

RULE 17C-9. Filing of Statements with Respect to Certain Rules.—Any registered holding company or subsidiary company thereof which has as an officer or director any person who has any financial connection which would make it unlawful for him to hold such position except for Rules 17C-4, 17C-7, or 17C-8 shall, on or before August 26, 1936 (or if such person is not then such an officer or director, within 30 days after he becomes such) file with the Commission a statement signed by such person, setting forth the facts by virtue of which it is deemed that such rule or rules are applicable. Similar statements shall also be filed within 30 days subsequent to each annual meeting of such company thereafter while such person remains an officer or director and continues such financial connection. A company having several such officers or directors may file a single statement signed by all of them. No form is prescribed for such statement. One original only need be filed, but, if acknowledgment is desired, a duplicate should also be filed.

RULE 17C-10. Investment Bankers.—A registered holding company or subsidiary company thereof may have as director, but not as an officer, a person who is an executive officer, director, partner, appointee, or representative of an investment banker, and who has no financial connections (as defined in Rule 17C-1) other than those permitted by this or by any other rule under Section 17 (c) *Provided*, That, while such person is a director of such company and for a period of six months after he ceases to be such, neither such company nor any associate company thereof shall enter into any financial transactions with such investment banker.

RULE 17C-11. Independent Officers or Directors.—(a) A registered holding company or subsidiary company thereof may have as an officer or director, or both, a person who is a director (other than a partner) of a financial institution and has no other financial connections (as defined in Rule 17C-1) other than those permitted by this Rule; *Provided*, That

(1) Such person is not an executive officer, partner, appointee, or representative of such financial institution; and

(2) Such person was an officer or director of such company on June 1, 1936; and

(3) Such person has no financial connections other than those which he held on June 1, 1936; and

(4) Such person is not an officer or director of any other such company which is not a member of the same holding company system; and

(5) Such company shall have filed or caused to be filed with the Commission a statement on Form U-17-3 as adopted June 30, 1936, signed by such officer or director and setting forth the information therein specified.

(b) Not more than two persons who are officers or directors of any such company shall be persons who are eligible to such position only by virtue of this Rule.

(c) This Rule shall expire not later than January 1, 1938.

Acting pursuant to the authority granted by the Public Utility Holding Company Act of 1935, particularly Section 3 (d) thereof, and finding such action necessary and appropriate in the public interest and for the protection of investors and consumers, and not contrary to the purposes of said Act, the Securities and Exchange Commission hereby amends Rule 3D-5 to read as follows:

RULE 3D-5. Exemption of certain non-utility subsidiaries.—(a) Any subsidiary company of a registered holding company, which subsidiary company is not (1) a public-utility or holding company, (2) an investment company or investment trust, including any company or trust which is a medium of investment in securities for the benefit of such holding company or its employees or officers, (3) a company engaged in the business of performing services or construction for, or selling goods to, associate public-utility companies, or (4) a company controlling, directly or indirectly, any company specified in (1), (2), or (3) above, shall be exempt from the obligations, duties, and liabilities imposed upon such company as a subsidiary company by any provision of the Act, except as otherwise provided in paragraphs (c) and (d) of this Rule.

(b) Any subsidiary company exempted under paragraph (a) of this Rule shall not be deemed a subsidiary company within the meaning of the provisions of Section 11 (f) and (g).

(c) The exemption provided from Section 9 (a) (1) by paragraph (a) of this Rule shall not be applicable to (1) any acquisition of securities of, or any interest in the business of, any

company described in Clause (1), (2), (3), or (4) of paragraph (a) of this Rule, (2) any acquisition which will result in such subsidiary company becoming a company described in Clause (1), (2), (3), or (4) of paragraph (a) of this Rule, or (3) any acquisition where the aggregate amount of the gross consideration to be paid by such subsidiary company, on account of the transaction in question, or on account of such transaction and one or more other transactions relating to the same subject matter, will exceed \$200,000.

(d) The exemption provided by paragraph (a) of this Rule shall not be applicable to Sections 12 and 13, nor to Section 15, insofar as any rule, regulation, or order under Section 15 may be expressly applicable to subsidiary companies exempted by this Rule.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 1101—Filed, July 3, 1936; 12:56 p. m.]

Tuesday, July 7, 1936

No. 82

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4660]

RED STRIP STAMPS—LIQUOR TAXING ACT OF 1934

Collectors of Internal Revenue, Collectors of Customs, District Supervisors, and Others Concerned:

Pursuant to the authority conferred by Section 205 of Title II of the Liquor Taxing Act of 1934, the following regulations are prescribed:

FORM 428—ORDER FOR RED STRIP STAMPS

1. Effective July 1, 1936, all applications for the purchase of red strip stamps, Form 428, "Order for Stamps—Distilled Spirits Bottle Strips" will be filed in triplicate. The Collector of Customs or the District Supervisor who approves the Form 428 will, after approval, retain one copy and return the original and one copy to the applicant for submission to the appropriate Collector of Internal Revenue.

2. The Collector of Internal Revenue will enter the serial numbers of the stamps issued and stamp the date of sale on both copies of Form 428. He will retain the original copy and send the remaining copy to the appropriate District Supervisor.

RELEASE OF IMPORTED SPIRITS FROM CUSTOMS BOND

3. On and after July 1, 1936, no distilled spirits imported in bottles may be released from Customs bond without red strip stamps attached thereto; *Provided*, however, that (a) distilled spirits in Customs bond on July 1, 1936, and (b) distilled spirits in bottles without strip stamps attached, arriving in the United States subsequent to July 1, if, prior to August 1, 1936, they have been consularized for shipment to the United States, or certified for such shipment by a Collector or Deputy Collector of Customs in any of the possessions of the United States to which the Internal Revenue laws do not apply, may be withdrawn from Customs bond and strip stamps sent by the importer or subsequent vendor to the vendee by registered mail, as prescribed by T. D. 4473.

4. Except as provided in Paragraph 3, from and after July 1, 1936, strip stamps will be attached to bottles of distilled spirits for importation only as follows: (a) by the producer or exporter in the foreign country as prescribed by T. D. 4526; (b) under the supervision of an officer abroad, assigned by the Collector of Customs, as prescribed by T. D. 4496; or (c) under supervision of a Customs officer in the bonded warehouse as prescribed by T. D. 4464.

5. Effective July 1, 1936, importers, and proprietors of plants at which no storekeeper-gauger is assigned custody of strip stamps, will prepare Form 96, "Monthly Report of Strip Stamps Purchased and Used Under the Liquor Taxing Act of 1934" as revised, in triplicate. The original and one copy will be submitted to the appropriate District Supervisor and the remaining copy retained for file, available to Government officers. The copy of Form 96 now required by T. D. 4516 to

be furnished to the Collector of Internal Revenue, will be discontinued.

6. Treasury Decisions 4429, 4473, 4516, and 4561 are amended accordingly.

[SEAL]

GUY T. HELVERING,
Commissioner of Internal Revenue.

WILLIAM R. JOHNSON,
Acting Commissioner of Customs.

Approved, July 1, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 1102—Filed, July 3, 1936; 2:44 p. m.]

Public Debt Service.

REGULATIONS GOVERNING ADJUSTED SERVICE BONDS OF 1945

[Amendment to Department Circular No. 560]

JULY 3, 1936.

Paragraph 11 (e) of Department Circular No. 560, regulations governing Adjusted Service Bonds of 1945, dated June 6, 1936, is hereby amended to read as follows:

11. The following officers are authorized to witness requests for payment and certify thereto:

(e) In a foreign country; United States diplomatic and consular representatives and attaches, under their respective seals; managers and executive officers of foreign branches of banks or trust companies incorporated in the United States; if such an officer is not available, requests for payment may be signed in the presence of and certified by a notary or other officer authorized to administer oaths, but his official character and jurisdiction must be certified by a United States diplomatic or consular officer or attache, under the seal of his office.

[SEAL]

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 1108—Filed, July 6, 1936; 12:02 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

BROADCAST DIVISION—EFFECTIVE DATE OF RULE 177 POSTPONED

The Broadcast Division, on June 20, 1936, postponed the effective date of Rule 177 from July 1, 1936, to August 1, 1936, in order to allow time for study of a protest received from Mr. Oswald Schuette on behalf of the Short Wave Institute of America, Inc., against said Rule, and because of the fact that the effective date of other rules recently adopted and effective the same date have been postponed to August 1, 1936.

[SEAL]

JOHN B. REYNOLDS,
Acting Secretary.

[F. R. Doc. 1103—Filed, July 6, 1936; 9:34 a. m.]

TELEGRAPH DIVISION—ORDER NO. 23

At a regular session of the Telegraph Division of the Federal Communications Commission held at its offices in Washington, D. C., on the 23rd day of June 1936.

Pursuant to Section 218 of the Communications Act of 1934, as amended, for the purpose of obtaining information necessary to enable the Commission to perform its duties and carry out the objects for which it was created.

It is ordered, That every common carrier subject to the Communications Act engaged in foreign telegraph communication shall file with the Commission not later than September 1, 1936, in triplicate, under oath, on forms like and in accordance with the instructions contained in Forms 1 (a) 1 (b) 2 (a) 2 (b) 3 (a) and 3 (b) hereto attached, a statement showing the following information separately for full rate ordinary (sub-classified by plain language and cipher messages) full rate urgent (sub-classified by plain language

and cipher messages) CDE ordinary, CDE urgent, ordinary press, urgent press, deferred press (LC) United States Government ordinary, United States Government CDE, foreign government ordinary, foreign government CDE, deferred (LC) letter (NLT and DLT) telegrams, and all other paid messages, by separate classifications and sub-classifications, transmitted or received by such carrier for the twenty-four hour period beginning at 3:00 a. m., E. S. T. separately for each of the dates, March 5th, 10th, 14th, 15th, 18th, 23d, and 27th, 1936:

With respect to—

1. Messages originating in the continental United States (consisting of the several states and the District of Columbia only) by zones (as now defined in the carrier's tariffs on file with the Commission) transmitted by such carrier and destined to each country outside the continental United States (including Hawaii and the Philippine Islands and excluding Canada and Mexico)

2. Messages originating in each country outside the continental United States (except Canada and Mexico and including Hawaii and the Philippine Islands) by countries of origin, for delivery in the continental United States, by zones; and

3. Messages originating in each country outside the continental United States (including Hawaii and the Philippine Islands) except messages between Canada and Mexico, by countries of origin, transiting the continental United States for delivery beyond the continental United States:

Give the total number of messages and the total number of paid words, separately for messages containing 4 paid words or less and for messages containing 5 paid words or more, by classifications and sub-classifications of messages and by countries of origin or destination showing separately and naming any intermediate carriers subject to the Act, showing the route, including transfer points and connections, all as called for on the attached forms. In connection with messages in classifications where there is a chargeable minimum the number of paid words actually sent shall be shown.

It is further ordered, That said carriers shall file with the Commission within the time, in the manner, for the periods and according to the classifications of messages hereinabove mentioned, and in accordance with the instructions contained in Forms 4 (a)-(e) hereto attached, the following:

The total number of messages and the total number of paid words, separately for messages containing 4 paid words or less and messages containing 5 paid words or more, by classifications and subclassifications of messages, exchanged between such carrier and mobile stations, showing the coastal station (if any) through which the traffic was actually handled and zones of origin or destination separately, according to the nationality of the aircraft or ship station involved.

The classifications of messages set forth herein are for convenience only and nothing herein contained shall be construed as approval by the Commission of such classifications.

By THE COMMISSION, TELEGRAPH DIVISION,

[SEAL]

JOHN B. REYNOLDS, Acting Secretary.

[F. R. Doc. 1105—Filed, July 6, 1936; 9:35 a. m.]

RULE 262a, B, b, AMENDED

The Telegraph Division, at its regular meeting on June 23, 1936, amended Rule 262a, B, b, of the Commission's Rules and Regulations to read in part as follows:

Northern Transcontinental Chain and Feeders (Red)

AVAILABLE FOR AIRCRAFT AND AERONAUTICAL STATIONS			
3147.5	3182.5	5122.5	5592.5
3162.5	3322.5	5572.5	5662.5
3172.5	4335	5582.5	

Southern Transcontinental Chain and Feeders (Brown)

AVAILABLE FOR AERONAUTICAL POINT-TO-POINT STATIONS			
2612	4690	6560	
2636	6540	8015: Day only	
3467.5	6550	10190: Day only	

Eastern Continental Chain and Feeders (Green)

AVAILABLE FOR AERONAUTICAL POINT-TO-POINT STATIONS

2608	5310	8130: Day only, subject to the condition that no
2748	6590	interference is caused to Government
4740	6600	stations.
4745		

* These frequencies assigned for unlimited hours upon the express condition that no interference is caused to the international mobile service.

Mid-Continental Chain and Feeders (Yellow)

AVAILABLE FOR AERONAUTICAL POINT-TO-POINT STATIONS

	2640	4650
[SEAL]		JOHN B. REYNOLDS,
		Acting Secretary.

[F. R. Doc. 1104—Filed, July 6, 1936; 9:34 a. m.]

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS.

[Administrative Order No. 149]

ADVISORY BOARD ON CONTRACT AWARDS

JUNE 29, 1936.

1. There is hereby created a board, the name of which shall be "Advisory Board on Contract Awards" (herein called the "Board") which shall consist of five members of whom one shall be Chairman and one shall be Legal Member.

2. There shall be a Secretary of the Board who shall keep its records and perform such other duties as it may direct.

3. The Chairman, the Legal Member, the other members, and the Secretary shall each be designated by the Administrator.

4. Each member of the Board (including the Chairman and the Legal Member) shall have an equal vote.

5. The Board shall meet from time to time on the call of the Chairman, or on notice of the Secretary of the Board at the request of the majority of the members thereof.

6. A majority of the whole Board shall constitute a quorum to transact business but in the absence of a majority a smaller number may adjourn.

7. In the event any member of the Board is temporarily absent, the Assistant Administrator may designate someone as member to fill such temporary vacancy.

8. Where there is received in the central office evidence indicating that a bidder for a P. W. A. federal contract or that one who has or has had such a contract has been guilty of or has attempted or committed a fraud on the Government in respect of such bid or contract or has attempted or committed any other reprehensible act in respect of such bid or contract, such evidence shall be submitted to the Chairman of the Board. The Chairman shall refer the case to the Legal Member. The Legal Member shall brief the evidence, showing, among other things, the specific instances of the bidder's or contractor's alleged derelictions. Thereupon, the Legal Member shall prepare, for the signature of the Assistant Administrator, a communication addressed to such bidder or contractor, which communication shall state substantially, among other things:

(a) That certain evidence has been received at the central office of the Public Works Administration showing prima facie that it is in the interest of the United States that action be taken by the Public Works Administration to debar such bidder or contractor from participation in future P. W. A. federal contracts for a reasonable period of time;

(b) The specified charges upon which such action is contemplated;

(c) That such bidder or contractor may file in writing with the Assistant Administrator any evidence tending to rebut such charges, provided same is so filed within 15 days from the date of the Assistant Administrator's communication;

(d) That unless such bidder or contractor files his evidence within the time and as aforesaid, the determination of the Administrator, as to whether or not such bidder or contractor shall be debarred for a reasonable period of time from participation in future P. W. A. federal contracts after the expiration of the date within which such bidder or contractor may file his evidence, may be made notwithstanding the absence of such evidence.

9. Any and all evidence received at the central office under Paragraph 8 (c) hereof shall be transmitted promptly to the Chairman of the Board, who shall refer the same to the Legal Member for appropriate briefing in connection with such other data as is on file.

10. Promptly upon completion of the briefing of all evidence as required, the Legal Member shall furnish each other member of the Board with a complete copy of such brief, including a copy of the aforesaid communication from the Assistant Administrator to the bidder or contractor concerned.

11. Upon the basis of the evidence so presented, the Board shall recommend to the Administrator the action to be taken by him in the particular case. Such recommendation shall be accompanied by a copy of the brief of the evidence considered and by a proposed communication of the Administrator to carry such recommendation into effect. If debarment be recommended, such proposed communication shall state substantially the specific instances of the bidder's or contractor's derelictions which are found sustained by the evidence, and a reasonable and definite period of debarment of the bidder or contractor from participation in future P. W. A. federal contracts, which period shall commence with the date to be borne by such proposed communication. If debarment be recommended by the Board, an additional copy of such proposed communication shall be prepared for the Comptroller General, with a proposed letter of transmittal for the signature of the Administrator. Where debarment is recommended by the Board, the proposed communication to the bidder or contractor shall be drafted for the signature of the Administrator.

12. Unless a majority of the whole Board shall concur in recommending debarment, no proposed debarment communication shall be prepared for the signature of the Administrator.

13. This order is issued under authority of Executive Order No. 7064, of June 7, 1935.

HAROLD L. ICKES, Administrator.

[F. R. Doc. 1167—Filed, July 6, 1936; 10:45 a. m.]

[Administrative Order No. 153]

NON-ELIGIBILITY FOR GRANT OF APPLICANT'S REGULAR EXPENSES—E. R. A. 1935 PROJECTS

JUNE 29, 1936.

1. With a view to clearing up any possible misunderstanding as to the status of costs, incurred by applicants, which are of a continuing nature and not created directly by the prosecution of work on a P. W. A. non-Federal project, State Directors shall advise applicants that, on projects constructed with funds loaned or granted under the Emergency Relief Appropriation Act of 1935, the following are typical restrictions applicable in the computation of grant:

(a) *Salaries or Wages* (or any pro-rated portion thereof) of an applicant's employees *not hired specifically for the project* will not be considered a part of the grant base by this Administration. Without limiting the generality of the foregoing, this ruling shall be applied to the following classifications:

- (1) Architects, engineers, and assistants
- (2) Legal staff and assistants
- (3) Auditors, accountants, and assistants
- (4) Administrative and clerical forces

(b) *Travel and Personal Expenses* of the employees enumerated in the foregoing paragraph will not be allowed in

the grant base unless it can be shown that such expenses were incurred specifically for the project.

(c) Fees paid to members of the governing body of the applicant for attendance at meetings, irrespective of whether or not matters pertaining to the project were the exclusive subject of such meetings, will not be allowed in the grant base.

(d) *Overhead and Administrative Costs*, such as heat, light, rent, furniture, telephone, etc., shall not be allowed in the grant base unless it can be shown that such costs have been incurred solely as a result of the needs of the project.

2. State Directors shall, in the interest of expediting settlement of grant claims, urge applicants, who do not have a clear understanding as to the eligibility for inclusion in the grant base of any items of project cost, to communicate with them immediately. State Directors shall forward applicants' inquiries to the Chief Accountant in Washington for administrative decision, together with a statement as to whether or not the items in question are provided for in the latest approved estimate of cost.

3. This Order is issued under the authority of Executive Order No. 7064 of June 7, 1935.

HAROLD L. ICKES, Administrator

[F. R. Doc. 1106—Filed, July 6, 1936; 10:45 a. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 26th day of June A. D. 1936

[Docket No. BMC 3571]

APPLICATION OF MOTORWAYS TERMINAL, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Motorways Terminal, Inc., of 623 Washington Street, New York, N. Y., for a Certificate of Public Convenience and Necessity (Form BMC 1) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, with Exceptions, in Interstate Commerce, between Points in the New York Metropolitan District and Points in the States of Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and West Virginia, Over Irregular Routes.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner T. Naftalin for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner T. Naftalin, on the 24th day of July A. D. 1936, at 9 o'clock a. m. (standard time), at the Hotel Pennsylvania, New York, N. Y.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1112—Filed, July 6, 1936; 12:40 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 29th day of June A. D. 1936.

[Docket No. BMC 3979]

APPLICATION OF ROBERT CULLEN COSBY FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Robert Cullen Cosby, Individual, Doing Business as W. G. Cosby Transfer, of 306 North Ninth Street, Richmond, Va., for a Certificate of Public Convenience and Necessity (Form BMC 8) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally in Interstate Commerce From Richmond, Va., to Destination Points Located Within the States of New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, West Virginia, Kentucky, and the District of Columbia

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner L. H. McDaniel for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner L. H. McDaniel, on the 27th day of July A. D. 1936, at 10 o'clock a. m. (standard time) at the office of the Interstate Commerce Commission, Washington, D. C.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1117—Filed, July 6, 1936; 12:41 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 30th day of June A. D. 1936.

[Docket No. BMC 10053]

APPLICATION OF NORMAN C. HEDGES FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Norman C. Hedges of R. D., Laurel, Del., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally in Interstate Commerce between Points Located in the States of Virginia, District of Columbia, North Carolina, and Rhode Island

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner T. B. Johnston for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner T. B. Johnston, on the 21st day of July A. D. 1936 at 9 o'clock a. m. (standard time) at the New State House, Dover, Del.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1118—Filed, July 6, 1936; 12:41 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 24th day of June A. D. 1936.

[Docket No. BMC 48654]

APPLICATION OF JOHN P. FLEMING FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of John P. Fleming, Individual, Doing Business as John P. Fleming Driveaway Service, of 12801 Kercheval Avenue, Detroit, Mich., for a Certificate of Public Convenience and Necessity (Form BMC 1) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Motor Vehicles under Their Own Power, in Interstate Commerce, between California, Colorado, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Nebraska, Nevada, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, and Wyoming.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner A. E. Later for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner A. E. Later, on the 23rd day of July 1936, at 9 o'clock a. m. (standard time) at the Hotel Fort Shelby, Detroit.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

- GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1109—Filed, July 6, 1936; 12:39 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 25th day of June A. D. 1936.

[Docket No. BMC 50071]

APPLICATION OF THE AUCH OVERLAND LINES, INC., FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of The Auch Overland Lines, Inc., of 1420 North West Street, Indianapolis, Ind., for a Permit (Form BMC 10, New Operation) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally in Interstate Commerce between Indianapolis, Ind., and Pittsburgh, Pa., Over the Following Routes:

Route No. 1.—Via Cambridge, Ohio, over U. S. Highways 40 and 22.

Route No. 2.—Via Washington, Pa., over U. S. Highways 40 and 19.

Route No. 3.—Via Columbus, Ohio, over U. S. Highway 40, thence Coshocton, Ohio, over Ohio Highway 16, thence Cadiz, Ohio, over U. S. Highways 36 and 22.

Route No. 4.—Via Wapakoneta, Ohio, over Ind. Highway 67, U. S. Highway 27, and Ohio Highway 32, thence Beavertown, Ohio, over U. S. Highway 25, thence Mansfield, Ohio, over U. S. Highway 30N, thence East Liverpool, Ohio, over U. S. Highway 30, thence Rochester, Pa., over Pa. Highways 68 and 88.

Route No. 5.—Via Rochester, Pa., over Pa. Highway 88, thence East Liverpool, Ohio, over Pa. Highway 68, thence Fort Wayne, Ind., over U. S. Highway 30, thence Peru, Ind., over U. S. Highways 24 and 31.

Route No. 6.—Via Cambridge, Ohio, over U. S. Highway 22, thence Columbus, Ohio, over U. S. Highway 40, thence Washington C. H., Ohio, over U. S. Highway 62, thence Cincinnati, Ohio, over U. S. Highways 22 and 52.

Route No. 7.—Via Butler, Pa., over Pa. highway 8, thence Cherry Valley, Pa., over Pa. Highway 38, thence Emlenton

and Cherry Valley, Pa., over Pa. Highway 208, thence Eau Claire, Pa., over Pa. Highway 8, thence Mercer, Pa., over Pa. Highway 58, thence Canton, Ohio, over U. S. Highway 62, thence Mansfield, Ohio over U. S. Highway 30, thence Beavertown, Ohio, over U. S. Highway 30N, thence Wapakoneta, Ohio, over U. S. Highway 25, Pa. Highway 32, and Ohio Highway 67.

Route No. 8.—Between Indianapolis, Ind., and Lawrenceville, Ill., via Marshall, Ill., over U. S. Highway 40 and Ill. Highway 1.

Route No. 9.—Between Indianapolis, Ind., and Lawrenceville, Ill., via Terre Haute and Vincennes, Ind., over U. S. Highways 40, 41, and 50.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner A. E. Later for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner A. E. Later, on the 27th day of July 1936, at 9 o'clock a. m. (standard time) at the U. S. Court Rooms, Indianapolis, Ind.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1111—Filed, July 6, 1936; 12:39 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 27th day of June A. D. 1936.

[Docket No. BMC 50083]

APPLICATION OF HENRY BELL, EDWARD BELL, AND JOHN FASH FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Henry Bell, Edward Bell, and John Fash, Co-partners, Doing Business as Bell Bros. and Fash, of 87-32 78th Street, Woodhaven, N. Y., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Household Goods in Interstate Commerce from Points Located in the State of New York to Destination Points in the States of Connecticut, New Jersey, and Pennsylvania

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner:

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner T. Naftalin for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner T. Naftalin, on the 31st day of July A. D. 1936 at 9 o'clock a. m. (standard time), at the Hotel Pennsylvania, New York, N. Y.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1115—Filed, July 6, 1936; 12:40 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 25th day of June A. D. 1936.

[Docket No. BMC 50132]

APPLICATION OF EUGENE CALLOWAY FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Eugene Calloway, Individual, Doing Business as the Central & Southern Truck Lines, of Scottsburg, Ind., for a Permit (Form BMC 10, New Operation) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Canned Goods, in Interstate Commerce, between Various Points in Indiana and Kentucky, Tennessee, Alabama, Georgia, North Carolina, South Carolina, Ohio, Illinois, Michigan, Missouri, Virginia, West Virginia, and Mississippi Over Irregular Routes

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner;

It is ordered, That the above-entitled matter be, and it is hereby referred to Examiner A. E. Later for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner A. E. Later, on the 27th day of July 1936, at 9 o'clock a. m. (standard time), at the U. S. Court Rooms, Indianapolis, Ind.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1110—Filed, July 6, 1936; 12:39 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 29th day of June A. D. 1936.

[Docket No. BMC 50282]

APPLICATION OF ZEPHIA ODELL CLARK FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Zephia Odell Clark, of 743 Faulkner Avenue, Martinsburg, W. Va., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operations) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally in Interstate Commerce, From and Between Points in West Virginia, Virginia, Maryland, and Pennsylvania

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner;

It is ordered, That the above-entitled matter be, and it is hereby referred to Examiner L. H. McDaniel for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner L. H. McDaniel, on the 28th day of July A. D. 1936, at 10 o'clock a. m. (standard time), at the office of the Interstate Commerce Commission, Washington, D. C.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1116—Filed, July 6, 1936; 12:41 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 27th day of June A. D. 1936.

[Docket No. BMC 50439]

APPLICATION OF BECKER TRANSPORTATION COMPANY FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Becker Transportation Company Inc., of 10 Decatur Street, Cambridge, Mass., for a Permit (Form BMC 10, New Operation) Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Fuel Oil and Gasoline in Interstate Commerce between Points Located in the States of Massachusetts, New Hampshire, Connecticut, Rhode Island, New York, and New Jersey.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe, on the 27th day of July A. D. 1936, at 9 o'clock a. m. (standard time) at the Hotel Lenox, Boston, Mass.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1114—Filed, July 6, 1936; 12:40 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 27th day of June A. D. 1936

[Docket No. BMC 50948]

APPLICATION OF JOHN JOSEPH NORTON FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of John Joseph Norton, Individual, Doing Business as Norton Motor Transportation, of 15 Lunden Street, Salem, Mass., for a Certificate of Public Convenience and Necessity (Form BMC 8, New Operation) Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally in Interstate Commerce, from Boston, Mass., and Vicinity, to Destination Points Located in New York, New Jersey and Pennsylvania.

It appearing, That the above-entitled matter is one which the Commission is authorized by the Motor Carrier Act, 1935, to refer to an examiner;

It is ordered, That the above-entitled matter be, and it is hereby, referred to Examiner P. R. Naefe for hearing and for the recommendation of an appropriate order thereon, to be accompanied by the reasons therefor;

It is further ordered, That this matter be set down for hearing before Examiner P. R. Naefe, on the 27th day of July A. D. 1936 at 9 o'clock a. m. (standard time) at the Hotel Lenox, Boston, Mass.

And it is further ordered, That notice of this proceeding be duly given.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 1113—Filed, July 6, 1936; 12:40 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

HOLDING COMPANY ACT

RULE ADOPTING FORM U-17-3

The Securities and Exchange Commission, acting pursuant to the authority granted by the Public Utility Holding Com-

pany Act of 1935, particularly Section 17 (c) thereof, hereby adopts Form U-17-3 for the purpose of filing the statements required by Rule 17C-11.¹

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1119—Filed, July 6, 1936; 12:54 p. m.]

SECURITIES ACT OF 1933

AMENDMENT NO. 24 TO INSTRUCTION BOOK FOR FORM A-2

The Securities and Exchange Commission, finding that any information or documents specified in Schedule A of the Securities Act of 1933, as amended, which Form A-2 and the book of instructions accompanying that form, as hereby amended, do not require to be set forth, are inapplicable to the class of securities to which such form is appropriate, and that disclosure fully adequate for the protection of investors is otherwise required to be included in the registration statement, and that such information and documents as Form A-2 and the accompanying book of instructions, as hereby amended, require to be set forth, but which are not specified in Schedule A, are necessary and appropriate in the public interest and for the protection of investors, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Sections 7 and 19 (a) thereof, hereby amends Form A-2 and the book of instructions accompanying that form, as follows:

At the end of the "Special Rules as to the Use of Form A-2 for Corporations" there is added a new rule reading as follows:

6. Form A-2 may be used by a registrant if all the following conditions exist:

- (a) The registrant was a wholly-owned subsidiary of a corporation which, either alone or with one or more of its other wholly-owned subsidiaries, was merged into the registrant;
- (b) The registrant acquired all the assets and assumed all the liabilities of the corporations merged into it; and
- (c) The parent corporation could have used Form A-2 had the merger not taken place. In determining whether such parent corporation could have used Form A-2, the record of the registrant subsequent to the merger, in regard to income or annual reporting to security holders, shall be considered a continuation of the record of such parent corporation.

Whenever Form A-2 is used by virtue of this Special Rule, items in the form applying to the registrant shall for any period preceding the merger be deemed to apply to the parent corporation, unless the context clearly indicates the contrary. For any period preceding the merger, consolidated financial statements of the constituent corporations shall be considered to be financial statements of the registrant, and consolidated financial statements of the parent corporation and its subsidiaries (the subsidiaries to be included in such consolidated financial statements, whether or not they were merged into the registrant) shall be considered to be consolidated financial statements of the registrant and its subsidiaries, for the purpose of meeting the requirements of Form A-2 as to financial statements.

If the merger took place within two years from the date of filing, there shall be included in any registration statement filed pursuant to this Special Rule (i) a certified consolidated balance sheet of the constituent corporations immediately before the merger; and (ii) a certified balance sheet of the registrant immediately after the merger. These shall be prepared in accordance with the instructions as to financial statements in Form A-2, except that no schedules need be furnished, and shall be set forth in such form, preferably columnar, as to show in related manner the consolidated balance sheet, the changes effected in the merger, and the balance sheet of the registrant after giving effect to the changes. By footnote or otherwise a brief explanation of the changes shall be made.

As used in this Special Rule, (i) the term "wholly-owned subsidiary" means a subsidiary substantially all the outstanding stock of which is held, directly or indirectly, by a single

¹ F. R. 729.

parent; and (ii) the term "contituent corporations" means the registrant and the corporations merged into it.

This amendment shall become effective immediately upon publication.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 1120—Filed, July 6, 1936; 12:54 p. m.]

Wednesday, July 8, 1936

No. 83

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

AMENDMENT OF SUBDIVISION IV, SCHEDULE B, CIVIL SERVICE RULES

By virtue of and pursuant to the authority vested in me by the provisions of paragraph Eighth of Subdivision SECOND of section 2 of the Civil Service Act of January 16, 1933 (22 Stat. 403, 404) Subdivision IV, Schedule B, of the Civil Service Rules is hereby amended by adding thereto the following paragraph to permit employments thereunder by the War Department in areas outside the continental limits of the United States when in the opinion of the Secretary of War the best interests of the service so require:

"4. Any person employed in an area outside the continental limits of the United States (except the Canal Zone and Alaska) when in the opinion of the Secretary of War the best interests of the service so require."

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

July 6, 1936.

[No. 7405]

[F. R. Doc. 1122—Filed, July 6, 1936; 2:39 p. m.]

EXECUTIVE ORDER

MODIFYING EXECUTIVE ORDERS OF JULY 2, 1910, AND FEBRUARY 17, 1912, CREATING RESPECTIVELY POWER SITE RESERVES NOS. 116 AND 244, COLORADO RIVER (FORMERLY GRAND RIVER), COLORADO

Modification No. 402

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered that the Executive Order of July 2, 1910, creating Power Site Reserve No. 116, and the Executive Order of February 17, 1912, creating Power Site Reserve No. 244, as affected by Executive Order of August 29, 1919, modifying the land descriptions thereof, be, and they are hereby, modified to the extent necessary to enable the Secretary of the Interior to approve two applications filed by the Denver and Salt Lake Western Railroad Company pursuant to the provisions of the act of March 3, 1875, ch. 152, 18 Stat. 482, for right-of-way for its constructed railroad from a point in sec. 21, T. 2 S., R. 83 W., to a point in sec. 5, T. 5 S., R. 86 W., Sixth Principal meridian, Colorado.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

July 6, 1936.

[No. 7406]

[F. R. Doc. 1126—Filed, July 7, 1936; 10:55 a. m.]

EXECUTIVE ORDER

QUARRY HEIGHTS MILITARY RESERVATION, CANAL ZONE

By virtue of and pursuant to the authority vested in me by section 5 of Title II of the Canal Zone Code, approved June 19, 1934, and as President of the United States the following-described area of land situated in the Canal Zone

