Mutual funds as, question of 4: 153
- Name in which held 1: 446
- Negotiability of as cause for precautions 1: 446
- Net purchase of U.S. and foreign corporate class of investor, by (table) 2: 970
- Number of stocks available for trading on exchanges, selected years 1: 28
- Odd-lots: See Odd-lot dealers on the New York Stock Exchange; see also other exchanges
- Outstanding in the United States, tables of 2: 721, 1065
 - institutional holdings, percentage of total 2: 837
- Ownership, by class of investor (table) 2: 970
 - U.S. corporate and foreign, by class of investor (table) 2: 970
- Preferred stocks; See New York Stock Exchange; Preferred stocks
- Prices
 - Generally:* See Prices
- Private property, as important form 1: 9
- Quoted in National Quotation Bureau, Inc. sheets
 - number of, 1950–63, table of 2: 597
- Real estate cash-flow corporations 1: 583, 584
 - See Real estate securities, offerings of
- Redeemable security defined 4: 96
- Registration of: See Registration of securities
- Safekeeping defined 1: 446, 452
- Sale of
 - fraud in: See Fraud in securities sale
 - selling practices: See Mutual funds: Selling practices; Selling practices
- Savings invested in, amount of 1: 9
- Secondary distributions of: See Secondary distributions of securities
- Segregation of customers' in possession of broker-dealers 1: 399–402
 - See Customers' accounts, and securities, protection of
- Share listings and trading volume
 - New York Stock Exchange, selected years 1: 35
- Share volume: See Volume
- Shareholders: See Shareholders
- Shares: See Shares outstanding
- Shares traded annually on exchanges and over-the-counter (table) 2: 968
 - Shares traded on exchanges, selected years 1: 27
- Splits, advance information as to issuer's impropriety in giving 2: 159

Securities—Continued

- Stopped stock orders
 - conflicts of interest 2: 150-154
 - See Specialists
 - Suitability of for customer to whom recommended 1: 264, 270
 - complaints regarding 1: 269, 270
 - customer's duty to volunteer financial information 1: 239
 - emphasizing by SEC and self-regulatory bodies
 - 1: 329, 5: 55
 - mutual fund salesmen's representations, review of by home office 4: 151, 153
 - NASD Rules of Fair Practice applicable
 - 1: 238, 239, 309-312; 4: 151, 669
 - over-the-counter commissions as a factor 1: 261
 - rule violation, NASD disciplinary measures 4: 151, 164
 - speculative issues, as factor in selling 1: 264
 - subscription services' advice as to 1: 362
 - Wharton School Survey of investors regarding 4: 347
 - "Third market": See Trading markets
 - Transfers and transfer process
 - 1961 transfers compared with sales on typical day, table of
 - 2: 698, 742
 - activity of stock, as indication of 3: 20
 - central depository or trust institution, proposed 1: 424-427
 - definition of transfer 1: 420
 - fails to deliver, as factor in 1: 420
 - issuers of over-the-counter stocks classified by number of transfers 2: 742
 - physical transfer and delivery, reducing 1: 424
 - "Truth in securities" philosophy in boom market 1: 557
 - Underwriting compensation, as 1: 505-511
 - See Underwriters
 - U.S. corporate and foreign
 - net purchases, 1951-61, by class of investor 2: 839, 971
 - ownership, by type of investor, 1954, 1961 2: 837, 839, 841, 970
 - Unlisted: See Unlisted securities; see also Investors in listed and unlisted securities, protection of; Over-the-counter markets
 - Unregistered: See Unregistered securities
 - Value outstanding in U.S., December 31, 1961 (table) 2: 721
 - Volume of distributions since World War II 1: 482-486
- Securities Act
- Basic character of 1: 3
 - Civil sanctions under
 - rescission and damages 1: 83
 - Disclosure required by 1: 3
 - Fraud in securities sale prohibition in 1: 2, 3
 - Merits of securities, absence of provision as to 1: 3
 - Registration requirements: See Registrations of securities
 - Salesmen of securities, examination of
 - State impact of 1: 133
 - Summary of provisions of 1: 3

Securities Act of 1933

For citations to sections, see Tables following this Index

Securities and Exchange Commission (SEC)

Generally; for specific topics, see those topics, this Index

Annual reports, accomplishments and shortcomings in 4: 721

Associations of brokers or dealers

rules of, authority over 1: 4, 5

Branch of Economic Research

needed expansion of functions 4: 728

Broker-dealer registration functions of 1: 4

See Registration of broker-dealers

Commission rate-fixing powers 2: 342-346, 349

See Commissions, commission rates and ratemaking

Division of Trading and Exchanges understaffed, as 4: 720

Entry into the securities business, controls over 1: 69

Financial responsibility controls

net capital ratio rule: See Financial responsibility of broker-dealer firms

Income and Expense Report: Cost, income, profit determinations 2: 333-342, 348, 349

New issues, regulatory and enforcement problems caused by 1: 487

See New issues of corporate securities, distributions of

Over-the-counter market concern of

See Over-the-counter markets

Policy and Planning Unit, Special Study recommendation concerning 2: 961

Prior studies of, use of in Special Study 1: 6

"Public interest" as concern of 1: 11

Publicity, need of added 4: 721, 722

Ratio rules: See Financial responsibility of broker-dealers.

Registration functions

broker-dealers: See Registration of broker-dealers with SEC

Investment advisers 1: 19, 35

New York Stock Exchange affiliation of 1: 16

salesmen: See Registration of salesmen of securities

Regulator and supervisor of "industry" self-regulators, as 4: 501

Regulatory authority of under Exchange Act, generally 2: 35, 36

Rules

Citation of rules: See Table of Statutes and Rules, following the Index

Rules supervision by 1: 4

See Securities and Exchange Commission: Self-regulation and

Segregation Report 2: 100

floor trading concerning 2: 227

Self-regulation and 4: 697-728; 5: 197-204

See Securities and Exchange Commission: Self-regulation and

Selling practices, supervision of improper

See Selling practices: supervision of

Short selling, regulation of by: See Short selling

Special Study of the Securities Markets

See Special Study of the Securities Markets

- Securities and Exchange Commission (SEC)—Continued
- Special Study summary, conclusions and recommendations
 - See Special Study of Securities Markets; see also specific topics
 - Staff 4: 720
 - Statement of Policy as to investment company shares
 - See Mutual funds: Selling practices
 - Subpoena power in 4: 732
 - Securities and Exchange Commission: Self-regulation and
 - Generally* 4: 697-728; 5: 197-204
 - Automation of exchange procedures
 - affected with public interest, as 4: 713, 714
 - Autonomy and oversight with reserve power, need of 4: 703
 - Complementary role of SEC 4: 702
 - “Cooperative regulation”: Restraint of governmental power in reserve 4: 701-703
 - Day-to-day liaison with the industry as part of role 4: 688
 - Delegated power of self-regulation, SEC role respecting
 - 4: 697-701
 - anti-trust law violation 4: 699, 700
 - areas of regulatory need power applicable to 4: 698
 - assuring adequate and effective use 4: 697, 698
 - “Big Stick,” government as holding 4: 698
 - direct regulation to augment self-regulation 4: 698
 - enforcement areas, SEC authority in 4: 698
 - Exchange Act preamble statement 4: 697
 - exchange rules enforcement, SEC review of 4: 700
 - gap between regulatory need and performance, where 4: 698
 - government oversight as warranted 4: 359, 700
 - governmental authority as held in reserve 4: 698
 - misuse of delegated power, guarding against 4: 699-701
 - need unfulfilled by self-regulation 4: 697, 698
 - private law making, self-regulation as not 4: 699
 - revocation of registration for enforcement failure 4: 698
 - unfair exchange procedure, *Silver* decision 4: 692, 693, 698, 699
 - use of power, oversight and review of 4: 699
 - Detailed government control as inadvisable 4: 702
 - Disclosure as major field
 - legislative change, no recommendation for 4: 719
 - successful administration of role by SEC 4: 719
 - Exchanges and: Enforcement and discipline 4: 706-711
 - balancing regulation and public concern 4: 707
 - disciplinary actions, reporting to SEC 4: 707, 708
 - forum for review, SEC as 4: 707
 - members, reporting disciplinary cases against 4: 708
 - regional exchanges: reporting disciplinary cases 4: 708
 - registered representatives, cases involving 4: 708
 - rules, direct rule-making power 4: 704
 - rules, question of SEC power to enforce 4: 710
 - SEC follow-up of reports of disciplinary measures 4: 708
 - Security Act violations, shortcomings as to 4: 709, 710
 - statutory amendment, no present recommendation 4: 710

- Securities and Exchange Commission: Self-regulation and—Continued
- Exchanges and: Enforcement and discipline—Continued
 - surveillance, suggested measures 4: 709
 - surveillance system by SEC, absence of 4: 708
 - Exchanges and: Mechanisms and automation 4: 713, 714
 - affected with a public interest, as 4: 713
 - possibilities of, needed study of 4: 713, 714
 - SEC needed program to keep abreast of 4: 714
 - Exchanges and: Rulemaking 4: 711–713
 - advance filing with SEC, recommended 4: 713
 - AMEX discussion of changes with SEC 4: 712
 - changes and amendments, filing requirements 4: 711
 - commission rates, advice as to changes in 4: 711
 - discussing proposed changes with SEC 4: 711, 712
 - NASD, SEC relationship to compared 4: 715
 - NYSE and rule changes 4: 711, 712
 - protection by SEC review policy 4: 713
 - review of changes in advance by SEC 4: 712
 - review of existing rules, SEC policy 4: 712
 - revision of SEC procedures, recommended 4: 713
 - Exchanges and: Statutory patterns 4: 703, 704
 - disciplinary matters, review of 4: 704
 - registration of exchanges 4: 703, 704
 - rules, as to filing, adoption, alteration 4: 703, 704
 - Exchanges' public markets, public utility aspect 4: 701
 - Government power in reserve, restraint in exercise of
 - "cooperative regulation" 4: 701–703
 - Inspection activities, overlapping in 4: 720
 - Liaison with self-regulatory agencies 4: 702
 - NASD and: Enforcement and disciplinary matters 4: 714, 715
 - appeal, SEC procedure in 4: 714, 715
 - close working relationships 4: 719
 - conception of role as narrower than NYSE's 4: 719
 - disciplinary system, evaluating 4: 715
 - Exchange Act provisions 4: 714
 - "member continuance" proceedings 4: 715
 - more positive role of SEC than with NYSE 4: 719
 - penalties imposed, SEC review of 4: 715
 - review of disciplinary actions by SEC 4: 714
 - NASD and: Powers of SEC regarding under Exchange Act Section 15A
 - exchanges, similarities and differences respecting 4: 705, 706
 - registered associations, powers over 4: 705, 706
 - registration, detailed criteria as to 4: 705
 - rules, filing, adoption, SEC direct rulemaking 4: 705, 706
 - NASD and: Rulemaking 4: 715–718
 - affirmative and continuous SEC role as needed 4: 718
 - amending and supplementing, SEC power 4: 716, 717
 - direct rulemaking power of SEC, scope of 4: 716, 717
 - disapproval of rule, SEC order 4: 716
 - filing requirements with SEC 4: 715, 716
 - initiative for change coming from SEC 4: 717
 - proposed changes, discussion of with SEC 4: 717
 - reverse of exchange procedure, SEC role as 4: 715–717

- Securities and Exchange Commission: Self-regulation and—Continued
- NASD and: Rulemaking—Continued
- review of existing rules, absence of SEC program 4: 718
 - SEC order disapproving 4: 716
 - working arrangement between NASD and SEC concerning 4: 717
- NASD and: Surveillance and enforcement
- close working relationship existing 4: 718
 - duplication of effort 4: 719
 - misuse of customers' funds, advising SEC of 4: 718
 - routine inspection of broker-dealer firms 4: 719
- Partnership between Government and private enterprise 4: 701
- liaison between SEC and agencies 4: 702
- Public reporting of matters of large import, need of 4: 722
- Public utility aspects of self-regulatory agencies 4: 701
- Put and Call Brokers & Dealers Association, working agreement with 4: 690
- Quotation system of NASD as affected with public interest 4: 701
- Restraint in SEC exercise of reserve power 4: 701-703
- complementary roles of SEC and agencies 4: 702
- Retail quotation systems, SEC passive role 4: 718
- Role in relation to self-regulation generally 4: 697-703
- delegated power of self-regulation, respecting 4: 697-701
 - public utility aspects of self-regulatory agencies 4: 701
 - restraint in exercise of governmental reserve power 4: 701
- Rulemaking
- exchanges: see Exchanges and: Rulemaking, *above*
- Securities markets' regulation as major SEC role 4: 719-722
- Act's broad language in defining goals 4: 721
 - balance and emphasis, question of 4: 721
 - degree of success 4: 719
 - enforcement responsibilities, scope of 4: 720
 - entry into business, suggested raising standards 4: 720
 - inspections, overlapping in 4: 720
 - market developments, SEC need to survey 4: 721
 - publicity, need of added 4: 721, 722
 - suggested delegation of prosecutions 4: 720
 - suggested SEC changes in tasks and emphasis 4: 719-722
 - violators of laws, proceedings against 4: 720
- Special Study conclusions and recommendations 4: 726-728; 5: 201-204
- anti-trust policies, keeping clear of 4: 726; 5: 201
 - Branch of Economic Research, expansion of functions of 4: 728; 5: 204
 - changed emphasis by SEC on its regulatory activities 4: 728; 5: 203
 - differences in powers as to NASD and exchanges 4: 726, 727; 5: 202
 - disciplinary proceedings, SEC review of needed 4: 728; 5: 203
 - disciplinary proceedings, study of due process in 4: 727, 728; 5: 203

- Securities and Exchange Commission: Self-regulation and—Continued
 Special Study conclusions and recommendations—Continued
 Division of Trading and Exchanges, enlarging and strengthening 4: 728; 5: 203
 due process in self-regulation, assuring 4: 726, 727;
 5: 201, 203
 market developments, setting rules and standards for
 4: 728
 maximum scope of self-regulation, continuing 4: 726;
 5: 201
 more effective liaison with self-regulatory agencies 4: 728;
 5: 203, 204
 reorienting with respect to trading and markets 4: 728;
 5: 203
 residual government powers, restraint as to 4: 726; 5: 201
 rules, advance filing, and approval by SEC 4: 727; 5: 202
 rules, SEC need to examine and reexamine 4: 727; 5: 202
 rules, study of with respect to NASD 4: 727; 5: 202
 Special Study summary 1: 722–726; 5: 197–201
 advantages and disadvantages of self-regulation
 4: 722, 723; 5: 197, 198
 delegated power, assurance of no misuse of 4: 723; 5: 198
 disciplinary procedures, needed revision 4: 724; 5: 201
 disclosure requirements, policing 4: 725; 5: 200
 Division of Trading and Exchanges, understaffing of 4: 726;
 5: 201
 due process in self-regulatory proceedings, need of 4: 723,
 5: 198
 exchange and NASD relationships with SEC compared
 4: 723, 724; 5: 198, 199
 gaps in regulatory need, avoiding 4: 726; 5: 201
 government oversight as crucial 4: 723; 5: 197, 198
 “partnership” or “cooperation” in regulation 4: 723; 5: 198
 public utilities aspect of self-regulation 4: 723; 5: 198
 publicizing SEC activities, need of more 4: 726; 5: 201
 reassessment by SEC of functions, need of 4: 725, 726;
 5: 201
 reserve power, SEC restraint as to 4: 723; 5: 198
 review of self-regulatory action, needed forum 4: 724;
 5: 199
 rules and rule alterations, needed changes as to 4: 725;
 5: 200
 rules, powers as to 4: 724; 5: 199, 200
 SEC enforcement of rules, question of 4: 724, 725; 5: 200
 Securities Act, as to total role under 4: 725, 726; 5: 201
 securities markets, powers as to 4: 725, 726; 5: 201
 surveillance and oversight, revision of 4: 724; 5: 199
 total role of SEC in self-regulation 4: 725, 726; 5: 201
 Statutory patterns: Exchanges, Sections 6, 11, 19 4: 703, 704
 registration with SEC 4: 703, 704
 review of exchanges’ enforcement actions 4: 704
 rules, filing, adoption and SEC alteration power 4: 703, 704

- Securities and Exchange Commission: Self-regulation and—Continued
 Statutory patterns: NASD under Section 15A 4: 704-706
 see: NASD, powers as to under Exchange Act Section 15A
above
- Stock exchanges and the SEC 4: 706-714
 enforcement and discipline 4: 706-711
 exchange mechanisms and automation 4: 713, 714
 rulemaking 4: 711-713
- Surveillance
 absence of effective system 4: 708
 suggested measures 4: 709
- Total role as to self-regulation 4: 719-722
 disclosure processes, to preside over 4: 719
 securities markets' conduct, to regulate 4: 719
 see Securities markets' regulation as major role, *above*
 types of responsibilities 4: 719
- Securities business:
 See also Broker-dealers in corporate securities; Over-the-counter
 markets; Salesmen of securities; Stock exchanges
 Advertising: See Advertising
 Employee compensation in 1: 20
 See Compensation of persons in the securities business
 Employees in
 See also Qualifications of persons in the securities business
 full-time 1: 23, 25
 size compared to other industries 1: 25
- Entry into, controls over 1: 68
 See Entry into the securities business; Qualifications of
 persons in the securities business
- Fair dealing, criteria of 1: 238-240
 broker-dealers' obligation under 1: 238
 customer's duty to volunteer his financial condition 1: 239
 disclosure of interest affecting customer 1: 238
 executions for customers 1: 238
 financial solvency 1: 238
 investment advisers, under Investment Advisers Act 1: 239,
 240
 NASD rules as to suitability of securities 1: 238, 239
 prices charged to customer 1: 238
 SEC "shingle" theory application 1: 238
 suitability of recommended securities: See Securities
 NASD Rule as to 1: 238, 239
- Full-time employees in, chart showing, 1929-61 1: 23, 24
 average earning (chart) 1: 25
- Growth of 1: 1
 broker-dealer firms 1: 30
 capital requirements 1: 22
 mutual funds 1: 23
 principals affiliated with firms 1: 23
 relative to rest of economy 1: 23
 Chart I-a 1: 24
 World War I and II influence 1: 21

Securities business—Continued

Investment advisers' place in: See Investment advisers

Legal and ethical obligations of to the public 1: 237-240

fair dealing, criteria of 1: 238

fiduciary and quasi-fiduciary obligation 1: 237

prices, relation of to market price 1: 238

SEC "shingle" theory applied to 1: 238

Markets expansion

dollar volume 1: 28

post-World War II 1: 21

volume as compared to shares listed 1: 22

"Professionalism" in 1: 240-242

confusion generated by term 1: 241

definition of in the industry 1: 241

extent to which it exists 1: 241

lack of 1: 242

merchandising tool, term as 1: 240

NYSE goal of for member firm 1: 240

prestige symbol, term as 1: 240

standards, as referring to 1: 240

Qualification of persons in

broker-dealers: See Broker-dealers in corporate securities

investment advisers: See Investment advisers

salesmen: See Salesmen of securities

summary, conclusions, recommendations of Special Study
1: 150-162; 5: 37-48

supervisors: See Supervisors, qualifications of

Regulatory pattern

See Regulatory pattern; see also individual exchanges;
National Association of Securities Dealers (NASD)

Selling practices of: See Selling practices

mutual funds: See Mutual funds: Selling practices

Summary

large firms doing a general business 1: 26

personnel qualifications in 1: 26

small number of large broker-dealer organizations
1: 26

Training programs of: See Training programs

Securities Exchange Act of 1934

See Exchange Act: for citations to Act, see Tables following the
Index

Securities exchanges

See Exchange markets; see also individual exchanges

Securities markets

See also Exchange markets; Over-the-counter markets; Trading
markets

Broker-dealer community: See Broker-dealers

Capital, marshaling through 1: 10, 11

Continuous trading function of 1: 9

Securities markets—Continued

- Definition of term 1: 9
 - Distribution functions 1: 9, 481
 - See Distributions to the public: Primary and secondary distributions
 - Distribution markets defined 1: 9
 - Economy, effect of markets on 1: 9-11
 - Exchanges: See Exchange markets: see also individual exchanges
 - Flow of new capital through 1: 10
 - Locations of 1: 15, 16
 - Over-the-counter markets: See Over-the-counter markets
 - Public concern in 1: 9
 - “affected with a public interest,” as 1: 9
 - SEC authority related to 1: 11
 - Regulation of: See Exchange Act: individual exchanges; National Association of Securities Dealers; Regulatory pattern in securities business; SEC: Self-regulation and
 - Securities traded, variety of 1: 13, 14
 - markets attracted to 1: 13
 - volume 1: 9, 10
 - Trading and distribution markets distinguished 1: 9
 - relative volumes of 1: 9, 10
 - Trading functions of 1: 481
 - See Distributions to the public
 - Trading markets defined 1: 9
- Security credit
- Amount of
 - bank loans, reporting of by banks 4: 1
 - bank loans, securities collateralized 4: 19
 - bank loans to broker-dealers and others 4: 1
 - broker-dealers' net debit balance, January 1962 4: 1
 - debit balances of NYSE member firm customers 4: 1
 - fluctuation of 4: 1
 - fluctuation of, 1941-62 4: 1
 - indicators of volume of 4: 1
 - NYSE member firms' reports 4: 1
 - unlisted stocks, bank loans on 4: 22
 - Assets of customer in possession of broker-dealer
 - See Customers' accounts, funds and securities, protection of
 - Bank Loan Survey questionnaire
 - See Banks
 - Bank loans, reporting of by banks 4: 1
 - Broker-dealer loans, amount of 4: 2
 - Broker-dealers, credit control over
 - exempt securities, loans on 4: 4
 - listed securities, FRB regulations as to 4: 4
 - loans by, restrictions on 4: 4
 - non-purpose loans by 4: 4
 - purpose loans 4: 4
 - unlisted securities, loans on 4: 4

Security credit—Continued

- Controls, purpose and effectiveness of 4: 2, 3
 - Federal Reserve Board function: See Federal Reserve Board
 - investor protection 4: 2
 - market fluctuation, reducing 4: 2
 - SEC function 4: 3
 - speculative funds, reducing 4: 2
 - thin-margin purchased, to protect 4: 2
- Convertible bonds as margin collateral 4: 23, 24
 - See Bonds
- Definition of 4: 1
- Existing security credit controls 4: 3-14
 - statutory 4: 3, 4, 6, 7
- Federal Reserve Board controls
 - See also Federal Reserve Board
 - Bank Loan Survey, description of 4: 8
 - nonpurpose, stock-collateralized loans, suggested regulation of 4: 18, 38
 - Regulation T promulgated by 4: 4, 5
- Hypothecation, rehypothecation of customer assets
 - margin agreements with broker-dealer 1: 391
- Lending customer's securities to other broker-dealers 1: 395
- Listed stocks, bank loans on 4: 17
- Listing, effect of on credit 4: 15
- Loans collateralized by securities 4: 1
 - banks, by: See Banks
 - broker-dealer: see Broker-dealer loans, *above*
 - broker-dealers and other lenders, differences respecting 4: 4
 - listed securities, restrictions respecting 4: 4
 - nonpurpose loans: see Nonpurpose loans, *below*
 - outstanding on May 1, 1962 4: 14
- Margin agreements, broker-dealers' rights under 1: 390, 391
 - See also Customers' accounts, funds and securities, protection of; Margin accounts
- Nonpurpose loans 4: 16-18
 - definition of 4: 16
 - not subject to security credit control 4: 16
 - purpose loans distinguished 4: 16
 - volume of stock-collateralized loans 4: 17
- Nonpurpose loans, stock-collateralized
 - bank loans on listed stocks 4: 17
 - business loans 4: 17
 - initial margin, recommended requirement of 4: 18, 38
 - listed stocks 4: 17
 - margin controls, percentage not subject to 4: 17
 - market stability threat, as 4: 18
 - single payment personal loans 4: 17
 - volume of 4: 17
- Over-the-counter listed stocks, bank loans on
 - extending margin controls to, recommended 4: 21-23, 38
- Pledge under margin account agreement 1: 391
- Rehypothecation of securities
 - local law control over 1: 390

Security credit—Continued

- Scope and methods of study 4: 7-9
 - Congressional intent as shown in hearings 4: 7
 - FRB Bank Loan Survey, data from 4: 8
 - margin requirements, study of 4: 7
- Special Study conclusions and recommendations 4: 37-39; 5: 159-161
 - Exchange Act Section 7 amendment as to unregulated lenders 4: 39; 5: 161
 - FRB, amendment of Regulation T and U as to nonpurpose loans 4: 38; 5: 160
 - FRB, margin control by, study of 4: 38; 5: 160
 - margin requirements for over-the-counter stocks and convertible bonds, FRB imposition of 4: 38, 39; 5: 160
 - over-the-counter securities, extension of credit on by broker-dealers 4: 38; 5: 160
 - purpose and nonpurpose regulation distinguished 4: 4
- Special Study scope and methods for of 4: 7-9
- Special Study summary 4: 35-37; 5: 157-159
 - convertible bonds, suggested regulation 4: 37; 5: 159
 - FRB, recommendations in the field of 4: 35; 5: 157
 - lenders covered by existing controls 4: 35; 5: 157
 - margins, regulation of 4: 36, 37; 5: 159
 - over-the-counter-listed securities, extension of regulation to 4: 37; 5: 159
 - roles of FRB and SEC 4: 35; 5: 157
 - unregulated lenders, recommended controls over 4: 37; 5: 159
- Types of 4: 1, 2
- Unlisted securities, controls as to 4: 18-23
- Unlisted securities, margin status of 4: 18-23
 - bank loans as shown by FRB Bank Loan Survey 4: 19
 - bank loans outstanding, September 1962 4: 22
 - business loans on 4: 19
 - disparity compared to listed, recommended examination of 4: 21, 38
 - listed securities distinguished 4: 18-20
 - over-the-counter-listed category, suggested controls on bank lending 4: 21-23, 38
 - over-the-counter-listed, recommended disclosure requirements 4: 22, 23
 - quotations, present ability of banks to secure 4: 22
 - trading activity of stocks involved 4: 19
- Unregulated lenders 4: 25-35
 - See Security credit: Unregulated lenders
- Security credit: Unregulated lenders 4: 25-35
 - Banks as integral parts of operations 4: 27
 - Credit controls as affected by 4: 33, 34
 - dilution of existing controls 4: 33
 - undermining objectives of FRB as to security credit 4: 34
 - Credit unions 4: 25
 - Custodial service by banks for lenders 4: 27

Security credit—Continued

- Definition of 4: 25
- Dollar amount of lending 4: 32
- Domestic banks, loans to unregulated lenders from 4: 28-30
 - clearance loans 4: 28
 - lenders subject to Section 221.3(q) of Regulation U 4: 29, 30
 - “undesirable,” unregulated lenders as 4: 30
- Effect of on market
 - accentuation of price decline 4: 33
 - price fluctuation increase 4: 32, 33
 - securities law violations, role in 4: 34, 35
 - undermining effect of existing controls 4: 33, 34
 - users’ concentration on relatively few stocks 4: 33
- Extent and effect of unregulated lenders 4: 32-35
 - effect on the market 4: 32-35
 - rapid turnover of loans 4: 32
 - volume of unregulated lending 4: 32
- FRB form FR 728, data about from 4: 25
- Firms engaged in extending credit 4: 25
 - businesses engaged in 4: 26
 - foreign lenders 4: 26
 - geographical distribution of 4: 26
 - organization forms of 4: 26
- Foreign banks as sources of funds 4: 28
- Foreign loans to unregulated lenders 4: 28-32
 - arrangement of by U.S. banks for their customers 4: 31
 - example of operations 4: 30
 - important sources of capital, as 4: 30
 - Regulation U evasion 4: 31
 - rehypothecation of securities by lenders 4: 30
 - U.S. banks’ role in 4: 30-32
- Funds for, sources of 4: 28
- Identity and characteristics of 4: 25, 26
- Illegal distribution of unregistered stock, role in 4: 34
- Lenders subject to Section 221.3(q) of Regulation U, domestic
 - bank loans to 4: 29, 30
 - ambiguity of section 4: 29
 - minimal effect of section on borrowing 4: 29
 - unregulated lenders as “undesirable” 4: 30
- Mechanics of loans 4: 27, 28
 - banks as integral parts of operations 4: 27
- Redemption by customers of their collateral 4: 27
- Securities involved 4: 28
- Speculator as lenders’ customer 4: 33
- Terms of loans
 - demand loans 4: 27
 - interest charged 4: 27
 - loan types: clearance transactions and straight loans 4: 26
 - percent of market value on listed and unlisted securities 4: 27
 - uniformity of among lenders 4: 27
- Typical transactions by 4: 26-28
 - mechanics of 4: 27
 - securities involved 4: 28
 - terms 4: 26

Security credit—Continued

- Violations of securities law, role in
 - illegal distributions of unregistered stock 4: 34
 - Volume of unregulated lending 4: 32

Self-regulation in the securities business

- See also individual agencies and exchanges concerned
- Coordination of efforts

- see Duplication and coordination of efforts, *below*

- Detailed Government control as inadvisable 4: 702

Disciplinary actions and procedures

- single, sufficient proceeding, need of 4: 732

- States' role in 4: 735-737

- See State controls over the securities business

- Disclosure, States' enforcement weakness 4: 734

Duplication and coordination of efforts 4: 729-732

- disciplinary activities, duplication between exchanges and NASD 4: 730, 731

- See Disciplinary actions and procedures

- examination of books and records in members' offices 4: 730

- rules of exchanges and NASD, lack of uniformity between 4: 729, 730

- salesmen, in registration of 4: 729

- SEC role in bringing about coordination, suggested 4: 732

- States' role in cooperative regulation 4: 734-737

- See State controls over securities business

- subpoena power or lack as a factor 4: 732

- surveillance of exchange and NASD members 4: 730

Entry into business, coordinated qualification examination

- 4: 733, 734

Ethical standards beyond law to establish, hope for 4: 694

Examination of books and records in members' offices

- duplication of efforts of exchanges and NASD 4: 730

- See also individual exchanges and NASD

Expediency or practicality as primary ground 4: 693

Limitations in operation 4: 695-697

- disparate interests, needs, size and strength 4: 696

- examples noted 4: 695

- lack of diligence or motivation 4: 695

- organizational limits 4: 695, 696

- parochialism 4: 696

- subpoena power lack 4: 697

- weakness of human nature 4: 695

Midwest Stock Exchange 4: 584-591

- See Midwest Stock Exchange

NASD as self-regulatory institution 4: 602, 682

- See National Association of Securities Dealers

NYSE March 1923 program for coordination of industry efforts

- customer complaints 4: 733

- financial control 4: 733

- Regulation T 4: 733

- underwriting compensation 4: 733

Pacific Coast Stock Exchange 4: 591-599

- See Pacific Coast Stock Exchange

Self-regulation in the securities business—Continued

- Purposes and uses of self-regulation 4: 693-695
 - ethical standards higher than law 4: 694
 - expertise of industry compared to government 4: 693
 - expertness of private firms 4: 693
 - practicality or experience as primary ground 4: 693
 - self-discipline, reliance upon 4: 694
 - voluntary law obedience, reliance upon 4: 694
- Quasi-self-regulatory organizations 4: 682-692
 - Association of Mutual Fund Plan Sponsors, Inc. 4: 685
 - See Association of Mutual Fund Plan Sponsors, Inc.
 - Association of Real Estate Syndicators (ARES) 4: 686, 687
 - See Association of Real Estate Syndicators
 - Association of Stock Exchange Firms 4: 683, 684
 - See Association of Stock Exchange Firms
 - Investment Bankers Association 4: 682, 683
 - See Investment Bankers Association
 - Investment Company Institute 4: 684, 685
 - See Investment Company Institute
 - Investment Counsel Association of America, Inc.
 - 4: 685, 686
 - See Investment Counsel Association of America, Inc.
 - National Association of Investors' Brokers (NAIB)
 - 4: 690, 691
 - See National Association of Investors' Brokers
 - National Security Traders Association, Inc. (NSTA)
 - 4: 691
 - See National Security Traders Association, Inc. (NSTA)
 - Put and Call Brokers and Dealers Association 4: 687-690
 - See Put and Call Brokers and Dealers Association
- Quasi-self-regulatory institutions: Special Study summary
 - control over members, variances in 4: 692
 - educational matters, concentration on 4: 692
 - effective programs, lack of 4: 692
 - self-regulation, as not satisfactory source of 4: 692
- Recent developments since start of Special Study 4: 732-734
 - entry requirements, coordinated examination program
 - 4: 733, 734
 - NYSE March 1923 program 4: 733
 - see NYSE March 1923 program, *above*
- Regional exchanges 4: 599-602
 - See also individual exchanges
 - number of registered exchanges 4: 599
 - organization and government of 4: 600
 - Special Study of, scope 4: 599, 600
 - stocks traded on 4: 599
- SEC role: See Securities and Exchange Commission: Self-regulation and
- SEC total role 4: 719-722
 - See Securities and Exchange Commission: Self-regulation and
- Self-discipline, "calling into play" 4: 694
- Special Study recommendations and conclusions 4: 738, 739
- Special Study summary 4: 737, 738; 5: 204, 205
 - See Special Study summaries

- Self-regulation in the securities business—Continued
- States' role in 4: 734-737
 - See State control of securities business
 - Statutory patterns, SEC role in 4: 703-706
 - See Securities and Exchange Commission: Self-regulation and
 - Subpoena
 - lack of in self-regulatory agencies, presence of in SEC 4: 697, 732
 - Theory and policy of
 - limitations 4: 695-697
 - see Limitations in operation, above
 - Total regulatory burden
 - developments since beginning of Special Study 4: 732-734
 - see Recent developments, *above*
 - duplication and coordination 4: 729-731
 - see Duplication and coordination, *above*
 - States' role 4: 734-737
 - See State control of securities business
 - Total regulatory burden: Special Study conclusions and recommendations 4: 738, 739; 5: 205, 206
 - centralized examining and investigating procedures needed 4: 738; 5: 205, 206
 - coordinating and allocating responsibilities, need of better 4: 738; 5: 205
 - governmental regulation, needed strengthening of 4: 738; 5: 205
 - jurisdiction over enforcement, clearer definitions of 4: 738, 739; 5: 206
 - SEC's role in self-regulation, reappraisal of 4: 739; 5: 206
 - self-regulation, needed strengthening of 4: 738; 5: 205
 - standardization of application and report forms, need of 4: 738; 5: 205
 - standards of conduct, coordination of efforts as to 4: 738; 5: 205, 206
 - Total regulatory burden: Special Study summary 4: 737, 738; 5: 204, 205
 - agencies bearing the burden 4: 737; 5: 204
 - communication lines between agencies, need of stronger 4: 737; 5: 204
 - disciplinary matters, lack of coordination in 4: 737, 738; 5: 204, 205
 - examination procedures, lack of efforts to standardize 4: 737; 5: 204
 - examination programs, limited coordination of 4: 737; 5: 204
 - exchange of information between States and SEC, needed strengthening 4: 738; 5: 205
 - jurisdiction among regulatory bodies, questions of 4: 737; 5: 204, 205
 - NASD and States, needed cooperation between 4: 738; 5: 204, 205
 - overlapping responsibilities and duplication of effort 4: 737; 5: 204

Self-regulation in securities—Continued

Total regulatory burden: Special Study summary—Continued

recent cooperative self-regulatory steps 4: 738; 5: 205

registered representatives, joint testing program for 4: 737;

5: 204

Voluntary law obedience, dependence upon 4: 694

Weakness of human nature as limitation 4: 695

“Selling against the box” 2: 249, 250, 271, 293

Selling practices

Generally 1: 242–330

Advertising 1: 244–248

See Advertising

“Against the box,” short selling 2: 249, 250, 271, 293

Aquafilter selling effort 1: 275–280

dealer promotion, basis of 1: 277

history of offering 1: 275

large broker-dealers, and extent of participation 1: 275

newspaper financial column touting 1: 276

NYSE investigation of member-firm activities 1: 280

salesmen’s activities 1: 277, 278

supervision of salesmen, failure of 1: 278, 279

“Boiler rooms”: See Boiler rooms

Booklets and other sales literature, use of 1: 245

Branch managers

disciplinary actions by NYSE involving 4: 544

Broadcasting over radio, television 1: 244

Bucket shops, NYSE rule regarding 1: 316

Compensation of salesmen

See Compensation of persons in securities business

Complaints of statutes or regulations 1: 304

Confirmations for stock not ordered 1: 267

Corporate publicity as factor in

See Corporate publicity

Customers having open accounts, statements sent to by firms

1: 392, 393

Disciplinary measures involving

NYSE formal actions 4: 540

Disclosure: See Disclosure

Discretionary accounts

NASD rules and their enforcement 1: 310

NYSE rule concerning 1: 315

supervision of salesmen in 1: 299, 300

Estate planning services, advertising 1: 246

Financial planning, advertising 1: 246

Fraud in: See Fraud

High pressure 1: 271

Inside information derived from corporate directorship, use of

1: 432, 435, 437

Interest and dividends, remitting when no customer request

(table) 1: 396

Interest and dividends, remitting when request by customer

(table) 1: 397

Larger firms: Aquafilter selling effort 1: 275–280

see Aquafilter selling effort, *above*

Selling practices—Continued

- Larger firms: Bache & Co. Seattle branch 1: 272-275
 - check kiting 1: 273
 - churning 1: 272
 - NYSE investigation of 1: 274
- Larger firms, problems of 1: 268-290
 - ethical standards, variances in 1: 268
 - public complaints against 1: 269-272
- Larger firms: Public complaints against 1: 269-272
 - function served by complaints 1: 269
 - high pressure tactics of salesmen 1: 271
 - over-trading or "churning" of accounts 1: 271
 - salesman's representation that he has bought a stock 1: 271
 - salesmen's lack of knowledge 1: 269
 - speculative securities, recommending 1: 269
 - unethical practices of salesmen 1: 269
 - unsuitable stocks for customer, recommending 1: 264, 270, 309
- Lectures and investment courses 1: 249
- Magazine advertisements 1: 244
- Mail solicitation: See Mail
- Market letters, advertising free or by subscription
 - See also Market letters 1: 246
- Midwest Stock Exchange surveillance of members' 4: 588
- Misrepresentation, sales by
 - NASD rule and its application 1: 309
- NASD control over: See Selling practices: supervision of NYSE member organizations, Exchange supervision of 4: 529-531
 - See New York Stock Exchange
- Newspaper advertisements 1: 244
- Over-the-counter securities
 - restrictive policies of broker-dealers 1: 300
 - salesmen's sales solicitation in 1: 300
- Overtrading or churning 1: 271, 297, 310, 315
 - See Overtrading or churning
- Pacific Coast Stock Exchange check of members' 4: 596
- Perfect offset defined 4: 856
- Portfolio analysis, offer of free 1: 245
- Pressure methods in speculative issues 1: 262
 - See also "Boiler rooms"
- Profit theme, advertising 1: 248
- Projections and predictions, controls over 1: 375, 376
- Public customers, focus of Special Study on 1: 243
- Recommendation of securities for purchase
 - advertising lists of recommended securities 1: 246
 - broker-dealer who is corporate director 1: 433
 - highly speculative issues 1: 269
 - lack of knowledge of security recommended 1: 269
 - NYSE controls over, in member firms' sales literature 1: 376
 - suitability for individual customer 1: 238, 239, 264, 270, 309-312; 4: 151, 669

Selling practices—Continued

- Research and investment advice, advertising 1: 246
- Sales literature, preparation and dissemination of 1: 249
- Sales promotion 1: 249, 250
 - “Be an Investor” contests 1: 250
 - lectures and investment courses 1: 249
 - sales literature preparation and dissemination 1: 249
 - touting through investment courses 1: 249
- Salesman's efforts 1: 250-253
 - See also Salesmen of the securities business
 - “boiler rooms”: See “Boiler rooms”
 - “churning” or over-trading customers' accounts 1: 271, 297, 305, 310
 - commission scale as influencing 1: 260, 261
 - compensation: See Compensation of persons in the securities business
 - confirmations for stock not ordered: “Wooden orders” 1: 267
 - high pressure 1: 262
 - lack of knowledge of merchandise recommended 1: 269
 - recommending highly speculative issues 1: 269
 - representing his own purchase of stock 1: 271
- Salesmen's improper practices
 - credit to customers, improper 1: 299
 - discretionary accounts, management of 1: 297
 - free-riding 1: 299
 - manipulation 1: 299
 - misrepresentations 1: 298
 - recommending securities: see Recommendation of securities for purchase, *above*
 - suitability of security for customer, neglecting 1: 264, 269, 270, 299, 309
- “Sell” advice
 - investment adviser's conflict of interests 1: 374
- Shearson, Hammill & Co. and USAMCO 1: 280-290
 - allocations of stock to insiders 1: 282, 283
 - cheap stock, profit of insiders from 1: 286
 - conflict of interest in distribution 1: 286
 - creating and maintaining market in shares 1: 283
 - customers' reliance upon firm's reputation 1: 285
 - free riding by employees and insiders 1: 282, 286
 - salesmen selling own shares 1: 284, 287
 - self-interest in USAMCO transactions 1: 286, 287
 - selling activities 1: 283-286
 - aggressive recommending of stock 1: 283
 - belated restrictions on salesmen 1: 286
 - misrepresentation by salesmen 1: 283
 - number of shares sold 1: 283
 - oral and written solicitation 1: 285
 - salesmen's selling of own shares 1: 284, 287
 - Shearson's declarations of policy 1: 287-290
 - size and importance of firm 1: 280
 - supervision of staff, breakdown in 1: 288, 289

Selling practices—Continued

- Shearson, Hammill & Co. and USAMCO—Continued
 - USAMCO, history of issue 1: 280
 - USAMCO-Shearson relationship 1: 282, 283
 - purchase of shares by salesmen, partners 1: 282
 - underwriting 1: 282
- Special Study conclusions and recommendations 1: 328-330;
 - 5: 54-56
 - broker-dealer supervision, strengthening of 1: 328; 5: 54
 - compensation of salesmen, dangers and abuses 1: 329, 330;
 - 5: 55, 56
 - disclosure to protect investors, importance of 1: 329; 5: 55
 - enforcement of rules, strengthening 1: 329; 5: 55
 - NASD control procedures, need of strengthening 1: 328;
 - 5: 54
 - NYSE control procedures, need of strengthening 1: 328;
 - 5: 54
 - policy statements, need and content of 1: 329; 5: 55
 - SEC, adoption of rules to reinforce controls over 1: 329;
 - 5: 54, 55
 - SEC sanctions, more flexibility in availability of 1: 330;
 - 5: 56
 - self-regulatory agencies, establishment of clearer standards
 - 1: 328; 5: 54
 - suitability of securities, greater emphasis upon 1: 329; 5: 55
- Special Study scope and methods 1: 242-244
- Special Study summary 1: 323-328; 5: 49-54
 - boiler room tactics 1: 324; 5: 50
 - branch managers, authority and supervision of 1: 325, 326;
 - 5: 51
 - controls over selling practices 1: 325-328; 5: 51-54
 - broker-dealers' supervision of staff 1: 325; 5: 51
 - centralized or home office controls 1: 325; 5: 51
 - electronic data processing equipment, use of 1: 325;
 - 5: 51
 - Federal securities statutes 1: 326
 - legal sanctions 1: 326; 5: 52
 - NASD rules governing, and their application 1: 327;
 - 5: 53
 - NYSE rules and their application 1: 327, 328; 5: 53, 54
 - regulatory bodies exercising power 1: 326-328;
 - 5: 52-54
 - types of practices condemned 1: 326; 5: 51, 52
 - high pressure selling, firms engaged in 1: 324; 5: 50, 51
 - inducements offered to customer 1: 323; 5: 49
 - sales promotion activities, variety of 1: 323; 5: 49, 50
 - salesmen, customer's reliance upon advice of 1: 324; 5: 50
 - salesmen, tactics of 1: 323; 5: 49, 50
 - salesmen, compensation of 1: 324; 5: 50
 - specialization in securities, advantages and disadvantages
 - of 1: 324; 5: 50
 - supervision by broker-dealers of salesmen, managers
 - 1: 325; 5: 51
 - supervision, extent of, agencies involved 1: 325-328; 5: 52-54
 - varied industry standards 1: 323; 5: 49

Selling practices—Continued

- Specialization in type of merchandise 1: 261-268
 - dangers in to public 1: 261
 - planners, holding out as 1: 261
 - speculation, specialists in 1: 262-265
- Speculation, by specialists in 1: 262-268
 - Albion Securities Co., Inc., methods described 1: 262-265
 - approach techniques employed 1: 263
 - "boiler rooms" 1: 265-268
 - See "Boiler rooms"
 - extra compensation to salesmen 1: 262
 - mailing lists, use of 1: 263
 - pressure methods used 1: 262
 - suitability of securities for customer, attention to 1: 264, 269, 270, 299, 309
- Speculative impulses, advertising appealing to 1: 248
- State regulation of 4: 734
- Suitability of stocks recommended to customer
 - See Securities
- Supervision and controls over 1: 290-323
 - See Selling practices: supervision and controls over
 - See also States
- Telephone
 - speculative issues, promoting sale of 1: 263
- Testimonials, deceptive use of 1: 382
- Touting 1: 249, 303, 316, 337, 381; 3: 72-77, 97
 - See Touting
- Type of merchandise-specialization 1: 261-268
 - see Specialization in type of merchandise, *above*
- "Wooden orders" 1: 267
- Selling practices: Supervision and controls over
 - Generally* 1: 290-323
 - Abuses, detection of as objective 1: 296-299
 - Adequacy of supervision, importance of 1: 301
 - Audits, regular and surprise 1: 296
 - "Boiler rooms" 1: 305
 - See "Boiler rooms"
 - Branch managers, supervision by 1: 291-293
 - See also Branch managers
 - basic duty, supervision as 1: 292
 - duties other than supervisory enumerated 1: 292
 - formal bulletins describing 1: 292
 - Broker-dealer inspection programs
 - scope and limitations of 1: 305
 - Broker-dealers' responsibility
 - failure to supervise as misconduct 1: 291
 - NASD, NYSE and Securities Act provisions 1: 290
 - size of firms as factor in failure to supervise 1: 291
 - Centralized controls
 - electronic data processing equipment, use of 1: 294, 295
 - types of described 1: 293, 294
 - Churning of accounts: see Overtrading ("churning"), *below*
 - Commission enforcement of violation sanctions 1: 306
 - Data processing equipment as aid to 1: 294

- Selling practices: Supervision and controls over—Continued
- Discretionary accounts, handling of 1: 299, 300
 - failure to supervise, NYSE disciplinary action for 4: 530
 - Exchanges' controls
 - disciplinary proceedings 1: 322
 - See also Disciplinary actions and procedures
 - examination program 1: 321
 - minor impact of 1: 321
 - NYSE controls: see NYSE rules concerning, *below*
 - reliance upon NYSE and AMEX procedures 1: 321
 - rules of under Exchange Act Section 6 1: 321
 - rules, scope, and limitations of 1: 321
 - External controls 1: 302-323
 - Failure of in Aquafilter distribution 1: 278, 279
 - Federal controls over selling practices 1: 302-304
 - agencies exerting controls 1: 302
 - broker-dealer, criminal prosecution of 1: 303
 - complaints from investors of violations 1: 304
 - damages, broker-dealer's liability in 1: 303
 - detection of violations, procedure for 1: 304, 305
 - Exchange Act Section 10(b), Rule 10b-5 1: 302
 - fraud, scope of violations constituting 1: 302
 - mail fraud statute violation 1: 304
 - methods of detection 1: 304-306
 - revocation or suspension of broker-dealer registration 1: 303
 - SEC broker-dealer inspection program 1: 305
 - Securities Act Section 17(a), as to fraud 1: 302
 - touting, prohibition of 1: 303
 - Firms' policies as aid in 1: 300
 - "approved" or "recommended" securities, restrictions as to 1: 300
 - discretionary accounts, limiting use of 1: 300
 - highly speculative securities, recommending 1: 300
 - over-the-counter securities, solicitation for sale of 1: 300
 - "solicited" or "unsolicited" sales, reports on 1: 300
 - special rules and prohibitions 1: 300
 - type of securities sold, restricted lists of 1: 300
 - Highly restrictive securities 1: 300
 - Improper selling practices, detection of
 - brokerage community, information from 1: 306
 - complaints from public investors 1: 304
 - NASD, notification to SEC by 1: 306
 - NYSE member firm, SEC treatment of complaint against 1: 305
 - Internal supervision 1: 290-293
 - broker-dealers' responsibility 1: 290
 - NASD controls 1: 308-321
 - See also National Association of Securities Dealers
 - disciplining of members and cases handled 1: 309, 310, 314
 - disclosure, discipline for failure of 1: 312, 313
 - discretionary accounts, handling of 1: 310
 - effectiveness of 1: 308
 - ethical standards set up by 1: 309

Selling practices: Supervision and controls over—Continued

NASD controls—Continued

- examination as to 4: 657
- Exchange Act requirements 1: 308
- Exchange rules relating to selling practices 1: 315, 316
- fraud, sales involving 1: 310
- ineffectiveness of rules 1: 308
- inspection of member firms and branch offices 1: 313, 314
- overtrading (churning) 1: 310
- practices condemned 1: 308
- public complaints of violations 1: 313, 314
- reluctance of NASD to exert its powers 1: 310
- rules of fair practice and their application 1: 308-313
- salesmen, disciplining 1: 312
- Section 27, Article 3, "Rules of Practice" 1: 290, 309
- Shearson, Hammill case violation 1: 288, 289, 312
- statutory requirement for 1: 308
- supervision of salesmen's activities 1: 309

NASD rules of fair practice and their application 1: 308-313

- detection of violation, methods of 1: 313, 314
- discretionary accounts, limitations of rule as to 1: 309
- enforcement of 1: 314
- high standards invoked by 1: 309
- misrepresentation, sales by 1: 309
- situations applicable to, enumeration of 1: 308
- suitability of security for customer 1: 309, 311, 312

NYSE rules relating to selling practices 1: 315

- conduct of members and salesmen, scope as to 1: 315
- decorum visits to detect violations 1: 318
- detection of violations, methods of 1: 316-320
- disciplinary proceedings for violations, number of 1: 320
- discipline for misconduct, affirmative duty to 1: 315
- discipline for violation, affirmative duty to 1: 315
- enforcement 1: 320
- examination program, aim and limited scope of 1: 317, 318
- Exchange Act Section 6(b) as basis of 1: 315
- financial questionnaires to members 1: 316
- "just and equitable principles of trade" as standard 1: 315
- "know your customer" rule 1: 315, 316
- manipulation 1: 316
- overtrading (churning) 1: 315
- public complaints, investigating 1: 316, 317
- rumors, circulation of 1: 316
- salesmen, direct jurisdiction to discipline 1: 316
- sanctions imposed for violation 1: 315, 320
- stock-watching program 1: 316
- superimposed over NASD rules, as 1: 314
- supervision of accounts by member firms 1: 315
- surveys, detection of violations through 1: 318, 319

New accounts, rules as to opening of 1: 301

- Selling practices: Supervision and controls over—Continued**
- Objects of supervision 1: 296-300
 - credit to customers, improper extension of 1: 299
 - free riding, detection of 1: 299
 - manipulation by salesmen 1: 299
 - misrepresentations 1: 298
 - overtrading ("churning") 1: 297
 - suitability of security to customer 1: 298
 - unregistered securities, control of sale of 1: 299
 - Overtrading ("churning"), detection of 1: 297
 - electronic data processing equipment as aid in 1: 297
 - procedures to detect 1: 297
 - Pattern of 1: 290
 - Quality of securities recommended, firms' rules as to 1: 300
 - Review and analysis necessary to detect abuses 1: 295
 - SEC disciplining for failure of supervision 1: 302
 - broker-dealer inspection system as basis 1: 305
 - defects in firm's supervision, where involved 1: 305
 - fraud 1: 302
 - procedure available 1: 304
 - SEC enforcement of sanctions against violations 1: 306
 - broker-dealer's registration, revoking 1: 306
 - choice of action or procedure 1: 306
 - criminal prosecution, offenses attacked by 1: 307
 - criminal prosecutions, by whom brought 1: 307
 - injunctive proceedings 1: 306
 - State controls 1: 322, 323
 - Blue Sky laws 1: 322
 - criminal prosecutions for statutory violations 1: 322
 - limited effectiveness of 1: 323
 - sanctions 1: 322
 - Uniform Securities Act anti-fraud provisions 1: 322
 - Supervisory organization, controls and devices 1: 291-296
 - branch managers 1: 291
 - centralized controls 1: 293
 - Type of securities handled, firms' policies as to 1: 300
 - over-the-counter securities 1: 300
 - restricted lists 1: 300
- Services**
- Investment advice: See Subscription services offering investment advice; see also Market letters
- Sex**
- Mutual fund purchaser 4: 274, 275, 283, 327
- Share volume of trading**
- Shares outstanding**
- See Volume of trading
- Shareholders**
- Bank, number of 3: 35
 - Increase of due to NYSE public relations program 4: 562
 - Insurance companies issuing publicly held securities 3: 40
 - Issuers of stock classified by: See Issuers of publicly held securities, obligations of

Shareholders—Continued

- Number of
 - banks 3: 35
 - distribution of at end of 1961 (tables) 2: 965, 967
 - issuers classified by (tables) 3: 103-108
 - NYSE-listed stocks 2: 38
 - over-the-counter stocks 2: 722
 - stocks traded among markets, 1961 2: 817, 965
 - trading distribution among markets (table) 2: 961
- NYSE-listed stocks traded in over-the-counter markets classified by 2: 1065
- NYSE-traded stocks, 1962 (table) 2: 1083
- Over-the-counter stock
 - percent held by largest stockholders (table) 2: 706
- Range of, end of 1961
 - number of shareholders (chart) 2: 818
- Range of in exchange or over-the-counter trading 2: 822
- Shares outstanding
 - 1961, classed by various criteria (tables) 2: 817, 819, 965, 966
 - "Depth" of market, as factor in 2: 829
 - Distribution of in each market category (table) 2: 965, 967
 - Issuers' assets, range of, 1961 (charts) 2: 821, 876
 - Issues of over-the-counter stock, numbers of (table) 2: 705
- Listed securities on over-the-counter markets
 - classified by outstanding shares 2: 875
- Market value of
 - classified by (tables) 2: 707-709, 721, 820, 966
 - end of 1961, charts showing range of 2: 721, 820, 876
 - exchange and over-the-counter categories, classified by 2: 819, 820
- Mutual funds 4: 270
- Number, end of 1961, chart showing range of 2: 819
- NYSE-listed stocks, over-the-counter trading classified by (tables) 2: 1065
- Over-the-counter-traded issues 2: 723
- Range of traded or transferred
 - end of 1961 (chart) 2: 825
- Shearson, Hammill & Co. and USAMCO promotion 1: 280-290
 - See Selling practices
- "Shingle" theory of fair dealing
 - SEC application of to securities industry 1: 238
- Short purchases
 - Generally* 2: 246-294
 - "Against the box" 2: 249, 250, 271, 293
 - Arbitrage: See also Arbitrage
 - rules exempting transactions involving 2: 248-250, 269, 289-290
 - Arguments in favor 2: 247
 - Assets of customer in broker-dealers' possession, involving 1: 397
 - Costs 2: 248

Short purchases—Continued

- Data for A.T. & T., Avco, Brunswick, General Motors, IBM, Korvette, Standard Oil Co. (N.J.), United States Steel tables showing for May 28-31, 1962 2: 424-427
- Data regularly available on short selling 2: 252-254
see Records of filed with SEC, *below*
- Definition of 2: 246
- Depressing effects of on downward market 2: 288, 289, 292-294
- 8 percent or more of total sales of 8 selected stocks
14 selected days, 1961-62 (table) 2: 283
- Exemptions from rules regulating 2: 248, 269, 289, 290
 - apathy toward or misuse of rules 2: 290
 - arbitrage 2: 248-250, 269, 289, 290
See Arbitrage
 - odd-lot dealers 2: 269
 - record of, absence of 2: 248
 - "short or long" exemption 2: 289, 290
 - use of 2: 248
- Fees for executing, absence of 2: 248
- Floor traders' covering of 2: 222
- Floor traders' transactions 2: 253, 266
- Floor traders' under NYSE Rule 110 2: 233
- General features of
 - floor traders 2: 253, 266
 - members' and nonmembers' short sales 2: 256
 - members off the floor 2: 266
 - members' short sales 2: 257-571
 - specialists' short sales 2: 266
 - total volume 2: 254
- Hedging 2: 250, 271, 293
- Insider trading 2: 247
 - Exchange Act controls 2: 247; 3: 5
- Issues with short position on NYSE
 - average of May-July, 1962 (table) 2: 280
 - classification of by industries 2: 280, 281
 - 54 stocks, 1961, 1962 2: 281
 - January 1954-July 1962, charts on 2: 276-279
 - number of, 1954-62 (chart) 2: 276, 277
 - percentage of all issues, as 2: 278-279 (charts)
- Limited periods 2: 247
- Listed securities in over-the-counter markets
 - Special Study suggestion as to identification 2: 909; 5: 141
- London Stock Exchange, on 2: 20
- Long-term investment account segregation by specialists 2: 135
- Market analysis of, as to members and nonmembers 2: 282-288
- Market break of May 1962, as involved in 2: 282-288; 4: 831
See Market break of May 1962
- Maximum opportunities in 8 stocks, market break 2: 288
- Mechanics of 2: 248, 249
- Members' sales
 - percent of their own total sales 2: 268
- Motivation of 2: 283, 284
- Mutual fund advisers, by 4: 251
- Mutual fund insider's 4: 251

Short purchases—Continued

- Nonmembers' short sales
 - odd-lot customers 2: 271
 - percent of their own total sales 2: 268
 - round-lot customers 2: 271
- NYSE, as percent of total sales, 1954-62 (chart) 2: 255
 - January 1954-July 1962 (chart) 2: 255
- NYSE, June 1947 study of 2: 249
- NYSE, member and nonmember trading, 1954-62 (charts)
 - 2: 258, 260-264, 267, 268, 270, 272, 273, 275
 - issues with short positions (charts) 2: 276, 278
- NYSE, monthly totals 1954-62
 - tables showing, by month 2: 421-423
- NYSE, odd-lot transactions, weekly report on 2: 253
- NYSE, tables for selected dates and aspects
 - 8 selected stocks, market break, period 2: 424-427
 - monthly totals, January 1954-July 1962 2: 258, 421-423
- Objections to 2: 247
- Odd-lot customers on NYSE
 - charts on, July 1958-July 1962 2: 271-275
 - exemption under SEC 1938 rules 2: 249
 - facilitating market operations as objective 2: 249
 - NYSE rules concerning 2: 177, 178
 - short positions, January 1954-July 1962 (chart) 2: 270
 - volume of sales by 2: 269, 270
- Odd-lot transactions, report of to SEC 2: 253
 - short positions, reports on 2: 253
- Over-the-counter markets 2: 247
- Patterns of rise and fall 2: 254-256
- Prices, effect on 2: 282
- Records and reports on, filed with the exchanges 2: 254, 290
- Records and reports on, filed with SEC
 - daily reports on floor traders' transactions 2: 253
 - monthly reports by NYSE 2: 253
- Regulation of
 - SEC rules: 1938 2: 251
 - SEC rules: 1939 and operational effect on trading 2: 252, 289, 291
 - tick table, use of under SEC 1939 rule 2: 252
- Round-lot transactions
 - weekly report of filed with SEC 2: 253
- Rules regulating 2: 247, 251-254
 - depressing effect of in downward market 2: 288
 - evaluation of the rules 2: 288, 289
 - exemptions from 2: 269, 289-290
 - inadequacy of 2: 288, 289, 291-293
 - Securities Act of 1934, under 2: 291
 - up-tick limitations urged 2: 293, 294
- Rules regulating: Exemptions from
 - absence of statistical reports on 2: 248
 - arbitrage 2: 248-250
 - Odd-lot dealers 2: 249
- Short covering transactions 2: 248, 249

Short purchases—Continued

- Short interest in NYSE stocks, May–July 1962 (table)
 - 2: 280, 281
- Short interest of odd-lot dealers 2: 253
 - weekly report of aggregate daily sales 2: 253
 - weekly report of round-lot transactions 2: 253
- Special Study conclusions and recommendations
 - more adequate reporting of transactions 2: 293; 5: 101
 - price-decline periods, more adequate rules for 2: 294; 5: 102
 - short-exempts, better procedure to indicate 2: 293; 5: 101
 - temporary banning of short selling, study of 2: 294; 5: 102
- Special Study, method and scope of 2: 247, 248
- Special Study summary 2: 290–293; 5: 99–101
 - data compiled and published concerning 2: 291; 5: 99
 - depressing effect of present rules 2: 293; 5: 101
 - exemptions from rules regulating 2: 291; 5: 99
 - features of trading 2: 266
 - inadequacy of present rules 2: 292; 5: 101
 - Market Break of 1962, trends during 2: 292; 5: 100, 101
 - members' selling 2: 291, 292; 5: 100
 - number of stocks with short positions, concentration of
 - 2: 292; 5: 100
 - off-floor members short sales 2: 291; 5: 100
 - off-lot selling 2: 291; 5: 100
 - orderly market, aim to maintain 2: 249
 - percent of specialists' total sales (chart) 2: 267
 - price action of stocks sold short 2: 292; 5: 100, 101
 - round-lot selling by nonmembers 2: 291; 5: 99
 - SEC regulatory power 2: 291; 5: 99
 - specialists, short selling by 2: 291; 5: 100
 - tick test inadequacy 2: 292; 5: 101
 - use of device, motivation for 2: 290; 5: 99
- Speculative
 - delivery of stock 2: 246–248
 - interest results 2: 249
 - mechanics of 2: 248
 - NYSE June 1947 study of 2: 249
 - short interests involved, Special Study breakdown requested
 - 2: 249
- Statistical summary
 - see Special Study summary, *above*
- Steps in 2: 248
- Stocks analyzed: A.T. & T. 2: 282–283, 287, 290, 292
- Stocks analyzed: Avco 2: 282–283, 287, 290, 292
- Stocks analyzed: Brunswick 2: 282–283, 288, 290
- Stocks analyzed: GM 2: 282–283, 288
- Stocks analyzed: IBM 2: 282–283, 288
- Stocks analyzed: Korvette 2: 282, 283, 285, 287, 292
- Stocks analyzed: SOCONJ 2: 282, 283, 287
- Stocks analyzed: United States Steel 2: 282, 283, 285–287, 292
- Stocks: Classification by industries 2: 280, 281
- Stocks in which short selling occurs 2: 276–279
 - number of stocks (charts) 2: 274, 276–280

Short purchases—Continued

- Stocks with short interest 2: 274-280
- Tables showing various aspects of NYSE trading 2: 280, 281, 283-286
- Tax advantages of 2: 250
- Technical short sales 2: 247-249
- Tick table, effect of 2: 288, 289
- Types of and reasons for 2: 249
- Underwriters' use of device 2: 250
- Volume: Charts 2: 254, 258-265, 267, 268, 270, 272-279
- Volume: Members, floor traders 2: 266, 284
- Volume: Members, odd-lot dealers 2: 269
- Volume: Members of New York Stock Exchange 2: 256, 257, 262-265, 268, 284
- Volume: Members, off the floor 2: 266
- Volume: Members, specialists 2: 266, 267, 284, 286
- Volume: Nonmembers, odd-lot customer 2: 271-275
- Volume: Nonmembers of SEC 2: 256, 262, 268, 284, 285
- Volume: Nonmembers, round-lot customer 2: 271
- Volume: Percent of total sales 2: 254-256, 260, 261, 263-265
- Short-swing profits, recapture of
 - Exchange Act provisions 1: 3
 - Insider trading: See Insider trading
- Small Business Investment Act of 1958 3: 51
 - Issues under traded on over-the-counter market 3: 52
- Small companies "going public"
 - See also New issues of corporate securities, distributions of
 - Operational and promotional compared
 - continued existence 1: 551
 - profit and loss 1: 552
 - Post-offering experience of 1: 550-553
 - status table of 1952-62 stocks 1: 551
 - Profit and loss contrast, operational and promotional 1: 552
 - Questionnaire OTC-7, mailing list and content 1: 550
 - Registered companies, better performance of 1: 551
 - Special Study summary 1: 556; 5: 70, 71
- Small companies "going public" 1952-62
 - Status table as of 1962 1: 551-553
- "Social club"
 - NYSE as 4: 506, 508
- South Puerto Rican Sugar
 - NYSE market study concerning price action of 2: 88
- Special Study of the Securities Markets of the SEC
 - Authority for and aims of
 - bull market dangers, to study 1: 1
 - Exchange Act, Section 19(d) 1: 1
 - House Report No. 882, 87th Congress 1: 1
 - investors, to protect 1: 1, 2
 - reasons and scope, House Report No. 882, 87th Congress 1: 1
 - rules of exchanges and securities associations, to study 1: 1
 - Charts in listed (they are indexed by subject in the Index proper)
 - 1: xxiii, 2: 26, 27, 31, 32, 536, 802; 3: vi; 4: 93, 498, 818, 819

Special Study of the Securities Markets of the SEC—Continued

Conclusions and recommendations

(Listed and collected in 5: v, vi, 45-211. For analysis, see topics indexed, this Index)

- automation 2: 358; 5: 108, 109
 - broker-dealers as corporate directors 1: 440; 5: 66
 - commissions 2: 349-351; 5: 105-107
 - competition, SEC continuing study of 2: 961; 5: 148
 - delivery of securities: "Fails to deliver" 1: 428; 5: 63
 - execution, SEC study of factors affecting 2: 961; 5: 148
 - floor traders 2: 241, 242, 246; 5: 97, 98
 - institutional investors 2: 869, 870; 5: 138
 - listed securities in over-the-counter markets 2: 910, 911; 5: 142-144
 - market access by public, SEC study of factors affecting 2: 961; 5: 148
 - Market Break of May 1962 4: 862, 863; 5: 210, 211
 - market patterns, SEC Policy and Planning Unit to study 2: 961; 5: 148
 - mutual funds selling practices 4: 212; 5: 170, 171
 - NASD as self-regulatory institution 4: 679-682; 5: 193-196
 - NYSE as self-regulatory institution 4: 576, 577; 5: 183, 184
 - odd-lot dealers 2: 201, 202; 5: 94, 95
 - Pacific Coast Stock Exchange 4: 598, 599; 5: 187
 - real estate securities offerings 1: 591; 5: 76, 77
 - recommendations, policy as to use of specific 1: 7
 - regional exchanges 2: 951, 952; 5: 146, 147
 - research and investment advice 1: 386, 387; 5: 59, 60
 - SEC Policy and Planning Unit, establishment of a permanent 2: 961
 - security credit 4: 37-39; 5: 159-161
 - short selling 2: 290-294; 5: 99-102
 - specialists 2: 167-171; 5: 87-91
 - total burden of self-regulation 4: 738, 739; 5: 205, 206
 - trading market changes, SEC's duty to accumulate data on 2: 961; 5: 148
 - trading markets: allocation of securities among 2: 836; 5: 134
 - unregistered distributions 1: 569, 570; 5: 74, 75
- Conclusions and recommendations, policy regarding
- confidence with which submitted 1: 8
 - "deciding" questions 1: 8
 - draft form, as not submitted in 1: 7
 - generalizations 1: 7
 - goals, recommendations as to 1: 8
 - legislative changes, as to 1: 8
 - summarization of data 1: 7
- Distributions of securities to the public, scope with respect to 1: 482

Special Study of the Securities Markets of the SEC—Continued

- General scope and limits of 1: 5
 - 1962 market “break” influence on 1: 6
 - actual surveys to be made 1: 5, 6
 - congressional directive 1: 5
 - personnel in securities business, study of 1: 6
 - practical limitations on the Study 1: 6
 - protection of investors 1: 5
 - rules, adequacy of 1: 5
- Letters of transmittal 1: iii–xix; 2: viii; 3: 1, 2; 4: xiii; 5: iii, 1–32
- Methods of investigation 1: 6, 7
 - See also main topics in the Index
 - hearings 1: 6
 - interviews 1: 6
 - prior SEC studies, use of 1: 6
 - questionnaires 1: 6
 - records, examination of 1: 6
 - staff of the Study 1: 7
 - management and direction 1: 7
 - statistical tables and charts 1: 7
- Performance record of contractual plan investors, study of 4: 187–192
 - See Mutual funds: Contractual plans
- Questionnaires used for, list of 1: 39, 40
- Recommendations: see Conclusions and recommendations, *above*;
see also topics concerned, Index proper
- Resources available to staff 1: 8
- Salesmen of securities, attention paid to
See Salesmen of securities
- Summaries
 - (Lists and texts of collected 5: v, vi, 37–211; for analysis, see topic indexed, this Index)
 - allocation of securities between exchanges and over-the-counter 2: 130–133; 5: 131–133
 - automation 2: 358, 359; 5: 108
 - broker-dealers 1: 152, 153; 5: 39, 40
 - commissions and commission rates 2: 346–349; 5: 102–105
 - corporate directors, broker-dealers as 1: 437–440; 5: 63–66
 - customers’ accounts, funds and securities, protection of 1: 414, 415; 5: 60, 61
 - delivery of securities: “Fails to deliver 1: 427, 428; 5: 62, 63
 - floor trading 2: 238–241; 5: 95–97
 - investment advice 1: 383–386; 5: 56–59
 - investors in listed and unlisted securities 3: 60–62; 5: 149–151
 - market break of May 1962 4: 859–862; 5: 207–210
 - market patterns, SEC role in protecting public interests 2: 961
 - Midwest Stock Exchange 4: 590; 5: 185
 - mutual funds, insider trading in 4: 254, 255; 5: 173, 174
 - mutual funds selling practices 4: 204–211; 5: 163–170
 - NASD as a self-regulatory institution 4: 673–679; 5: 188–193

Special Study of the Securities Markets of the SEC—Continued
Summaries—Continued

- new issues, distributions of 1: 553-557; 5: 67-71
- New York Stock Exchange as self-regulatory institution
 - 4: 570-576; 5: 177-183
- odd-lot dealers on New York Stock Exchange 2: 199-201;
 - 5: 91-93
- Pacific Coast Stock Exchange 4: 597, 598; 5: 186, 187
- persons in the industry, qualifications of 1: 150-162;
 - 5: 37-45
- protection to investors 3: 61; 5: 150
- real estate securities offerings 1: 590, 591; 5: 76
- regional exchanges as self-regulatory institutions 4: 602;
 - 5: 187, 188
- regional markets 2: 948-952; 5: 144-146
- SEC and self-regulation 4: 722-726; 5: 197-201
 - See Securities and Exchange Commission: Self regulation and
- security credit 4: 35-39; 5: 151-161
 - See Security credit
- self-regulation, total burden 4: 737, 738; 5: 204, 205
- self-regulatory patterns of regional exchanges 4: 602
- selling practices 1: 323-328; 5: 49-54
- short selling 2: 290-293; 5: 99-101
- specialists 2: 161-167; 5: 81-87
 - unregistered distributions 1: 568, 569; 5: 73, 74
- Tables and appendixes in listed (they are indexed by subject in the Index proper) 1: xxiii, xxiv, 27-37, 44, 45, 235, 478, 479;
 - 2: 27-33, 536-539, 802-806; 3: vi, vii; 4: xxi, xxii, 93, 499, 819, 820
- Training programs for salesmen
 - review of training practices 1: 105
- Specialists
 - Generally* 2: 51-171
 - Active stocks, concentration of volume in 2: 63, 86
 - Age and causes of system 2: 57
 - Agent, as
 - conflicts of interest 2: 142
 - execution of orders 2: 71, 72
 - Aggregate net long positions (chart) November 1961-June 1962
 - 2: 111
 - Allocation of securities to
 - AMEX and SEC compared 4: 549
 - board of governors' function in 4: 548
 - company officials' recommendation as basis 4: 549
 - finders, allocation to as 1: 499
 - listing, inducement of as basis 4: 548, 549
 - NYSE floor governors, by 4: 513
 - new issues 2: 62
 - past performances as basis 4: 548
 - possible dangers where listing a factor 4: 549
 - procedure 4: 548
 - well-balanced specialists 4: 549

Specialists—Continued

American Stock Exchange

See American Stock Exchange; American Stock Exchange:
SEC staff report on

Associate broker, relations with 2: 189

“Auxiliary specialists,” floor traders as 2: 241, 242; 5: 97

Bargain for public investors, effect as to 2: 79

Block transactions 2: 128–133

See Block transactions; Institutional investors: Block
transactions

brokerage function role 2: 71–78

Book

“cleaning up the book” in block transactions 2: 132

disclosure of orders on 2: 72

NYSE examination procedure with 4: 552

preserving for inspection, Special Study recommendation
2: 171; 5: 91

sample of specialist’s book 2: 491

stocks used in study of 2: 490

trading against the book 2: 150

trading with the book 2: 80

Book: Contents of 2: 74–76

AMEX time stamp 2: 74

“book market” spread 2: 75

data for surveillance, as source of 2: 74

day orders 2: 74

good until canceled 2: 74

procedure respecting 2: 74

stocks selling below \$20 per share 2: 75

thickness of book, factors in 2: 74

thinner markets today, reasons for 2: 75, 76

Book: Dealing with

Special Study recommendation concerning 2: 169; 5: 89

Book: Disclosure of 2: 76–78

see Disclosure of book, *below*

conflicts of interest aspect 2: 148

prices, answers to inquires about 2: 77

Book: Predictive value of 2: 76–78

limit orders, as to price floor or ceiling 2: 76

market trends from buy-and-sell orders 2: 76

public interest in particular security 2: 76

sell-stop orders and quick decline 2: 76

Book: Unexecuted public orders,

definition of 2: 58

Broker and dealer functions, segregation of

SEC Segregation Report of 1936, and 1940 recommendations
2: 92

Broker and principal, both, acting as 2: 47

Broker-dealer dual role

arguments favoring abolishing 2: 166; 5: 85, 86

Broker function: Special Study summary as to 2: 165, 166;
5: 85, 86

arguments favoring retention of 2: 165, 166; 5: 85, 86

conflicts of interest 2: 165, 166; 5: 85, 86

Specialists—Continued

- Brokerage function 2: 57
 - agency orders, executing 2: 71, 72
 - book: see Book, *above*
 - decline in income from 2: 64, 71, 72
 - “floor brokerage” as part of commission 2: 71, 72
 - income of, amount of 2: 64, 71, 72
 - limited price orders, executing 2: 71
 - orders accepted: see Orders accepted by, *below*
 - shift of emphasis to dealer 2: 64
- Call system, development from 2: 61
- Capital requirements 2: 69, 70
 - allocation of stock issues to, as factor in 2: 70
 - amount employed and average per specialist 2: 70
 - block transactions 2: 128, 129, 132, 133
 - capital versus volume per stock, chart of 2: 91
 - clearing arrangements 2: 70
 - “daylight trading” as caused by inadequacy 2: 94
 - first, in 1939 2: 62
 - form in which it must be carried 2: 69
 - gross rate of return on capital employed 2: 70, 71
 - liquidation right, as factor in 2: 122
 - margin maintenance 2: 69
 - market participation as keyed to 2: 30
 - NYSE and AMEX requirements compared 2: 69
 - NYSE increase in, recommended 2: 168; 5: 88
 - nominal, requirement as 2: 69
 - participation, as affecting level of 2: 93, 94
 - position, selected units and weeks, 1961 (table) 2: 380
 - purchasing power of specialists 2: 69
 - shares, position in 2: 69
 - shares, recommended ability to carry 2: 168; 5: 88
 - Special Study summary 2: 163; 5: 83
 - trading participation as function of 2: 90, 91
 - units of specialists, variations among 2: 70
 - used in carrying positions, 1959, 1960 (tables) 2: 373, 374
 - variation of carriage among units 2: 70
 - violation of exchange rule, report to SEC of 2: 170; 5: 90
- Changes in system of, Special Study recommendations
 - 2: 167-171; 5: 87-91
- “Cleaning up the books”
 - block transactions, in 2: 132
- “Cleaning up the market” purchases as principal 2: 92
 - Saperstein Interpretation as to 2: 93
- Clearing agent, relations with
 - block transactions on thin market 2: 129
 - liquidation, conditions for 2: 123
 - securing customers from 2: 154
- Clearing arrangements 2: 70
 - liquidation of specialist, obligation of exchange 2: 123
 - termination of, recommended conditions for 2: 170; 5: 90
- Columbus & Southern Ohio Electric price changes and 2: 124
- Common stocks assigned to specialist units, average number of
 - 2: 68, 372

Specialists—Continued

- Competing specialists, decline in number of 2: 62
- Competing units and stocks, 1957-63 (table) 2: 368
- Competing units in Anaconda and General Motors 2: 95
- Competition among
 - market making 2: 63
 - scarcity and decline of 2: 62
 - unsatisfactory character of 2: 62
- Concentration of trading by
 - high volume stocks on a given day 2: 54, 55
- Conflicts of interest: See Conflicts of interest: Specialists
- Continuous auction, role in 2: 57, 58
- “Daylight trading” by 2: 94, 96
 - capital inadequacy as cause of 2: 94
 - definition of 2: 94
 - extent of 2: 95
 - inadequacy of statistics on 2: 95
 - irresponsible activity, as 2: 95
 - risk, in attempt to avoid 2: 94, 95
 - surveillance program check on 2: 95, 96
- Dealer function 2: 57, 78-171
 - conflicts of interest: See Conflicts of interest: Specialists
 - continuity: see Market continuity function of, *below*
 - corporate officials, conflicts of interest in contacts with: See Conflicts of interest: Specialists
 - economics of 2: 83-88
 - Exchange Act limitation on 2: 13
 - free market aspect: see Free market, specialist and, *below*
 - increasing emphasis on 2: 63
 - limitations under Exchange Act 2: 58
 - liquidation: see Liquidation, *below*
 - long-term investment accounts 2: 133-135
 - market continuity and current regulatory pattern 2: 80-88
 - see Market continuity, *below*
 - NYSE emphasis on 2: 80
 - NYSE surveillance and tests 2: 82
 - participation, problems of 2: 88-96
 - see Participation problems of, *below*
 - performance of, studies of 2: 78-82
 - public customers 2: 154-157
 - purchases and sales, recommended report on all 2: 170; 5: 90
 - responsibility of dealer in liquidation 2: 121-123
 - share volume sold as 2: 58
 - shift of emphasis from broker 2: 64
- Dealer function: Economics of 2: 83-88
 - see also Income, *below*
 - active stocks, concentration on 2: 86
 - “daylight” trading 2: 86
 - inactive stocks, profit pattern in 2: 86, 87
 - income source, significance of 2: 84
 - inventory 2: 85
 - NYSE rules taking into account 2: 88
 - potentially profitable transactions (table) 2: 84

Specialists—Continued

- Dealer function: Economics of—Continued
 - problems associated with 2: 85, 86
 - purchase and sale at same price, loss from 2: 83, 84
 - share volume, 1959, 1960 2: 84, 85
 - source of specialist income, as 2: 83
 - stocks traded in, activity of as factor 2: 86, 87
 - wide spreads, incentive to quote 2: 84
- Dealer function: Gross profit from fee or service-charge 2: 84
 - inactive stocks 2: 86, 87
 - see Inactive stocks, trading in, *below*
 - inventory as factor 2: 84, 85
 - “jobber’s turn” 2: 84, 86
 - NYSE market studies respecting certain stocks 2: 88
- Dealer functions: Special Study summary 2: 161–165; 5: 82–85
 - active stocks, trading profit from 2: 162; 5: 82
 - capital requirements 2: 163; 5: 83
 - fair and orderly market obligation to maintain 2: 163; 5: 83
 - free market, duty as to 2: 165; 5: 85
 - income, percentage of derived from 2: 162; 5: 82
 - institutional investors 2: 164; 5: 84
 - liquidation right and duty 2: 164; 5: 84
 - long-term investment accounts, tax aspect 2: 164, 165
 - market stabilization, role in: See Market stabilization, specialists and
 - market transactions 2: 162; 5: 82
 - opening, specialists’ power as to 2: 165; 5: 85
 - participation, aspects of 2: 162–164; 5: 82–84
 - percentage of exchange transactions by 2: 162; 5: 82
 - prices, effect on 2: 165; 5: 85
 - Saperstein Interpretation, needed SEC rule on 2: 163; 5: 83
 - stabilizing market, effect on and tests for 2: 163, 164; 5: 83
 - tax considerations 2: 164, 165; 5: 84, 85
- Definition of 2: 47, 64
- “Depth” of market, function as to 2: 828
- Directors, as, possible conflicts of interest in 2: 157
- Disciplinary cases 4: 550, 551, 553, 554
 - printing all shares traded at opening, question of 4: 553
 - public customers, conflicts of interest 2: 156
 - types and number of handled 4: 553, 554
- Disclosure from book 2: 76–78
 - best bid or offer 2: 77
 - block orders, effect of disclosures on 2: 77
 - Exchange Act prohibition of 2: 58, 65, 76
 - NYSE rule as to book, and its interpretation 2: 76–78
 - orders on book 2: 72
 - particular orders in specific stocks 2: 76
 - physical manner of handling book, by 2: 77
 - prices, answers to inquiries about 2: 73
 - size of accumulated orders at bid or offer price 2: 77

Specialists—Continued

- Domination of market by, question of 2: 92
- Dow-Jones stocks, transactions in 30
 - table showing for May 28, 1962 2: 389
- Economics of dealer function: see Dealer function: economics of, *above*
- Executions, favorable for customer, view as to 2: 152
- Exemption of from rules under Section 11, Exchange Act
 - Special Study recommendation 2: 167, 168; 5: 87, 88
- Exemption of from SEC regulations T, U, proposals 2: 100, 101
- Fair and orderly market, role in maintaining 2: 47, 58, 127
- Fee, service charge as 2: 84
- Fiduciary relationship of to customers 2: 58
- Financial requirements for, NYSE 1: 87
- Finders, acting as 1: 499; 2: 131
- Floor brokerage
 - AMEX and NYSE practice compared 2: 71
- Floor brokers distinguished 2: 46
- Floor, conduct of, procedure in regulating 4: 547
- Floor officials of NYSE, as 4: 512-514
- Floor traders as quasi-specialists 2: 225, 226
 - See Floor traders
- Floor trading and price trends, views on 2: 219
- Free market: Opening of
 - delayed opening 2: 140-142
 - fair price, how arrived at 2: 138
 - "love orders" 2: 137
 - match between buy and sell orders as affecting 2: 138
 - "not held" orders as affecting price 2: 139
 - other brokers' orders received before opening, brokerage on 2: 137
 - participation in, discretion and extent 2: 142
 - participation in, factors affecting 2: 137, 138
 - previous day's close, effect of on opening 2: 138
 - trading on own account to open 2: 138
- Free market: Specialist and 2: 14, 15, 136-142
 - arms length, prices not reached by 2: 137
 - crossing stock when both broker and dealer 2: 139
 - dealer's market with specialist control 2: 136
 - halting trading when large balance 2: 140
 - inactive stocks, specialist as dealer 2: 136
 - opening, control of 2: 137, 138
 - orders on both sides of market, holding 2: 136, 137
 - price-setting by specialist 2: 136-139
 - prices subject to supply and demand 2: 136
 - restraints on broker-dealer functions 2: 139, 140
 - sale at one point from last 2: 139, 140
 - Special Study summary as to 2: 165; 5: 85
 - thin market, setting prices on 2: 136
- Functions of 1: 12; 2: 8
- Government of NYSE, percent among (chart) 4: 739

Specialists—Continued

- Gross income of NYSE specialists (table) 2: 68
- Gross profits
 - block purchases (table) 2: 130
- Group, stabilization performance of, evaluating 2: 106-110
 - See Market stabilization, specialists and
- History of the system 2: 57, 61-67
 - brokers at first, as primarily 2: 61
 - "call" market derivation 2: 61
 - capital requirements for 2: 62
 - dates 2: 61
 - "dealer" specialists 2: 61, 62
 - Hughes Committee Report on speculation, mention in 2: 61
- Illegality in actions of, absence of 2: 161; 5: 81
- Importance of 2: 161; 5: 81
- Importance of in auction market 2: 58
- Inactive stocks, trading in
 - avoidance of participation 2: 87
 - participation, as factor in 2: 90
 - quotations on 2: 86, 87
 - risk and profits in 2: 87
 - thinness of books as to 2: 87
- Income of
 - 1959 and 1960, tables showing gross income 2: 68
 - brokerage as source 2: 71, 72
 - dealer function as source of 2: 84
 - dealer function, percent derived from 2: 162; 5: 82
 - decline of 2: 64
 - distribution of among units 2: 68
 - expenses, relatively low level of 2: 69
 - floor brokerage 2: 71, 137
 - gross profit: see Dealer's function: gross profit from, *above*
 - "jobber's turn," from 2: 162; 5: 82
 - jobber's turn, gross trading profit from 2: 84
 - maintaining continuity of market as obligation of 2: 127
 - percentage derived from dealer function 2: 162; 5: 82
 - report on, by broker-dealer functions 2: 171; 5: 91
 - sources of 2: 68, 69
 - table showing various aspects of 2: 371-374
 - trading and commissions (tables) 2: 371-374
- Incorporating 4: 790, 791
- Institutional investors and
 - block transactions, handling: See Block transactions
- Inventory, gross profits from 2: 84, 85
 - liquidation of inventory, techniques of 2: 86
- Investor, duties to 2: 128
- "Jobber's turn"
 - income from 2: 84, 162; 5: 82
 - "tick test" in connection with 2: 103
- Limited price orders, executing 2: 71
 - priority between 2: 71

Specialists—Continued

- Liquidation, dealer responsibility and right of 2: 121–123
 - adverse effect on market, question of 2: 122
 - anticipated needs of market, limitation to 2: 122
 - capital as factor in 2: 122
 - clearing firm's obligation and authority respecting 2: 123
 - existence of right 2: 121, 122
 - NYSE rules regarding 2: 122
 - reassignment of allocated stocks to another unit 2: 123
 - Saperstein Interpretation, under 2: 121, 122
 - Special Study report as to 2: 164; 5: 84
- Liquidity, role as to: see Market continuity, *below*
- Listed securities in over-the-counter markets, role in
 - large-block transactions 2: 898, 899
- London Stock Exchange "jobbers," similarity to 2: 19
- Long-term investment accounts 2: 133–135
 - abuse of without public benefit 2: 135
 - AMEX report, tax planning aspect 2: 133, 134
 - amount segregated by NYSE specialists 2: 134
 - capital gains aspect 2: 133
 - destabilizing effect of 2: 135
 - fairness of, question of 2: 135
 - I.R.C. Section 1236, consistency with 2: 134
 - margin requirement aspect of (Regulations T-U) 2: 135
 - NYSE critique of 2: 134, 135
 - orderly market maintenance conflict with 2: 133, 134
 - prohibition of practice, proposed 2: 135
 - propriety of segregation NYSE views 2: 134
 - segregation as affecting market making 2: 134, 135
 - short-selling aspect of 2: 135
 - statutory and regulatory standards, relation to 2: 133, 134
 - tax planning aspects in 2: 133
- Margin calls
 - Special Study recommendations about 2: 170; 5: 90
- Market break of May 1962, stabilizing effect during 2: 110–121
 - See Market stabilization, specialists and; See also Market break of May 1962
- Market continuity function of 2: 78–80
 - bargain, effect of on public's ability to secure 2: 79
 - inventory accumulation and dealer risk in 2: 126
 - price continuity: see Price continuity with depth, *below*
 - share volume needed for 2: 78
- Market continuity: Current regulatory pattern of 2: 80–88
 - Saperstein Interpretation: see Saperstein Interpretation, *below*
 - SEC Segregation Report of 1936, proposals 2: 80
 - surveillance, procedure and studies concerning 2: 82, 83
- Market continuity with depth as dealer function 2: 123–128
 - compensations accompanying responsibility 2: 126
 - interdependence of functions as factor in 2: 127
 - obligation to maintain through good markets and bad 2: 128
 - positioning of specialists, connection with 2: 127
 - purchasing on depth under Saperstein Interpretation 2: 127

Specialists—Continued

- Market makers, as 2: 57
- Market stabilization and 2: 96-110
 - See Market stabilization, specialists and
- Market volume versus participation rate
 - selected 1961 weeks (tables) 2: 444, 445
- Market volume versus transaction participation rate
 - tables for selected dates, 1961 2: 458, 459
- Midwest Stock Exchange: See Midwest Stock Exchange
- Net aggregate position, selected stocks, August 1961-June 1962,
 - table showing 2: 386
- Net capital ratio rule, surveillance concerning 4: 550
- NYSE and AMEX patterns compared 2: 59
- NYSE and regional exchange stocks, books on
 - \$10 to \$20 stocks, February 16, July 6, 1962 (tables) 2: 1085
- NYSE apprenticeship and training rules for 1: 12, 79
- NYSE board members, floor governors and floor officials, percent among 4: 739
- NYSE board of governors, representation of specialists on 4: 510
- NYSE: members who are specialists 1: 12, 87
 - apprenticeship rules for 1: 79
- NYSE: Number and distribution of units and stocks traded 2: 368-371
- NYSE: Number on, 1950-62 (table) 1: 29
- "Not held" orders, acceptance of 4: 552
- Number on NYSE, 1950-62 (table) 1: 29
- Number registered with various exchanges 2: 58
- Odd-lot dealers on NYSE, acting as 2: 179
 - See Odd-lot dealers on New York Stock Exchange
- Odd-lot trading
 - American Stock Exchange 2: 172, 173
 - regional exchanges 2: 935
- One-man firms as holdovers from brokerage days 2: 62
- Opening of market by, discretion and extent 2: 142
- Orders accepted by 2: 72-74
 - AMEX time stamp on 2: 74
 - conflicts of interest between customers 2: 73
 - discretionary orders in block transactions 2: 132
 - limited orders and priorities therein 2: 72
 - market orders 2: 72, 73
 - more precise definition of "orders," need of 2: 73, 74
 - "not held," conflicts of interest: See Conflicts of interest: Specialists
 - "not held" in block transactions 2: 132
 - "not-held," recommended abolition of 2: 166; 5: 86
 - priorities in 2: 71, 72
 - public accounts: conflicts of interest in: See Conflicts of interest: Specialists
 - public accounts: propriety of accepting 2: 156, 157
 - public accounts: significance of in total business 2: 156, 157
 - responsibility to customers on 2: 72-74

Specialists—Continued

Orders accepted by—Continued

Special Study summary as to 2: 166; 5: 86

“stock ahead” orders 2: 72

stop orders, various kinds of 2: 72

“stopped” stock, conflicts of interest in: See Conflicts of interest: Specialists

Participation and stabilization rates, selected 1961 weeks 2: 380

Participation of 2: 88-96

See also Market break of May 1962

actual degree of, measuring difficulty 2: 88, 89

block transactions: See Block transactions

capital adequacy as factor in 2: 94

“daylight trading”: see “Daylight trading” by, *above*

duty to participate 2: 89

duty under NYSE Rule 104 2: 89

emphasis on and formulas employed 2: 90

Exchange Act, Section 11, as to duty of 2: 89

failure to participate, NYSE action as to 2: 93

fair and orderly market, as factor in 2: 89

halting trading when large balance 2: 140

high level of, pros and cons of 2: 93

level of: see Participation of, level of, *below*

low level, pros and cons of 2: 93

NYSE degree of authority to regulate 2: 94

obligation to participate, recommended rule 2: 168;
5: 88

opening of market 2: 137, 138, 142

opening of market, discretion and extent 2: 142

quote reasonable markets, obligation 2: 89

recommended rule restricting 2: 168; 5: 88

registration revocation for failure to participate 2: 93

Special Study summary as to 2: 162; 5: 82

“tick” test measurement of: See also “Tick” test of market
stabilization 2: 101, 102

Participation of, level of 2: 90-94

activity of stock as factor in 2: 90, 91

allocation of newly listed stocks as factor 2: 92

capital versus volume per stock (chart) 2: 91

conflicts of interest arising from 2: 92

domination of market, as leading to 2: 92

emphasizing greater participation 2: 90

growth of since 1931 2: 90

high participation, pros and cons of 2: 92, 93

individual attitude and capital, as function of 2: 90, 91

insufficient participation, problems of 2: 93, 94

less favorable price for customer from 2: 92

NYSE policy favoring high level 2: 92

opening of market 2: 137, 138, 142

risk avoidance by insufficient participation 2: 94

Saperstein Interpretation as to 2: 93

specialist participation rate (SPR) 2: 90

stocks, as varying with 2: 90, 91

the higher rate, the better, view as to 2: 92, 93