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CHARLES S. HAMLIN

Member of Federal Reserve Board



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Bankers' acceptances—Continued.

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Warehouse giving receipt used as security for bankers' acceptances must be independent of borrower, 931.

Held, that the kind of bankers' acceptances

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Drafts of cooperative marketing associations on member banks, when secured by warehouse receipts covering nonperish-able agricultural commodities stored in independent warehouses, are eligible for acceptance and, after acceptance, are eligible for rediscount, 1044.

The character of the warehouse receipt, in the case of bankers' acceptances, is material as to eligibility, but in other secured acceptances it is material only as to acceptability, 1044.

Bills of exchange drawn against actually existing

values. (See infra, same.)

Cooperative marketing associations. (See infra, same.)

Domestic acceptances. (See infra, same.)

Trade acceptances. (See infra, same.) Accepted demanded bills on which drawer and indorsers are released, are not bills of exchange drawn against actually existing values, 933.

Acceptibility. The character of the warehouse

receipt, as security for acceptances, except in the case of bankers' acceptances, is material only on the question of acceptibility and not on eligibility, 931, 1044.

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ciary powers.) Act of July 1, 1922. Puts State banks on equality

with national banks as to rediscounts, 933.

Actually existing values. Growers' drafts on cooperative marketing associations, duly accepted and discounted at banks by growers are bills drawn against, and are free from the 10 per cent limitation of section 13, 1286. (See infra, Bills of exchange drawn, etc.; Com-

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Agent.-Bill drawn by owner of goods against his agent for purpose of borrowing money rather than

for transacting a sale, is not drawn in good faith against actually existing values, 1286.

National banks receiving funds of a corporate debtor to meet maturing obligations, having authority to mingle the funds with its general assets, acts merely as agent and must carry a

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Agricultural business. The buying of crops from growers by a cooperative marketing association is a commercial rather than an agricultural business, 1044.

Agricultural paper.-

Drafts drawn by growers upon cooperative market-ing associations to obtain funds to meet debts previously contracted in growing and harvesting their crops, held to be eligible as, 931, 1044.

Notes of farmers drawn or the proceeds used to finance the carrying of their products for a reasonable time in aid of orderly marketing,

held to be eligible as, 931.

Definition of, 1044. Growers' drafts drawn on cooperative marketing associations to finance the holding of crops for speculative purposes, held not to be eligible as, 931, 1044.

Farmers' notes, the proceeds of which have been used to finance the packing or marketing of their own crops, held to be eligible as, 1044.

Notes of cooperative marketing associations, the proceeds of which have been or are to be used to pay current expenses, such as wages or supplies in connection with its business of packing and marketing agricultural products not grown by them, held eligible as commercial paper but not as, 1044.

Notes of cooperative marketing associations of which the proceeds have been or are to be used to pay growers for crops delivered to the association are eligible as commercial paper

but are not eligible as, 1044.

Growers' drafts against cooperative marketing associations, drawn at time of sale and delivery of their crops to the association, although not good as trade acceptances, are eligible as agricultural paper, if proceeds are used for such purpose, 1044.

Analysis of United States Revised Statutes, sec.

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(See General assets.) Assets.

Associations. (See Cooperative marketing associations.)

Bank deposits. Trust funds deposited by a bank in another bank to the credit of its trust department are individual and not bank deposits and are not deposits due to other banks from which, in computing reserves, deposits due from other banks may be deducted, 572.

Bills of exchange drawn against actually existing

Include, under section 13, Federal reserve act, (a) Drafts or bills secured by shipping documents conveying or securing title; (b) bankers' acceptances of the kinds described in section 13 although neither (a) nor (b) are specifically mentioned in section 13 (differing in this respect from United States Revised Statutes, sec. 5200), 933. Accepted demand bills, on which drawer and

indorsers are released are not, 933.

Growers' drafts on cooperative marketing associations, accepted and discounted by the growers, held to be, under section 13, Federal reserve act, and, therefore, not subject to the 10 per cent limitation, 1286.

Bill drawn by owner against his agent or against a fictitious or dummy drawee for the purpose of borrowing money rather than financing a sale of goods, held not to be drawn in good faith, whether or not drawn against value, 1286.

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1286.

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Bonds, 572.

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Capital purpose. Notes issued for any capital pur-

pose are not eligible, 1044.
Capital, working. Bankers' acceptances to provide, are an abuse of the domestic acceptance privilege, 52.

Carrying of crops-

Farmers' notes for carrying crops for a reasonable period to assist in orderly marketing are eligible as agricultural paper, 931, 1044. Growers' drafts to finance the, for speculative

purposes are not eligible, 931, 1044. Carrying or trading in United States bonds. For all practical purposes, any notes secured by United States bonds may be considered by the Federal reserve bank as having been drawn for, and it need look no further to determine its technical

eligibility, 931.

Circular of Federal Reserve Board. Regulation A, 1922. Bankers' acceptances, 433.

Collateral security. The character of, for all acceptances of the standard control of the security of the character of the security of t tances other than bankers' acceptances is material only as to acceptability and not eligibility, 931, 1044.

931, 1044.
Comity, state, 196.
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Commercial business. Cooperative marketing associations engaged in packing and marketing agricultural products not grown by them are engaged in a commercial and not an agricultural business,

Commercial paper—
Notes of tobacco growers' cooperative marketing associations to finance payment to members for tobacco delivered, ĥeľd to be, 931.

Definition of, 1044.
Growers' drafts held to be commercial or agricultural paper, depending on use of proceeds, 1044.

Notes of cooperative marketing associations to finance the packing and marketing of agri-cultural products not grown by them, held to be, 1044.

Commercial paper—Continued

Notes of cooperative marketing associations to finance payments to growers for crops delivered, held to be, 1044.

Commercial purpose. Packing and marketing agricultural products grown by others is a, and not an agricultural purpose, 1044.

Commodity of value. For an unsecured bill to be

considered as drawn against actually existing values, it must appear that the drawer has furnished to the drawee a, which, when converted into money, will liquidate the bill at maturity, and that it is in existence in some form in the hands of the drawee when the bill is drawn,

Consignments. The arrangement between the tobacco growers and their association should be regarded as consignments rather than sales, 931.

Conveying or securing title. Warehouse receipts to be the basis of bankers' acceptances must be documents covering readily marketable staples,

(See supra, Bills of exchange, etc.)

Cooperative marketing associations—
Notes of, held to be commercial paper, 931, 1044.
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Drafts drawn by, on banks, secured by warehouse receipts of independent warehouses, covering nonperishable agricultural commodities, are eligible for acceptance and rediscount, 1044.

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Corporate debtor. (See Fiduciary powers; Trust funds.)

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Cotton factors' paper-

Notes to raise funds to loan to third persons, held to be finance paper and not eligible, 432.

Notes of which the proceeds have been or are to be used for agricultural, as opposed to finance

be used for agricultural, as opposed to finance purposes, are eligible, 432.

Notes given to cotton factors by their customers and discounted by the cotton factors are eligible when indorsed by member bank, if funds were obtained by the customers for agricultural purposes, 432.

Time drafts drawn by cotton factors on banks secured by warehouse receipts conveying and securing title are eligible for accentance and

securing title are eligible for acceptance and for discount or purchase by Federal reserve banks, in cases where the local law and their agreements give the factors the right to pledge the cotton giving an indefeasible lien, 432. Such drafts can be used only to finance the hold-

ing of the cotton pending a reasonably prompt

sale by the cotton factors, 432.

Credit, maturity of. Bankers' acceptances may cover the period required for actual shipment and for the usual and reasonable period of credit extended to the purchaser under the contract of sale, not exceeding six months in all, 52.

Farmer's notes to finance the carrying of his crops for a reasonable period in aid of orderly marketing held to be agricultural paper and eligible, 1044. RULINGS OF FEDERAL RESERVE BOARD—Con.

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Growers' drafts to finance the carrying of crops for speculative purposes are not agricultural paper and are not eligible, 931, 1044.

Farmer's notes to finance the packing or marketing of his own crop, held to be eligible agricultural paper, 1044.

Notes of a cooperative marketing association to finance the packing and marketing of crops not grown by it, held to be commercial and not agricultural paper, 1044.

Coupons, 572.
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Delivery, 1286. (See Bills of exchange drawn, etc.)

Demand bills, accepted, on which drawer and indorsers are released, are not bills of exchange drawn against actually existing values, 933.

Deposit liability, 572.

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Documentary security-

A bill may be considered, before acceptance, as drawn against actually existing value only if secured by shipping documents, warehouse

receipts, or other, 1286.

Where, after acceptance, the accepting bank removes the, the bill may still be considered as drawn against actually existing value if drawn contemporaneously with, or within a reasonable time after shipment or delivery and if there are reasonable grounds for believing that, at the time the bill was drawn the goods were in existence in the hands of the drawee in their original or manufactured form or in shape of the proceeds of their sale,

A bill of exchange not having, to be considered as drawn against value, must have it shown that the drawer has furnished to the drawee some commodity of value which when converted into money will enable the drawee to pay the bill at maturity and that this commodity is in existence, in some form, in the hands of the drawee, at the time the bill is drawn, 1286

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Drawee, 1286.

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Documentary security; Fictitious drawee.)
Drawer. Accepted demand bills in which drawer is

released are not bills drawn against actually existing value, 933, 1286.

Drawn against value. Even though, bills drawn against a fictitious or dummy drawee or bills in which the drawer and indorser are released are not drawn in good faith against actually existing v**al**ues, 1286.

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Eligible for acceptance. Drafts of cooperative
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Cotton factors' paper.) Eligible paper. Definition, 1044.

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Eligibility of paper does not depend on presence or absence of security, 931.

Whether paper of cooperative marketing associations secured by warehouse receipts is eligible is for the determination of the Federal reserve banks rather than of the Federal Reserve Board, 931.

To determine the technical eligibility of paper secured by United States bonds the Federal reserve banks may consider such paper as drawn for purpose of carrying or trading in United States bonds, 931.

The character of warehouse receipts as collateral for acceptances, other than bankers' acceptances, is material only on question of acceptability as distinguished from eligibility, 1044.

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Export and import trade. Regulation A, 1922, liberalizing the regulations concerning bankers acceptances in, 433.

Fact, question of— Whether a warehouse receipt constitutes "other actual security" under section 13 is a question

of fact and of local law, 52.

Whether the purpose of a farmer's note or a grower's draft is for speculative withholding from a normal market is a, to be determined by the local bank and by the Federal reserve bank and not by the Federal Reserve Board, 931, 1044.

Whether a warehouse is independent of the borrower, in cases of use for security in bankers' acceptances, involves a, primarily for determi-

nation by the Federal reserve bank, 1044.
Whether bills of exchange are drawn in good faith against actually existing values, necessarily depends on the facts of the case, 1286.

Farmers' notes. (See Agricultural paper.) Federal reserve bank—

The character of warehouse receipts used as collateral, with the exception of bankers' acceptances, is material only as to acceptability as distinguished from negotiability, and this should be determined by the, rather than the Federal Reserve Board, 931.

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May assume that notes secured by United States bonds were given for the purpose of carrying

or trading in them, 931.
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Whether farmers' notes or growers' drafts are for purpose of speculative withholding from a purpose of speculative withholding from a normal market is a question of fact to be determined by the local bank and the Federal reserve bank and not by, 931, 1044. The question of acceptibility of warehouse receipts as collateral, except in cases of bankers' acceptances, is for the determination of the Federal receive bank rather when her

of the Federal reserve bank rather than by the Federal Reserve Board, 931, 1044.

Fictitious drawee. Bills drawn against a, are not drawn in good faith against actually existing value, 1286.

Fiduciary powers—
The Wisconsin act of July 13, 1921, permitting
State banks to exercise fiduciary powers,
provided that no such authority should be given to any bank having a capital less than that required for a national bank in the same State. Prior to this act, trust companies only were permitted to exercise fiduciary powers, and the minimum capital was fixed at \$50,000. The State banking department, in the exercise of its discretionary powers, de-clined to give permits to any bank having less than \$50,000 capital. Held, that although said proviso gave authority to the Federal Reserve Board to grant permits to national banks of less capital than \$50,000, it would, for the purpose of State comity, limit its permits to national banks having a capital of \$50,000 or over, 196.

(See infra, Trust funds.)

Finance paper-

Notes of cotton factors, the proceeds of which have been or are to be used to loan to third parties, held to be finance paper and in-eligible for rediscount, 432. (See Cotton factors' paper.)

Financing of crops. (See Crops.)

Fixed investments. Notes, the proceeds of which have been or are to be used for permanent or, are ineligible for rediscount, 1044.

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Import and export trade. Regulation A, 1922, issued to liberalize regulations as to bankers' accept-

ances covering, 433.

Individual deposits. Deposits of trust funds by national banks in other banks to the credit of their

trust departments are, and not bank deposits, 572.

Indorsers released. Accepted demand drafts on which indorsers are released are not bills drawn in good faith against actually existing values,

Ineligible. (See Agricultural paper; Capital purpose; Eligible; Finance bills; Investments.)

Investments-

Notes given to cover fixed or permanent, are ineligible for rediscount, 1044. Notes given to cover, of a speculative character

are ineligible for rediscount, 1044.

Law, local. (See Local law.) Liability, deposit. (See Bank deposit.)

Limitation on rediscounts, 10 per cent. (See Bills of exchange drawn, etc.)

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Local law—

Whether warehouse receipts constitute "other actual security" under section 13 must be decided not only on the facts but also on the local law, 52.

Whether or not a cotton factor can lawfully pledge cotton consigned to him for sale depends upon his agreements and also on the local

law, 432.

Market. (See Speculative withholding.)
Marketing. (See Cooperative marketing associations;
Orderly marketing.)
Maturity obligations. (See Trust funds.)
Maturity of credit—

May cover period required for shipment and for usual and reasonable period of credit extended, not exceeding six months, 52.

Bills of exchange not secured can be considered as drawn against actually existing values only if the drawer has furnished to the drawee some commodity of value which, when converted into money, will enable the drawee to pay the bill at the maturity of the credit, and if this commodity is in existence in some form in the hands of the drawee at the time the bill is drawn, 1286.

Negotiable. To be considered as drawn against actually existing values, the bill must be a valid and negotiable bill drawn in good faith,

Nonprofit corporation. (See Cooperative marketing associations.)

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As to whether warehouse receipts constitute, in acceptances in excess of the 10 per cent limitation of section 13, can not be answered definitely, as the question involves the local law as well as determination of the facts, 52.

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Packing of products, financing of. (See Agricultural paper: Commercial paper.)

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Permanent investments. Notes given to obtain

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Cotton factors may draw time drafts on banks if by their agreements and by the local law

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Possession of drawee. Unsecured bills drawn by the seller against the buyer before sale or delivery to purchaser are not drawn in good faith against actually existing values if, at time of drawing, the goods are not in possession of drawee, 1286. Power of hypothecation, 432.

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That deposits made with a bank acting as trustee for the holders of the obligations of the corporate depositor, are trust funds against which no reserve need be carried, 572.

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or for part of the purchase price, 1286.

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The rulings on bills of exchange drawn against actually existing values have been based upon the fact of bona fide sales, 1286.

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fore acceptance, 1286. Securing title, 1286.

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funds, a reserve is required, 572.

If the trust funds are deposited with another bank to the credit of its trust department, no reserve need be carried, 572

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and not as a bank deposit, and it can not be classified as items due to other banks, 572.

Whether or not funds deposited by a corporate debtor to meet maturing obligations are trust funds depends upon the terms of the agreement, expressed or implied, 572.

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existing values. 1286. Value, commodity of. To constitute a bill drawn in good faith against actually existing values, the drawer must have furnished to the drawee some commodity of value, which, when converted into money, will enable the drawee to pay the bill at maturity, and the commodity must be in existence in some form in the hands of the drawee at the time the bill is drawn, 1286.

Warehouse. Must be independent of borrower, 432,

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Warehouse receipts-

Federal Reserve Board can not give a definite answer as to whether security for acceptances in excess of 10 per cent constitute "other actual security" under section 13, as the question involves local law as well as a determination of fact, 52.

Cotton factors may draw time drafts against banks secured by, in States whose laws give power to the cotton factor to pledge cotton consigned to him for sale in such a manner as to

fully protect the pledgee, 432.

The question whether paper of cooperative marketing associations secured by warehouse receipts is eligible is for determination of the Federal reserve bank, and not of the Federal

Reserve Board, 931.
The character of the warehouse receipt, except in cases of bankers' acceptances, is material only as to acceptability, as opposed to eligibility, and must be determined by the Federal reserve bank rather than by the Federal Reserve Board, 931, 1044. RULINGS OF FEDERAL RESERVE BOARD—Con.

Warehouse receipts—Continued.

Drafts drawn by cooperative marketing associations against member banks, secured by warehouse receipts covering nonperishable agricultural commodities stored in independent warehouses, held eligible for acceptance and rediscount, 1044.

Warehouse receipts, to be the basis of a bankers' acceptance, must be documents conveying or securing title covering readily marketable staples, and cooperative marketing associations, by hypothesis, have authority to store their products in independent warehouses and obtain warehouse receipts conveying security title, with authority to pledge them for money borrowed, 1044.

Bills. even before acceptance, may be considered as drawn against actually existing values when secured by shipping documents, ware-house receipts, or other such documents se-

curing title to the goods sold, 1286.

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Withholding from market. Notes or drafts given for purpose of speculative withholding from normal markets are not eligible, 931, 1044.

Working capital. Acceptances ostensibly based on domestic shipment or storage but in fact given for purpose of providing working capital during the process of manufacture constitute an abuse of the domestic acceptance privilege. 52.

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