

*It is ordered,* That said application be and the same is hereby granted, effective at the close of the trading session on May 26, 1938.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 38-1429; Filed, May 19, 1938; 12:36 p. m.]

UNITED STATES MARITIME COMMISSION.

[No. 486]

ORDER IN RE APPLICATION OF THE BALTIMORE MAIL STEAMSHIP COMPANY TO TRANSFER CERTAIN VESSELS OWNED BY IT TO INTERCOASTAL TRADE

At a Session of the United States Maritime Commission, held at its office in Washington, D. C., on the 17th day of May, A. D. 1938.

*It appearing,* That the United States Lines Company has heretofore entered into an operating-differential subsidy contract with the United States Maritime Commission pursuant to the provisions of Title VI of the Merchant Marine Act of 1936;

*It further appearing,* That The Baltimore Mail Steamship Company has made application to the Commission for permission to transfer the five vessels owned by that company from their present trade route to the intercoastal trade;

*It further appearing,* That said The Baltimore Mail Steamship Company is, or will become, a subsidiary, affiliate, or associate company of the said United States Lines Company within the meaning of Section 805 (a) of said Act;

*It is ordered,* That in accordance with the provisions of Section 805 (a) of the Merchant Marine Act of 1936, and for the purposes stated therein, a public hearing be held, before such member or members of the Commission or such Examiner as the Commission may designate, in the Main Auditorium, Department of Commerce Building, Washington, D. C., on Friday, May 27, 1938, beginning at 10:00 A. M., standard time.

*It is further ordered,* That a copy of this order be served upon the United States Lines Company, The Baltimore Mail Steamship Company, and the operators engaged in the intercoastal trade, named in Appendix A attached hereto and made a part hereof.

*It is further ordered,* That, subject to the provisions of Section 805 (a) of said Act, rules of procedure to be observed at this hearing shall be those now in effect with respect to regulatory proceedings before the Commission.

By the Commission.

[SEAL]

W. C. PEET, Jr., *Secretary.*

APPENDIX "A"

- American-Hawaiian Steamship Company, 90 Broad St., New York, N. Y.
- (Arrow Line) Sudden & Christenson, 310 Sansome St., San Francisco, Calif.
- California Eastern Line, Inc., Porter Bldg., Portland, Ore.
- Calmar Steamship Corporation, 25 Broadway, New York, N. Y.
- Dollar Steamship Lines Inc., Ltd., 311 California St., San Francisco, Calif.
- (Grace Line) Panama Mail Steamship Company, 10 Hanover Square, New York, N. Y.
- Isthmian Steamship Company, 100 West 10th St., Wilmington, Del.
- Luckenbach Gulf Steamship Company, Inc., 120 Wall St., New York, N. Y.
- Luckenbach Steamship Company, Inc., 120 Wall St., New York, N. Y.
- McCormick Steamship Company, 461 Market St., San Francisco, Calif.
- Pacific Coast Direct Line, Inc., 21-24 State St., New York, N. Y.

- (Quaker Line) Pacific-Atlantic Steamship Co., Porter Bldg., Portland, Ore.
- States Steamship Company (California-Eastern Line), Porter Bldg., Portland, Ore.
- American Foreign Steamship Corporation, 80 Broad St., New York, N. Y.
- Bulk Carriers Corporation, 80 Broad St., New York, N. Y.
- Shepard Steamship Company, 40 Central St., Boston, Mass.
- Weyerhaeuser Steamship Company, P. O. Box 629, Newark, N. J.
- Gulf Pacific Mail Line, Ltd., 215 Market St., San Francisco, Calif.
- Swayne & Hoyt, Ltd. (Gulf Pacific Line), 215 Market St., San Francisco, Calif.
- The Union Sulphur Company, 33 Rector St., New York, N. Y.

[F. R. Doc. 38-1421; Filed, May 19, 1938; 10:17 a. m.]

Saturday, May 21, 1938

No. 100

DEPARTMENT OF THE INTERIOR.

Division of Territories and Island Possessions.

[Freight Circular No. 84-O (Cancels No. 84-N)]

THE ALASKA RAILROAD—TRANSPORTATION DEPARTMENT

LOCAL FREIGHT SERVICE

ANCHORAGE, ALASKA,

April 30th, 1938.

To all concerned: Effective May 1, 1938, local freight train service will be operated as follows:

*Northward*

- Leave Seward, Extra, Wednesday and Saturday.
- Leave Anchorage, Extra, Sunday.
- Leave Curry, Extra, Monday.
- Leave Healy, Extra, Saturday and Tuesday.

*Southward*

- Leave Fairbanks, Extra, Monday and Thursday.
- Leave Healy, Extra, Tuesday.
- Leave Curry, Extra, Wednesday.
- Leave Anchorage, Extra, Thursday and Monday.

A coach is handled on all freight trains.

Branch line mixed service will be operated as follows for Eska and Jonesville:

*Northward*

- \*Leave Anchorage, Extra, Monday and Friday at 9:00 A. M.

*Southward*

- \*Leave Jonesville, Extra, Monday and Friday.

\*Denotes Change.

Freight will be handled as follows:

To all main line points and Palmer, Moose Creek, Sutton, Jonesville and Eska.

Freight for Premier will be accepted only for movement on trains when scheduled into Premier. This service depends on traffic from Premier.

Main Line Points are as follows:

Whitney, Otter M. P. 122.9, Eagle River, Fire Creek, M. P. 132.1, Birchwood, Eklutna, Reed,<sup>1</sup> M. P. 146.0 and Matanuska. freight originating at stations south of Anchorage should be sive, will also be handled on main line freight trains and freight originating at stations south of Anchorage should be loaded in main line freight cars destined to stations on main

\* Denotes Change.

<sup>1</sup> When 300 pounds or more, freight will be unloaded at Reed; when less than 300 pounds, freight will be unloaded at Eklutna.

line north of Matanuska for unloading from main line freight trains without transfer at Anchorage to branch line trains.

J. T. CUNNINGHAM,  
Sup't. of Transportation.

The above is hereby confirmed.

RUTH HAMPTON,  
Assistant Director.

May 16, 1938.

[F. R. Doc. 38-1432; Filed, May 20, 1938; 9:59 a. m.]

#### General Land Office.

#### AIR NAVIGATION SITE WITHDRAWAL No. 120

NEVADA AND UTAH

MAY 12, 1938.

It is ordered, under and pursuant to the provisions of section 4 of the act of May 24, 1928, 45 Stat. 728, that the following-described public lands in Nevada and Utah be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws, subject to valid existing rights, for the use of the Department of Commerce in the maintenance of air navigation facilities:

#### NEVADA

#### Mount Diablo Meridian

- T. 26 N., R. 34 E.,  
sec. 24, S $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
sec. 26, N $\frac{1}{2}$ N $\frac{1}{2}$ ;  
T. 14 S., R. 67 E.,  
sec. 12, S $\frac{1}{2}$ ,  
sec. 13, NW $\frac{1}{4}$ ,  
sec. 14, E $\frac{1}{2}$ , SW $\frac{1}{4}$ ,  
sec. 22, E $\frac{1}{2}$ ,  
sec. 23, N $\frac{1}{2}$ , SW $\frac{1}{4}$ ;  
T. 12 S., R. 69 E.,  
sec. 29, S $\frac{1}{2}$ ,  
sec. 32, N $\frac{1}{2}$ ;  
T. 10 S., R. 70 E. (unsurveyed),  
sec. 12, E $\frac{1}{2}$ ;  
T. 10 S., R. 71 E. (unsurveyed),  
sec. 7, S $\frac{1}{2}$ ,  
secs. 17 and 20, W $\frac{1}{2}$ ,  
sec. 18, NE $\frac{1}{4}$ ;

#### UTAH

#### Salt Lake Meridian

- T. 21 S., R. 8 W. (unaccepted survey),  
sec. 29, S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
sec. 31, N $\frac{1}{2}$ N $\frac{1}{2}$ ,  
sec. 32, N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
T. 40 S., R. 18 W.,  
sec. 6, lot 4;  
T. 40 S., R. 19 W.,  
sec. 1, lots 1 to 8, inclusive;  
aggregating 4,701.86 acres.

And departmental orders of April 8 and October 18, 1935, and November 3, 1936, creating Utah Grazing Districts Nos. 3 and 4 and Nevada Grazing Districts Nos. 2 and 5, and of November 12, effective December 2, 1937, withdrawing certain lands in Nevada with a view to their inclusion in a grazing district, are hereby modified and made subject to the withdrawal made by this order so far as they affect the herein-described tracts.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

[F. R. Doc. 38-1433; Filed, May 20, 1938; 9:59 a. m.]

#### STOCK DRIVEWAY WITHDRAWAL No. 252, WASHINGTON No. 3

MAY 11, 1938.

It appearing that the following-described public lands in Washington are necessary for the purpose, it is ordered, under and pursuant to the provisions of section seven of the act of June 28, 1934, 48 Stat. 1269, as amended by the act of June 26, 1936, 49 Stat. 1976, and section ten of the act of December 29, 1916, 39 Stat. 862, as amended by the act of January 29, 1929, 45 Stat. 1144, that such lands, excepting any mineral deposits therein, be, and they are hereby, with-

drawn from all disposal under the public-land laws and reserved for use by the general public as a stock driveway, subject to valid existing rights:

#### WILLAMETTE MERIDIAN

- T. 23 N., R. 25 E.,  
sec. 5, E $\frac{1}{2}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
sec. 8, E $\frac{1}{2}$ NW $\frac{1}{4}$  and W $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
T. 24 N., R. 25 E.,  
sec. 29, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
sec. 32, E $\frac{1}{2}$ ;  
aggregating 878.49 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

[F. R. Doc. 38-1434; Filed, May 20, 1938; 9:59 a. m.]

#### National Bituminous Coal Commission.

[Order No. 242]

AN ORDER REQUIRING THE DISTRICT BOARDS TO SUBMIT TO THE COMMISSION A LIST OF CODE MEMBERS DELINQUENT IN THE PAYMENT OF DISTRICT BOARD ASSESSMENTS

Pursuant to act of Congress entitled "An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public, No. 48, 75th Cong., 1st sess.), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders:

1. That each District Board on or before the 1st day of June, 1938, shall submit to the Commission a list of code members, subject to its jurisdiction, delinquent in the payment of assessments levied by such District Board, together with a statement of the amounts in arrears of each such code member; and the periods of such arrearages.
2. The Secretary of the Commission shall, forthwith, mail copies of this order to the Secretaries of the Bituminous Coal Producers' Boards and to the code members within the several districts.

By order of the Commission.

Dated this 18th day of May, 1938.

[SEAL] F. WITCHER McCULLOUGH, Secretary.

[F. R. Doc. 38-1436; Filed, May 20, 1938; 11:50 a. m.]

#### DEPARTMENT OF AGRICULTURE.

#### Bureau of Agricultural Economics.

[Service and Regulatory Announcements No. 148]

#### AMENDMENT NO. 2 TO REGULATIONS UNDER THE UNITED STATES GRAIN STANDARDS ACT REGARDING FEES AND CHARGES IN APPEALS

By virtue of the authority vested in the Secretary of Agriculture by the United States Grain Standards Act, approved August 11, 1916 (U. S. Code, title 7, ch. 3, secs. 71-87; 39 U. S. Stat. L., p. 482), I [H. A. Wallace], Secretary of Agriculture do hereby make, prescribe, publish and give public notice of the following amendment to the regulations under the United States Grain Standards Act as heretofore promulgated and amended, said amendment to be effective immediately.

In Regulation 6, Section 3, strike out the words "U. S. Department of Agriculture" where they appear in the first and second paragraphs and insert in lieu thereof "Treasurer of the United States."

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington this 19th day of May 1938.

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 38-1431; Filed, May 19, 1938; 3:44 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 19th day of May, A. D. 1938.

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

[Docket No. 3119]

## IN THE MATTER OF NEW YORK PATTERN COMPANY, INC., FASHION INSTITUTE, INC., AND JOHN HOWIE WRIGHT

## 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 Friday, May 27, 1938, at nine o'clock in the forenoon of that day (eastern standard time) in Room 900, 45 Broadway, New York, New York.

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. 38-1435; Filed, May 20, 1938; 10:03 a. m.]

## INTERSTATE COMMERCE COMMISSION.

## ORDER IN THE MATTER OF A UNIFORM SYSTEM OF ACCOUNTS TO BE KEPT BY STEAM ROADS

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 9th day of May, A. D. 1938.

The matter of modifying the Classification of Income, Profit and Loss, and General Balance Sheet Accounts being under consideration:

*It is ordered*, That account 756, "Receiver's certificates," and the text thereto be and they are hereby cancelled and the following account and text be, and they are hereby prescribed in substitution thereof:

756. *Receivers' and Trustees' Securities*.—When receivers or trustees acting under the orders of a court are in possession of the property of the company and under the order of such court issue evidences of indebtedness, or assume the payment of equipment trust certificates, the par value of such evidences and certificates shall be credited to this account.

*It is further ordered*, That this order shall become effective on June 1, 1938.

By the Commission, division 4.

[SEAL]

W. P. BARTEL, *Secretary*.

[F. R. Doc. 38-1437; Filed, May 20, 1938; 12:12 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of May, A. D. 1938.

[File No. 32-91]

## IN THE MATTER OF NEW YORK STATE ELECTRIC &amp; GAS CORPORATION

## NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

*It is ordered*, That a hearing on such matter be held on May 26, 1938, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

*It is further ordered*, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to continue or postpone said hearing from time to time or to a date thereafter to be fixed by such presiding officer.

Notice of such hearing is hereby given to such declarant or applicant and to 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 May 25, 1938.

The matter concerned herewith is in regard to an application by New York State Electric & Gas Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company, pursuant to Section 6 (b) for exemption from the provisions of Section 6 (a) of the issue and sale to the Rural Electrification Administration of its \$250,000 2.88% note to mature serially, the first instalment being payable one year from the date of issue and the remaining instalments semi-annually thereafter. The note is to be secured by \$336,000 of its First Mortgage 4% Bonds dated August 1, 1935 and maturing August 1, 1965. The issue and sale of the note and the issue of the bonds were approved by the Public Service Commission of the State of New York by its order of May 10, 1938. It is stated that the proceeds from the issue and sale of the note will be used solely and exclusively for construction of rural electric line extensions.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 32-1433; Filed, May 20, 1938; 12:36 p. m.]

Tuesday, May 24, 1938

No. 101

## TREASURY DEPARTMENT.

## Bureau of Internal Revenue.

[T. D. 4804]

## INTERNAL REVENUE TAXES—SMUGGLED LIQUOR

## COLLECTION OF INTERNAL REVENUE TAXES ACCRUING ON SPIRITS SMUGGLED OR CLANDESTINELY INTRODUCED INTO THE UNITED STATES

*To Collectors of Customs, Collectors of Internal Revenue, and Others Concerned:*

Pursuant to section 5 of the Liquor Enforcement Act of 1936 (U. S. C., Sup. III, title 27, sec. 225) there are hereby imposed upon the collectors of internal revenue the right, privilege, power and duty now imposed upon collectors of customs by section 600 (a) (5) of the Revenue Act of 1918, as amended (U. S. C., title 26, sec. 1150 (f)), of collecting and

