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# Guide to the University of Chicago Law School Arbitration Study Records 1916-1966



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## **Descriptive Summary**

<b>Identifier</b>	ICU.SPCL.ARBITRATION
<b>Title</b>	University of Chicago. Law School. Arbitration Study. Records
<b>Date</b>	1916-1966
<b>Size</b>	38.5 linear feet (70 boxes)
<b>Repository</b>	Special Collections Research Center University of Chicago Library 1100 East 57th Street Chicago, Illinois 60637 U.S.A.

**Abstract** This collection contains the records of a study of commercial arbitration practices in the U. S. undertaken in the 1950s by the University of Chicago Law School. Material includes correspondence, questionnaires, data analysis and computer printouts, and article and monograph manuscripts. Material dates from 1916 to 1966, with the bulk dating from 1950 to 1959.

## **Information on Use**

### **Access**

The collection is open for research.

### **Citation**

When quoting material from this collection, the preferred citation is: University of Chicago. Law School. Arbitration Study. Records, [Box #, Folder #], Special Collections Research Center, University of Chicago Library.

### **Historical Note**

The University of Chicago Law School's study of commercial arbitration was undertaken between 1953 and 1959, by Soia Mentschikoff and other researchers (including Hal Smith, Norman Miller, Jean Allard, Ernest Haggard, and Christopher Wright). It began soon after Mentschikoff's arrival at the Law School and is a reflection of her (and others') interest in applying social science research techniques to the study of law.

The study focused exclusively on commercial arbitration, and almost solely on domestic cases and organizations. The researchers were interested in a number of issues, including the provision of arbitration services by trade and manufacturing organizations and commodity and stock exchanges, the conditions under which and situations in which such services were used, and the history of arbitration usage in such organizations. They were interested in similar issues with respect to organizations like the American Arbitration Association, set up expressly to provide

such services. The researchers were also interested in the decision-making process and in the factors that influence arbitrators in reaching their decisions.

The study had several phases. The researchers sent questionnaires to hundreds of trade associations and commodity exchanges and analyzed their answers. They undertook records surveys of the New York Stock Exchange and the American Arbitration Association. They also observed arbitration hearings in New York and Chicago, and played tapes of settled hearings to panels of arbitrators selected for the study. Arbitrators were selected for their background and expertise and were questioned about their attitudes to the parties in the hearing and their agreement with the decision reached.

The study yielded several articles, though they dealt with or resulted from particular components of it (e. g. the experimental phase, the Stock Exchange survey) rather than the study as a whole.

### **Scope Note**

The Arbitration Study had several components. Researchers will find analysis of the individual components and in some cases articles or reports summarizing and interpreting the findings. However, while there are outlines and memoranda describing the project as a whole, there is no general summarizing article, book or report.

Because material in the collection dates mostly from a small time frame, material is arranged by study component or phase rather than chronologically or alphabetically. This division reflects the original arrangement of the files, in most cases down to the folder level. The alphabetical arrangement in most series has been imposed after the fact, however. Each component of the study has its own series. The various phases of the study also produced related articles and monographs; these writings are included in the series with the study phases that produced them. There also are many sheets of computer printouts of information from punch cards (though very few cards); most of these have little or no context or labelling.

The collection is divided into 10 series:

Series 1, General, contains a few pieces of general correspondence, memos describing the project as a whole, brochures and style guides, orphan computer printouts (i.e. data that isn't labelled), administrative records, and articles. Material is arranged alphabetically.

Series II, Trade Association, Exchange, and Industry Studies, contains material from the part of the study that focused on trade associations and commodity exchanges. It is divided into subseries as follows:

Subseries 1: Correspondence. This subseries contains correspondence with ineligible associations, and old correspondence with the American Arbitration Association regarding a similar project of theirs in 1950. Material is arranged alphabetically.

Subseries 2: Trade Associations and Exchanges. This subseries contains correspondence, questionnaires, interviews, and publications from/with trade and manufacturing associations, commodity and livestock exchanges. There are two alphabetical ranges of correspondence, one for the associations and one for the exchanges.

Subseries 3, Trade Association and Exchange Analysis, contains analysis and coding of the data gleaned from the questionnaires in Subseries 2. Material is arranged alphabetically.

Subseries 4: Industry studies. This subseries contains analysis of arbitration practices grouped by industry type, arranged alphabetically, and one focused study of the National Hay Association.

Series III, New York Stock Exchange Study, contains notes, memos, and drafts of a long monograph on the New York Stock Exchange by Norman Miller. He traced the history and administrative development of the stock exchange, and its changing view of its own role in industry, through its administrative records. Folders labelled "Notes from New York Stock Exchange Records" essentially contain transcriptions of excerpts from NYSE administrative records and committee minutes. Research material is arranged alphabetically, and drafts and excerpts of Miller's monograph are at the end.

Series IV: American Arbitration Association Records Survey contains notes, code sheets, and analysis from the survey of the institutional records of the AAA, arranged alphabetically. Two articles are also included here.

Series V: Field Studies contains hearing transcripts and reports and analysis of arbitration hearings observed by study researchers, arranged alphabetically.

Series VI: Experimental Arbitration contains the records of a series of experiments in which professional arbitrators and law students were presented with recordings of arbitration proceedings and asked various questions about their responses to the proceedings. Material includes the panel responses, analysis of various metrics, and transcripts of the cases used. It is arranged chronologically.

Series VII: Industry Sectors contains clippings contemporaneous to this study and data from old commodity sales studies, arranged alphabetically by type of industry.

Series VIII: Institutional Studies contains notes, memoranda, and analysis of data regarding arbitration provided by the same sorts of organizations in Series II, plus material on government inspection and regulation. Most of the notes, charts, and other material were created and collected by Christopher Wright for his report "The Self-Government of Commercial Communities" (also included here).

Series IX: Audio contains 5 flexi disc recordings of interviews at the New York Produce Exchange.

Series X: Oversize contains oversize computer printouts and charts.

## **Related Resources**

The following related resources are located in the Department of Special Collections:

<http://www.lib.uchicago.edu/e/spcl/select.html>

Soia Mentschikoff. Papers

University of Chicago Law School. Jury Project

## **Subject Headings**

- Mentschikoff, Soia, 1915-1984
- American Arbitration Association
- New York Stock Exchange
- University of Chicago. Law School
- Arbitration and Award
- Arbitration, Industrial--United States.
- Law and the social sciences

## **INVENTORY**

### **Series I: General**

This series contains a few pieces of general correspondence, memos describing the project as a whole, brochures and style guides, orphan computer printouts (i.e. data that isn't labelled), administrative records, and articles. Material is arranged alphabetically.

#### **Box 1**

##### **Folder 1**

American Arbitration Association – Correspondence, President’s Report, 1952-1954

#### **Box 1**

##### **Folder 2**

American Arbitration Association – Correspondence, 1955-1958

#### **Box 1**

**Folder 3**

American Arbitration Association – Labor Arbitration Report, Typescript, 1954

**Box 1**

**Folder 4**

American Arbitration Association – Practice Arbitration, undated

**Box 1**

**Folder 5**

American Arbitration Association Rule Brochures, 1953-1960

**Box 1**

**Folder 6**

Anonymous Typescript (English Contract Law), undated

**Box 1**

**Folder 7**

Arbitration Project Memos, 1953-1958

**Box 1**

**Folder 8**

Bibliographies [1 of 2], 1952-1958

**Box 1**

**Folder 9**

Bibliographies [2 of 2], 1952-1958

**Box 1**

**Folder 10**

Bork, Robert H. – "Research Methods for the Arbitration Project" – Typescript, undated

**Box 1**

**Folder 11**

Braden, J. Noble – "Labor Arbitration Procedures and Techniques," undated

**Box 1**

**Folder 12**

Case Notes, circa 1955

**Box 1**

**Folder 13**

Codes – American Arbitration Association and Trade Association, undated

**Box 1**

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Correspondence, 1953-1954

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Correspondence, 1955-1958

**Box 2**

**Folder 1**

Correspondence – Matthews, Robert E. 1956

**Box 2**

**Folder 2**

Course Outline, Materials, undated

**Box 2**

**Folder 3**

Data and Miscellaneous Reports, 1956, undated

**Box 2**

**Folder 4**

Heyn's Comments on Arbitration Proposal, 1952

**Box 2**

**Folder 5**

"History of Comm. Court and Arbitration" – Partial Manuscript, undated

**Box 2**

**Folder 6**

Inventories and Financial Records, 1958, undated

**Box 2**

**Folder 7**

Jackson, David – Letter, "Choice of Law" Typescripts, Clipping, 1955

**Box 2**

**Folder 8**

Labor Press Release, Brochure, 1951-1952

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**Folder 9**

Memoranda, 1952-1953

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**Folder 10**

Memoranda, 1954

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**Folder 11**

Mentschikoff, Soia – Arbitration Article Headings, 1958

**Box 2**

**Folder 12**

Mentschikoff, Soia – Lecture on Commercial Arbitration Decision-Making, 1955

**Box 2**

**Folder 13**

Mentschikoff, Soia – "The Significance of Commercial Arbitration – A Preliminary Inquiry" – Reprint, 1952

**Box 2**

**Folder 14**

New York State Bar Association Newsletter, 1953

**Box 2**

**Folder 15**

Note Cards: Arbitration Rules and Cases, undated

**Box 2**

**Folder 16**

Notes – English Arbitration, undated

**Box 2**

**Folder 17**

Perlman, "The Australian Arbitration System," 1951

**Box 2**

**Folder 18**



Personnel Information – Jean Allard, undated

**Box 2**

**Folder 19**

Planning Memos, Presentations, Minutes, 1954

**Box 2**

**Folder 20**

Precedent Citation – Notes, undated

**Box 2a**

**Folder 1**

Precedent Citation -- Percent Tabulations (by State), undated

**Box 2a**

**Folder 2**

Precedent Technique Survey – Code Sheets by State, 1955

**Box 2a**

**Folder 3**

Precedent Technique Survey – Code Sheets – Illinois, 1955

**Box 2a**

**Folder 4**

Precedent Technique Survey – Code Sheets – Pennsylvania, 1955

**Box 2a**

**Folder 5**

Precedent Technique Survey -- Index to Code, undated

**Box 2a**

**Folder 6**

Price Fluctuation Study (Rudolph) – Memos and Description, 1953-1954

**Box 2a**

**Folder 7**

Price Fluctuation Study (Rudolph) – Notes and Charts [1 of 2], circa 1953

**Box 2a**

**Folder 8**

Price Fluctuation Study (Rudolph) – Notes and Charts [1 of 2], circa 1953

**Box 2a**

**Folder 9**

Project Outline, 1956

**Box 2a**

**Folder 10**

Punch Cards, undated

**Box 2a**

**Folder 11**

Reports – Federal Agency Personnel, undated

**Box 2a**

**Folder 12**

Rosenthal, Morris S. – "Arbitration in the Settlement of International Trade Disputes,"  
1946

**Box 2a**

**Folder 13**

Rudolph, W. – "Judicial Review of Arbitration Awards" – Typescript and Outline, 1953

**Box 2a**

**Folder 14**

Rudolph, W. – "Law and Arbitration" – Typescript, 1954

**Box 2a**

**Folder 15**

"Socialistic Thinking in America – 1953" (With Poster and Enclosures), 1953

**Box 2a**

**Folder 16**

"Soia's Book" – Outline, Notes, Cases, 1960

**Box 2b**

**Folder 1**

Style Manuals, 1937, 1957

**Box 2b**

**Folder 2**

Trade Association Survey Tables – Allen Barton, undated

**Box 2b**

**Folder 3**

UNESCO Agenda Items, 1955-1956

**Box 2b**

**Folder 4**

UNESCO/Economic Commission for Europe Report: National and International Institutions Active in the Field of International Commercial Arbitration [1 of 3], 1956

**Box 2b**

**Folder 5**

UNESCO/Economic Commission for Europe Report: National and International Institutions Active in the Field of International Commercial Arbitration -- Annex and Addendum [2 of 3], 1956

**Box 2b**

**Folder 6**

UNESCO/Economic Commission for Europe Report: National and International Institutions Active in the Field of International Commercial Arbitration – Report Addenda [3 of 3], 1956

**Box 2b**

**Folder 7**

UNESCO Reports, ICC Memoranda, 1958

**Box 2b**

**Folder 8**

Uniform Arbitration Act: Drafts, Memos, Newsletter, 1954-1956

## **Series II: Trade Association, Exchange, and Industry Studies**

This Series contains material from the part of the study that focused on trade associations and commodity exchanges. It is divided into subseries as follows:

Subseries 1: Correspondence. This subseries contains correspondence with ineligible associations, and old correspondence with the American Arbitration Association regarding a similar project of theirs in 1950. Material is arranged alphabetically.

Subseries 2: Trade Associations and Exchanges. This subseries will contain correspondence, questionnaires, interviews, and publications from/with trade and manufacturing associations, commodity and livestock exchanges. There are two alphabetical ranges of correspondence, one for the associations and one for the exchanges.

Subseries 3, Trade Association and Exchange Analysis, contains analysis and coding of the data gleaned from the questionnaires in Subseries 2. Material is arranged alphabetically.

Subseries 4: Industry studies. This subseries contains analysis of arbitration practices grouped by industry type, arranged alphabetically, and one focused study of the National Hay Association.

### **Subseries 1: Correspondence**

**Box 2b**

**Folder 9**

American Stock Exchange, 1953

**Box 2b**

**Folder 10**

Baltimore Chamber of Commerce, 1954-1955

**Box 2b**

**Folder 11**

Banking Associations – Correspondence, 1950

**Box 2b**

**Folder 12**

British Trade Associations, 1954, 1957

**Box 2b**

**Folder 13**

Chambers of Commerce -- American Arbitration Association Correspondence – Positive, 1950

**Box 3**

**Folder 1**

Chambers of Commerce -- American Arbitration Association Correspondence – Negative, 1950

**Box 3**

**Folder 2**

Chambers of Commerce – Arbitration Summary, undated

**Box 3**

**Folder 3**

Contractor Associations, undated

**Box 3**

**Folder 4**

Credit Groups – Correspondence, 1950-1953

**Box 3**

**Folder 5**

Form Letters and Questionnaires for Commodity Exchanges, 1954

**Box 3**

**Folder 6**

Form Letters for Trade Associations, 1954

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**Folder 7**

General Correspondence, 1950-1955

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**Folder 8**

Ineligible Trade Associations – American Arbitration Association Correspondence, 1950

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**Folder 9**

Insurance Associations – Correspondence, 1950-1953

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**Folder 10**

National Association of Securities Dealers, 1950-1953

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**Folder 11**

National Chamber of Commerce – Correspondence, 1954

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**Folder 12**

New York Chamber of Commerce, 1928-1953

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**Folder 13**

New York Curb Exchange, 1950

**Box 3**

**Folder 14**

Organizations with No Arbitration -- American Arbitration Association Correspondence, 1950

**Box 3**

**Folder 15**

Professional Organizations – Correspondence, 1950, 1953

**Box 3**

**Folder 16**

Real Estate Boards – Correspondence and Yearbook, 1950-1955

**Box 3**

**Folder 17**

Trade Association Correspondence – Defunct Organizations, 1954

**Box 4**

**Folder 1**

Trade Association/Exchange Correspondence (Inapplicable and Unanswered) – Ag-Am, 1954

**Box 4**

**Folder 2**

Trade Association/Exchange Correspondence (Inapplicable and Unanswered) – Am,  
1950-1954

**Box 4**

**Folder 3**

Trade Association/Exchange Correspondence (Inapplicable and Unanswered) – Am-Fe,  
1950-1954

**Box 4**

**Folder 4**

Trade Association/Exchange Correspondence (Inapplicable and Unanswered) – Fo -I,  
1950-1954

**Box 4**

**Folder 5**

Trade Association/Exchange Correspondence (Inapplicable and Unanswered) – J-Na,  
1950-1954

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Trade Association/Exchange Correspondence (Inapplicable and Unanswered) – Na,  
1950-1954

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**Folder 7**

Trade Association/Exchange Correspondence (Inapplicable and Unanswered) – Na-Pa,  
1950-1954

**Box 5**

**Folder 1**

Trade Association/Exchange Correspondence (Inapplicable and Unanswered) – Pa-Sp,  
1950-1954

**Box 5**

**Folder 2**

Trade Association/Exchange Correspondence (Inapplicable and Unanswered) – St-W,  
1950-1954

**Box 5**

**Folder 3**

Webb-Pomerene Associations – Correspondence, 1954

**Subseries 2: Trade Association and Exchange Surveys**

**Box 5**

**Folder 4**

Acoustical Materials Association, 1954-1955

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**Folder 5**

Allied Underwear Association, 1954

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**Folder 6**

Air Filter Institute, 1954

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**Folder 7**

American Association of Nurserymen, 1950-1954

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**Folder 8**

American Association of Oilwell Drilling Contractors, 1954

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**Folder 9**

American Beekeeping Federation, Inc., 1954

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**Folder 10**

American Bleached Shellac Manufacturers' Association, 1950-1954

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**Folder 11**

American Boiler and Affiliated Industries, 1950-1954

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**Folder 12**

American Booksellers Association, 1954

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**Folder 13**

American Butter Institute, 1954

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**Folder 14**

American Carnivals Association, 1950-1954

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**Folder 15**

American Coal Sales Association, 1950-1954

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**Folder 16**

American Coke and Coal Chemicals Institute, 1954

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**Folder 17**

American Collectors' Association,

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**Folder 18**

American Concrete Pipe Association, 1954

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American Cotton Linter Association, 1954-1956

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**Folder 20**

American Cotton Manufacturers Institute, 1949-1954

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American Cotton Waste Exchange, 1952-1954

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**Folder 22**

American Dry Manufacturers Association, 1954

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American Dry Milk Institute, 1954

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**Folder 24**

American Farm Bureau Association, 1954

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**Folder 25**

American Fur Merchants' Association, 1950-1956

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**Folder 26**

American Gear Manufacturers' Association, 1954

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American Glassware Association, 1953-1954

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American Goat Society, Inc., 1954

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**Folder 29**

American Home Laundry Manufacturers' Association, 1954

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**Folder 30**

American Home Lighting Institute, 1954

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**Folder 31**

American Institute of Decorators, 1954

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**Folder 32**

American Institute of Steel Construction, 1950-1954

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**Folder 33**

American Institute of Wholesale Plumbing and Heating Supply Associations, Inc., 1954

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**Folder 34**

American Manganese Producers Association, 1950-1956

**Box 6**

**Folder 1**

American Meat Institute, 1950-1958

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**Folder 2**

American Monument Association, 1954

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**Folder 3**

American National Cattlemen's Association, 1950, 1954

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**Folder 4**

American Paper and Pulp Association, 1952-1954

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American Pharmaceutical Manufacturers' Association, 1954

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American Poultry Association, 1951-1954

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American Potash Institute, 1954-1956

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**Folder 8**

American Pulpwood Association, 1954

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**Folder 9**

American Railway Car Institute, 1954

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**Folder 10**

American Rice Growers Cooperative Association, 1955

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**Folder 11**

American Seed Trade Association, 1953-1956

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American Silk Council, 1954

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American Soybean Association, 1950-1956

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American Spice Trade Association, 1952-1954

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**Folder 15**

American Steel Warehouse Association, 1954

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American Stone Importers Association, Inc., 1954

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American Textbook publishers Institute, 1954

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American Tin Trade Association, 1954

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American Tunaboat Association, 1954-1956

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**Folder 20**

American Walnut Manufacturers' Association, 1954

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American Warehousemen's association, 1950-1954

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**Folder 22**

American Wax Importers and Refiners Association, 1948-1954

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**Folder 23**

Amtea Corporation, 1954

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**Folder 24**

Anti-Friction Bearing Manufacturers' Association, 1954

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**Folder 25**

Appalachian Hardwood Manufacturers Association, 1954-1956

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**Folder 26**

Arizona Grain and Seed Association, 1955-1958

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**Folder 27**

Asbestos-Cement products Association, 1954

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**Folder 28**

Associated Cooperage Industries of America, Inc., 1954

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**Folder 29**

Associated Date Growers and Packers, 1954

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**Folder 30**

Associated Equipment Distributors, 1954

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**Folder 31**

Associated Meat Jobbers of Southern California, 1954

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**Folder 32**

Associated Serum Producers, Inc., 1954

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**Folder 33**

Associated Tobacco Manufacturers, 1954

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**Folder 34**

Association of American Soap and Glycerin Producers, 1950-1954

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Association of American Wood Pulp Importers, 1954-1956

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Association of Buying Offices, Inc., 1950-1954

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**Folder 37**

Association of Cocoa and Chocolate Manufacturers of the U. S., 1954

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Association of Cotton Textile Merchants of New York, 1947-1954

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Association of Cotton Yarn Distributors, 1950-1956

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Association of Electric Parts and Equipment Manufacturers, 1950-1954

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Association of Food Distributors, Inc., 1950-1954

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**Folder 1**

Association of Knitted Fabrics Manufacturers, 1954-1956

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Association of Manufacturers of Chilled Car Wheels, 1954

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Association of Pulp Consumers, Inc., 1954-1956

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Association of Sugar Producers of Puerto Rico, 1954-1957

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Athletic Goods Manufacturers' Association, 1950-1954

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Barn Equipment Association, 1954

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Barre Granite Association, 1945-1956

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Beauty and Barber Supply Institute, 1950, 1954

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Billiard and Bowling Institute of America, 1954

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Boston Wool Trade Association, 1950-1954

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Boys' Apparel and Accessories Manufacturers' Association, 1954

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Brass and Bronze Ingot Institute, 1954

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Burley Leaf Tobacco Dealers' Association, 1950, 1954

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California Canning Peach Association, 1954

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California Canning Pear Association, 1954

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**Folder 25**

California Dried Fruit Export Association, 1954

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**Folder 26**

California Fruit Exchange, 1954

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**Folder 27**

California Growers' Association, 1954-1956

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**Folder 28**

California Hay, Grain, and Feed Association, 1954

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California Lima Bean Growers' Association, 1954

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**Folder 30**

California Olive Association, 1948-1954

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**Folder 31**

California Walnut Growers Association, 1950-1954

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**Folder 32**

California Wood Growers Association, 1954-1956

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**Folder 33**

Can Manufacturers Institute, 1953-1954

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**Folder 34**

Canners' League of California, 1954

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**Folder 35**

Canvas Water Proofers Association, 1954

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**Folder 36**

Carbon Black Export, Inc., 1954

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Carpet Institute, Inc., 1950

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**Folder 38**

Cast Iron Pipe Research Association, 1954

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Cast Iron Pressure Pipit Institute, 1954

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Caster and Floor Truck Manufacturers Association, 1950, 1954

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Certified Cold Fur Storage Association, 1954

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Cheese Importers Association of America, 1953-1954

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Chicago Laundry Owners Association, 1954

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Clothespin Manufacturers of America, 1954

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Clothing Manufacturers' Association of the USA, 1953-1954

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Coal Exporters Association of the United States, 1954

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Coated and Processed Paper Association, 1950-1954

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The Cocoa Merchants Association of America, 1950-1954

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Collapsible Tube Manufacturers, 1954

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Colorado Grain, Milling, and Feed Dealers Association, 1954-1956

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Commercial Refrigerator Manufacturers Association, 1954

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Conveyer Equipment Manufacturers Association, 1950, 1954

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Copper and Brass Research Association, 1950-1954

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Cordage Institute, 1950-1954

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Cotton Importers Association, Inc., 1950-1954

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**Folder 9**

Cotton States Arbitration Board, 1950-1954

**Box 8**

**Folder 10**

Cremation Association of America, 1954

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**Folder 11**

Cultivated Mushroom Institute of America, 1954

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**Folder 12**

Custom Tailors and Designers Association of America, 1954

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**Folder 13**

Dental Dealers of America, 1954

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**Folder 14**

Diaper Service Institute of America, 1954

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Distilled Spirits Institute, 1950-1954

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Douglas Fir Export Company, 1954-1956

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Douglas Fir Plywood Association, 1954-1956

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Dried Fruit Association of California, 1916-1954

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Drop Forging Association, 1954

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**Folder 20**

Drug, Chemical, and Allied Trades Section (NY Board of Trade), 1950-1955

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Eastern Millinery Chamber of Commerce, 1953-1954

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Eastern Women's Headwear Association, 1954

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Educational Jewelry Manufacturers Association, 1954

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Elastic Fabric Manufacturers Institute, 1954

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Evaporated Milk Association, 1954

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This series contains notes, memoranda, and analysis of data regarding arbitration provided by the same sorts of organizations in Series II, plus material on government inspection and regulation. Most of the notes, charts, and other material were created and collected by Christopher Wright for his report "The Self-Government of Commercial Communities" (also included here).

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