

Wednesday, May 6, 1936

No. 38

TREASURY DEPARTMENT.

Federal Alcohol Administration.

ORDER

ADOPTION OF OFFICIAL SEAL

Pursuant to Sub-section (c), Section 2, Federal Alcohol Administration Act, I do hereby adopt an official seal for the Administrator which shall be judicially noticed, as provided by said section, and be the seal of the Administrator, as provided by said section.

The seal shall consist of a regular circular embossed seal an inch and one-half in diameter with the letters "FAA" in capitals across the center and beneath said letters the word "SEAL", and around the border the words "FEDERAL ALCOHOL ADMINISTRATION, WASHINGTON."

Adopted this 30 day of April A. D. 1936.

[SEAL]

W. S. ALEXANDER, *Administrator.*

[F. R. Doc. 577—Filed, May 5, 1936; 12:58 p. m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[Special Order No. 34]

AN ORDER DETERMINING THE WEIGHTED AVERAGE OF THE TOTAL COSTS FOR MINIMUM PRICE AREA NO. 9

Upon consideration of the determination of the District Board for District No. 23 constituting Minimum Price Area No. 9, as defined in the Act, of the weighted average of the total costs of the ascertainable tonnage produced in said District for the calendar year 1934, together with the computations upon which said determination was based, as filed with the Commission pursuant to Special Order No. 6-e, entered December 20, 1935, and in accordance with Section 4, Part II (a) of the Act, and upon consideration of the report of its Division of Statistics upon said determination, entered in Docket No. 23-9-1, March 17, 1936:

Now, therefore, pursuant to authority vested in it by the Bituminous Coal Conservation Act of 1935, the Commission hereby orders as follows:

1. That the said report of the Division of Statistics, including each of the conclusions and recommendations therein contained, be, and it is hereby, adopted by the Commission.

2. That the weighted average of the total costs of the tonnage for Minimum Price Area No. 9 in the calendar year 1934 be, and it is hereby, determined to be the sum of Three Dollars and Twelve Cents (\$3.12) per net ton.

3. That the Secretary of the Commission shall immediately transmit a copy of this Order to the District Board for District No. 23.

4. That the Secretary of the Commission shall keep the weighted average figures of total costs determined herein available to the public at all reasonable times.

Dated this 4th day of May 1936.

NATIONAL BITUMINOUS COAL COMMISSION,
By C. F. HOSFORD, Jr., *Chairman.*

[F. R. Doc. 571—Filed, May 5, 1936; 11:47 a. m.]

[Special Order No. 35]

AN ORDER REQUIRING DISTRICT BOARD FOR DISTRICT INCLUDED IN MINIMUM PRICE AREA NO. 9 TO SUBMIT SCHEDULE OF MINIMUM PRICES

The District Board for District No. 23, constituting Minimum Price Area No. 9, as defined in the Act, having filed with the Commission the determination of the weighted average of the total costs of the ascertainable tonnage pro-

duced in its District for the calendar year 1934, together with the computations upon which said determination was based, pursuant to Special Order No. 6-e of the Commission, entered December 20, 1935, and in accordance with Section 4, Part II (a) of the Act, and the Commission thereupon by its Special Order No. 34 having determined the weighted average of the total costs of the tonnage for said Minimum Price Area No. 9 in the calendar year 1934, adjusted as required by the Act, to be the sum of Three Dollars and Twelve Cents (\$3.12) per net ton:

Now, therefore, pursuant to authority vested in it by the Bituminous Coal Conservation Act of 1935, the Commission hereby orders as follows:

1. The District Board for said District No. 23 shall forthwith proceed, in accordance with the provisions of Section 4, Part II (a) of the Act, to establish minimum prices for its District based on said weighted average of the total costs for Minimum Price Area No. 9, and shall, within fifteen (15) days of the date of this Order, submit to the Commission a schedule of such minimum prices, together with the data upon which they are computed, including, but without limitation, the factors considered in determining the price relationship.

2. That said District Board shall prepare and submit with its schedule of minimum prices next hereinabove required a statement setting forth estimates of the tonnages reasonably expected to be sold under each of the price brackets in the said schedule of minimum prices. Said estimates of tonnages shall be based upon the experience of the District during the calendar year 1934.

3. In the event said District Board shall fail to propose minimum prices, as required in this Order, the Commission, in its discretion, may proceed without further notice to establish minimum prices for application to all Code members in such District in marketing coals produced by them.

4. The Secretary of the Commission shall immediately transmit a copy of this Order to the District Board for District No. 23 and said District Board shall, upon receipt thereof, prepare and transmit copies of this Order to all Code members subject to its jurisdiction, and shall file with the Commission proof of such distribution, by affidavit on or before the 11th day of May 1936.

Dated this 4th day of May 1936.

NATIONAL BITUMINOUS COAL COMMISSION,
By C. F. HOSFORD, Jr., *Chairman.*

[F. R. Doc. 572—Filed, May 5, 1936; 11:47 a. m.]

[Special Order No. 36]

AN ORDER DETERMINING THE WEIGHTED AVERAGE OF THE TOTAL COSTS FOR MINIMUM PRICE AREA NO. 4

Upon consideration of the determination of the District Board for District No. 15 constituting Minimum Price Area No. 4, as defined in the Act, of the weighted average of the total costs of the ascertainable tonnage produced in said District for the calendar year 1934, together with the computations upon which said determination was based, as filed with the Commission pursuant to Special Order No. 6-s, entered December 30, 1935, and in accordance with Section 4, Part II (a) of the Act, and upon consideration of the report of its Division of Statistics upon said determination, entered in Docket No. 15-9-1, April 15, 1936:

Now, therefore, pursuant to authority vested in it by the Bituminous Coal Conservation Act of 1935, the Commission hereby orders as follows:

1. That the said report of the Division of Statistics, including each of the conclusions and recommendations therein contained, be, and it is hereby, adopted by the Commission.

2. That the weighted average of the total costs of the tonnage for Minimum Price Area No. 4 in the calendar year 1934 be, and it is hereby, determined to be the sum of Two Dollars and Seventeen Cents (\$2.17) per net ton.

3. That the Secretary of the Commission shall immediately transmit a copy of this Order to the District Board for District No. 15.

4. That the Secretary of the Commission shall keep the weighted average figures of total costs determined herein available to the public at all reasonable times.

Dated this 4th day of May 1936.

NATIONAL BITUMINOUS COAL COMMISSION,
By C. F. HOSFORD, Jr., Chairman.

[F. R. Doc. 573—Filed, May 5, 1936; 11:48 a. m.]

[Special Order No. 37]

AN ORDER REQUIRING DISTRICT BOARD FOR DISTRICT INCLUDED IN MINIMUM PRICE AREA No. 4 TO SUBMIT SCHEDULE OF MINIMUM PRICES

The District Board for District No. 15, constituting Minimum Price Area No. 4, as defined in the Act, having filed with the Commission the determination of the weighted average of the total costs of the ascertainable tonnage produced in its District for the calendar year 1934, together with the computations upon which said determination was based, pursuant to Special Order No. 6-s of the Commission, entered December 30, 1935, and in accordance with Section 4, Part II (a) of the Act, and the Commission thereupon by its Special Order No. 36 having determined the weighted average of the total costs of the tonnage for said Minimum Price Area No. 4 in the calendar year 1934, adjusted as required by the Act, to be the sum of Two Dollars and Seventeen Cents (\$2.17) per net ton:

Now, therefore, pursuant to authority vested in it by the Bituminous Coal Conservation Act of 1935, the Commission hereby orders as follows:

1. The District Board for said District No. 15 shall forthwith proceed, in accordance with the provisions of Section 4, Part II (a) of the Act, to establish minimum prices for its District based on said weighted average of the total costs for Minimum Price Area No. 4, and shall, within fifteen (15) days of the date of this Order, submit to the Commission a schedule of such minimum prices, together with the data upon which they are computed, including, but without limitation, the factors considered in determining the price relationship.

2. That said District Board shall prepare and submit with its schedule of minimum prices next heremabov required a statement setting forth estimates of the tonnages reasonably expected to be sold under each of the price brackets in the said schedule of minimum prices. Said estimates of tonnages shall be based upon the experience of the District during the calendar year 1934.

3. In the event said District Board shall fail to propose minimum prices, as required in this Order, the Commission, in its discretion, may proceed without further notice to establish minimum prices for application to all Code members in such District in marketing coals produced by them.

4. The Secretary of the Commission shall immediately transmit a copy of this Order to the District Board for District No. 15 and said District Board shall, upon receipt thereof, prepare and transmit copies of this Order to all Code members subject to its jurisdiction, and shall file with the Commission proof of such distribution, by affidavit on or before the 11th day of May 1936.

Dated this 4th day of May 1936.

NATIONAL BITUMINOUS COAL COMMISSION,
By C. F. HOSFORD, Jr., Chairman.

[F. R. Doc. 574—Filed, May 5, 1936; 11:48 a. m.]

DEPARTMENT OF AGRICULTURE,

Agricultural Adjustment Administration.

ORDER REGULATING THE HANDLING OF CITRUS FRUIT GROWN IN THE STATE OF FLORIDA.

Whereas, it is provided in Section 8c of the Agricultural Adjustment Act, approved May 12, 1933, as amended (hereafter called the act) as follows:

(1) The Secretary of Agriculture shall, subject to the provisions of this section, issue, and from time to time amend, orders applicable to processors, associations of producers, and others engaged in the handling of any agricultural commodity or product thereof specified in subsection (2) of this section. Such persons are referred to in this title as "handlers." Such orders shall regulate, in the manner hereinafter in this section provided, only such handling of such agricultural commodity, or product thereof, as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects, interstate or foreign commerce in such commodity or product thereof.

and

Whereas, the Secretary of Agriculture having had reason to believe that the issuance of an order would tend to effectuate the applicable provisions of the declared policy of title I of the act with respect to citrus fruit grown in the State of Florida by establishing and maintaining such marketing conditions as would reestablish prices to producers at a level that will give agricultural commodities a purchasing power with respect to articles that producers buy, equivalent to the purchasing power of agricultural commodities in the base period, at the same time protecting the interest of the consumer by (a) approaching the level of prices which it is declared to be the policy of Congress to establish in subsection (1) of section 2 of title I of the act by a gradual correction of the current level of prices at as rapid a rate as the Secretary of Agriculture deems to be in the public interest and feasible in view of the current consumptive demand in domestic and foreign markets, and by (b) authorizing no action which has for its purpose the maintenance of prices to producers above the level which it is declared to be the policy of Congress to establish in the said subsection (1) of section 2 of title I of this act, gave notice on February 12, 1936, of a hearing to be held in Lakeland, Florida, on February 27, 1936, on a proposed order regulating the handling of citrus fruit grown in the State of Florida, and upon said date and at said place conducted a public hearing thereon, giving due opportunity to all interested parties to be heard concerning the said proposed order and

Whereas, the Secretary of Agriculture has found and proclaimed that the purchasing power of tangerines grown in the State of Florida during the period August 1909-July 1914 could not be satisfactorily determined from available statistics of the Department of Agriculture, but that the purchasing power of said tangerines could be satisfactorily determined from available statistics of the Department of Agriculture for the period October 1924-May 1929, which period, October 1924-May 1929, was declared to be the base period to be used in connection with this order in determining the purchasing power of said tangerines; and

Whereas, The Secretary of Agriculture finds upon the evidence introduced at the said hearing and the record thereof:

1. That during the two seasons, 1933-34 and 1934-35, of the citrus fruit produced in the State of Florida, over 90 percent of the oranges, over 87 percent of the tangerines, and over 63 percent of the grapefruit were shipped in the current of interstate and foreign commerce, and that the shipment of such citrus fruit is in the current of interstate and foreign commerce and directly burdens, obstructs, and affects interstate and foreign commerce;

2. That, on the basis of conditions existing at the time of said hearing, in order for oranges grown in the State of Florida to have a purchasing power during the September 1935-August 1936 season with respect to articles that producers buy that would be equivalent to the average purchasing power of said oranges during the base period August 1909-July 1914, the average farm price of said oranges would have to be \$2.14 per box; whereas the average farm price for the first five months of the September 1935-August 1936 season was \$1.46 per box;

3. That, on the basis of conditions existing at the time of said hearing, in order for grapefruit grown in the State of Florida to have a purchasing power during the September 1935-August 1936 season with respect to articles that producers buy that would be equivalent to the average purchasing power of said grapefruit during the base period August 1909-July 1914, the average farm price of said grape-

fruit would have to be \$2.68 per box; whereas the average farm price for the first five months of the September 1935–August 1936 season was \$1.29 per box;

4. That, on the basis of conditions existing at the time of said hearing, in order for tangerines grown in the State of Florida to have a purchasing power during the September 1935–August 1936 season with respect to articles that producers buy that would be equivalent to the average purchasing power of said tangerines during the base period October 1924–May 1929, inclusive, the average farm price of said tangerines would have to be \$2.70 per box; whereas the average farm price for tangerines for the five months September 1935–January 1936, inclusive, was \$1.69 per box;

5. That the average farm price per box of oranges grown in the State of Florida was 92 percent during the September 1931–August 1932 season; 69 percent during the September 1932–August 1933 season; 70 percent during the September 1933–August 1934 season; and during the September 1934–August 1935 season, 59 percent of the purchasing power of said oranges during the base period August 1909–July 1914;

6. That the average farm price per box of grapefruit grown in the State of Florida was 54 percent during the September 1931–August 1932 season; 41 percent during the September 1932–August 1933 season; 44 percent during the September 1933–August 1934 season; and during the September 1934–August 1935 season, 32 percent of the purchasing power of said grapefruit during the base period August 1909–July 1914;

7. That the average farm price per box of tangerines grown in the State of Florida was 58 percent during the marketing season beginning September 1, 1931; 51 percent during the marketing season beginning September 1, 1932; 52 percent during the marketing season beginning September 1, 1933; and during the marketing season beginning September 1, 1934, 46 percent of the purchasing power of said tangerines during the base period October 1924–May 1929;

8. That the production of oranges (including tangerines) grown in the State of Florida was 14,220,000 boxes in the 1931–32 season, 16,200,000 boxes in the 1932–33 season, 18,100,000 boxes in the 1933–34 season, and 17,600,000 boxes in the 1934–35 season, as compared with an average season production of oranges grown in the said State in the five-year period 1925–26 to 1929–30, inclusive, of 11,441,800 boxes; and at the time of said hearing the production for the 1935–36 season was estimated at 16,000,000 boxes;

9. That the production of grapefruit grown in the State of Florida was 10,786,000 boxes in the 1931–32 season, 11,800,000 boxes in the 1932–33 season, 10,700,000 boxes in the 1933–34 season, and 15,200,000 boxes in the 1934–35 season, as compared with an average season production of grapefruit grown in the said State in the five-year period 1925–26 to 1929–30, inclusive, of 3,951,000 boxes; and at the time of said hearing the production for the 1935–36 season was estimated at 10,500,000 boxes;

10. That the production of oranges grown in other areas in the United States competing with oranges grown in the State of Florida increased from an average of 27,636,800 boxes during the five seasons 1925–26 to 1929–30, inclusive, to 35,944,000 boxes in the 1931–32 season, 35,168,000 boxes in the 1932–33 season, 29,189,000 boxes in the 1933–34 season, 47,337,000 boxes in the 1934–35 season, and at the time of said hearing the production for the 1935–36 season was estimated at 35,526,000 boxes;

11. That the production of grapefruit grown in other areas in the United States competing with grapefruit grown in the State of Florida increased from an average of 1,670,800 boxes per season during the five crop years 1925–26 to 1929–30, inclusive, to 4,361,000 boxes in the 1931–32 season, 3,349,000 boxes in the 1932–33 season, 3,543,000 boxes in the 1933–34 season, 6,157,000 boxes in the 1934–35 season, and at the time of said hearing production for the 1935–36 season was estimated at 7,640,000 boxes;

12. That the existence in all producing areas in the United States of a large number of orange, grapefruit, and tangerine trees which have not as yet come into bearing and trees

which have not as yet reached full bearing age indicates that the marked upward trend in the production of oranges, tangerines, and grapefruit that has taken place in all producing areas in the past 15 years can be expected to continue at approximately the same rate for at least another 5 years;

13. That the aforesaid relatively low level of orange, grapefruit, and tangerine prices has resulted primarily from the increased production and marketing of oranges, grapefruit, and tangerines and the low level of consumers' income;

14. That the lack of regulation of shipments of said oranges, grapefruit, and tangerines from week to week and for the entire season has been an important factor contributing toward unstable market conditions for said commodities and consequent depressed prices to producers;

15. That the regulation of the shipment of said oranges, grapefruit, and tangerines from week to week, as prescribed by this order, will serve to prevent marked fluctuations in prices to producers, and establish and maintain a more stabilized market for said commodities, tending to restore prices to producers of said commodities to a level having a purchasing power with respect to articles that producers buy equivalent to the purchasing power of said commodities in their respective base periods;

16. That limiting the quantity of certain grades or sizes of said oranges, grapefruit, and tangerines, that may be shipped, as provided in the order, will tend to restore prices to producers of said commodities to a level having a purchasing power with respect to articles that producers buy equivalent to the purchasing power of said commodities in their respective base periods;

17. That the methods of prorating the shipments among handlers, as provided in this order, are fair and equitable;

18. That the order is limited in its application to the smallest regional production area that is practicable and consistent to carry out the applicable provisions of the declared policy of title I of the act, and that the issuance of several orders applicable to any subdivision of the regional area covered by this order would not effectively carry out the applicable provisions of the declared policy of said title I;

19. That the continental United States and Canada comprise a unified marketing area for said oranges, grapefruit, and tangerines, and that the issuance of several orders applicable to regional marketing areas would not effectively carry out the applicable provisions of the declared policy of said title I;

20. That the methods provided by the order for the levying of assessments based upon the quantity of citrus fruit shipped and the rates set forth therein are fair and reasonable;

21. That the interest of the consumer is protected by reason of the fact that the order is designed to operate so as to bring about the approach to the level of prices which it is declared to be the policy of Congress to establish by securing a gradual correction of the current level of prices at as rapid a rate as the Secretary of Agriculture deems to be in the public interest and feasible in view of the current consumptive demand in the domestic and foreign markets, and by reason of the fact that the order authorizes no action which has for its purpose the maintenance of prices to producers above the level of prices which it is declared to be the policy of Congress to establish in subsection 1 of section 2 of said title I;

22. That this order and all the terms and conditions thereof will tend to effectuate the applicable provisions of the declared policy of title I of the act with respect to citrus fruit grown in the State of Florida by establishing and maintaining such marketing conditions as would reestablish prices to producers at a level that will give agricultural commodities a purchasing power with respect to articles that producers buy, equivalent to the purchasing power of agricultural commodities in the base period, at the same time protecting the interest of the consumer by (a) approaching the level of prices which it is declared to be the policy of Congress to establish in subsection (1) of section

2 of title I of the act by a gradual correction of the current level of prices at as rapid a rate as the Secretary of Agriculture deems to be in the public interest and feasible in view of the current consumptive demand in domestic and foreign markets, and by (b) authorizing no action which has for its purpose the maintenance of prices to producers above the level which it is declared to be the policy of Congress to establish in the said subsection (1) of section 2 of title I of this act; and

Whereas the Secretary of Agriculture finds:

1. That the Secretary of Agriculture on May 4, 1936, executed a marketing agreement regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, the parties signatory to which are shippers who during the shipping season 1934-35 handled more than 50 percent of the volume of each of the said fruit which was marketed during the same season in the current of interstate commerce in the continental United States and which was shipped to Canada; and

2. That this order regulates the handling of the said oranges, grapefruit, and tangerines in the same manner as the aforesaid marketing agreement does, and is made applicable only to persons in the respective classes of industrial and commercial activities, which are specified in the aforesaid marketing agreement; and

Whereas the Secretary of Agriculture further finds and determines that the issuance of this order is favored by producers who during the season 1934-35, which is hereby determined to be a representative period, have produced within the State of Florida for market at least two-thirds of the volume of oranges, grapefruit, and tangerines, respectively, produced within the State of Florida for market;

Now, therefore, it is ordered by the Secretary of Agriculture, acting under the authority vested in him as aforesaid, that the handling of the said oranges, grapefruit, and tangerines in the current of interstate and foreign commerce, or so as directly to burden, obstruct, or affect interstate or foreign commerce in such oranges, grapefruit, and tangerines, from and after the date herein specified, shall be in conformity to and in compliance with the terms and conditions of this order.

ARTICLE I. DEFINITIONS

SECTION 1. As used in this order, the following terms have the following meanings:

1. "Secretary" means the Secretary of Agriculture of the United States of America.

2. "Act" means the Agricultural Adjustment Act, approved May 12, 1933, as amended.

3. "Person" means individual, partnership, corporation, association, and any other business unit.

4. "Citrus fruit" or "fruit" means and includes only the following fruit grown in the State of Florida: Citrus Sinensis, Osbeck, commonly called oranges (including Temple oranges), Citrus Grandis, Osbeck, commonly called grapefruit, and Citrus Nobilis, Deliciosa, commonly called tangerines, and their several respective varieties.

5. "Varieties" as used herein means classifications or groupings of citrus fruit as follows: (a) early and midseason oranges, commonly called round oranges, and including all varieties, except valencias, Leu Gim Gongs, and similar late maturing oranges of the valencia type; (b) valencias, or late valencias, Leu Gim Gongs, or other oranges of the valencia type; (c) grapefruit; and (d) tangerines.

6. "Handler" means any person who ships fruit, or causes fruit to be shipped, in the current of interstate and/or foreign commerce, or so as directly to burden, obstruct, or affect interstate and/or foreign commerce.

7. "Producer" means any person engaged in the production of citrus fruit in Florida for commercial purposes, or who is a substantial stockholder in a corporation engaged in the production of citrus fruit in Florida for commercial purposes.

8. "Interstate commerce" means transactions involving the sale and/or transportation for sale of fruit from Florida to any point outside of Florida in continental United States.

9. "Foreign commerce" means transactions involving the sale and/or transportation for sale of fruit from Florida to Canada, and does not include sale or transportation of fruit for sale to any foreign country or territory other than Canada.

10. "Ship" means to convey fresh fruit, or cause fresh fruit to be conveyed, in the current of interstate and/or foreign commerce, by rail, truck, boat, or any other means whatsoever (except by express or parcel post), whether as owner, agent, or otherwise, but not as a common carrier of fruit owned by another person.

11. "Shipment" shall be deemed to take place when fresh fruit is loaded into a car, or other conveyance, for transportation in the current of interstate and/or foreign commerce.

12. "Standard packed box" means a unit of measure equivalent to one and three-fifths (1 $\frac{3}{5}$) U. S. bushels of fruit, whether in bulk or in any container.

ARTICLE II. CONTROL COMMITTEE

SECTION 1. *Membership and Organization.*—1. A Control Committee is hereby established consisting of eleven (11) members who shall be the persons who, from time to time, comprise the Florida Citrus Commission as created under Chapter 16854, Laws of Florida, Acts of 1935: *Provided, however,* That the persons who shall comprise the Florida Citrus Commission on May 31, 1937, on which date the said Commission will cease to exist by operation of law, shall be and remain the members of the Control Committee until the termination of this order.

2. Subject to the provisions of subsection 1 of section 1 of this article, the term of office of each member of the Control Committee shall begin at the time that this order becomes effective and shall terminate on the date of the termination of this order or on the date when such member ceases to be a member of the Florida Citrus Commission if such latter date falls within the life of this order.

3. Seven (7) members of the Control Committee shall be necessary to constitute a quorum; but the affirmative vote of not less than six (6) members of the Control Committee shall be required for any act to be an act of the Control Committee.

4. The members of the Control Committee shall serve without compensation, but shall be reimbursed for expenses necessarily incurred by them in the performance of their duties.

Sec. 2. *Powers.*—The Control Committee shall have power:

(a) To administer, as hereinafter specifically provided, the terms and provisions hereof.

(b) To make, in accordance with the provisions herein-after contained, administrative rules and regulations.

(c) To receive, investigate, and report to the Secretary complaints of violations of this order.

(d) To recommend to the Secretary amendments to this order.

Sec. 3. *Duties.*—It shall be the duty of the Control Committee:

(a) To keep minute books and records which shall clearly reflect all of its acts and transactions, which minute books and records shall at all times be subject to the examination of the Secretary.

(b) To act as intermediary between the Secretary, the handlers, and the producers.

(c) To furnish the Secretary with such information as he may request.

(d) To appoint such employees as it may deem necessary and to determine the salaries and define the duties of any such employees.

(e) To perform such duties in connection with the administration of Section 32 of the Act to Amend the Agricultural Adjustment Act, and for other purposes, Public, No. 320, approved by the President on August 24, 1935, as amended, as may from time to time be assigned to it by the Secretary.

ARTICLE III. EXPENSES AND ASSESSMENTS

SECTION 1. *Expenses and Assessments.*—1. The Control Committee is authorized to incur such expenses as the Sec-

retary finds may be necessary to carry out the functions of the said committee under this order. The funds to cover such expenses shall be acquired by the levying of assessments as hereinafter provided.

2. During the period beginning on the date this order becomes effective, and ending on the date of the termination of this order, every handler shall pay at such time as the Control Committee shall determine one-half ($\frac{1}{2}$) cent per standard packed box on all such boxes shipped by every such handler up to September 1, 1936, and one-quarter ($\frac{1}{4}$) cent per standard packed box on all such boxes shipped by every such handler on and after September 1, 1936: *Provided, however,* That if the Secretary shall find at any time between the effective date of this order and its termination that the rate of assessment fixed by this subsection will result in the collection of a sum greater or smaller than the expenses that will necessarily be incurred by the said Control Committee, he shall decrease or increase such rate of assessment, during the remainder of the period prior to the termination of this order, so that the funds received from the collection of such assessments will more nearly equal such expenses.

3. Upon the termination of this order, the Control Committee shall refund to each contributing handler the excess of the amount paid by such handler above his pro rata share (determined as provided by subsection 4 of this section) of the expenses, or debit each handler with the difference between his pro rata share and the amount paid by any such handler, if such amount is less than his pro rata share. Any such debit shall become due and payable upon the demand of the said committee. Nothing stated in this subsection shall be deemed to preclude the bringing of a suit for assessments levied by the Control Committee at any time prior to the termination of this order.

4. Every handler's share of expenses incurred by the committee, pursuant to the provisions of this order, up to September 1, 1936, shall be that proportion thereof which during the period beginning on the date this order becomes effective and ending August 31, 1936, inclusive, the total number of standard packed boxes shipped by such handler during such period is of the total number of standard packed boxes shipped by all handlers during the same period. Every handler's share of expenses incurred by the committee, pursuant to the provisions of this order, beginning on September 1, 1936, and ending on the date of the termination of this order, shall be that proportion thereof which the total number of standard packed boxes shipped by such handler during such period is of the total number of standard packed boxes shipped by all handlers during the same period.

ARTICLE IV. REGULATION OF SHIPMENTS

SECTION 1. Determination of Period Regulations and Weekly Shipments.—1. It shall be the duty of the Control Committee to investigate demand and supply conditions with respect to fruit. The Control Committee shall, from time to time, recommend to the Secretary the establishment of a weekly regulation period or series of weekly regulation periods, as well as the time of commencement, duration, and termination thereof. Such recommendation shall be made at a meeting of the Control Committee held at least forty-eight (48) hours prior to the commencement of such recommended weekly regulation period or series of weekly regulation periods. The Control Committee shall give notice of its intention to meet to consider such recommendation by publishing the same in a daily newspaper published in the principal place of business of the Control Committee and in two or more other daily newspapers of general circulation selected by it.

2. If upon the basis of such recommendation, or other information available to the Secretary, the Secretary shall find that to establish a particular weekly regulation period or series of weekly regulation periods will tend to effectuate the declared policy of title I of the act, he shall establish such weekly regulation period or series of weekly regulation periods, and he shall notify the Control Committee of

the establishment thereof, as well as of the time of commencement, duration, and termination thereof.

3. For each weekly regulation period the Control Committee shall find and determine the quantity of each variety of fruit deemed by it advisable to be shipped and to be prorated in view of the prospective effective demand in the market areas. In making such determination, the committee shall give due consideration to the following factors: (1) current market prices, (2) fruit on hand in the market areas, as evidenced by supplies in storage, enroute to, and/or on track at, the principal markets, (3) available supply and condition of fruit in the producing areas, (4) supplies from competitive areas producing citrus fruit and other competitive fruit, and (5) trend in consumer income. The committee shall promptly report the finding and determination so made to the Secretary. Notice of each meeting held for the purpose of determining the weekly quantity to be shipped shall be published, not less than twenty-four (24) hours prior to the time set for such meeting, in a newspaper or newspapers of general circulation, selected by the committee.

SEC. 2. Application for Allotment Base and Allotments.—Every person who desires to ship fruit in the current of interstate and/or foreign commerce shall apply for allotments and an allotment base with respect to each variety of fruit. Each such person shall submit to the Control Committee, at such time or times as may be designated by the said committee, upon forms to be prepared by the said committee, a written application for allotments and an allotment base, substantiated in such manner as may be prescribed in such application forms. Each such application shall include information specifying the quantities of (1) early and midseason oranges (including Temple oranges), (2) valencia type oranges, (3) grapefruit, and (4) tangerines, shipped from Florida in interstate and/or foreign commerce by the applicant during each of the three years immediately preceding September 1 of the then current shipping season. Such application shall also include information specifying the quantity of each of the aforesaid varieties which the applicant then controls during the current shipping season by bona fide written agreements giving him authority to ship such fruit or which he controls by having legal title thereto.

SEC. 3. Allotment Base Either on Past Performance or Current Control Basis.—Allotment bases shall be computed either on a past performance basis, as provided by section 4 of this article or on the basis of current control of fruit, as provided by section 5 of this article. Unless the applicant advises the Control Committee, at the time of filing his application, that he desires that his allotment base be computed on the basis of his current control of fruit, the Control Committee shall compute his allotment base on the basis of his past performance.

SEC. 4. Computation of Allotment Base on Past Performance.—1. For the purpose of arriving at an allotment base computed on a past performance basis, the Control Committee shall compute, from the application filed by the applicant, the three-year average quantity of each variety shipped by the applicant during the three years preceding September 1st of the then current shipping season. The three-year average quantity so computed, as the same may be corrected and/or revised pursuant to the provisions of section 6 of this article, shall be the allotment base for such applicant.

2. If an applicant for an allotment base computed on a past performance basis shipped fruit during only a portion of the three-year period preceding September 1st of the then current shipping season, the Control Committee shall, from the application filed by the applicant, compute the yearly average quantity of each variety shipped by the applicant during such portion of the aforesaid period as the applicant did ship. The yearly average quantity so computed, as the same may be corrected and/or revised pursuant to the provisions of section 6 of this article, shall be the allotment base for such applicant.

3. If an applicant for an allotment base is a new handler, the Control Committee shall compute an allotment base based upon his trade outlets and other factors which, in the

judgment of the Control Committee, are relevant and proper to be used in arriving at an equitable allotment base for such handler.

Sec. 5. Computation of Allotment Base on Current Control.—For the purpose of arriving at an applicant's allotment base computed on a current control basis, the Control Committee shall, from the application and subsequent reports filed by the applicant at the request of the Control Committee, compute the quantity of each variety then controlled by such applicant. The quantity so computed, as the same may be corrected and/or revised pursuant to the provisions of section 6 of this article, shall be the allotment base of such applicant.

Sec. 6. Corrections and Revisions of Allotment Bases.—The Control Committee shall check the accuracy of the information set forth in the applications for allotment bases and of all other information filed by applicants for the purpose of obtaining allotments and allotment bases, and shall check the computations made pursuant to the provisions of this article. Subject to the opportunity for applicants to be heard, under such rules as the Control Committee shall establish, the said committee shall correct any errors, omissions, or inaccuracies found therein, by revising the same to conform to the check.

Sec. 7. Reports and Data to be Furnished.—For the purpose of assisting the Control Committee in the performance of its duties under this article, each applicant shall furnish to the said committee such reports and other data as it may request, substantiated in such manner as the said committee may prescribe.

Sec. 8. Notification as to Allotment Bases and Applications for Revisions of Same.—Promptly after allotment bases shall have been computed, as above provided, and fixed by the Secretary, as hereinafter provided, each applicant shall be notified, in writing, by the Control Committee of the allotment base determined for him. Any applicant may, at any time, apply, in writing, to the said committee for the revision or correction of any allotment base established for him and may present evidence that the allotment base determined for him is incorrect or inequitable. In such case, the said committee shall, under such rules as it shall establish, afford such applicant a reasonable opportunity to be heard, and if the evidence reveals that such allotment base is inaccurate or inequitable, it shall correct such base.

Sec. 9. Reports by Control Committee to Secretary.—The Control Committee shall make written reports to the Secretary of its findings and determinations with regard to the allotment bases established pursuant to this article, or any changes or revisions thereof.

Sec. 10. Computation of Group Allotments.—The Control Committee shall compute for each week the portion of the total quantity of a variety of fruit found and determined pursuant to the provisions of subsection 3 of section 1 of this article which shall be allotted for such week to all applicants desiring allotments based on their past performance and the portion of such total quantity of a variety of fruit to be allotted for such week to all applicants desiring allotments based on their current control in the following manner:

1. The portion of the total quantity of such variety of fruit to be allotted during each week to all applicants desiring allotments based on their current control shall be that portion which, in terms of percent, shall be equal to the percentage that the aggregate of the allotment bases, with respect to such variety, of all such applicants is of the total quantity of the same variety then remaining available to be shipped.

2. The portion of the total quantity of a variety of fruit to be allotted each week to all applicants desiring an allotment on a current control basis shall be deducted from the total quantity of a variety of fruit for the same week found and determined pursuant to the provisions of subsection 3 of section 1 of this article, and the remaining quantity shall be the aggregate quantity of fruit allotted for such week to all applicants receiving allotments based on their past performance.

3. The Control Committee shall promptly report to the Secretary the computations made by it with regard to the portions of the total quantity arrived at pursuant to the provisions of this section.

Sec. 11. Fixing of Allotments by Secretary.—1. Upon receiving the reports from the Control Committee, made as required by sections 1, 9, and 10 of this article, the Secretary shall cause such reports to be examined, and if approved by him, he shall record such approval. The report of the total quantities found and determined pursuant to the provisions of subsection 3 of section 1 of this article, so approved by him, shall thereupon become the basis for the total quantities of the varieties of fruit to be shipped by all applicants during the weekly regulation period included in such report. The reports showing the past performance base for each applicant desiring allotments on such a basis and the portion of the total quantity allotted to all such applicants, and the current control allotment base for each applicant desiring allotments on such a basis and the portion of the total quantity allotted to all such applicants, so approved by the Secretary, for the weekly regulation period included in such report, shall be the basis for allotting the total quantity as between the two groups, the one receiving allotments on a past performance basis and the other on a current control basis, and for allotting the total weekly quantity among individual applicants, as hereinafter more specifically provided.

2. Thereupon the Secretary shall fix for such regulation period the allotment for each applicant who has applied for allotments, pursuant to section 2 of this article, by signing a direction that (a) the allotment for each applicant desiring allotments on a past performance basis shall be that portion of the total quantity allotted to all such applicants, which expressed in terms of percent shall be equal to the percentage that each such applicant's allotment base is of the aggregate of the allotment bases of all such applicants, (b) the allotment for each applicant desiring allotments on a current control basis shall be that portion of the total quantity allotted to all such applicants, which expressed in terms of percent shall be equal to the percentage that each such applicant's allotment base is of the aggregate of the allotment bases of all such applicants.

3. Whenever the Secretary has fixed an allotment for every applicant, as above provided, the Control Committee shall calculate the quantity thereof, in accordance with the provisions of subsection 2 of this section, in terms of standard packed boxes. The Control Committee shall notify each applicant of the allotment which has been fixed for him by the Secretary.

Sec. 12. Over and Undershipments.—During any week in which the Secretary fixes allotments as hereinbefore provided, every applicant, for the purpose of providing flexibility in preparation of the fruit for market, may ship, during any week when not required to reduce shipments as provided in the following sentence, in addition to his allotment, a quantity not to exceed ten (10) percent of his allotment. The quantity of fruit shipped in excess of the allotment, and not exceeding the quantity permitted by the foregoing sentence, shall be offset by a reduction of an equal amount of his allotment for the next week in which proration is in effect, or if such weekly allotment be less than such permitted excess shipment, then such permitted excess shipment shall be deducted from succeeding weekly allotments until such excess shipment has been entirely offset. Any applicant shipping a quantity of fruit in excess of the allotment fixed for him by the Secretary and the quantity represented by loan transactions shall report such over-shipment to the Control Committee within twenty-four (24) hours from the date thereof. If an applicant ships a quantity of fruit less than his allotment during any week, such applicant may ship, during the next week only in which such applicant is given an allotment, in addition to such allotment, a quantity equal to the undershipment: *Provided*, That such additional quantity shall not exceed twenty (20) percent of the total allotment of such applicant for the weekly regulation period during which the undershipment occurred, and *Provided further*, That the appli-

cant report the undershipment to the Control Committee within one (1) business day subsequent to the close of the weekly period when the undershipment occurred.

Sec. 13. Lending of Allotments.—Applicants may borrow allotments from one another: *Provided*, That an applicant borrowing an allotment agree to return to the lender an allotment, at a later period during the same shipping season, in the same quantity, and covering the same variety of fruit. The lender and borrower shall report the loan transaction to the Control Committee at such time and in such manner as the said committee may prescribe.

Sec. 14. Changing from Past Performance to Current Control Basis.—At any time during the shipping season of a variety of fruit, an applicant whose allotment base is computed on a past performance basis may, by informing the Control Committee, have his allotment base for the balance of such shipping season computed on a current control basis. Such change, however, may be effected only once during a shipping season of a variety of fruit.

Sec. 15. Shipment of Fruit for By-Product use and Export and Charitable Purposes.—1. Subject to such rules and regulations as the Control Committee may establish in order to enable it to determine that such fruit will not enter fresh fruit trade channels in interstate and/or foreign commerce, any person may ship, free from any restriction or obligation imposed by this order, fruit that will be used solely for purposes of conversion into by-products, or for unemployment relief or for charitable purposes, or for export to foreign countries other than Canada.

2. As used in this order, the term "by-product" means and includes all processed and manufactured products of fruit and all products in the manufacturing or processing of which fruit is used, including canned or bottled fruits and juices; except that fruit shipped for conversion into juices without further processing or treatment to render the same a bona fide manufactured or processed product, as above described, shall be deemed fresh fruit subject to all regulations of such fruit herein contained and shall not be deemed fruit shipped for conversion.

Sec. 16. Equitable Treatment of Producers.—Each person shall, insofar as practical operations permit, divide his total allotments for each variety of fruit equitably among the producers for whom he ships such fruit.

Sec. 17. Obligation as to Shipment by Persons.—During any week for which the Secretary fixes allotments for shipment of any variety of fruit, no person shall ship any such fruit without an allotment covering same, nor any quantity in excess of the allotment fixed for him, as such quantity may be increased or decreased by operation of the provisions of section 13 dealing with loans of allotments, and reported and permitted over or undershipments provided for by section 12.

ARTICLE V. REGULATION OF GRADES AND SIZES

SECTION 1. Limitation of Grade and/or Size Shipments.—Whenever it shall appear to the Secretary, acting upon recommendations of the Control Committee or other available information, that presence on the market of excessive quantities of any grades lower than U. S. #2 for Florida, and/or any size of any variety of fruit causes an undue lowering of the price level of all grades and sizes of such variety of fruit, he shall limit the total quantity of that particular grade and/or size that may be shipped in the current of interstate and/or foreign commerce during any specified period or periods. The Control Committee shall be informed of any such determination by the Secretary, and shall, in turn, notify all persons desiring to ship fruit in the current of interstate and/or foreign commerce by publication in a newspaper or newspapers of general circulation selected by the said committee.

Sec. 2. Notice of Meeting.—The Control Committee shall give at least twenty-four (24) hours' notice of any meeting to consider the recommendation of an order limiting the total quantity of particular grades and/or sizes of fruit that may be shipped in the current of interstate and/or foreign commerce during any specified period or periods by publication in a newspaper or newspapers of general circulation

selected by the said committee, and no order pursuant to this article shall become effective sooner than twenty-four (24) hours after it has been issued by the Secretary.

Sec. 3. Exemptions.—In the event the Secretary regulates the shipment of any variety of fruit in accordance with section 1 of this article, thereupon whenever the Control Committee shall find that one-half (½) of the estimated crop of the same variety of fruit has been shipped or otherwise disposed of, it shall determine, with the approval of the Secretary, the percentage which has been actually shipped of the total crop of that variety and shall give notice of such fact and of the opportunity of producers to obtain exemption from the aforesaid regulation, by publication in a newspaper or newspapers of general circulation. Upon application by any producer, the Control Committee shall issue to such producer a certificate if such producer proves that he has been unable, by reason of such grade and/or size regulation, to ship as large a portion of his crop of such variety as the percentage which the Control Committee has determined as aforesaid. Such certificate shall permit its holder to ship a stated quantity of the applicant producer's fruit of such variety exempt from grade and/or size regulation made, as provided by section 1 of this article, such quantity to be equal to the percentage which the Control Committee has determined has been shipped, multiplied by such producer's total crop of that variety less the quantity of fruit of grades and/or sizes of the same variety the shipment of which is not subject to regulation under this article which the applicant producer has available for shipment and less the quantity of fruit of such variety which said producer has disposed of in any manner whatsoever.

Sec. 4. Obligation as to Shipment by Persons.—Except as provided in section 15 of article IV and in section 3 of this article, no person shall ship fruit other than those grades and sizes or that portion of such grades and sizes which are permitted to be shipped in the current of interstate and foreign commerce by the Secretary pursuant to section 1 of this article.

ARTICLE VI. EFFECTIVE TIME AND TERMINATION

SECTION 1. Effective Time and Termination.—This order shall become effective at such time as the Secretary may declare, and shall continue in force, subject to termination as follows:

1. The Secretary may at any time terminate this order by giving at least one (1) day's notice by means of a press release or in any other manner which the Secretary may determine.

2. The Secretary shall terminate or suspend the operation of this order whenever he finds that said order obstructs or does not tend to effectuate the declared policy of the act.

Sec. 2. Proceedings after Termination.—1. Upon the termination of this order the members of the Control Committee then functioning shall continue to function for the purpose of liquidating the affairs of the Control Committee and shall keep the funds and property then in their possession as members of such Control Committee including claims for any funds unpaid or property undelivered at the time of such termination. Said members (a) shall continue to function until discharged by the Secretary, (b) shall, from time to time, account for all receipts and disbursements, and/or deliver all property on hand, together with all books and records of the Control Committee to such person or persons (who at the time of termination was or were a member or members of the Control Committee) as the Secretary may direct, and (c) shall, upon the request of the Secretary, execute such assignments or other instruments as may be necessary or appropriate to vest in such person or persons full title to all of the funds, property, and/or claims vested in the Control Committee. Any funds collected pursuant to article III of this order, over and above amounts necessary to meet outstanding obligations and the expenses necessarily incurred during the operation of this order and during the liquidation period shall, as soon as practicable after the termination of this order, be returned to the handlers. The refund to each handler shall be represented by the excess of the amount

paid by him over and above his pro rata share of the expenses.

2. Any person to whom funds, property and/or claims have been transferred or delivered by the members of the Control Committee upon direction of the Secretary as herein provided shall be subject to the same obligations and duties with respect to the said funds, property, and/or claims as were hereinabove imposed upon the members of said committee.

ARTICLE VII. DURATION OF IMMUNITIES

The benefits, privileges, and immunities conferred by virtue of this order shall cease upon its termination, except with respect to acts done under and during the existence of this order.

ARTICLE VIII. AGENTS

The Secretary may, by designation in writing, name any person or persons, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this order.

ARTICLE IX. DEROGATION

Nothing contained in this order is or shall be construed to be in derogation or in modification of the rights of the Secretary or of the United States (1) to exercise any power granted by the act or otherwise, and/or (2) in accordance with such power to act in the premises whenever such action is deemed advisable.

ARTICLE X. PERSONAL LIABILITY

No member of the Control Committee nor any employee or agent thereof nor any member nor employee of any other committee that may be appointed or created hereunder shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or to any other person or persons for errors in judgment, mistakes, or other acts of commission or omission as such member or employee, except for acts of dishonesty.

ARTICLE XI. SEPARABILITY

If any provision of this order is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this order and/or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

In witness whereof, the Secretary of Agriculture does hereby execute in duplicate and issue this order, in the city of Washington, District of Columbia, on the 4th day of May 1936, and declares this order to be effective on and after 12:01 a. m., eastern standard time, May 8, 1936.

[SEAL]

W. R. GREGG,

Acting Secretary of Agriculture.

[F. R. Doc. 567—Filed, May 4, 1936; 3:28 p. 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 30th 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. 2721]

IN THE MATTER OF R. M. BARNETT, AN INDIVIDUAL TRADING AS HOME AND SCHOOL EDUCATION SOCIETY

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 William C. Reeves, 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 11, 1936, at ten o'clock in the forenoon of that day (daylight saving time) in room 108 of the New Custom House, Philadelphia, Pennsylvania.

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. 569—Filed, May 5, 1936; 11:20 a. m.]

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 30th 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. 2701]

IN THE MATTER OF GEORGE LANDON AND M. M. WARNER, A COPARTNERSHIP, TRADING AS LANDON & WARNER

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 William C. Reeves, 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 Tuesday, May 14, 1936, at ten o'clock in the forenoon of that day (daylight saving time), Room 1123, New Post Office Building, 433 West Van Buren Street, Chicago, Illinois.

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. 568—Filed, May 5, 1936; 11:20 a. 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 2nd day of May A. D. 1936.

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

[File No. 31-260]

IN THE MATTER OF THE APPLICATION OF INSULAR LIGHT AND POWER CORPORATION

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

An application having been duly filed with this Commission by the Insular Light and Power Corporation pursuant to Sections 3 (a) (5) and 3 (b) of the Public Utility Holding Company Act of 1935,

It is ordered, that the matter be set down for hearing on the 20th day of May 1936, at ten o'clock in the forenoon of that day, at Room 1101, 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 intention to the Commission, such notice to be received by the Commission not later than the 15th day of May 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. 562—Filed, May 4, 1936; 12:20 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 2nd day of May A. D. 1936.

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

[File No. 31-230]

IN THE MATTER OF THE APPLICATION OF NORTHERN STATES POWER COMPANY, A WISCONSIN CORPORATION

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

An application having been duly filed with this Commission, by Northern States Power Company, pursuant to Section 3 (a) (2) of the Public Utility Holding Company Act of 1935,

It is ordered that the matter be set down for hearing on the 20th day of May 1936 at 10:00 o'clock in the forenoon of that day at Room 1101, 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 intention to the Commission, such notice to be received by the Commission not later than May 15th, 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. 575—Filed, May 5, 1936; 12:13 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 2nd day of May A. D. 1936.

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

[File No. 31-232]

IN THE MATTER OF THE APPLICATION OF WISCONSIN PUBLIC SERVICE CORPORATION

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

An application having been duly filed with this Commission, by Wisconsin Public Service Corporation, pursuant to Section 3 (a) (2) of the Public Utility Holding Company Act of 1935,

It is ordered that the matter be set down for hearing on the 20th day of May 1936, at 10:00 o'clock in the forenoon of that day at Room 1101, 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 intention to the Commission, such notice to be received by the Commission not later than May 15th, 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. 576—Filed, May 5, 1936; 12:13 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 5th day of May A. D. 1936.

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

[File No. 31-27]

IN THE MATTER OF THE APPLICATION OF WILLIAM R. STAATS COMPANY SAN GORGONIO ELECTRIC CORPORATION

ORDER AUTHORIZING HEARING AND DESIGNATING OFFICER TO CONDUCT PROCEEDINGS

An application having been filed with this Commission by William R. Staats Company and San Gorgonio Electric Corporation pursuant to Section 3 (a) (1) of the Public Utility Holding Company Act of 1935,

It is ordered that the matter be set down for hearing on the 20th day of May 1936 at 10:00 o'clock in the forenoon of that day, at Room 1101, 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, sub-

poena 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 intention to the Commission, such notice to be received by the Commission not later than May 15, 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. 580—Filed, May 5, 1936; 3:08 p. m.]

Thursday, May 7, 1936

No. 39

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

TRANSFER OF PORTION OF CAMP EAGLE PASS, TEXAS, TO THE TREASURY DEPARTMENT

WHEREAS the act of July 26, 1935, 49 Stat. 503, authorized the disposition of the hereinafter-described portion of the Camp Eagle Pass Military Reservation, Texas, in accordance with and under the applicable provisions and conditions of the act of March 12, 1926, 44 Stat. 203; and

WHEREAS section 6 of the said act of March 12, 1926, provides that all or any part of the property to be disposed of may, with the approval of the President, be transferred to other departments of the Government requiring the permanent use thereof; and

WHEREAS the Secretary of the Treasury and the Secretary of War have requested that the hereinafter-described portion of the said military reservation be permanently transferred to the Treasury Department for the use of the Public Health Service:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by the said act of July 26, 1935, and by section 6 of the said act of March 12, 1926, it is ordered that the following-described portion of the Camp Eagle Pass Military Reservation, located in the City of Eagle Pass, Maverick County, Texas, be, and it is hereby, transferred to the Treasury Department for the use of the Public Health Service:

Beginning at the point of intersection of the southerly line of Garrison Street with the easterly line of Commercial Street extended;

Thence from said initial point, by metes and bounds, Easterly, 350 feet, along the said southerly line of Garrison Street, to a point;

Southerly, 150 feet, at right angles to said southerly line of Garrison Street; to a point;

Westerly, 350 feet, parallel to said southerly line of Garrison Street, to a point;

Northerly, 150 feet, at right angles to said southerly line of Garrison Street, to the point of beginning.

The above-described tract contains an area of 52,500 square feet and no survey thereof has been made or monuments established at its corners.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, May 4, 1936.

[No. 7356]

[F. R. Doc. 578—Filed, May 5, 1936; 2:35 p. m.]

EXECUTIVE ORDER

PARTIAL REVOCATION OF EXECUTIVE ORDER OF SEPTEMBER 23, 1912, ENTITLED "MINERAL LAND WITHDRAWAL NO. 1, ARIZONA NO. 1"

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, 36 Stat. 847, as amended by the act of August 24, 1912, 37 Stat. 497, the Executive Order of September 23, 1912, entitled "Mineral Land Withdrawal No. 1, Arizona No. 1," withdrawing public lands in Arizona for classification and in aid of legislation, is hereby revoked in so far as it affects the lands described as Lots 1 to 14, inclusive, and NW 1/4 SE 1/4 Sec. 37, T. 23 S., R. 24 E., Gila and Salt River Meridian.

This order is made for the purpose of permitting title to all of the lands not otherwise reserved to vest, subject to valid existing claims, in the State of Arizona under the provisions of the act of July 22, 1854, 10 Stat. 308, the act of February 24, 1863, 12 Stat. 604, and the act of June 20, 1910, 36 Stat. 572.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, May 4, 1936.

[No. 7357]

[F. R. Doc. 579—Filed, May 5, 1936; 2:35 p. m.]

EXECUTIVE ORDER

NICOLET NATIONAL FOREST

Wisconsin

By virtue of and pursuant to the authority vested in me by section 24 of the act of March 3, 1891, 26 Stat. 1095, 1103 (16 U. S. C. sec. 471), and the act of June 4, 1897, 30 Stat. 11, 34, 36 (16 U. S. C. sec. 473), and upon the recommendation of the Secretary of Agriculture, it is ordered that the following-described lands in Wisconsin be, and they are hereby, included in and made a part of the Nicolet National Forest, subject to existing valid claims:

FOURTH PRINCIPAL MERIDIAN

T. 36 N., R. 8 E., sec. 2, lots 13, 14, and 15, aggregating 89 acres.

The reservation made by this order supersedes as to the above-described lands the temporary withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, May 5, 1936.

[No. 7359]

[F. R. Doc. 587—Filed, May 6, 1936; 12:50 p. m.]

EXECUTIVE ORDER

PARTIAL REVOCATION OF EXECUTIVE ORDER NO. 6076 OF MARCH 15, 1933, WITHDRAWING PUBLIC LANDS

New Mexico

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, Executive Order No. 6076 of March 15, 1933, withdrawing, together with other lands, public lands in T. 1 S., R. 16 W., and T. 9 S., R. 9 W. of the New Mexico principal meridian, New Mexico, pending a resurvey, is hereby revoked as to said townships.

This order shall become effective upon the date of the official filing of the plats of resurvey of said townships.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, May 5, 1936.

[No. 7360]

[F. R. Doc. 588—Filed, May 6, 1936; 12:50 p. m.]