

(2) the total revenues from sales of electric energy by such company and its subsidiary public-utility companies; if any to purchasers outside of such State or organization or sold at the State line (exclusive of intercompany sales) together with the total cost of electric energy bought by such company and such subsidiaries from sellers outside of such State or bought at the State line for transmission into the State (exclusive of intercompany purchases) have not, during any one of the last three fiscal years, exceeded 5 per cent of the total revenues of such company and such subsidiaries, on a consolidated basis, from sales of electric energy during such fiscal year.

(b) Subject to the provisions of paragraph (d) of this Rule, any person (including a company not exempt under paragraph (a) of this Rule) shall be exempt from any obligation, duty, or liability imposed on such person as an affiliate by Section 9 (a) (2) with respect to the acquisition of any security of a public-utility company, provided that, upon completion of such acquisition, neither such person nor any company of which it is a subsidiary company will, directly or indirectly, own, control, or hold, 10 per cent or more of the class of securities so acquired, and that any one of the following additional conditions is satisfied:

(1) neither such person nor any company of which it is a subsidiary company will, directly or indirectly, own, control, or hold with power to vote, 10 per cent or more of the outstanding voting securities of any public-utility or holding company; or

(2) all public-utility or holding companies of which such person will, directly or indirectly, own, control, or hold with power to vote, 10 percent or more of the outstanding voting securities, are organized under the laws of a single State (under the laws of which the acquiring person, if a company, is also organized) and meet the conditions specified in sub-paragraphs (1) and (2) of paragraph (a) of this Rule; or

(3) such person is exempted as a holding company or has been declared not to be a holding company by rule or order under Section 2 (a) (7) or 3 (a), or by virtue of the filing in good faith of an application for such order.

(c) Subject to the provisions of paragraph (d) of this Rule, any person (including a company not exempt under paragraph (a) or (b) of this Rule) shall be exempt from any obligation, duty, or liability imposed on such person as an affiliate by Section 9 (a) (2) with respect to the acquisition of any security of a public-utility company if, on completion of such acquisition, such person will not, directly or indirectly, own, control, or hold with power to vote, 5 percent or more of the outstanding voting securities of any company the principal business of which, in the United States, is that of a public-utility company.

(d) This Rule shall not be construed as providing any exemption from Section 4, Section 9 (a) (1), or any provision of the Act other than Section 9 (a) (2). The exemption provided by this Rule shall not be applicable to any unregistered holding company other than a company which has been declared not to be a holding company or is exempted as such by order or rule under Section 2 (a) (7) or Section 3 (a) or by virtue of the filing in good faith of an application for such order; and shall not be applicable to any subsidiary company thereof other than a company which has applied in good faith for an order declaring it not to be a subsidiary thereof.

(e) Within 30 days after any acquisition with respect to which the acquiring person is exempt under paragraph (a) or paragraph (b) of this Rule, such person shall file with the Commission a statement identifying the security or securities acquired and the person from whom they have been acquired, stating the amount acquired and the amount of all securities of the issuer which the acquiring person, directly or indirectly, owned, controlled, or held with power to vote, upon completion of the acquisition, and briefly explaining the facts relied upon to bring the acquisition within the exemption provided by this Rule. Such report need not be filed with

respect to any acquisition with respect to which the acquiring person is exempt under paragraph (c) of this Rule. No form is prescribed for such statement. One original only need be filed. If acknowledgment is desired, a duplicate should also be filed.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 435—Filed, April 27, 1936; 12:34 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 24th day of April 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews, Robert E. Healy, J. D. Ross, William O. Douglas.

[File No. 2-1837]

IN THE MATTER OF NEWMAN DICK MINING AND DEVELOPING COMPANY

STOP ORDER

This matter coming on to be heard by the Commission on the registration statement of Newman Dick Mining and Developing Company, 9 Allen Avenue, Kirkland Lake, Ontario, Canada, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement contains untrue statements of material facts and fails to state material facts required to be stated therein and fails to state material facts necessary to make the statements therein not misleading, and upon the evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant, and the Commission having duly considered the matter, and finding that said registration statement contains untrue statements of material facts and omits to state material facts required to be stated and material facts necessary to make statements made not misleading, all as more fully set forth in the Commission's Findings of Fact and Opinion in this matter this day issued, and being now fully advised in the premises, and the registrant having consented to the entry of a stop order.

It is ordered, pursuant to Section 8 of the Securities Act of 1933, as amended, that the effectiveness of the registration statement filed by Newman Dick Mining and Developing Company, 9 Allen Avenue, Kirkland Lake, Ontario, Canada, be and the same hereby is suspended.

By direction of the Commission,

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 436—Filed, April 27, 1936; 12:35 p. m.]

Wednesday, April 29, 1936

No. 33

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

WR-B-2—California—1

Issued April 27, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

[Bulletin No. 2—California—1]

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 1, Revised, is hereby supplemented with respect to its application to the State of California, but not otherwise, as follows:

SECTION 1. *Soil-Building Practices and Rates of Payment.*—In accordance with the provisions of Section 1, Part II of Western Region Bulletin No. 1, Revised, and subject to the conditions of said bulletin, payment will be made for the

carrying out in 1936 of soil-building practices in the State of California, as follows:

Practices	Rate	Conditions
A. New Seedings:¹		
(1) <i>Perennial Legumes</i> , including alfalfa, sericea, ladino, and white clover.	Per acre \$4.00	When seeded on <i>irrigated</i> crop land between September 1, 1935, and August 31, 1936.
	2.00	When seeded on <i>non-irrigated</i> crop land between September 1, 1935, and August 31, 1936.
(2) <i>Biennial Legumes</i> , including sweet, red, alsike, and Mammoth clovers.	3.00	When seeded on <i>irrigated</i> crop land between September 1, 1935, and August 31, 1936.
	1.50	When seeded on <i>non-irrigated</i> crop land between September 1, 1935, and August 31, 1936.
(3) <i>Annual Legumes</i> , including bur, sour, and crimson clovers, annual varieties of sweet clover and lespedeza, and sesbania.	2.00	When seeded on <i>irrigated</i> crop land between September 1, 1935, and August 31, 1936.
	1.00	When seeded on <i>non-irrigated</i> crop land between September 1, 1935, and August 31, 1936.
(4) <i>Perennial Grasses</i> , including permanent pasture mixtures.	4.00	When seeded on <i>irrigated</i> crop land between September 1, 1935, and August 31, 1936.
	2.50	When seeded on <i>non-irrigated</i> crop land between September 1, 1935, and August 31, 1936.
B. Green Manure Crops:		
(1) <i>Annual Legumes</i> , including soybeans, cow peas, field beans, and field peas.	2.00	When seeded on crop land or interplanted in orchards and vineyards between January 1, 1936, and August 31, 1936, and plowed under after having attained at least two months' growth.
(2) <i>Winter Cover Crops</i>	2.00	When seeded on crop land or interplanted in orchards and vineyards between September 1, 1935, and December 31, 1935, and plowed under in the spring of 1936.
(3) <i>Summer Cover Crops</i>	2.00	When seeded on crop land or interplanted in orchards and vineyards between January 1, 1936, and August 31, 1936, and plowed under in the summer or fall of 1936.
C. Forest Trees		
D. Terracing and Gully Control		
E. Protected Summer Fallow:		
(1) <i>Contour Cultivation</i>	1.00	When effected on <i>nonirrigated</i> crop land in accordance with specifications as recommended by the State Committee and approved by the Director of the Western Division.
(2) <i>Approved Fallow</i>	0.50	When effected on <i>irrigated</i> or <i>nonirrigated</i> crop land in accordance with specifications as recommended by the State Committee and approved by the Director of the Western Division.
F. Perennial Weed Eradication:		
(1) <i>Chemical Treatment</i>	10.00	When effected on seriously infested plots, location of which is filed with the County Committee before practices are instituted, and when controlled by application of chemicals and periodic cultivation in accordance with the recommendations of the State Experiment Station.
(2) <i>Periodic Cultivation</i>	5.00	When effected on seriously infested plots, location of which is filed with the County Committee before practices are instituted, and when controlled by periodic cultivation in accordance with the recommendations of the State Experiment Station.

¹ *Provided*, That with respect to the seeding of grasses or legumes previous to January 1, 1936, a good stand of such grasses or legumes at the time of farm inspection shall constitute proof of performance.

No payments will be made for any of the practices listed above unless good seed is used and the practices are carried out in a workmanlike manner in conformity with cultural methods recognized as desirable for the locality. In the event that any labor, seed, or materials used in connection with any of such practices has been furnished free by any municipal, county, state, or Federal agency, payments may be withheld or reduced by the amount equal to the value of the labor, seed, or materials furnished.

SECTION 2. Seeding of Grasses or Legumes with Nurse or Companion Crops Harvested for Grain or Hay.—Soil building payments with respect to the seeding of grasses and legumes at such rates and under such conditions as are specified in Section 1A above will be made if seeded with a nurse or companion crop harvested for grain or hay; *Provided*, however, that such acreage shall not be regarded as devoted to a soil conserving crop for any purpose whatsoever.

SECTION 3. Soil Building Practices Which May Be Substituted for Soil Conserving Crops.—Acreage upon which the following soil building practices are carried out shall be regarded as devoted to a soil-conserving crop within the meaning of Section 2, Part IV, of Bulletin No. 1, Revised, for the purpose of fulfilling all requirements of said bulletin with respect to soil conserving crops:

(a) Cultivated fallow land.

(b) Crop land upon which terracing and gully control or perennial weed eradication practices are effected in 1936 in accordance with the provisions of Section 1D and 1F above.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 27th day of April 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 444—Filed, April 23, 1936; 12:00 p. m.]

WR—B-2—Montana—1

Issued April 27, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

[Bulletin No. 2—Montana—1]

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 1, Revised, is hereby supplemented with respect to its application to the State of Montana, but not otherwise, as follows:

SECTION 1. Soil Building Practices and Rates of Payment.—In accordance with the provisions of Section 1, Part II of Western Region Bulletin No. 1, Revised, and subject to the conditions of said bulletin, payment will be made for the carrying out in 1936 of soil building practices in the State of Montana, as follows:

Practices	Rate	Conditions
A. Seeding and Growing of:		
(1) <i>Alfalfa</i>	Per acre \$3.00	When seeded on irrigated crop land between October 1, 1935, and August 31, 1936, and grown in 1936.
(2) <i>Alfalfa</i>	2.00	When seeded on nonirrigated crop land between October 1, 1935, and August 31, 1936, and grown in 1936.
(3) <i>Sweet Clover</i>	1.00	When seeded on crop land between October 1, 1935, and August 31, 1936, and grown in 1936.
(4) <i>Perennial grasses and grass mixtures</i>	1.50	When seeded on crop land between October 1, 1935, and August 31, 1936, and grown in 1936.
(5) <i>Crested Wheat Grass</i>	3.00	When seeded on crop land between October 1, 1935, and August 31, 1936, and grown in 1936.
B. Green Manure Crops:		
(1) <i>Annual legumes</i> , including soy beans, cow peas, field beans, and field peas, or other summer cover crops.	1.50	When turned under after having attained at least two months' growth.
(2) <i>Winter cover crops</i> , including small grains.	1.50	When turned under before June 1, 1936.
C. Planting of Forest Trees		
D. Contour Listing		
E. Terracing		
F. Dyking for Flood Irrigation		
G. Protected Summer Fallow:		
(1) <i>Strip fallowing</i>	1.00	When carried out by means of strips of cultivated fallow land not exceeding 20 rods in width and protected by intervening strips of crop land in crop or stubble not exceeding 20 rods in width. Payment shall be made only on an amount of land used for this practice in 1936 which is in excess of any amount used in 1935 for the same purpose.
(2) <i>Approved summer fallowing</i> in preparation for soil conserving crop.	.50	When cultivated in 1936 in a manner approved by the State Experiment Station as a preparation for the seeding or planting of a soil conserving crop the succeeding year.

No payments will be made for any of the practices listed above unless good seed is used and the practices are carried out in a workmanlike manner in conformity with cultural methods recognized as desirable for the locality. In the event that any labor, seed or materials used in connection with any of such practices has been furnished free by any municipal, county, state or Federal agency, payments may be withheld or reduced by an amount equal to the value of the labor, seed or materials furnished.

A good stand of legumes or grasses will constitute proof of seeding: *Provided, however,* that if a good stand is not obtained because of unfavorable weather conditions or insect infestation, such proof may be waived and other proofs accepted upon recommendation of the State Committee and approval of the Director of the Western Division.

SECTION 2. Seeding of Grasses or Legumes with Nurse or Companion Crops Harvested for Grain or Hay.—Soil building payments with respect to the seeding of grasses and legumes at such rates and under such conditions as are specified in Section 1 (A) above will be made if seeded with a nurse or companion crop harvested for grain or hay: *Provided, however,* that such acreage shall not be regarded as devoted to a soil conserving crop for any purpose whatsoever.

SECTION 3. Soil Building Practices which may be Substituted for Soil Conserving Crops.

(a) Acreages upon which the soil building practices described in Section 1 (C) above are carried out shall be regarded as devoted to a soil conserving crop within the meaning of Section 2, Part IV of Western Region Bulletin No. 1, Revised, for the purpose of fulfilling all requirements of said bulletin with respect to soil conserving crops.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 27th day of April 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 440—Filed, April 28, 1936; 11:57 a. m.]

WR-B-2—North Dakota—1 Issued April 27, 1936
1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION
[Bulletin No. 2—North Dakota—1]

Pursuant to the authority vested in the Secretary of Agriculture under Section 3 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 1, Revised, is hereby supplemented with respect to its application to the State of North Dakota, but not otherwise, as follows:

SECTION 1. Soil-Building Practices and Rates of Payment.—In accordance with the provisions of Section 1, Part II, of Western Region Bulletin No. 1, Revised, and subject to the conditions of said bulletin, payments will be made for the carrying out in 1936 of soil-building practices in the State of North Dakota, or in such counties thereof as are specified below, as follows:

Practices	Rate	Conditions
A. Seeding and growing of:	Per acre	
(1) Alfalfa.....	\$2.00	When seeded on crop land between October 1, 1935, and September 30, 1936, inclusive, and grown in 1936.
(2) Sweet Clover.....	1.00	When seeded on crop land between October 1, 1935, and September 30, 1936, inclusive, and grown in 1936.
(3) Crested Wheat Grass.....	3.00	When seeded on crop land between October 1, 1935, and September 30, 1936, inclusive, and grown in 1936.
(4) Bromo grass, slender wheat grass, western wheat grass, and legumes or grass mixtures.....	1.50	When seeded on crop land between October 1, 1935, and September 30, 1936, inclusive, and grown in 1936.

Practices	Rate	Conditions
A. Seeding and growing of—Continued (5) Red clover when seeded in the counties of Pembina, Walsh, Grand Forks, Traill, Cass, and Richland.	Per acre \$1.50	When seeded on crop land between October 1, 1935, and September 30, 1936, inclusive, and grown in 1936.
B. Seeding of grasses on sandy land, untilled and uncropped in 1936, in the county of McHenry and such other counties as may be recommended by the State Committee and approved by the Director of the Western Division.	1.50	When weeds are mowed to restrict seed production and the land is seeded to grasses specified in subsection (A) above between August 15, and September 15, 1936, inclusive.
C. Planting and growing of forest trees.	5.00	When planted on crop land between October 1, 1935, and September 30, 1936, inclusive, and grown in 1936.
D. Protection of summer fallow. (1) Strip Cropping.....	1.00	When fallow is plowed or otherwise cultivated in strips or fields not more than 20 rods in width, preferably at right angles to the prevailing wind, and with intervening strips of small-grain stubble or crops in 1936 of approximately equal width. Payment shall be made only on an amount of land used for this practice in 1936 which is in excess of any amount of land used in 1935 for this practice.
(2) Plowless fallowing.....	.50	When plowless fallow is in preparation for the seeding of grasses or legumes or the planting of trees in the spring of 1937 and the surface of the soil is left ridged and rough at all times to check blowing, and the tillage implements used in place of a mold-board plow leave the dead stubble and plant growth distributed on or near the surface. Tillage for both a plowed and plowless fallow must begin not later than June 15, 1936, and must be frequent enough during the balance of the season to prevent weed growth and thus to conserve moisture.

¹ For land in fallow.

No payments will be made for any of the practices listed above unless good seed is used and the practices are carried out in a workmanlike manner in conformity with cultural methods recognized as desirable for the locality. In the event that any labor, seed, or materials used in connection with any of such practices has been furnished free by any municipal, county, state, or Federal agency, payments may be withheld or reduced by an amount equal to the value of the labor, seed, or materials furnished.

A good stand of legumes or grass crops will constitute proof of seeding. However, if a good stand is not obtained because of unfavorable weather conditions or insect infestations, such a proof may be waived and other proofs accepted for designated counties upon recommendation of the State Committee and the approval of the Director of the Western Division.

SECTION 2. Seeding of Grasses or Legumes with Nurse or Companion Crops Harvested for Grain or Hay.—Soil-building payments with respect to the seeding of grasses and legumes at such rates and under such conditions as are specified in Section 1 (a) above will be made if seeded with a nurse or companion crop harvested for grain or hay; *Provided, however,* that such acreage shall not be regarded as devoted to a soil-conserving crop for any purpose whatsoever.

SECTION 3. Soil-building practices which may be substituted for soil-conserving crops.—(a) The acreage upon which the practice described in Section 1 (d) above is carried out may be regarded as devoted to a soil-conserving crop within the meaning of Section 2, Part IV of Western Region Bulletin No. 1, Revised, for the purpose of fulfilling all requirements of said bulletin with respect to soil-conserving crops.

(b) For the county of McHenry and such other counties, or parts of counties, as may be hereafter recommended by the State Committee and approved by the Director of the Western Division, acreage upon which the practice described in Section 1 (b) above is carried out may be regarded as devoted to a soil-conserving crop within the meaning of Section 2, Part IV of Western Region Bulletin No. 1, Revised, for the purpose of fulfilling all requirements of said bulletin with respect to soil-conserving crops.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 27th day of April 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 442—Filed, April 28, 1936; 11:59 a. m.]

WR-B-2-Utah-1

Issued April 27, 1936

1936 AGRICULTURAL CONSERVATION PROGRAM—WESTERN REGION

[Bulletin No. 2—Utah—1]

Pursuant to the authority vested in the Secretary of Agriculture under Section 8 of the Soil Conservation and Domestic Allotment Act, Western Region Bulletin No. 1, Revised, is hereby supplemented with respect to its application to the State of Utah, but not otherwise, as follows:

SECTION 1. Soil Building Practices and Rates of Payment.—In accordance with the provisions of Section 1, Part II, of Western Region Bulletin No. 1, Revised, and subject to the conditions of said bulletin, payment will be made for the carrying out in 1936 of soil building practices in the State of Utah, as follows:

Practices	Rate	Conditions
A. New Seedings:		
(1) <i>Perennial Legumes</i> , including alfalfa, sericea, and white clover.	Per acre \$3.50	When seeded on <i>irrigated</i> crop land between September 16, 1935, and September 15, 1936.
(2) <i>Biennial Legumes</i> , including sweet, red, alsike, and Mammoth clovers.	2.00	When seeded on <i>non-irrigated</i> crop land between September 16, 1935, and September 15, 1936.
(3) <i>Annual Legumes</i> , including bur, sour, and crimson clovers, annual varieties of sweet clover and lespedeza, and seshania.	2.50	When seeded on <i>irrigated</i> crop land between September 16, 1935, and September 15, 1936.
(4) <i>Perennial Grasses</i> , including permanent pasture mixtures.	1.50	When seeded on <i>non-irrigated</i> crop land between September 16, 1935, and September 15, 1936.
(5) <i>Annual Grasses</i> , including permanent pasture mixtures.	1.50	When seeded on <i>irrigated</i> crop land between September 16, 1935, and September 15, 1936.
(6) <i>Perennial Grasses</i> , including permanent pasture mixtures.	3.50	When seeded on <i>irrigated</i> crop land between September 16, 1935, and September 15, 1936.
(7) <i>Annual Grasses</i> , including permanent pasture mixtures.	2.00	When seeded on <i>non-irrigated</i> crop land between September 16, 1935, and September 15, 1936.
B. Green Manure Crops:		
(1) <i>Annual Legumes</i> , including soybeans, cow peas, field beans, and field peas.	2.00	When seeded on <i>crop land or interplanted in orchards and vineyards</i> between January 1, 1936, and September 15, 1936, and plowed under after having attained at least two months' growth.
(2) <i>Winter Cover Crops</i>	2.00	When seeded on <i>crop land or interplanted in orchards and vineyards</i> between September 16, 1935, and December 31, 1935, and plowed under in the spring of 1936.
(3) <i>Summer Cover Crops</i>	2.00	When seeded on <i>crop land or interplanted in orchards and vineyards</i> between January 1, 1936, and September 15, 1936, and plowed under in the summer or fall of 1936.
C. Forest Trees		
(1) <i>Forest Trees</i>	5.00	When planted on <i>crop land</i> between September 16, 1935, and September 15, 1936.
D. Terracing and Gully control		
(1) <i>Terracing and Gully control</i>	5.00	When effected on <i>crop land</i> in accordance with specifications as recommended by the State Committee and approved by the Director of the Western Division.
E. Protected Summer Fallow:		
(1) <i>Contour Cultivation</i>	1.00	When effected on <i>nonirrigated</i> crop land in accordance with specifications as recommended by the State Committee and approved by the Director of the Western Division.
(2) <i>Approved Fallow</i> , including conservation of organic matter and seasonal cultivation.	.50	When effected on <i>irrigated or nonirrigated</i> crop land in accordance with specifications as recommended by the State Committee and approved by the Director of the Western Division.

¹ With respect to the seeding of grasses or legumes previous to January 1, 1936, a good stand of such grasses or legumes at the time of farm inspection shall constitute proof of performance.

Practices	Rate	Conditions
F. <i>Perennial Weed Eradication:</i>	Per acre	When effected on <i>seriously infested plots</i> , location of which is filed with the County Committee before practices are instituted, and when controlled by application of chemicals and periodic cultivation in accordance with the recommendations of the State Experiment Station.
(1) <i>Chemical Treatment</i>	\$19.00	
(2) <i>Periodic Cultivation</i>	5.00	When effected on <i>seriously infested plots</i> , location of which is filed with the County Committee before practices are instituted, and when controlled by periodic cultivation in accordance with the recommendations of the State Experiment Station.

No payments will be made for any of the practices listed above unless good seed is used and the practices are carried out in a workmanlike manner in conformity with cultural methods recognized as desirable for the locality. In the event that any labor, seed, or materials used in connection with any of such practices has been furnished free by any municipal, county, state, or Federal agency, payments may be withheld or reduced by the amount equal to the value of the labor, seed, or materials furnished.

SECTION 2. Seeding of Grasses or Legumes with Nurse or Companion Crops Harvested for Grain or Hay.—Soil building payments with respect to the seeding of grasses and legumes at such rates and under such conditions as are specified in Section 1 above will be made if seeded with a nurse or companion crop harvested for grain or hay: *Provided, however*, that the acreage so seeded shall not be regarded as devoted to a soil conserving crop for any purpose.

SECTION 3. Soil Building Practices Substituted for Soil Conserving Crops.—Crop land upon which the following soil building practices are carried out in 1936 shall be regarded as devoted to a soil conserving crop within the meaning of Section 2, Part IV, of Bulletin No. 1, Revised, for the purpose of fulfilling all requirements of said bulletin with respect to soil conserving crops:

- (a) Terracing and gully control when effected in accordance with the provisions of Section 1D above.
- (b) Protected summer fallow when practiced in accordance with the provisions of Section 1E above.
- (c) Perennial weed eradication practices when effected in accordance with the provisions of Section 1F above.

SECTION 4. Supplemental Soil Depleting Crops.—Crop land devoted to any of the following crops or practices shall be regarded as used for the production of a soil depleting crop within the meaning of Section 1, Part IV of Bulletin No. 1, Revised, notwithstanding the provisions of any other section of said Bulletin.

- (a) Root crops, including mangels, rutabagas, and turnips.
- (b) Summer fallow, excluding clean cultivated orchards and vineyards, except when classified in 1936 in accordance with the provisions of Section 1E above.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 27th day of April 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 443—Filed, April 23, 1936; 11:59 a. m.]

Bureau of Animal Industry.

[Amendment to Regulation 18, B. A. I. Order 211, Revised]

REGULATIONS GOVERNING THE MEAT INSPECTION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE

APRIL 27, 1936.

Under authority conferred by law upon the Secretary of Agriculture, regulation 18 is amended by the addition of a section as hereinafter set out.

This amendment for the purpose of identification is designated as "Amendment 10 to B. A. I. Order 211, Revised", and shall become and be effective on and after September 16, 1936.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

Regulation 18, section 16.—No person shall affix or place, or cause to be affixed or placed, the inspection legend, or any abbreviation, copy, or representation thereof, or the number designating an establishment where Federal meat inspection is maintained, or a statement that any ingredient has been inspected, and passed at an establishment where Federal meat inspection is maintained, to or on any can, pot, tin, canvas, or other receptacle or covering constituting an immediate or true container within the meaning of these regulations, of any dog food, cat food, fox food, and the like, prepared in whole or in part of meat or meat byproduct: *Provided*, that dog food, cat food, fox food, and the like which are prepared, in an establishment where Federal meat inspection is maintained, in whole or in part of meat or meat byproduct, and which are placed in a can, pot, tin, canvas, or other receptacle or covering, may bear a statement in the following form: "The meat or meat byproduct ingredient of this article has been examined and passed under Federal supervision. This article has been prepared in an establishment operating under Federal meat inspection."

When any dog food, cat food, fox food, or like article, is prepared in a part of an official establishment, the sanitation of that part of the establishment shall be supervised by Bureau employees on the same basis as other parts of the establishment.

[F. R. Doc. 441—Filed, April 28, 1936; 11:58 a. m.]

[Amendment 3 to B. A. I. Order 353]

ORDER TO PREVENT THE INTRODUCTION INTO THE UNITED STATES OF RINDERPEST AND FOOT-AND-MOUTH DISEASE

APRIL 27, 1936.

Under authority conferred upon the Secretary of Agriculture by Sec. 306 of the Tariff Act of 1930 (46 Stat. 590, 689), the order to prevent the introduction into the United States of rinderpest or foot-and-mouth disease (B. A. I. Order 353), dated June 1, 1935, and effective August 1, 1935, as amended September 20, 1935, and September 24, 1935, is hereby further amended by striking out the name "Great Britain" from said order as amended, inasmuch as I have determined that foot-and-mouth disease no longer exists in said foreign country of Great Britain, and I have so officially notified the Secretary of the Treasury.

This amendment, which for purpose of identification is designated Amendment 3 to B. A. I. Order 353, shall be effective April 28, 1936.

Done at Washington this 27th day of April, 1936. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

W. R. GREGG,
Acting Secretary of Agriculture.

[F. R. Doc. 445—Filed, April 28, 1936; 11:58 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of April A. D. 1936.

Commissioners: Charles H. March, Chairman; Garland S. Ferguson, Jr., Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 2728]

IN THE MATTER OF AMERICAN CHARACTER DOLL COMPANY, INC.
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony,

It is ordered that Joseph A. Simpson, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered that the taking of testimony in this proceeding begin on Monday, May 4, 1936, at 10:00 o'clock in the forenoon of that day, daylight saving time, at Room 500, 45 Broadway, New York City.

Upon completion of testimony for the Federal Trade Commission, the Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 439—Filed, April 28, 1936; 9:52 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 23rd day of April A. D. 1936.

[Docket No. BMC-F 16]

IN THE MATTER OF THE APPLICATION OF UNION PACIFIC RAILROAD COMPANY; CHICAGO, BURLINGTON & QUINCY RAILROAD COMPANY AND CHARLES P. MEGAN, TRUSTEE OF THE PROPERTY OF CHICAGO AND NORTH WESTERN RAILWAY COMPANY FOR AUTHORITY UNDER SECTION 213, MOTOR CARRIER ACT, 1935, TO ACQUIRE CONTROL OF A MOTOR CARRIER THROUGH OWNERSHIP OF STOCK

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 Robert R. Hendon 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 Robert R. Hendon at 9 o'clock a. m. (standard time), May 14, 1936, at the Paxton Hotel, Omaha, Nebr.;

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. 492—Filed, April 28, 1936; 12:32 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23rd day of April A. D. 1936.

[Docket No. BMC-F 18]

IN THE MATTER OF THE APPLICATION OF THE SOUTHERN KANSAS STAGE LINES COMPANY FOR AUTHORITY, UNDER SECTION 213, MOTOR CARRIER ACT, 1935, TO ACQUIRE CONTROL OF WESTERN TRANSIT COMPANY BY PURCHASE OF CAPITAL STOCK

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 Robert R. Hendon 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 Robert R. Hendon at 9 o'clock a. m. (standard time), May 18, 1936, at the State Corporation Commission Building, Topeka, Kans.;

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. 493—Filed, April 28, 1936; 12:32 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23rd day of April A. D. 1936.

[Docket No. BMC-F 19]

IN THE MATTER OF THE APPLICATION OF THE SOUTHERN KANSAS STAGE LINES COMPANY FOR AUTHORITY, UNDER SECTION 213, MOTOR CARRIER ACT, 1935, TO PURCHASE THE PROPERTIES OF R. E. ESTEP, DOING BUSINESS UNDER THE NAME OF SILVER STAR, STAGES

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 Robert R. Hendon, 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 Robert R. Hendon, at 9 o'clock a. m. (standard time), May 18, 1936, at the State Corporation Commission Building, Topeka, Kans.;

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. 494—Filed, April 28, 1936; 12:32 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23rd day of April A. D. 1936.

[Docket No. BMC-F 20]

IN THE MATTER OF THE APPLICATION OF THE SOUTHERN KANSAS STAGE LINES COMPANY FOR AUTHORITY, UNDER SECTION 213, MOTOR CARRIER ACT, 1935, TO PURCHASE THE PROPERTIES OF O. C. QUESENBERRY, DOING BUSINESS UNDER NAME OF CENTRAL KANSAS BUS LINE

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 Robert R. Hendon 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 Robert R. Hendon at 9 o'clock a. m. (standard time), May 18, 1936, at the State Corporation Commission Building, Topeka, Kans.;

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. 495—Filed, April 28, 1936; 12:33 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23rd day of April A. D. 1936.

[Docket No. BMC-F 21]

IN THE MATTER OF THE APPLICATION OF SOONER DISTRIBUTING COMPANY, INC., FOR AUTHORITY, UNDER SECTION 213, MOTOR CARRIER ACT, 1935, TO PURCHASE CERTIFICATE OF CONVENIENCE AND NECESSITY FROM MOTORWAY FREIGHT LINES

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 John S. Higgins 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 John S. Higgins at 9 o'clock a. m. (standard time), May 18, 1936, at the Baker Hotel, Dallas, Tex.;

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. 496—Filed, April 28, 1936; 12:33 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23rd day of April A. D. 1936.

[Docket No. BMC-F 22]

IN THE MATTER OF THE APPLICATION OF THE SOUTHERN KANSAS STAGE LINES COMPANY FOR AUTHORITY, UNDER SECTION 213, MOTOR CARRIER ACT, 1935, TO PURCHASE THE PROPERTIES OF L. W. SCHAEFFER, DOING BUSINESS UNDER NAME OF TOPEKA-LIPIORIA TRUCK LINE

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 Robert R. Hendon, 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 Robert R. Hendon at 9 o'clock a. m. (standard time), May 18, 1936, at the State Corporation Commission Building, Topeka, Kans.;

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. 497—Filed, April 28, 1936; 12:33 p. m.]

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 23rd day of April A. D. 1936.

[Docket No. BMC-F 23]

IN THE MATTER OF THE APPLICATION OF THE SOUTHERN KANSAS STAGE LINES COMPANY FOR AUTHORITY, UNDER SECTION 213, MOTOR CARRIER ACT, 1935, TO PURCHASE THE PROPERTIES OF A. N. WEAVER, DOING BUSINESS UNDER NAME OF WEAVER TRUCK LINES

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 Robert R. Hendon 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 Robert R. Hendon at 9 o'clock a. m. (standard time), May 18, 1936, at the State Corporation Commission Building, Topeka, Kans.;

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. 498—Filed, April 28, 1936; 12:34 p. m.]

NOTICE

IN THE MATTER OF SECURITY FOR THE PROTECTION OF THE PUBLIC AS PROVIDED IN SECTION 215, OF THE MOTOR CARRIER ACT, 1935, AND OF RULES AND REGULATIONS GOVERNING THE FILING AND APPROVAL OF SURETY BONDS, POLICIES OF INSURANCE, QUALIFICATIONS AS A SELF-INSURER, OR OTHER SECURITIES, AND AGREEMENTS BY MOTOR CARRIERS AND BROKERS SUBJECT TO THE MOTOR CARRIER ACT, 1935

APRIL 23, 1936.

The above-entitled matter is assigned for further hearing on May 12, 1936, at 10 o'clock a. m. (standard time) at the office of the Interstate Commerce Commission, Washington, D. C., before division 5.

This hearing will be for the purpose of receiving further evidence in regard to this matter, including information as to claim payments being prepared by certain insurance companies and agents, and by certain operators, at the request of the Bureau of Motor Carriers. Any party desiring to present further evidence should promptly communicate with the Bureau of Motor Carriers, indicating the approximate amount of time which will be necessary for the presentation of such evidence. Parties should refrain from requesting time in which to present evidence which is merely cumulative.

Immediately following the taking of this further evidence, opportunity will be given for oral argument. Parties desiring to present oral argument should make request in writing and indicate the amount of time desired. If any party desires to file a brief in this matter such brief should be filed not later than May 12, 1936, but an opportunity will be afforded, if desired, for the subsequent filing of a supplemental brief covering the evidence submitted on that date.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 437—Filed, April 27, 1936; 2:31 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of April A. D. 1936.

Commissioners: James M. Landis, Chairman; George C. Mathews, Robert E. Healy, J. D. Ross, William O. Douglas.

[File No. 36-17]

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

An application having been duly filed with this Commission, by Public Service Company of New Hampshire, pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935.

It is ordered, that the matter be set down for hearing on May 11, 1936, at ten o'clock in the forenoon of that day, at Room 726-C, Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C.; and

It is further ordered, that Robert P. Reeder, an officer of the Commission, be and he hereby is designated to preside at such hearing, and authorized to adjourn said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that any interested state, state commission, state securities commission, municipality, or other political subdivision of a state, or any representative of interested consumers or security holders, or any other person desiring to be admitted as a party in this proceeding or to offer evidence in this matter, shall give notice of such inten-

tion to the Commission, such notice to be received by the Commission not later than May 6, 1936.

Upon the completion of the taking of testimony in this matter, the officer conducting said hearing is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 446—Filed, April 28, 1936; 12:07 p. m.]

Thursday, April 30, 1936

No. 34

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4638]

COMPENSATING TAX UNDER AGRICULTURAL ADJUSTMENT ACT, AS AMENDED

TREASURY DECISION 4501, APPROVED DECEMBER 4, 1934, AMENDING CHAPTER IV OF REGULATIONS 81, REVOKED

To Collectors of Internal Revenue, Collectors of Customs and Others Concerned.

Treasury Decision 4501, approved December 4, 1934, which amended Chapter IV of Regulations 81, relating to the collection of compensating taxes under section 15 (e) of the Agricultural Adjustment Act, as amended, is hereby revoked.

This Treasury Decision is promulgated under authority of section 10 (d) of the Agricultural Adjustment Act, as amended.

[SEAL]

GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, Apr. 25, 1936.

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 503—Filed, April 28, 1936; 3:46 p. m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[Special Order No. 28-F]

AN ORDER APPROVING MINIMUM PRICES FOR DISTRICT NO. 8 FOR PURPOSES OF COORDINATION ONLY

The Commission having on March 2, 1936, issued its Special Order No. 28 directing, among other things, the establishment and submission to it of minimum prices in each District of Minimum Price Area No. 1 by the District Board therefor, and the District Board for District No. 8 having, in compliance therewith, established minimum prices for said District on March 12, 1936 and submitted said prices to the Commission on March 17, 1936, and the Commission having considered said prices and the data upon which they were computed, and being fully advised in the premises;

Now, therefore, pursuant to authority vested in it by the Bituminous Coal Conservation Act of 1935; the Commission hereby finds that the said minimum prices, as so established and submitted, and as hereinafter modified; (1) will yield a return per net ton of bituminous coal produced in said District which is as nearly equal as can be, within the requirements of said Act, to \$2.07, such sum being the weighted average of the total costs per net ton of the tonnage of said Minimum Price Area as determined by the Commission in its Special Order No. 27 issued February 20, 1936; (2) reflect, as nearly as possible, the relative-market value of the various kinds, qualities, and sizes of coals; (3) are just and equitable as between producers within said District; (4) have due regard to the interests of the consuming public; and (5) will not permit dumping, and orders as follows:

1. The said minimum prices established on March 12, 1936, and submitted to the Commission on March 17, 1936, by said District Board for District No. 8 be, and they are hereby, modified to the effect that said prices become as set out in

