

UNITED STATES TARIFF COMMISSION.

PUBLIC NOTICE—PUBLIC HEARING ORDERED

SEAMLESS COTTON HOSIERY

[Hearing in Investigation No. 112 Under Section 336, Tariff Act of 1930]

Notice is hereby given, pursuant to Section 336 of the Tariff Act of 1930, that a public hearing in the foregoing investigation will be held at the office of the United States Tariff Commission in Washington, D. C. at 10:00 o'clock a. m. on the 12th day of January, 1937, at which time and place all parties interested will be given opportunity to be present, to produce evidence, and to be heard with regard to the differences in costs of production of, and all other facts and conditions enumerated in Section 336 of the Tariff Act of 1930 with respect to the following articles described in paragraph 916 (a) of Title I of said tariff act, namely,

Hose and half-hose, seamless, or mock-seamed, finished or unfinished, wholly or in chief value of cotton, made wholly or in part on knitting machines.

By order of the United States Tariff Commission this 4th day of December 1936.

[SEAL]

SIDNEY MORGAN, *Secretary.*

[F. R. Doc. 3704—Filed, December 5, 1936; 9:56 a. m.]

Wednesday, December 9, 1936

No. 191

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48677]

CUSTOMS REGULATIONS AMENDED—DESIGNATION OF EXAMINATION PACKAGES

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in sections 499 and 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 1499 and 1624), article 307 of the Customs Regulations of 1931, as amended by T. Ds. 45936, 48401, and 48507, is further amended as follows:

Paragraph (b) is deleted and a new paragraph is inserted in lieu thereof, to read as follows:

(b) Special regulations authorizing the examination of less than one package of every ten packages of certain merchandise will be published in the weekly Treasury Decisions from time to time.

Insert opposite paragraph (a), as marginal references:

T. Ds. 43118, 44702, 45753, 46087, 46943, 48233, Reapp. 3933.

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved, December 2, 1936.

WAYNE C. TAYLOR,
Acting Secretary of the Treasury.

[F. R. Doc. 3740—Filed, December 8, 1936; 10:55 a. m.]

Public Debt Service.

[Department Circular No. 572]

UNITED STATES OF AMERICA 2½ PERCENT TREASURY BONDS OF 1949-53

DECEMBER 7, 1936.

I—OFFERING OF BONDS

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, approved September 24, 1917, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for 2½ percent bonds of the United States, designated Treasury Bonds of 1949-53. The amount of the offering is \$700,000,000, or thereabouts, with the right reserved to the Secretary of the Treasury to increase the offering by an amount suffi-

cient to accept all subscriptions for which Treasury Notes of Series B-1936, maturing December 15, 1936, or Treasury Notes of Series C-1937, maturing February 15, 1937, are tendered in payment and accepted.

II—DESCRIPTION OF BONDS

1. The bonds will be dated December 15, 1936, and will bear interest from that date at the rate of 2½ percent per annum, payable semiannually on June 15 and December 15 in each year until the principal amount becomes payable. They will mature December 15, 1953, but may be redeemed at the option of the United States on and after December 15, 1949, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The bonds shall be exempt, both as to principal and interest, from all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority, except (a) estate or inheritance taxes, or gift taxes, and (b) graduated additional income taxes, commonly known as surtaxes, and excess-profits and war-profits taxes, now or hereafter imposed by the United States, upon the income or profits of individuals, partnerships, associations, or corporations. The interest on an amount of bonds authorized by the Second Liberty Bond Act, approved September 24, 1917, as amended, the principal of which does not exceed in the aggregate \$5,000, owned by any individual, partnership, association, or corporation, shall be exempt from the taxes provided for in clause (b) above.

3. The bonds will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege and will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$50, \$100, \$500, \$1,000, \$5,000, \$10,000, and \$100,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III—SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve banks and branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Cash subscriptions from banks and trust companies for their own account will be received without deposit but will be restricted in each case to an amount not exceeding one-half of the combined capital and surplus of the subscribing bank or trust company. Cash subscriptions from all others must be accompanied by payment of 10 percent of the amount of bonds applied for. The Secretary of the Treasury reserves the right to close the books as to any or all subscriptions or classes of subscriptions at any time without notice.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, to make allotments in full upon applications for smaller amounts and to make reduced allotments upon, or to reject, applications for larger amounts, or to adopt any or all of said methods or such other methods of allotment and classification of allotments as shall be deemed by him to be in the public interest; and his action in any or all

of these respects shall be final. Subject to these reservations, subscriptions in payment of which Treasury Notes of Series B-1936 or Treasury Notes of Series C-1937 are tendered will be allotted in full. Allotment notices will be sent out promptly upon allotment, and the basis of the allotment will be publicly announced.

IV—PAYMENT

1. Payment at par and accrued interest, if any, for bonds allotted on cash subscriptions must be made or completed on or before December 15, 1936, or on later allotment. In every case where payment is not so completed, the payment with application up to 10 percent of the amount of bonds applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depository will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve bank of its district. Treasury Notes of Series B-1936, maturing December 15, 1936, will be accepted at par in payment for any bonds subscribed for and allotted. Treasury Notes of Series C-1937, maturing February 15, 1937, with coupon dated February 15, 1937, attached, will be accepted at par in payment for any bonds subscribed for and allotted, and accrued interest on the maturing notes from August 15, 1936, to December 15, 1936 (\$9.94565 per \$1,000), will be paid following acceptance of the notes. Payment through surrender of Treasury Notes of Series B-1936 or of Series C-1937 should be made when the subscription is tendered.

V—GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve banks of the respective districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 3738—Filed, December 7, 1936; 4:17 p. m.]

[Department Circular No. 573]

UNITED STATES OF AMERICA, 1 1/4 PERCENT TREASURY NOTES OF SERIES C-1941

DECEMBER 7, 1936.

I—OFFERING OF NOTES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, approved September 24, 1917, as amended, invites subscriptions, at par, from the people of the United States for 1 1/4 percent notes of the United States, designated Treasury Notes of Series C-1941, in payment of which only Treasury Notes of Series B-1936, maturing December 15, 1936, or Treasury Notes of Series C-1937, maturing February 15, 1937, may be tendered. The amount of the offering under this circular will be limited to the amount of Treasury Notes of Series B-1936 and of Series C-1937 tendered and accepted.

II—DESCRIPTION OF NOTES

1. The notes will be dated December 15, 1936, and will bear interest from that date at the rate of 1 1/4 percent per annum, payable semiannually on June 15 and December 15 in each year. They will mature December 15, 1941, and will not be subject to call for redemption prior to maturity.

2. The notes shall be exempt, both as to principal and interest, from all taxation (except estate or inheritance taxes, or gift taxes) now or hereafter imposed by the United States,

any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be accepted at par during such time and under such rules and regulations as shall be prescribed or approved by the Secretary of the Treasury in payment of income and profits taxes payable at the maturity of the notes.

4. The notes will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege.

5. Bearer notes with interest coupons attached will be issued in denominations of \$100, \$500, \$1,000, \$5,000, \$10,000, and \$100,000. The notes will not be issued in registered form.

III—SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve banks and branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve banks and the Treasury Department are authorized to act as official agencies. The Secretary of the Treasury reserves the right to close the books as to any or all subscriptions or classes of subscriptions at any time without notice.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for, to make allotments in full upon applications for smaller amounts and to make reduced allotments upon, or to reject, applications for larger amounts, or to adopt any or all of said methods or such other methods of allotment and classification of allotments as shall be deemed by him to be in the public interest; and his action in any or all of these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV—PAYMENT

1. Payment at par for notes allotted hereunder must be made or completed on or before December 15, 1936, or on later allotment, and may be made only in Treasury Notes of Series B-1936, maturing December 15, 1936, or in Treasury Notes of Series C-1937, maturing February 15, 1937, which will be accepted at par, and should accompany the subscription. In the case of Treasury Notes of Series C-1937 tendered in payment, coupons dated February 15, 1937, must be attached to the notes when surrendered, and accrued interest from August 15, 1936, to December 15, 1936, (\$9.94565 per \$1,000), will be paid following acceptance of the notes.

V—GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve banks of the respective districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve banks.

[SEAL] HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

[F. R. Doc. 3737—Filed, December 7, 1936; 4:16 p. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

GSQR—Series 3, No. 5. Issued December 5, 1936
[General Sugar Quota Regulations, Series 3, Revision 2, Supplement 2]

ADJUSTMENT IN ALLOTMENTS OF THE QUOTAS FOR FOREIGN COUNTRIES OTHER THAN CUBA FOR THE CALENDAR YEAR 1936

By virtue of the authority vested in the Secretary of Agriculture by Public Resolution No. 109, approved June 19, 1936,

and by the Agricultural Adjustment Act, approved May 12, 1933, as amended (hereinafter referred to as the "act"), I, M. L. Wilson, Acting Secretary of Agriculture, in order to regulate commerce with Cuba and other foreign countries, among the several States, with the Territories and possessions of the United States, and with the Commonwealth of the Philippine Islands, with respect to sugar, having due regard to the welfare of domestic producers and to the protection of domestic consumers and to a just relationship between the price received by domestic producers and the price paid by domestic consumers, do hereby make, prescribe, publish and give public notice of these regulations (constituting a supplement to General Sugar Quota Regulations, Series 3, Revision 2), which shall have the force and effect of law and shall remain in force and effect until amended or superseded by regulations hereafter made by the Secretary of Agriculture.

1. It is hereby determined, pursuant to Section 8a (1) (A) of the said act, that for the calendar year 1936 Argentina, Australia, Brazil, British Malaya, Colombia, Dutch West Indies, France, Germany, Honduras, Italy, Japan, Salvador, Venezuela, Nicaragua, and Mexico will be unable, by an amount of 25,154,478 pounds of sugar, raw value, to deliver the quantity of sugar allotted to each of such countries in General Sugar Quota Regulations, Series 3, Revision 2, issued July 2, 1936.

2. The said quantity of 25,154,478 pounds of sugar, raw value, represents a reserve for further allotment to other foreign countries other than Cuba in order of priority of arrival of the sugar in the continental United States.

In testimony whereof, I, M. L. Wilson, Acting Secretary of Agriculture, have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington, District of Columbia, this 5th day of December 1936.

[SEAL]

M. L. WILSON, *Acting Secretary.*

[F. R. Doc. 3734—Filed, December 7, 1936; 2:27 p. m.]

ECR-B-2—Appendix 1, Amendment 1 Issued December 5, 1936
1936 AGRICULTURAL CONSERVATION PROGRAM—EAST CENTRAL REGION

BULLETIN NO. 2—APPENDIX 1—AMENDMENT 1

Approval of Designated Counties for the Making of Payments With Respect to the Application of Ground Limestone

Appendix 1 to East Central Region Bulletin No. 2 is hereby amended by adding Greene, Madison, and Highland Counties to the list of counties of Virginia designated in said Appendix 1.

In testimony whereof, M. L. Wilson, Acting 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 5th day of December 1936.

[SEAL]

M. L. WILSON,
Acting Secretary of Agriculture.

[F. R. Doc. 3735—Filed, December 7, 1936; 2:27 p. m.]

DEPARTMENT OF COMMERCE.

Bureau of Air Commerce.

DESIGNATION OF THE FEDERAL AIRWAYS SYSTEM AS CIVIL AIRWAYS OF THE UNITED STATES

By virtue of and pursuant to the authority vested in me by the Air Commerce Act of 1926, as amended (44 Stat. 570, 49 U. S. C., Sec. 175), I hereby designate the following

described air routes as civil airways necessary to foster air commerce and suitable for interstate or foreign air commerce.

Each civil airway designated herein shall include the navigable air space located vertically above an area on the horizontal plane contained within lines encircling each airport (hereinafter called terminal airport) at the ends thereof, with a radius of 25 miles from the center of said airport and also contained within two lines each parallel to and located 25 miles from the center line connecting the terminal airports thereof with such other points as hereinafter specified, to designate the route of said airway. Each civil airway designated herein shall also include the terminal and intermediate airports, emergency landing fields and all other air navigation facilities located or which may be hereafter located and established within the said area.

Provided that the civil airways designated herein shall not include any air space reservations set aside and protected by Executive Orders pursuant to the provisions of Section 4 of the Air Commerce Act of 1926, or the navigable air space above non-territorial waters or above foreign territory abutting the boundaries of the United States.

CIVIL AIRWAY NO. 50—LOS ANGELES-CALEXICO

Los Angeles, California, Grand Central Airport, via Fontana, Fontana Intermediate Field, Indio, California, Indio Airport, to Imperial, California, Imperial County Airport, to a point on the United States-Mexico boundary where a line between Imperial County Airport and Mexicalia, Mexico, intercepts said boundary.

CIVIL AIRWAY NO. 13—CORPUS CHRISTI-HOUSTON

Corpus Christi, Texas, Municipal Airport, to Houston, Texas, Municipal Airport.

CIVIL AIRWAY NO. 36—KANSAS CITY-TULSA

Kansas City, Missouri, Municipal Airport, to Tulsa, Oklahoma, Municipal Airport.

Approved, to take effect November 30, 1936.

[SEAL]

DANIEL C. ROEPER,
Secretary of Commerce.

[F. R. Doc. 3739—Filed, December 8, 1936; 9:21 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 3rd day of December A. D. 1936.

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

IN THE MATTER OF NOLAN ATZ, GUSTA ATZ, AND JOHN EDWARD ATZ, TRADING UNDER THE NAMES ATZ'S HATCHERY, ATZ'S BLUE MOUNT HATCHERY, AND ATZ'S MAMMOTH HATCHERY

[Docket No. 2883]

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that John W. Norwood, 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 Wednesday, December 16, 1936, at one o'clock in the afternoon of that day (central standard time) at the Ideal Hotel, Huntingburg, Indiana.

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. 3741—Filed, December 8, 1936; 11:03 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 3rd day of December A. D. 1936.

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

[Docket No. 2935]

IN THE MATTER OF KRAFT-PHENIX CHEESE CORPORATION, A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717-15 U. S. C. A., Section 41)

It is ordered that Charles F. Diggs, 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 Wednesday December 16, 1936, at ten o'clock in the forenoon of that day, central standard time, in 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. 3742—Filed, December 8, 1936; 11:03 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Fourth Section, Application No. 16640]

PETROLEUM FROM GULFPORT, MISS.

DECEMBER 8, 1936.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act,

Filed by L. E. Kipp, Agent.

Commodities involved: Petroleum products, including low grade oils and asphalt, in carloads, From: Gulfport, Miss.

To: Points in western trunk-line territory, Grounds for relief: Carrier competition.

Any interested party desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice; otherwise the Commission may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, division 2.

[SEAL] GEORGE B. MCGINTY, Secretary.

[F. R. Doc. 3743—Filed, December 8, 1936; 11:47 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 40]

ALLOCATION OF FUNDS FOR LOANS

DECEMBER 5, 1936.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for Loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Iowa 28 Cedar (Partial)	\$100,000
Iowa 43 Greene (Partial)	95,000
Minnesota 9 Goodhue	825,000
Minnesota 10 Carlton	105,000
Minnesota 54 Faribault	95,000
Minnesota 59 Olmsted	55,000
Ohio 75A Williams	285,000
Oklahoma 11 Grant (Partial)	180,000
Texas 39 Rockwall	200,000
Washington 18 Spokane	290,000
Washington 21A Whitman	200,000

MORRIS L. COOKE, Administrator

[F. R. Doc. 3736—Filed, December 7, 1936; 3:23 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT NO. 1 TO FORM 12

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 12 and 23 (a) thereof, hereby amends the Instruction Book for Form 12 as follows:

(1) The first paragraph of the *Instructions as to Exhibits*, under the caption, *Exhibit A*, is amended by deleting the words "for the year ended December 31, 1934" and inserting in lieu thereof the words "for the fiscal year ended on the preceding December 31" so that, as amended, the instructions to *Exhibit A* of Form 12 shall read as follows:

Exhibit A.—A copy of the Annual Report of the registrant to the Interstate Commerce Commission or to the Federal Communications Commission for the fiscal year ended on the preceding December 31.

(2) The second paragraph of the *Instructions as to Exhibits*, under the caption *Exhibit B*, is amended (a) by deleting the words "for the year ended December 31, 1934" after the words "to the Federal Communications Commission," and inserting in lieu thereof the words "for the fiscal year ended on the preceding December 31" and (b) by deleting from the last line thereof the words "for the year 1934," and inserting in lieu thereof the words "for its fiscal year ended on the preceding December 31" so that, as amended, the instructions to *Exhibit B* of Form 12 shall read as follows:

Exhibit B.—A copy of the Annual Report to the Interstate Commerce Commission, or to the Federal Communications Commission, for the fiscal year ended on the preceding December 31, of each affiliated company which makes such report and which is controlled, directly or indirectly, by the registrant (including all companies in which the registrant, directly or indirectly, holds 50 per cent or more of the voting power). The foregoing reports, however, need not be furnished with respect to any such affiliated company in which the investment of the registrant, directly or indirectly, is not significant in relation to the registrant in respect of (1) the assets, and (2) the operating revenues, of such affiliated company; provided that with respect to the companies whose reports are so omitted, there shall be furnished a schedule setting forth: (a) the name of each such company; (b) the character of control of each such company by the registrant, including the titles of the issues and the respective amounts of its securities held by the registrant and the aggregate book value of such securities on the books of the registrant; (c) the extent of control; and (d) the net income (or deficit) of each such company for its fiscal year ended on the preceding December 31.

The foregoing amendment shall become effective immediately upon publication.

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 3732—Filed, December 7, 1936; 1:10 p. m.]

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT NO. 1 TO FORM 12-A

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 12 and 23 (a) thereof, hereby amends the Instruction Book for Form 12-A as follows:

(1) The first paragraph of the *Instructions as to Exhibits*, under the caption, *Exhibit A*, is amended by deleting the words "for the year ended December 31, 1934" and inserting in lieu thereof the words "for the fiscal year ended on the preceding December 31", so that, as amended, the instructions to *Exhibit A* of Form 12-A shall read as follows:

Exhibit A.—A copy of the Annual Report of the registrant to the Interstate Commerce Commission or to the Federal Communications Commission for the fiscal year ended on the preceding December 31.

(2) The second paragraph of the *Instructions as to Exhibits*, under the caption, *Exhibit B*, is amended (a) by deleting the words "for the year ended December 31, 1934," after the words "to the Federal Communications Commission," and inserting in lieu thereof the words "for the fiscal year ended on the preceding December 31", and (b) by deleting from the last line thereof the words "for the year 1934", and inserting in lieu thereof the words "for its fiscal year ended on the preceding December 31", so that, as amended, the instructions to *Exhibit B* of Form 12-A shall read as follows:

Exhibit B.—A copy of the Annual Report to the Interstate Commerce Commission, or to the Federal Communications Commission, for the fiscal year ended on the preceding December 31, of each affiliated company which makes such report and which is controlled, directly or indirectly, by the registrant (including all companies in which the registrant, directly or indirectly, holds 50 percent or more of the voting power). The foregoing reports, however, need not be furnished with respect to any such affiliated company in which the investment of the registrant, directly or indirectly, is not significant in relation to the registrant in respect of (1) the assets, and (2) the operating revenues, of such affiliated company; provided that with respect to the companies whose reports are so omitted, there shall be furnished a schedule setting forth: (a) the name of each such company; (b) the character of control of each such company by the registrant, including the titles of the issues and the respective amounts of its securities held by the registrant; and the aggregate book value of such securities on the books of the registrant; (c) the extent of control; and (d) the net income (or deficit) of each such company for its fiscal year ended on the preceding December 31.

The foregoing amendment shall become effective immediately upon publication:

[SEAL] FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 3731—Filed, December 7, 1936; 1:10 p. m.]

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT NO. 2 TO FORM 8-A

The Securities and Exchange Commission, deeming it necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 12 and 23 (a) thereof, hereby amends the Instruction Book for Form 8-A as follows:

Under the heading "Instructions as to Financial Statements" in Form 8-A, the following new sentence is added at the end of paragraph A, after subparagraph (3) thereof:

Notwithstanding the foregoing, however, such financial statements need not be furnished for any such business.

(a) In which no substantial interest is held, or at the time of acquisition was held, by any director, principal executive officer or affiliate of the registrant, or by any principal underwriter of securities of the registrant sold by the registrant within three years, or by any person owning of record more than 10% of any class of equity securities of the registrant, and
(b) Which is not significant

(i) In relation to the registrant in respect of the cost of such business to the registrant; or

(ii) In relation to the registrant and its subsidiaries consolidated (or to the registrant if no consolidated statement was included in the most recent application or annual report requiring statements of the registrant and its subsidiaries) in respect of the assets of such business; or

(iii) In relation to the registrant and its subsidiaries consolidated (or to the registrant if no consolidated statement was included in the most recent application or annual report requiring statements of the registrant and its subsidiaries) in respect of sales or operating revenues of such business;

provided that statements of such businesses may be so omitted only to the extent that they are in the aggregate not significant in any of the above respects.

The foregoing amendment shall be effective immediately upon publication.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 3733—Filed, December 7, 1936; 1:10 p. m.]

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO RULE AN3

The Securities and Exchange Commission, deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by Title I of the Securities Exchange Act of 1934, as amended, acting pursuant to Sections 3 (a) (12), 10 (b), and 23 (a) thereof, hereby amends Rule AN3 as follows:

(1) There is hereby added to paragraph (b) of said Rule, the following sentence:

There shall also be exempt from the operation of Section 12 (a) of the Act to and including the one hundred and twentieth day after the filing of applications on the form appropriate for such security shall be authorized, the following securities of banks or bank holding companies: (i) securities of the same issuer heretofore or hereafter issued in exchange for or resulting from a modification of any securities exempted from the operation of Section 12 (a) by this Rule, and (ii) shares of common stock of the same issuer heretofore or hereafter issued as stock dividends on stock of the same class exempted from the operation of Section 12 (a) by this Rule.

(2) All amendments to said Rule previously adopted to become effective at the close of business on December 31, 1936, are hereby repealed.

The foregoing action shall be effective immediately upon publication.

(3) Effective at the close of business on December 31, 1936, said Rule is hereby amended to read as follows:

RULE AN3. Temporary exemption from Sections 12 (a) and 7 (c) (2) of certain securities of banks and bank holding companies; prohibition of use of manipulative or deceptive devices or contrivances with respect thereto.—(a) The following securities shall be exempt from the operation of Section 12 (a) to and including the one hundred and twentieth day after the filing of applications on the form appropriate for such security shall be authorized: (1) securities of banks and bank holding companies as to which temporary registration expired on June 30, 1935; (2) securities of the same issuer heretofore or hereafter issued in exchange for or resulting from a modification of any securities exempted from the operation of Section 12 (a) by this Rule; and (3) shares of common stock of the same issuer heretofore or hereafter issued as stock dividends on stock of the same class exempted from the operation of Section 12 (a) by this Rule.

(b) Rules AN1 and GB1 shall be applicable to all securities exempted from the operation of Section 12 (a) by paragraph (a) of this Rule.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 3747—Filed, December 8, 1936; 12:59 p. m.]

HOLDING COMPANY ACT

EXEMPTION OF CERTAIN FOREIGN UTILITY SUBSIDIARIES

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly Sections 3 (b), 3 (d), and 20 (a) thereof, and finding that such action is necessary and appropriate in the public interest and for the protection of investors and consumers and not contrary to the purposes of said Act, the Securities and Exchange Commission hereby adopts the following rule:

RULE 3B-2. Exemption of Certain Foreign Utility Subsidiaries.—If any company which is primarily an electric utility company owning and operating utility assets located in the United States, also owns, directly or through one or more subsidiary companies, all of the outstanding securities (except only such minimum number of shares as may be necessary to qualify directors) of one or more electric utility companies operating exclusively outside of the United States, and if such electric utility assets located outside of the United States are interconnected with such electric utility assets located within the United States and do not have a value of more than 5 percent thereof, and the electric utility company operating such utility assets within the United States

- (1) Is not itself a subsidiary of any other company;
- (2) Would not itself be a holding company except for its control over such foreign utility subsidiaries as aforesaid; and
- (3) Has no such foreign subsidiary company which owns any securities of any public-utility company operating within the United States or of any holding company which directly or indirectly owns securities of any such public-utility company or derives any income from any such public-utility or holding company by reason of service, sales, construction, or other contracts;

then and in that case, each such subsidiary company owning or operating such foreign utility assets shall be exempt from all provisions of the Public Utility Holding Company Act of 1935 and, so long as such conditions shall continue to exist, no such subsidiary company shall be deemed to be a subsidiary of such public-utility company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3751—Filed, December 8, 1936; 1:00 p. m.]

HOLDING COMPANY ACT

RULE CONCERNING THE PAYMENT OF DIVIDENDS OUT OF CAPITAL OR UNEARNED SURPLUS

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly Sections 12 (c) and 20 (a) thereof, and finding that such action is necessary and appropriate to protect the financial integrity of companies in holding company systems, to safeguard the working capital of public-utility companies, to prevent the payment of dividends out of capital or unearned surplus, and to prevent the circumvention of the provisions of said Act, the Securities and Exchange Commission hereby adopts the following rule:

RULE 12C-2. Dividend Declarations and Payments.—Except upon application to, and approval by order of, the Commission, no registered holding company nor subsidiary company thereof shall declare or pay any dividend on any security of such company out of capital or unearned surplus other than a dividend in liquidation of a subsidiary, all of whose securities are owned by the recipient of the dividend. This rule shall be and become effective on and after January 1, 1937.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3748—Filed, December 8, 1936; 1:00 p. m.]

HOLDING COMPANY ACT

RULE PERMITTING CERTAIN PERSONS WITH SPECIFIED FINANCIAL CONNECTIONS TO SERVE AS OFFICERS AND DIRECTORS

The Securities and Exchange Commission, acting pursuant to the authority granted by the Public Utility Holding Company Act of 1935, particularly Section 17 (c) thereof, and finding that, in the cases specified in the following rule, and subject to the conditions and limitations therein prescribed, it will not adversely affect the public interest or the interest of investors or consumers for a registered holding company or subsidiary company thereof to have as an officer or director thereof, an executive officer, director, partner, appointee, or representative of a bank, trust company, investment banker, or banking association or firm, or an executive officer, director, partner, appointee, or representative of a corporation a majority of whose stock, having the unrestricted right to vote for the election of directors, is owned by a bank, trust company, investment banker, or banking association or firm, hereby amends Rule 17C-3 so that the same shall read as follows:

RULE 17C-3. Officers and Directors Approved by a Federal Court.—A registered holding company or subsidiary company thereof may have as an officer or director, or both, a person who has a financial connection (as defined in Rule 17C-1), if a court of the United States has specifically directed or approved of the election or appointment of such person as a director or officer of such company either in connection with proceedings for the reorganization of such company or of a company of which it is a subsidiary or of a predecessor of such a company or in connection with any proceedings in which a receiver or trustee has been appointed for any such company: *Provided*, That such persons shall not, by virtue of this Rule, be eligible for such position for a period of more than three years after such direction or approval was last given by such court. If any such court, in connection with such a proceeding, shall have designated or approved of the appointment of any person as a voting trustee under a voting trust agreement provided for by such a plan of reorganization, such person shall be eligible to hold such office either for the term prescribed by such voting trust agreement or for a period of three years after such designation or approval whichever term shall be the longer, and any such person shall also, for a period of three years after such designation or approval, be eligible as an officer or director, or both, of the issuer of any stock which is held in such voting trust. The provisions of this Rule shall cease to be applicable with respect to any such person if, after such designation or approval, he shall acquire any new financial connection other than such as are permitted by rules under Section 17 (c). As long as a company is permitted by virtue of this Rule to have a person as an officer or director, any subsidiary company thereof which is engaged in the business of performing services or construction for, or selling goods to, associate companies and all of whose outstanding voting securities (except the minimum number of shares required to qualify directors for office) are owned by such company, may also have such person as an officer or director.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3750—Filed, December 8, 1936; 1:00 p. m.]

HOLDING COMPANY ACT

TEMPORARY EXEMPTION FROM SECTION 13 FOR HOLDING COMPANIES NEWLY REGISTERED

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly Sections 13, 3 (d), and 20 (a) thereof, and finding it necessary and appropriate in the public interest and for the protection of investors and consumers to permit newly registered holding companies and affiliates thereof a reasonable period of time for such adjust-

ments as may be necessary to effect compliance with the provisions of Section 13 of such Act and the rules and regulations thereunder, the Securities and Exchange Commission hereby repeals Rule 13-3 and, in lieu thereof, adopts the following rule:

RULE 13-3A. Temporary Exemption from Section 13.—(a) Every registered holding company shall be exempt from the provisions of Section 13 and the rules and regulations adopted thereunder for a period of 30 days after the date when such company shall first become a registered holding company, and every subsidiary of such a registered holding company and every company principally engaged in performing services or construction for or making sales to associates of such registered holding company shall likewise be exempt from such provisions for said period: *Provided*, That, during such period, such company shall comply with the provisions of Rule 13-31 with respect to the performance of services or construction for associate companies on the basis of cost and with the provisions of Rule 13-40 with respect to sales of goods produced by the seller. As to any company principally engaged in performing services or construction for or selling goods to associate companies, such exemption shall expire on the first day of the calendar month immediately succeeding the effective date of such registration unless on and after the first day of such month all accounts and records of such company with respect to such matters shall be maintained in accordance with the provisions of Rule 13-50 or other rule of the Commission with respect to the accounts and records of mutual service companies and subsidiary service companies.

(b) If, within said period of 30 days after registration of any such holding company, an application or a declaration pursuant to Rule 13-22 shall be filed with the Commission by or on behalf of any company desiring to perform services or construction for or make sales of goods to associate companies in such holding company system, such applicant or declarant may, to the extent set forth in such document, perform services or construction for or make sales of goods to such companies until the Commission shall take final action on such application or declaration: *Provided, however*, That, during such period, such applicant or declarant shall comply with all provisions of the Act and of the rules and regulations thereunder that would have been applicable to it if the Commission had previously taken favorable action on such application or declaration.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3749—Filed, December 8, 1936; 1:00 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 1st day of December 1936.

[File No. 1-7107]

IN THE MATTER OF KANSAS CITY POWER & LIGHT CO. FIRST PREFERRED STOCK, SERIES B (\$6.00 PER ANNUM CUMULATIVE)

ORDER DIRECTING HEARING UNDER SECTION 12 (D) OF THE SECURITIES EXCHANGE ACT OF 1934, AS AMENDED

The Kansas City Power & Light Company having made application to the Commission pursuant to Rule JD2 under the Securities Exchange Act of 1934, as amended, for permission to withdraw from listing and registration its First Preferred Stock, Series B (\$6.00 per annum cumulative), on the Chicago Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons should be given an opportunity to be heard and that general notice should be given;

It is ordered that the matter be set down for hearing at 10 o'clock a. m. on Monday, December 21, 1936, at the Regional Office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue there-

after at such times and places as the Commission or its officer herein designated may determine, and that general notice thereof be given; and

It is further ordered that Henry Fitts, an officer of the Commission, be and he hereby is designated 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 perform all other duties in connection therewith authorized by law. By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3728—Filed, December 7, 1936; 1:03 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 4th day of December A. D. 1936.

[File No. 46-19]

IN THE MATTER OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

NOTICE OF AND ORDER FOR HEARING

An application having been duly filed with this Commission by Public Service Company of New Hampshire, a subsidiary company of a registered holding company, pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935, for approval of the acquisition of 1,000 shares of beneficial interest of Swans Falls Company, a common law voluntary trust created in the State of Maine, from said registered holding company, New England Public Service Company, such shares having no par or face value and being all the shares of said Swans Falls Company issued and outstanding;

It is ordered that a hearing on such matter be held on December 16, 1936, at ten o'clock in the forenoon of that day at Room 1103, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before December 14, 1936.

It is further ordered that Charles S. Lobingier, 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, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

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. 3724—Filed, December 7, 1936; 1:03 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 7th day of December A. D. 1936.

[File No. 43-18]

IN THE MATTER OF REPUBLIC SERVICE CORPORATION

NOTICE OF AND ORDER FOR HEARING

A declaration having been duly filed with this Commission by Republic Service Corporation, a registered holding company, pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding the issue and sale by it of Five Year Non-Interest Bearing Certificates of Indebtedness to be dated December 15, 1936, in an amount not exceeding \$75,000, as payment on account of the dividends accumulated on the preferred stock of Declarant;

It is ordered that a hearing on such matter be held on December 14, 1936, at 2:00 o'clock in the afternoon of that day at Room 218, Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

Notice of such hearing is hereby given to said party and to any interested State, State commission, State securities commission, municipality, and any other political subdivision of a State, and to any representative of interested consumers or security holders, and any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before December 12, 1936.

It is further ordered that Charles S. Lobingier, 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, contracts, agreements, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

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. 3717—Filed, December 7, 1936; 1:03 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 December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE SHELL ET AL.—ISENSEE-FLATO FARM, FILED ON NOVEM-
BER 20, 1936, BY VIRGIL O. KING, INC., RESPONDENT

CONSENT TO WITHDRAWAL OF FILING OF OFFERING SHEET AND
ORDER TERMINATING PROCEEDING

The Securities and Exchange Commission, having been informed by the respondent that no sales of any of the interests covered by the offering sheet described in the title hereof have been made, and finding, upon the basis of such information, that the withdrawal of the filing of the said offering sheet, requested by such respondent, will be consistent with the public interest and the protection of investors, consents to the withdrawal of such filing but not to the removal of the said offering sheet, or any papers with reference thereto, from the files of the Commission; and

It is ordered that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same are hereby revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3727—Filed, December 7, 1936; 1:08 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 December A. D. 1936.

[File No. 46-18]

IN THE MATTER OF UNITED PUBLIC SERVICE CORPORATION

ORDER APPROVING ACQUISITION OF SECURITIES PURSUANT TO SEC-
TION 10 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF
1935

United Public Service Corporation, a registered holding company and a subsidiary company of The Middle West Corporation, a registered holding company, having duly filed with this Commission an application, and an amendment thereto, pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935, for the approval of the acquisition by it of

(1) 4,082.18 shares of Preferred Stock (par value \$100 per share; entitled, after and only after retirement of all outstanding First Lien 6% Income Bonds, to non-cumulative dividends at the rate of \$6 per share per year when declared by the Board of Directors of the issuer), and

(2) Stock Purchase Warrant for the purchase of 13,010 shares of Common Stock (par value \$1 per share; subject to preferential rights of Preferred Stock) at a price of \$10 per share, such Warrant being void after 3 p. m. on May 31, 1941;

such securities to be issued by the Southern United Gas Company, a Delaware corporation, in accordance with an amended plan for reorganization of the Southern United Gas Company, a New Jersey corporation, which plan was approved by the District Court of the United States for the Northern District of Illinois, Eastern Division, on February 21, 1936;

An opportunity for hearing on said application, as amended, having been given after appropriate notice, the record in this matter having been examined, and the Commission having made and filed its findings herein:

It is ordered, that the acquisition by applicant of such securities in accordance with the terms and conditions of, and for the purposes represented by, such application, as amended, be, and the same hereby is approved.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3746—Filed, December 8, 1936; 12:59 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 4th day of December 1936.

IN THE MATTER OF MCKESSON & ROBBINS, INC., \$3 SERIES CON-
VERTIBLE PREFERENCE STOCK, NO PAR VALUE

ORDER DENYING UNLISTED TRADING PRIVILEGES PURSUANT TO SEC-
TION 12 (F) OF THE SECURITIES EXCHANGE ACT OF 1934, AS
AMENDED, AND RULE JF2 (B)

The Boston Stock Exchange having made application for unlisted trading privileges in McKesson & Robbins, Inc., \$3 Series Cumulative Convertible Preference Stock, No Par Value, pursuant to Section 12 (f) of the Securities Exchange Act of 1934, as amended, and

It appearing to the Commission that, within the meaning of Rule JF2 (b), said security is not substantially equivalent to McKesson & Robbins, Inc., 7% Cumulative Convertible Preferred Stock, \$50 Par Value, a security admitted to unlisted trading privileges on said Exchange, it is

Ordered that said application for unlisted trading privileges in McKesson & Robbins, Inc., \$3 Series Convertible

Preference Stock, No Par Value, on the Boston Stock Exchange be, and is hereby denied.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3729—Filed, December 7, 1936; 1:09 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 4th day of December 1936.

IN THE MATTER OF PATHE FILM CORPORATION COMMON STOCK, \$1 PAR VALUE

ORDER DENYING UNLISTED TRADING PRIVILEGES PURSUANT TO SECTION 12 (F) OF THE SECURITIES EXCHANGE ACT OF 1934, AS AMENDED, AND RULE JF2 (B)

The Boston Stock Exchange having made application for unlisted trading privileges in Pathe Film Corporation Common Stock, \$1 Par Value, pursuant to Section 12 (f) of the Securities Exchange Act of 1934, as amended, and

It appearing to the Commission that, within the meaning of Rule JF2 (b), said security is not substantially equivalent to Pathe Exchange, Inc., Common Stock, a security admitted to unlisted trading privileges on said Exchange, it is

Ordered, that said application for unlisted trading privileges in Pathe Film Corporation Common Stock, \$1 Par Value, on the Boston Stock Exchange be and is hereby denied.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3730—Filed, December 7, 1936; 1:09 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 7th day of December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE CARTER-ALDRIDGE FARM, FILED ON NOVEMBER 16, 1936, BY H. P. BOWEN, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 2:00 o'clock in the afternoon of the 7th day of December 1936 at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:00 o'clock in the forenoon of the 23rd day of December 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3744—Filed, December 8, 1936; 12:59 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 7th day of December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE OHIO-KYLE FARM, FILED ON NOVEMBER 16, 1936, BY P. H. LOWRIE, RESPONDENT

ORDER FOR CONTINUANCE

The Securities and Exchange Commission, having been requested by its counsel for a continuance of the hearing in the above entitled matter, which was last set to be heard at 3:00 o'clock in the afternoon of the 7th day of December 1936, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and it appearing proper to grant the request;

It is ordered, pursuant to Rule VI of the Commission's Rules of Practice under the Securities Act of 1933, as amended, that the said hearing be continued to 10:30 o'clock in the forenoon of the 23rd day of December 1936 at the same place and before the same trial examiner.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3745—Filed, December 8, 1936; 12:59 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 December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE SUNRAY-PHILLIPS-CAPITAL MANSION-STATE ET AL. FARM, FILED ON NOVEMBER 16, 1936, BY W. E. COOK, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on December 4, 1936, be effective as of December 4, 1936; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3729—Filed, December 7, 1936; 1:03 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 4th day of December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE WILLIAMSON FARM, FILED ON NOVEMBER 10, 1936, BY JAMES M. JOHNSON, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on December 1, 1936, be effective as of December 1, 1936; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3719—Filed, December 7, 1936; 1:03 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 4th day of December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE WOFFORD-MILITARY #3-LARKINS & WARR-BRYANT SCHOOL No. 1 FARM, FILED ON NOVEMBER 18, 1936, BY JAMES M. JOHNSON, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on December 4, 1936, be effective as of December 4, 1936; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3722—Filed, December 7, 1936; 1:06 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 4th day of December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE REPOLLO-BARBER FARM, FILED ON NOVEMBER 11, 1936, BY SCHAPPERT-TEDEN-BLUMER, INC., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on December 1, 1936, be effective as of December 1, 1936; and

It is further ordered that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3721—Filed, December 7, 1936; 1:06 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 4th day of December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF AN OVERRIDING ROYALTY INTEREST IN THE WILCOX-BISBEE FARM, FILED ON NOVEMBER 20, 1936, BY SUPREME OIL, INC., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on December 3, 1936, be effective as of December 3, 1936; and

It is further ordered that the Suspension Order, Order for Hearing, and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. 3718—Filed, December 7, 1936; 1:03 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 December A. D. 1936.

[File No. 20-377A2-1]

IN THE MATTER OF AN OFFERING SHEET OF OVERRIDING ROYALTY INTERESTS IN THE AVALON OIL CO.-GARFIELD STREET ADDITION LEASE FILED ON AUGUST 29, 1936, BY L. D. GREENFIELD COMPANY, RESPONDENT

PERMANENT SUSPENSION ORDER

The Securities and Exchange Commission initiated this proceeding pursuant to the provisions of Rule 340 of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, to determine whether or not an order should be entered suspending the effectiveness of the filing of an offering sheet of overriding royalty interests in the "Avalon Oil Co.-Garfield Street Addition Lease", located in Orange County, California, which offering sheet was filed with the Commission on August 29, 1936, by L. D. Greenfield Company, of New York City, the respondent herein.

This matter having come on regularly for hearing before the Commission at Washington, D. C., on October 5, 1936, and due notice thereof having been given to the said respondent and the said respondent having failed to appear, and evidence both oral and documentary having been introduced, and the hearing having been closed, and the Commission having found upon the evidence that said offering sheet is incomplete in material respects, and omits to state material facts required to be stated therein and fails to comply with certain material requirements of the Rules and Regulations of the Commission, all as more fully set forth in the Findings and Opinion of the Commission filed in this proceeding, and it appearing appropriate in the public interest so to do;

It is ordered, pursuant to Rule 340 (b) of the Commission's General Rules and Regulations promulgated under the Securities Act of 1933, as amended, that the effectiveness of the

filing of said offering sheet be and same hereby is permanently suspended.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3725—Filed, December 7, 1936; 1:03 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 4th day of December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE CARTER-AMERADA-SMITH FARM, FILED ON NOVEMBER 27, 1936, BY GENERAL INDUSTRIES CORPORATION, LTD., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the price of oil stated in Item 1 of Division II does not check with the gravity shown in Item 18 (b) of Division II or the prices shown in Item 16 (e). The number of barrels of oil the tract must produce as shown in the last part of Item 1 is incorrect if \$1.12 is the price element used in the calculation;

2. In that Item 2 (f) of Division II requires the names of the present lessees of record;

3. In that Item 19 of Division II is not a correct answer; It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 2nd day of January 1937, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, 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 the taking of testimony in this proceeding commence on the 18th day of December 1936 at 10:30 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3723—Filed, December 7, 1936; 1:07 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 4th day of December A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE CONTINENTAL-McCARTY FARM, FILED ON NOVEMBER 27, 1936, BY L. H. WITWER, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that Item 18 (b) of Division II is omitted;

2. In that Exhibit B gives the legal description of 20 acres, yet states the tract involves 140 acres more or less;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 2nd day of January 1937 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, 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 the taking of testimony in this proceeding commence on the 18th day of December 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 3720—Filed, December 7, 1936; 1:03 p. m.]

Thursday, December 10, 1936

No. 192

DEPARTMENT OF STATE.

National Munitions Control Board.

REGULATIONS GOVERNING THE EXPORTATION OF TIN-PLATE SCRAP

DECEMBER 7, 1936.

Pursuant to the authority vested in me by Executive Order No. 7297 of February 16, 1936, I hereby prescribe, by and with the advice and consent of the National Munitions Control Board, the following regulations to govern the exportation of tin-plate scrap under the provisions of the Act of Congress approved February 15, 1936, entitled "An Act to provide for the protection and preservation of the domestic sources of tin":

(1) For the purpose of the Act the term "tin-plate scrap" is construed, provisionally, to mean tin-plate clippings, cuttings, stampings, trimmings, skeleton sheets, and all other miscellaneous pieces of discarded tin plate, which result from (1) the manufacture of tin plate, or (2) the manufacture of tin-bearing articles from tin plate. As thus defined, the term "tin-plate scrap" does not include tin-plate waste, tin-plate circles, tin-plate strips, tin-plate cobbles, and tin-plate scroll shear butts, when packed separately and sold as such, and when not intermingled with tin-plate scrap.

