

Josephthal & Co.  
New York, NY

August 15, 1968

Honorable Manuel F. Cohen, Chairman  
Securities and Exchange Commission  
500 North Capitol Street  
Washington, D.C. 20549

Honorable Chairman:

In view of the fact that the Commission has given us the privilege of presenting our views in the matter of the changes in certain aspects of the New York Stock Exchange commission structure and the level of commission rates, we make the following comments:

With regard to the proposal having to do with defining an order, it is important to give serious consideration to defining an order as a single order, for one customer's account, in one security on one day only. It would be impossible, and we are not exaggerating one bit in this area, because we have had previous experience during the years in which the Exchange had a schedule of commissions on "in and out" transactions, where a purchase and a sale took place within 30 days 50% had to be rebated back, and during the years this rule was in effect it was impossible to police it and it resulted in continuing complaints from our customers. If you will make it a point to look at this problem today where the volume has increased so many fold over the past, and also looking forward to the general thinking of further increased volume, I am sure you will agree that this would be an insurmountable problem to live with.

With regard to the rest of the schedules as proposed by the New York Stock Exchange we are in favor of all of these proposals. However, we ask you to give especially serious consideration to a provision that all of the Regional Exchange adopt the same commission schedule because we feel it is important for the public to know and be governed by the fact that regardless of where the order is executed the same commission will be charged.

Very truly yours,

M. J. DeMarco