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THE NATIONAL ARCHIVES

# FEDERAL REGISTER

OF THE UNITED STATES

VOLUME I — 1934 — NUMBER 88

*Washington, Wednesday, July 15, 1936*

## PRESIDENT OF THE UNITED STATES.

### FRANCIS MARION NATIONAL FOREST—SOUTH CAROLINA

By the President of the United States of America

A PROCLAMATION

WHEREAS certain forest lands within the State of South Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands as the Francis Marion National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Francis Marion National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereinafter be acquired by the United States under the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Francis Marion National Forest:

Beginning on the right bank of the South Santee River at the mouth of the Canal which drains the Santee Gun Club Reserve; thence southwesterly with the canal and the main stream flowing into it approximately ⅝ mile to a point at the inland edge of the coastal marsh; thence southwesterly with the edge of the marsh to the junction of three roads near the head of Dupre Creek; thence southwesterly with the road to a point on the north bank of the Intra-Coastal Waterway; thence southwesterly with the north bank of the Intra-Coastal Waterway to the north fork of Belvedere Creek, excluding along this line any portions of the Cape Romain Migratory Bird Refuge which may lie northwest of the Intra-Coastal Waterway; thence northwesterly with the meanders of Belvedere Creek to the end of a secondary road; thence southwesterly with said road and the Sewee Road to the point where the latter intersects the eastern boundary of Tract No. 92, property of the United States; thence southeasterly, southwesterly, and northwesterly with the boundary of said Tract No. 92, to a point on said road; thence southwesterly with the Sewee Road to a point on the eastern boundary of Tract No. 113r, property of the United States; thence southeasterly, southwesterly, and northwesterly with the boundary of Tract No. 113r, to the point where the western boundary of said Tract is crossed by the Sewee Road; thence southwesterly with said road, taking the right-hand road at approximately 1½ miles, to U. S. Highway No. 17; thence southerly with Highway No. 17, approximately ¼ mile to the inland edge of the Wando Marsh; thence northwesterly with the edge of the marsh to the Wando River; thence westerly down the right bank of Wando River, running with the north channel and Guerin Creek so as to exclude Paradise Island and Cat Island, to Cainhoy; thence northwesterly with the main public road approximately three miles to its intersection with Clement's Ferry Road; thence northerly with the Clement's Ferry Road to the Quimby Bridge; thence northwesterly with the right bank of Quimby Creek to a point on the northwest bank of the East branch of Cooper River; thence southwesterly with north or right bank of Cooper River to a point at or near Tract No. 1239; thence northwesterly with the southwest boundary of Tract No. 1239 to State Highway No. 402; thence westerly with Highway No. 402, approximately 1½ miles to Strawberry Road; thence westerly with Strawberry Road approximately 2 miles to a road fork just south of the Seaboard Airline Railroad; thence northerly with the right-hand road, crossing the railroad, to Highway No. 402; thence northwesterly with Highway No. 402 passing Biggins Church to a point on the Santee Canal; thence northwest with the east bank of the Santee Canal to a point on the Atlantic Coast Line Railroad; thence northeasterly with the Atlantic Coast Line Railroad to a point on the south boundary of Tract No. 76, property of the United States; thence northwesterly, northerly, and easterly with the boundary of Tract No. 76 to Corner No. 81 of said Tract, beside a road; thence easterly with said road to where it crosses the Atlantic Coast Line Railroad; thence northeasterly with the Atlantic Coast Line Railroad to a point on the south bank of the Santee River; thence southeasterly with the right bank of the Santee and South Santee Rivers to the place of beginning.

The boundaries of the Francis Marion National Forest are graphically shown on the diagram attached hereto and made a part hereof.[1]

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 10'' day of July, in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixty-first.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
*Secretary of State.*

[No. 2186]

[F. R. Doc. 1247—Filed, July 13, 1936; 3:49 p. m.]

[1] *See* p. 927.

FEDERAL REGISTER

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PISGAH NATIONAL FOREST—NORTH CAROLINA

By the President of the United States of America

A PROCLAMATION

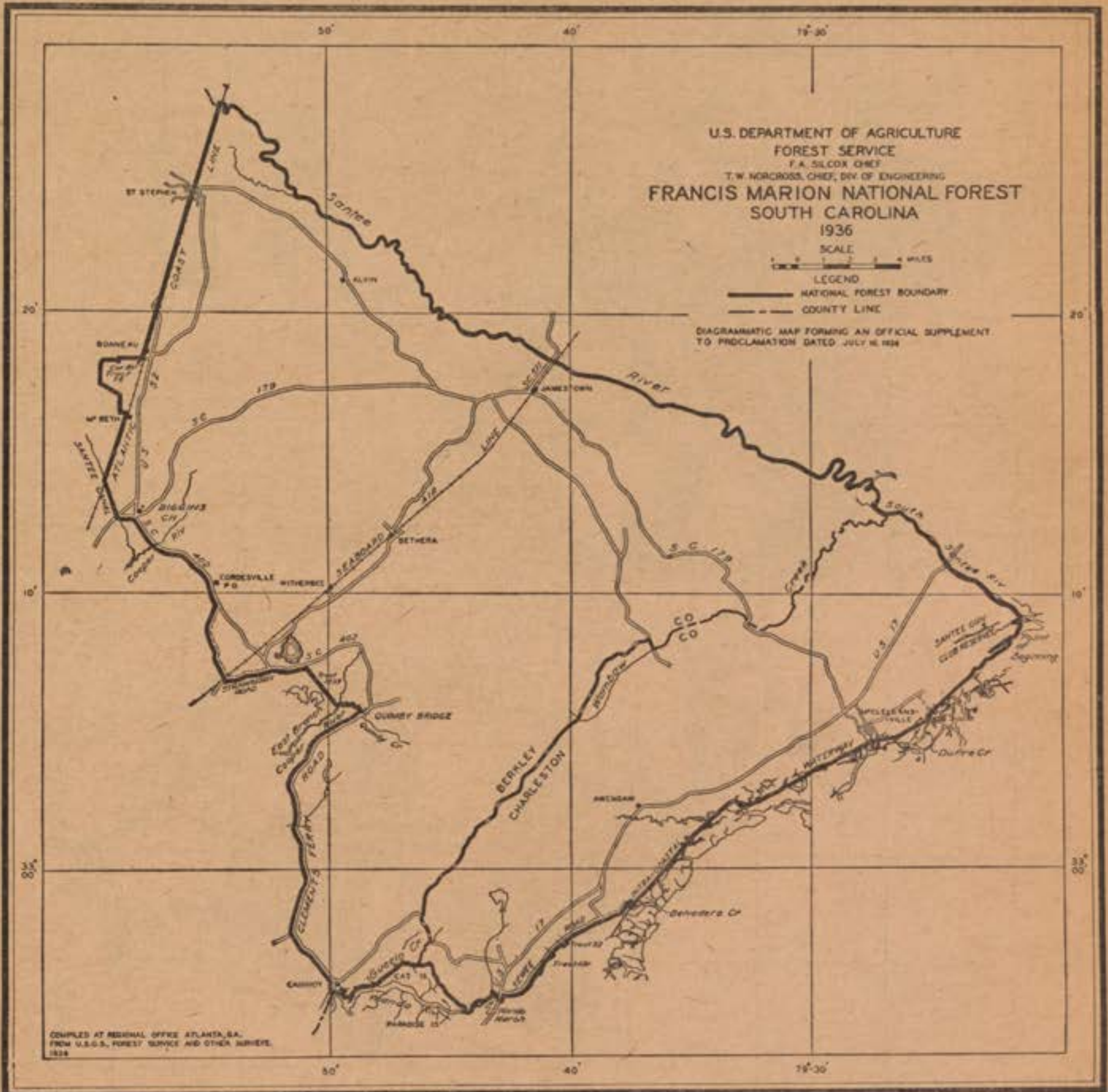
WHEREAS certain forest lands within the State of North Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that the reservation as the Pisgah National Forest of said lands together with certain other lands heretofore forming parts of the Pisgah National Forest and the Unaka National Forest would be in the public interest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), the act of June 4, 1897, ch. 2, 30 Stat. 34, 36 (U. S. C., title 16, sec. 473), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Pisgah National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Pisgah National Forest:

*Division Number 1*

Beginning in Soco Gap, at a point where North Carolina State Highway 293 crosses the State line into Tennessee; thence easterly with Highway 293 to its junction with State Highway 284 at Dellwood; thence easterly and southerly with Highway 284 to its intersection with the corporate limits of the town of Waynesville; thence running with the western, southern and southeastern corporate limits of the towns of Waynesville and Hazelwood, so as to exclude them, to State Highway 284 on the southeast side of Waynesville; thence easterly with said State Highway 284 to State Highway 110 at Silver Bluff; thence northerly with Highway 110 about 0.8 mile to its junction with a road leading to Henson Cove; thence easterly with said road about 2.4 miles to Henson Cove; thence northerly with the Canton road about 1.7 miles to its junction with a road leading to Dutch Cove; thence in a general northeasterly direction with said road to the forks of the road near Dutch Cove; thence northeasterly with the northeast fork of said road about 3.7 miles to Highway 19–23 just east of the Buncombe-Haywood County line; thence easterly with U. S. Highway 19–23, about 3.4 miles to its junction with Youngs Cove Road; thence southerly with Youngs Cove Road about 1.7 miles to the road leading from Candler to Mt. Pisgah; thence southwesterly with said Pisgah Road 3.1 miles to the Glady Fork Road; thence easterly with said Glady Fork Road and the McFee Road 3.8 miles to Beaverdam Road on Beaverdam Creek; thence northerly with said Beaverdam Road about 2.1 miles to the Ledford Cove Road; thence northeasterly with said Ledford Cove Road 0.8 mile to the Case Cove Road; thence southerly, easterly, northeasterly and northerly with said Case Cove Road about 4.0 miles to Enka; thence easterly with the new Sand Hill Road about 1.1 miles to the Sardis Road; thence southeasterly with said Sardis Road 2.2 miles to Highway 191; thence southeasterly with said Highway 191 about 4.8 miles to Avery; thence southwesterly with the Avery Creek Road 1.3 miles to the Cochran Road leading from Avery Creek to McDowell Creek; thence southerly with said Cochran Road to the North Mills River Road; thence westerly with said North Mills River Road approximately 2 miles to the road leading south across North Fork of Mills River; thence southerly and southeasterly with said road, crossing the River about 1.1 miles, to the South Mills River Road; thence easterly with said South Mills River Road about 2.1 miles to the road around the northeast end of Forge Mountain connecting with State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FOREST SERVICE
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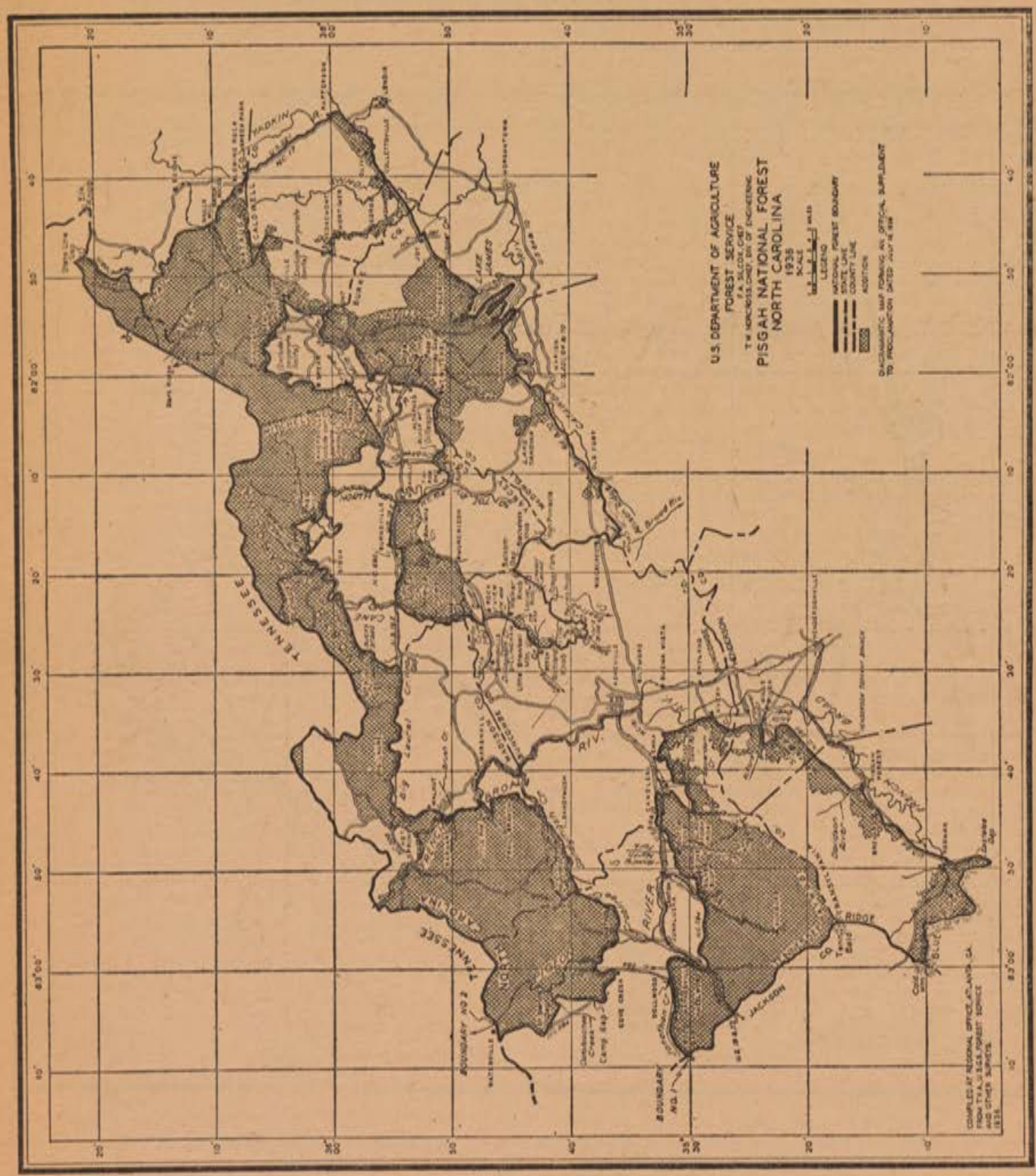
T.W. NORCROSS, CHIEF, DIV. OF ENGINEERING
FRANCIS MARION NATIONAL FOREST
SOUTH CAROLINA
1936
SCALE
MILES
LEGEND
NATIONAL FOREST BOUNDARY
COUNTY LINE
DIAGRAMMATIC MAP FORMING AN OFFICIAL SUPPLEMENT
TO PROCLAMATION DATED
Santee
River
JAMESTOWN
BETHERA
SEABOARD
LINE
COAST
ATLANTIC
BONNEAU
BERKLEY
CHARLESTON
QUINBY BRIDGE
Beginning
Dutre Cr
Belvedere Cr
50'
40'
79°30'
20'
10'
33° 00'
COMPILED AT REGIONAL OFFICE ATLANTA, GA.
FROM U.S.G.S., FOREST SERVICE AND OTHER SURVEYS.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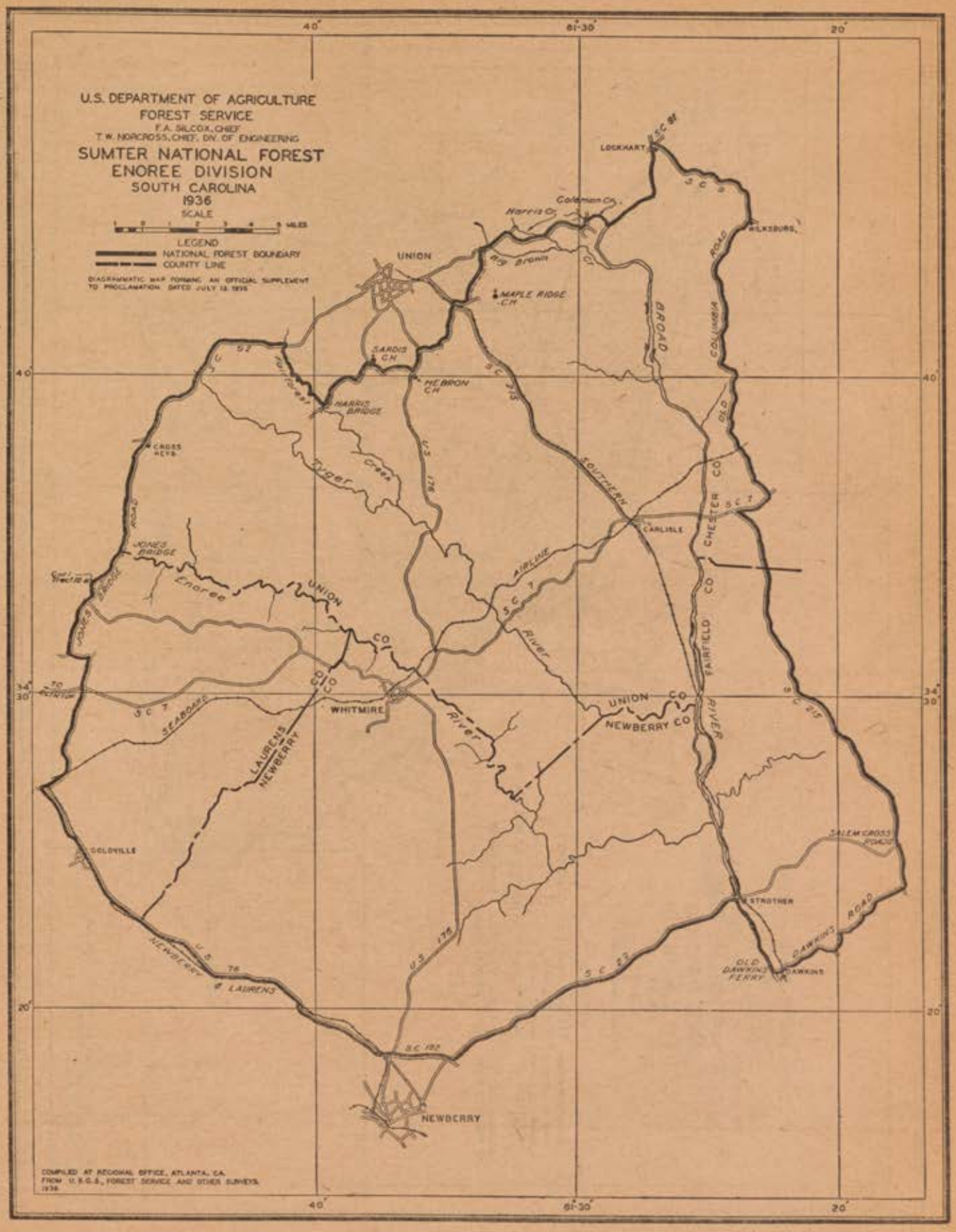
FOREST SERVICE
PISGAH NATIONAL FOREST
NORTH CAROLINA
1936
SCALE
LEGEND
NATIONAL FOREST BOUNDARY
STATE LINE
COUNTY LINE
ADDITION
TENNESSEE
NORTH CAROLINA
BOUNDARY NO. 2
BOUNDARY NO. 1
RIVER
RIDGE
JACKSON
BLUE
LAKE JAMES
HADKIN
CALDWELL
Camp Gap
Tennessee Bald
Cold Mtn.
Dorsey Gap
COMPILED AT REGIONAL OFFICE, ATLANTA, GA.
FROM T.V.A., U.S.G.S., FOREST SERVICE
AND OTHER SURVEYS.
1936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FOREST SERVICE
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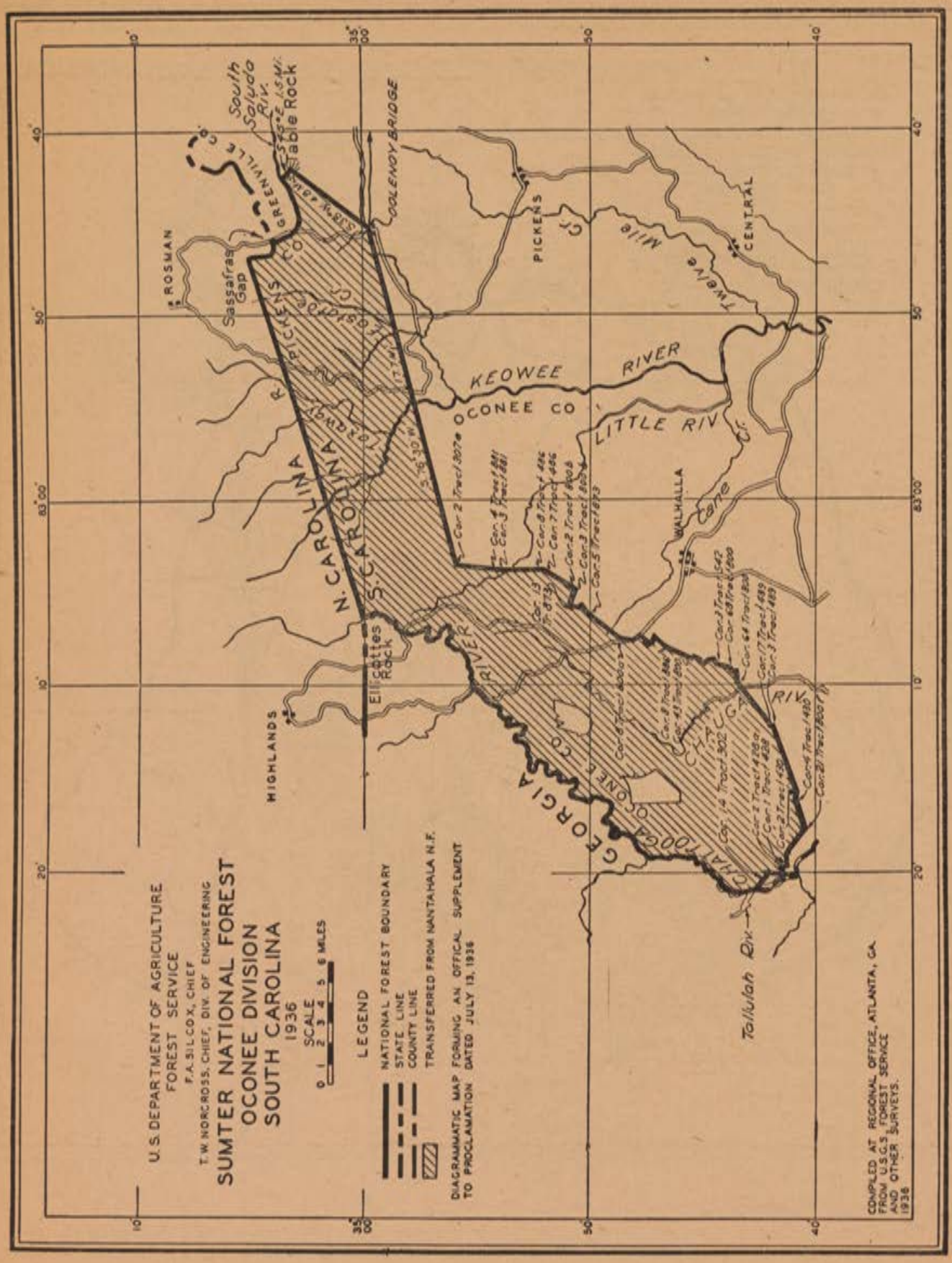
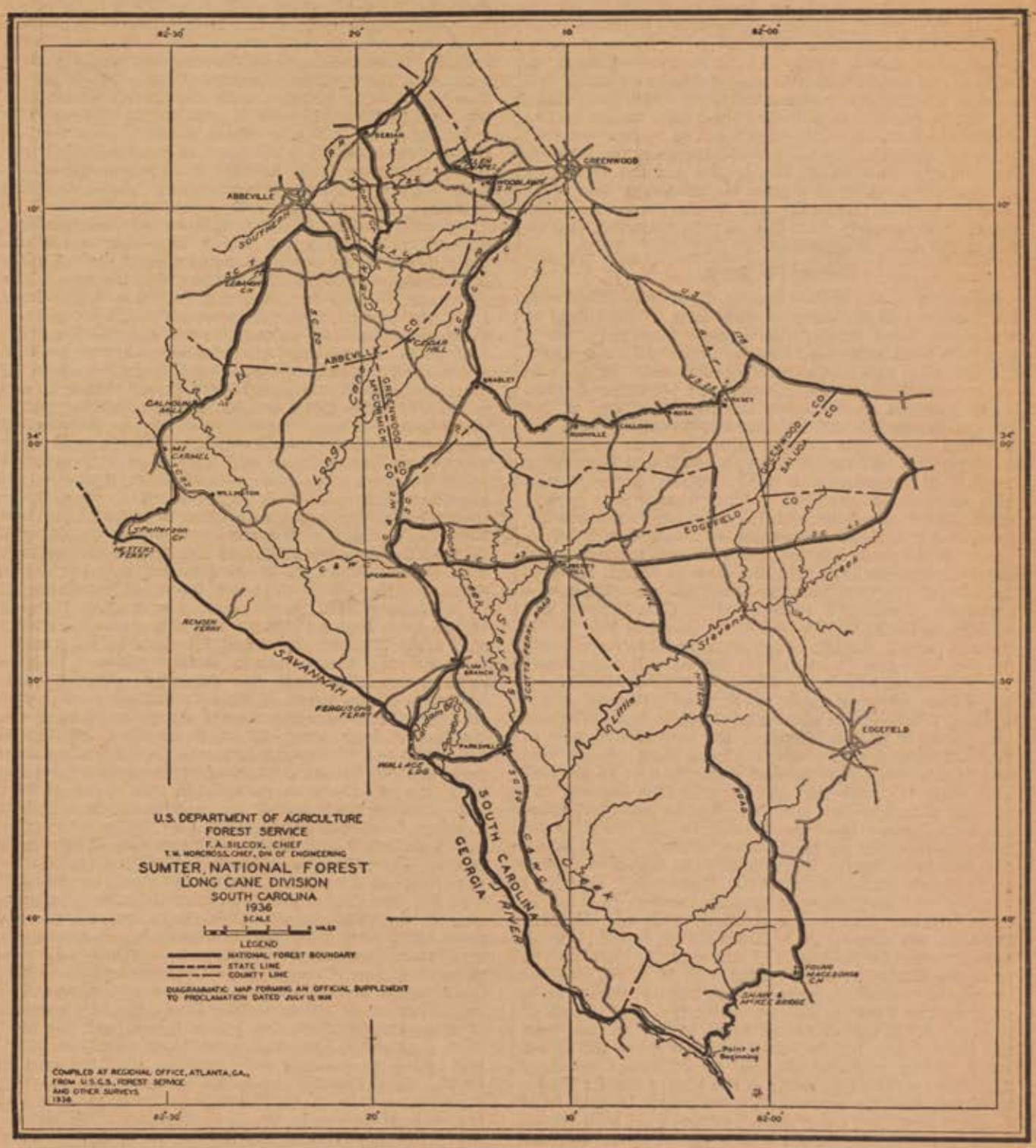
T.W. NORCROSS, CHIEF, DIV. OF ENGINEERING
SUMTER NATIONAL FOREST
ENOREE DIVISION
SOUTH CAROLINA
1936
SCALE
LEGEND
NATIONAL FOREST BOUNDARY
COUNTY LINE
UNION
LOCKHART
WILKSBURG
MAPLE RIDGE CH
SARDIS CH
HEBRON CH
HARRIS BRIDGE
CROSS KEYS
JONES BRIDGE
CARLISLE
WHITMIRE
GOLDVILLE
STROTHER
DAWKINS
OLD DAWKINS FERRY
NEWBERRY
UNION CO
NEWBERRY CO
CHESTER CO
FAIRFIELD CO
LAURENS
NEWBERRY
Enoree
Tyger
Creek
River
Harris Cr.
Coleman Cr.
Big Brown
BROAD
COLUMBIA
ROAD
OLD
SOUTHERN
AIRLINE
SEABOARD
SALEM CROSS ROADS
DAWKINS ROAD
NEWBERRY & LAURENS
U.S. 76
U.S. 176
S.C. 92
S.C. 215
S.C. 7
S.C. 23
S.C. 192
40°
61°30'
20°
34°30'
COMPILED AT REGIONAL OFFICE, ATLANTA, GA.
FROM U.S.G.S., FOREST SERVICE AND OTHER SURVEYS.
1936


U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
F.A. SILCOX, CHIEF
T.W. NORCROSS, CHIEF, DIV. OF ENGINEERING
SUMTER NATIONAL FOREST
OCONEE DIVISION
SOUTH CAROLINA
1936
SCALE
0 1 2 3 4 5 6 MILES
LEGEND
NATIONAL FOREST BOUNDARY
STATE LINE
COUNTY LINE
TRANSFERRED FROM NANTAHALA N.F.
DIAGRAMMATIC MAP FORMING AN OFFICAL SUPPLEMENT TO PROCLAMATION DATED JULY 13, 1936
COMPILED AT REGIONAL OFFICE, ATLANTA, GA. FROM U.S.G.S. FOREST SERVICE AND OTHER SURVEYS. 1936
ROSMAN
Sassafras Gap
GREENVILLE CO.
South Saluda Riv.
Table Rock
OOLENOY BRIDGE
PICKENS
CENTRAL
Twelve Mile Cr.
KEOWEE RIVER
OCONEE CO
LITTLE RIV
Cane Cr.
WALHALLA
N. CAROLINA
S. CAROLINA
Ellicottes Rock
HIGHLANDS
GEORGIA
CHATTOOGA
OCONEE CO
CHAUGA RIV.
Tallulah Riv.


U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
F.A. SILCOX, CHIEF
T.W. MORCROSS, CHIEF, DIV. OF ENGINEERING
SUMTER NATIONAL FOREST
LONG CANE DIVISION
SOUTH CAROLINA
1936
SCALE
LEGEND
NATIONAL FOREST BOUNDARY
STATE LINE
COUNTY LINE
DIAGRAMMATIC MAP FORMING AN OFFICIAL SUPPLEMENT TO PROCLAMATION DATED JULY 15, 1936
COMPILED AT REGIONAL OFFICE, ATLANTA, GA., FROM U.S.G.S., FOREST SERVICE AND OTHER SURVEYS 1936
ABBEVILLE
GREENWOOD
SAVANNAH
SOUTH CAROLINA
GEORGIA
EDGEFIELD
Point of Beginning

Highway 280; thence southerly with said connecting road 1.4 miles to State Highway 280; thence with said Highway 280 in a general southwesterly direction to the road connecting State Highway 280 with U. S. Highway 64 near Pisgah Forest Station; thence with said connecting road in a southerly direction about 1.2 miles to the Hendersonville-Toxaway Branch of the Southern Railway; thence with said Railway in a general southwesterly direction passing through Brevard five miles to U. S. Highway #64; thence southwesterly with said U. S. Highway 64 about 7.0 miles to the town limits of Rosman; thence excluding the town of Rosman and running southerly with State Highway 283 to Eastatoe Gap in the Blue Ridge; thence northwesterly with the top of the Blue Ridge to its junction with Tennessee Ridge on Cold Mountain; thence northerly with the Transylvania-Jackson County line and the Tennessee Ridge about 10 miles to a point on Tennessee Bald common to Jackson, Haywood and Transylvania Counties; thence northwesterly with the Jackson-Haywood County line to the place of beginning.

*Division Number 2*

Beginning at the intersection of the Pigeon River with the Tennessee-North Carolina State Line at the village of Waterville, being in the line between Haywood County, North Carolina and Cocke County, Tennessee; thence with the said state line in a general northeasterly direction to State Line Gap on the line between Watauga County, North Carolina and Johnson County, Tennessee, at the head of Beaverdam Creek; thence southwesterly with the old road to its first crossing with the main stream of Beaverdam Creek; thence down and with said Beaverdam Creek to its confluence with Watauga River; thence up and with Watauga River to Shulls Mills; thence in a general southeasterly direction with a secondary road passing through a gap about one-quarter of a mile east of Miray Knob, up the north side of Cannon Branch, through a gap about one-quarter of a mile northeast of Martin Knob to its junction with U. S. Highway 221 at Raven Rocks; thence southeasterly with U. S. Highway 221 to U. S. Highway 321 at Blowing Rock; thence with U. S. Highway 321, southeasterly passing through Green Park and Patterson to its junction with State Highway 90; thence with State Highway 90 in a southwesterly direction to Collettsville; thence with a secondary road southwesterly passing through Adsko, crossing Wilson Creek and Upper Creek to State Highway 181; thence with State Highway 181 southerly 0.5 mile to its junction with road leading to Table Rock; thence with said road southwesterly passing Table Rock to its junction with State Highway 105; thence with said highway 105 westerly about one-half mile to a small stream which flows into Lake James; thence down and with said stream to the northern shoreline of Lake James; thence in a westerly direction following the shoreline of Lake James to a point on the road leading to Hankins; thence with said road westerly and southwesterly passing through Hankins to U. S. Highway 221; thence southerly with said highway 221 about 0.8 mile to U. S. Highways 64 and 70; thence westerly with U. S. Highways 64 and 70 to Old Fort; thence, excluding Old Fort, and running with U. S. Highway 64 southward to where it crosses Catawba River; thence westward up and with the Catawba River and that branch of it on the north side of Allison Ridge to the old road near the crest of the divide between Catawba River and Broad River; thence with said old road northwesterly to Corner 2 of Tract #107aII, property of the United States; thence with the southern and western boundary of said tract #107aII to the old road; thence with the old road northwesterly to the crest of the Blue Ridge in the Buncombe-McDowell County Line; thence with the Blue Ridge and said County Line in a northerly direction to High Pinnacle, a point common to Yancey, McDowell and Buncombe Counties; thence northwesterly with the Buncombe-Yancey County Line passing Blackstock Knob to Balsam Gap; thence southwesterly, leaving the County Line and following the ridge dividing the waters of Dillingham Creek and the North Fork of the Swannanoa River passing Walker Knob, Locust Knob, Craggy Dome and Bucknera Knob, to Craggy Flats; thence westerly with the divide between Dillingham and Beetree Creeks to its junction with the divide between Reems and Beetree Creeks; thence southwesterly with the hydrographic divide passing over Lanes Pinnacle to Paynes Knob; thence southeasterly with the crest of Pinnacle Ridge about one-half mile to Corner 2 of Tract #82, property of the United States; thence with the lines of Tract #82 around its southern boundary to Corner 1 of U. S. Tract #266; thence northerly with the line of Tract #266 to U. S. Tract #81; thence with the western boundary of Tract #81 to Richland Knob; thence northerly down the point of a ridge about 2.0 miles to a point in Reems Creek about 1.0 mile east of the town of Beech; thence northeasterly up the ridge to Little Snowball Mountain; thence northeasterly with crest of Little Snowball Mountain about 0.2 mile to the south boundary of U. S. Tract #475; thence with the southwest and north boundaries of Tract #475 to the crest of Little Snowball Mountain; thence down the ridge northeasterly about 2 miles to a point in Dillingham Creek about 0.2 mile west of the village of Dillingham; thence up a ridge which leads northerly, passing along the western boundary of U. S. Tract #494, about 2.6 miles to a point in North Ivy River, said point being about 3.2 miles east of the town of Barnardsville; thence westerly down said river about 1.3 miles to its confluence with Martin Creek; thence up and with said Martin Creek and its tributary northeasterly to Many Gap at or near the junction of Yancey, Madison and Buncombe Counties; thence northerly with the road which leads down Indian Creek and then down Hinton Creek about 8.0 miles to its junction with U. S. Highway 19E; thence easterly with U. S. Highway 19E to Cane River; thence in a general easterly direction up and with the Cane River to the mouth of Bowlens Creek; thence up and with Bowlens Creek to State Highway 695; thence northeasterly with State Highway 695 to the town limits of Burnsville; thence northeasterly with the limits of Burnsville to U. S. Highway 19E; thence easterly with U. S. Highway 19E to State Highway 104 at Micaville; thence southerly with State Highway 104 about 6.1 miles to its junction with the road which leads up Bobs Creek, said junction being west of the South Toe River and about 0.4 mile southwest of the mouth of Bobs Creek; thence with said road in a general northeasterly direction, crossing the South Toe River about 2.7 miles to Seven Mile Ridge School; thence with a secondary road northerly and northeasterly about 2 miles to Crabtree Creek; thence down and with Crabtree Creek to its junction with the East Fork near Crabtree Falls; thence up and with the East Fork of Crabtree Creek southeasterly 0.6 mile to its intersection with a secondary road; thence with said road southeasterly passing Black Mountain Church to Gillespie Gap on the Blue Ridge in the Mitchell-McDowell County Line; thence with the Blue Ridge and the Mitchell-McDowell County Line northeasterly to McKinney Gap; thence with road down Little Rose Creek northwesterly passing Altapass to road which leads up Rose Creek; thence with said road easterly up Rose Creek to a point about 0.4 mile east of the Altapass Church; thence northerly with a secondary road to North Toe River about 0.1 mile east of the mouth of Holley Branch; thence up and with the North Toe River to U. S. Highway 19E; thence northerly with U. S. Highway 19E about 0.4 mile to its junction with the road up Brushy Creek; thence northeasterly with said road up Brushy Creek to U. S. Highway 221; thence with said Highway 221 northeasterly passing Altamont to State Highway 181 at Linville excluding, however, from this boundary, the town of Linville; thence with State Highway 181 westerly to Newland, excluding from this boundary the town of Newland; thence westerly with the road that leads down the North Toe River to U. S. Highway 19E at Minneapolis; thence with U. S. Highway 19E southerly to a point in Three Mile Creek about 0.1 mile southeast of the junction of said Highway with State Highway 194 at Ingalls; thence

down and with Three Mile Creek northwesterly about 0.2 mile to its confluence with Toe River; thence with a straight line approximately S62°W 6.0 miles to the confluence of Bear Creek with Toe River; thence up and with Bear Creek northerly about 2.5 miles to State Highway No. 19; thence with State Highway 19, westerly and northwesterly to the town limits of Bakersville excluding the town of Bakersville, and continuing with State Highway 19, westerly passing Red Hill to the road which leads up Rock Creek at a point below the junction of Rock and Bee Creeks; thence with said road up Rock Creek northerly about 0.6 mile to Bee Creek; thence continuing with said road up Bee Creek northerly about 1.5 miles to a road intersection; thence westerly with said intersecting road about 1.0 mile to the road which leads down a branch of Brummett Creek; thence with said Brummett Creek Road westerly about 2.4 miles to its junction with State Highway 19 on the right bank of Toe River; thence with State Highway 19 westerly about 3.5 miles passing Relief and crossing Toe River to its confluence with Cane River; thence up and with the Cane River Road southwesterly to the confluence of Bald Mountain Creek with Cane River; thence with road up Bald Mountain Creek to Buck's Store; thence with a trail up a creek southerly about 1.3 miles to McKinney Gap; thence westerly with a spur ridge about 0.8 mile to the crest of the ridge which is the Yancey-Madison County Line; thence with said ridge and County Line southerly about 3.0 miles to the road at Windy Gap; thence with said road down Big Laurel Creek westerly to its junction with U. S. Highway 70 about 2.1 miles south of the junction of U. S. Highway 70 and State Highway 208; thence with U. S. Highway 70 southerly about 3.5 miles to Walnut; thence with an intersecting road southwesterly about 2.0 miles, crossing Brush Creek to the French Broad River at Barnard; thence up and with the French Broad River southerly about 4.2 miles to the mouth of Little Pine Creek; thence up and with Little Pine Creek southwesterly about 2 chains to the road leading up Little Pine Creek; thence with said road southwesterly to a road intersection at the hamlet of Little Pine Creek; thence with said intersecting road southwesterly about 1.7 miles to a road intersection about 3.0 miles northwest of the hamlet of Trail Branch; thence southeasterly down said road to the hamlet of Trail Branch; thence with the road southwesterly about 2.8 miles to its junction with another road at a branch of Sandymush Creek; thence with said other road southwesterly to its junction with another road at Sandymush Creek; thence with the said Sandymush Creek road up the creek southwesterly passing the hamlet of Sandymush to Haywood Gap in the Newfound Mountains at the head of Crabtree Creek; thence down Crabtree Creek southwesterly to its confluence with Pigeon River; thence northwesterly along the right bank of Pigeon River to a road crossing approximately 3 miles from the mouth of Crabtree Creek; thence crossing Pigeon River with said road westerly 0.1 mile to road intersection; thence with said intersecting road westerly about 2.5 miles to State Highway 289; thence with State Highway 289 southwesterly 1.9 miles to State Highway 284 at the hamlet of Cove Creek; thence with State Highway 284 northwesterly to a point on the divide between Pigeon River and Cataloochie Creek in Camp Gap; thence in a general northwesterly direction with the boundary of land deeded by the State of North Carolina to the United States for the Great Smoky Mountains National Park to intersection with State Highway 284 at or near Mt. Sterling Gap; thence northerly with Highway No. 284 to the North Carolina-Tennessee State Line; thence with said State Line easterly to the place of beginning.

The boundaries of the Pisgah National Forest are graphically shown on the diagram attached hereto and made a part hereof.[1]

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

[1] *See* p. 928.



DONE at the City of Washington this 10" day of July, in the year of our Lord nineteen hundred and thirty-six and of the Independence of the United States of America the one hundred and sixty-first.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
*Secretary of State.*

[No. 2187]

[F. R. Doc. 1246—Filed, July 13, 1936; 3:49 p. m.]

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SUMTER NATIONAL FOREST—SOUTH CAROLINA

By the President of the United States of America

A PROCLAMATION

WHEREAS certain forest lands within the State of South Carolina have been or may hereafter be acquired by the United States of America under the authority of sections 6 and 7 of the act of March 1, 1911, ch. 186, 36 Stat. 961, as amended (U. S. C., title 16, secs. 515, 516); and

WHEREAS it appears that it would be in the public interest to reserve and designate such lands together with certain other lands heretofore forming a part of the Nantahala National Forest as the Sumter National Forest:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24 of the act of March 3, 1891, ch. 561, 26 Stat. 1095, 1103, as amended (U. S. C., title 16, sec. 471), and by section 11 of the said act of March 1, 1911 (U. S. C., title 16, sec. 521), do proclaim that there are hereby reserved and set apart as the Sumter National Forest all lands of the United States within the following-described boundaries, and that all lands therein which may hereafter be acquired by the United States under authority of the said act of March 1, 1911, as amended, shall upon their acquisition be reserved and administered as a part of the Sumter National Forest:

*Enoree Division*

Beginning at the intersection of S. C. Highways 9 and 91, the most northerly point on said Unit, approximately one-quarter mile East of Lockhart; thence southeasterly with Highway 9, approximately five miles to intersection with Old Columbia road at Wilksburg; thence southerly with Old Columbia road approximately 12 miles, passing Leeds, to intersection of S. C. Highway 7; thence westerly with Highway 7, 1½ miles to intersection with S. C. Highway 215; thence southerly with S. C. Highway 215, approximately 15 miles to intersection with Dawkins Road approximately 1½ miles south of Salem Cross Roads; thence southwesterly 5½ miles with said road to Dawkins, S. C., at Broad River; thence northwesterly with the left bank of Broad River 3 miles to S. C. Highway 22 at Strother; thence southwesterly with Highway 22 approximately 13 miles crossing Broad River to intersection with S. C. Highway 192, approximately 2½ miles northeast of Newberry; thence westerly with Highway 192, 1½ miles, crossing U. S. Highway 176, to intersection with U. S. Highway 76; thence northwesterly with Highway 76 approximately 17 miles passing Kinards and Goldville to the intersection with old local road leading to Jones Crossing; thence northeasterly with said old local road approximately 7 miles crossing S. C. Highway 7 to the west boundary of Tract No. 18a under option to the United States; thence with the lines of said tract northerly to Corner 1 thereof; thence northeasterly with the old location of the Jones Bridge Road to the new location thereof; thence northeasterly with said Jones Bridge Road crossing Enoree River to Highway 92 at Cross Keys; thence with said S. C. Highway 92 approximately 8 miles, crossing Tyger River, to Fair Forest Creek; thence southeasterly down and with the meanders of Fair Forest Creek, approximately 4 miles,

to local road at Harris Bridge; thence northeasterly with local road approximately 4 miles to intersection with U. S. Highway 176 at Hebron Church; thence northeasterly with U. S. Highway 176 1 mile to intersection with local road approximately 2½ miles south of Union; thence northeasterly following said local road approximately 10 miles crossing S. C. Highway 215 and Southern Railway to Coleman Creek; thence easterly down and with the meanders of Coleman Creek, about one mile to Broad River; thence crossing Broad River and running with the left bank thereof in a northeasterly direction about 4 miles to the bridge at Lockhart; thence easterly with State Highway 91, approximately one-fourth mile to the place of beginning.

*Oconee Division*

Beginning at Ellicottes Rock, the point where the 35th parallel of latitude intersects the Chattooga River, the common corner of the states of South Carolina, North Carolina and Georgia; thence northeasterly with the North Carolina-South Carolina State Line to a point in Sassafras Gap, a corner of Pickens and Greenville Counties; thence southerly and easterly with the meanders of the Pickens-Greenville County Line, down and with South Saluda River, to a point which is N 45° W from Table Rock; thence S 45° E approximately 1.5 miles to the summit of Table Rock; thence S 38° W approximately 4.8 miles to Oolenoy Bridge; thence S 76°30' W approximately 17.7 miles to corner 2 of Tract No. 307e, property of the United States; thence southerly a straight line to corner 4 of Tract No. 881 property of the United States; thence southerly with the boundary of Tract No. 881 to corner 3 of said tract; thence southerly a straight line to corner 8 of Tract No. 486, property of the United States; thence southwesterly with the boundary of Tract No. 486 to corner 7 of said tract; thence southwesterly a straight line to corner 2 of Tract No. 800-b, property of the United States; thence southwesterly and westerly with the boundary of Tract No. 800-b to corner 13 of Tract No. 873, property of the United States; thence southerly and westerly with the boundary of Tract No. 873 to corner 5 of said tract; thence southwesterly a straight line to corner 8 of Tract No. 800a, property of the United States; thence in a general southerly direction with the eastern boundaries of Tracts Nos. 800a, 307c, 800a-I and 886, all the property of the United States, running so as to include them herein, to corner 8 of Tract No. 886; thence southwesterly a straight line to corner 43 of Tract No. 800, property of the United States; thence in a general southerly direction with the eastern boundary of Tract No. 542, property of the United States, to corner 3 of said tract; thence southerly a straight line to corner 60 of Tract No. 800; thence southerly and westerly, with the eastern and southern boundary of Tract No. 800 to corner 64 of said tract; thence southwesterly a straight line to corner 17 of Tract No. 489, property of the United States; thence southerly, with the eastern boundary of Tract No. 489, to corner 3 of said tract; thence southwesterly a straight line to corner 2 of Tract No. 430, property of the United States; thence westerly with the southern boundary of Tract No. 430 to corner 4 of said tract; thence westerly a straight line to corner 21 of Tract No. 800f, property of the United States; thence northwesterly with the southwestern boundaries of Tracts Nos. 800f and 428, to corner 1 of the latter tract; thence northerly a straight line to corner 2 of Tract No. 428a, property of the United States; thence in a general westerly, then northerly, then westerly direction, with the boundaries of Tracts 428a, 302j and 302, so as to include them herein, to corner 14 of Tract No. 302; thence northwesterly a straight line to the junction of the Chattooga and Tallulah Rivers; thence in a general northeasterly direction, with the meanders of the Chattooga River, which forms the Georgia-South Carolina State Line, to the place of beginning.

*Long Cane Division*

Beginning at the junction of Stevens Creek with Savannah River; thence northwesterly with the meanders of Savannah River to Wallace Landing about 1 mile above the mouth of Dordon Creek; thence easterly with the most direct public road to Parksville; thence northerly with the Scott's Ferry Road to its junction with the Edgefield-Abbeville Road at Liberty Hill; thence northwesterly with the latter road to its junction with South Carolina State Highway No. 43; thence westerly with Highway No. 43 to the point where it crosses Rocky Creek; thence northerly with the meanders of Rocky Creek approximately 2 miles to a point where it is crossed by a public road; thence westerly with said public road to its junction with State Highway No. 10; thence southerly with State Highway No. 10 to the point where it first crosses the C. & W. C. Railroad; thence in a general southeasterly direction with the C. & W. C. Railroad to Plum Branch; thence southwesterly with a public road to a point on the Savannah River near the mouth of a small branch about ½ mile above the mouth of Landon Branch; thence northwesterly with the meanders of Savannah River to Hesters Ferry about ¾ mile above the mouth of Patterson Creek; thence northeasterly with a public road to its junction with State Highway No. 82 about 1½ miles west of Willington; thence northwesterly with State Highway No. 82 to Mt. Carmel; thence northeasterly with the Mt. Carmel-Abbeville Road passing Calhoun Mill to the junction with State Highway No. 7; thence northeasterly with State Highway No. 7 to its junction with an east and west road about 1 mile south of Abbeville; thence easterly with said east and west road to its junction with the Abbeville-Cedar Hill Road; thence southerly with the meanders of the Abbeyville-Cedar Hill Road approximately 1 mile to a road fork; thence easterly with a public road crossing Norris Creek to the point where said road crosses Long Cane Creek; thence northerly with the meanders of Long Cane Creek to the point where said creek is crossed by a public road about ¾ mile above the mouth of McCord Creek; thence westerly with said public road approximately ¼ mile to first road fork; thence northerly with the right-hand road to the point where said road crosses the Southern Railway at Deriah; thence a northeasterly direction with the meanders of the Southern Railway approximately 3 miles to the point where it is crossed by a public road; thence southeasterly with said road crossing State Highway No. 7 at Allen's Chapel to a junction with another road at Woodlawn School; thence southwesterly with said road approximately 1 mile to the junction with a secondary road connecting State Highways Nos. 10 and 7; thence southeasterly with said secondary road passing its junction with State Highway No. 10 to a point on the C. & W. C. Railroad; thence southwesterly with the meanders of the C. & W. C. Railroad to Bradley; thence southeasterly, easterly, and northeasterly with the meanders of a secondary road passing Rushville, Callison, and Rosa, crossing U. S. Highway No. 25, about ¼ mile south of Kirksey, passing Kirksey and taking right-hand road about ¼ mile north thereof, to its junction with U. S. Highway No. 178; thence southeasterly with U. S. Highway No. 178 approximately 5½ miles to its junction with a secondary road leading to the right; thence southeasterly with the meanders of said secondary road to its junction with State Highway No. 43; thence southwesterly and westerly with State Highway No. 43, to its junction with the Five Notch Road; thence in a general southeasterly direction with the meanders of the Five Notch Road to a road fork at Young Macedonia Church; thence westerly with the meanders of the right-hand road to the point where it crosses Stevens Creek at the Shaw and McKee Bridge; thence southwesterly with the meanders of Stevens Creek to the place of beginning.

The boundaries of the Sumter National Forest are graphically shown on the diagram attached hereto and made a part hereof.[1]

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States to be affixed.

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[1] *See* pp. 929, 930, 931.

DONE at the City of Washington this 13'' day of July, in the year of our Lord nineteen hundred and thirty-
[SEAL] six and of the Independence of the United States of America the one hundred and sixty-first.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
*Secretary of State.*

[No. 2188]

[F. R. Doc. 1248—Filed, July 13, 1936; 3:50 p. m.]

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## TREASURY DEPARTMENT.

### Bureau of Customs.

[T. D. 48430]

AIRPORT OF ENTRY

MISSISQUOI AIRPORT, SWANTON, VERMONT, DESIGNATED AS AN AIRPORT OF ENTRY WITHOUT TIME LIMIT

*To Collectors of Customs and Others Concerned:*

Under the authority of Section 7 (b) of the Air Commerce Act of 1926 (49 U. S. C., 1934 ed., 177 (b)), the Missisquoi Airport, Swanton, Vermont, is hereby designated as an Airport of Entry for the landing of aircraft from foreign countries, effective July 18, 1936.

[SEAL] WILLIAM R. JOHNSON,
*Acting Commissioner of Customs.*

Approved, July 9, 1936.

WAYNE C. TAYLOR,
*Acting Secretary of the Treasury.*

[F. R. Doc. 1245—Filed, July 13, 1936; 2:39 p. m.]

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## FARM CREDIT ADMINISTRATION.

F. C. A. 7.

VOTING PRIVILEGES OF SHAREHOLDERS IN JOINT STOCK LAND BANKS

JULY 11, 1936.

*To All Joint Stock Land Banks and Others Concerned:*

1. Section 16 of the Federal Farm Loan Act (12 U. S. C. 813) Provides that each shareholder of a joint stock land bank "shall have the same voting privileges as holders of shares in national banking associations." Amendments to the National Banking Act have provided for the cumulative voting of shares for the election of directors and have imposed certain restrictions upon the voting of shares held by the issuing bank as sole trustee (Chap. 89, Sec. 19, 48 Stat. 186; Chap. 614, Sec. 311, 49 Stat. 710).

2. Amendments to the law affecting the voting privileges of shareholders in national banking associations are incorporated into the Federal Farm Loan Act in so far as such amendments are applicable to shareholders in joint stock land banks. Accordingly, each joint stock land bank should amend the appropriate section of its bylaws to read substantially as follows:

In all elections of directors, each shareholder shall have the right to vote the number of shares owned by him for as many persons as there are directors to be elected, or to cumulate such shares and give one candidate as many votes as the number of directors multiplied by the number of his shares shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and in deciding all other questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him; except that (1) in the election of directors, shares of its own stock held by the bank as sole trustee, whether registered in its own name as such trustee or in the name of its nominee, shall not be voted by the registered owner unless under the terms of the trust the manner in which such shares shall be voted may be determined by a donor or beneficiary of the trust and unless such donor or beneficiary actually directs how such shares shall be voted, and (2) shares of its own stock held by the bank and one or more persons as trustees may be voted by such other person or persons, as trustees, in the same manner as if he or they were the sole trustee. Shareholders may vote by proxies duly authorized in writing; but no officer or employee of the bank shall act as proxy; and no shareholder whose liability is past due and unpaid shall be allowed to vote. Whenever shares of stock cannot be voted by reason of being held by the bank as sole trustee, such shares shall be excluded in determining whether matters voted upon by the shareholders were adopted by the requisite percentage of shares.

3. The suggested amendment should be made in accordance with the bank's bylaws at the next meeting of stockholders or directors, as the case may be. Two certified copies of the resolution amending the bylaws should be transmitted to the Land Bank Commissioner in accordance with the usual procedure.

[SEAL] A. S. GOSS,
*Land Bank Commissioner.*

[F. R. Doc. 1231—Filed, July 13, 1936; 12:37 p. m.]

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F. C. A. 8.

AMENDMENT TO REGULATIONS WITH RESPECT TO OFFICERS AUTHORIZED TO WITNESS ASSIGNMENTS OF REGISTERED FARM LOAN BONDS ISSUED BY FEDERAL LAND BANKS INDIVIDUALLY AND BY JOINT STOCK LAND BANKS

JULY 13, 1936.

Pursuant to the authority provided in the Federal Farm Loan Act, as amended (39 Stat. 360), the Act of January 23, 1932 (47 Stat. 12), the Farm Credit Act of 1933 (48 Stat. 257), and Executive Order No. 6084 of the President of the United States, dated March 27, 1933; Section 21 of the Rules and Regulations promulgated June 8, 1926, as amended (Chap. II, Section 8 (a), Federal Register Compilation), is hereby amended to read as follows:

The following officers are authorized to witness assignments of registered farm loan bonds issued by Federal land banks individually and by joint stock land banks: (1) Officers who are authorized to witness assignments of United States registered bonds; (2) The Land Bank Commissioner; (3) Farm loan registrars; (4) Secretary-treasurers of national farm loan associations; and (5) Notaries public, provided that the signatures of notaries public shall be authenticated by their official seals and the dates of expiration of their commissions.

[SEAL] A. S. GOSS,
*Land Bank Commissioner.*

[F. R. Doc. 1232—Filed, July 13, 1936; 12:37 p. m.]

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## INTERSTATE COMMERCE COMMISSION.

NOTICE

JUNE 29, 1936.

*To All Common Carriers of Property Subject to the Motor Carrier Act, 1935:*

Numerous complaints have been received by the Commission to the effect that freight bills (expense bills), presented by common carriers of property by motor vehicle, do not show sufficient information to enable consignors or consignees to determine therefrom whether the transportation charges demanded by the carrier are applicable.

Section 217 of the Motor Carrier Act, 1935, provides that common carriers by motor vehicle are required to collect no more and no less than the rates and charges stated in the lawful published tariffs in effect. Section 223 of the Motor Carrier Act places a duty on shippers and consignees as well as upon carriers to see that the applicable rates and charges are collected and Section 216 (b) makes it the duty of common carriers of property to establish reasonable practices relating among other things to the issuance of freight bills (expense bills).

A common carrier rendering freight bills (expense bills) for transportation service should state thereon such information as will enable the consignor or consignee, with the aid of the published tariffs, to verify the correctness of the

charges demanded by the carrier. Therefore, every freight bill (expense bill) should show:

1. Point of origin.
2. Point of destination.
3. The date of shipment.
4. Proper description of commodities or articles.
5. The weight of commodities or articles.
6. The route of movement indicating each carrier participating in the haul and the transfer points through which the shipment moved.
7. The rate or rates applicable to the service rendered, including advance charges.
8. A statement of the nature and the amount of any charges for special service such as storage, etc., and the points at which such special service was rendered.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 1219—Filed, July 11, 1936; 12:06 p. m.]

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ESTABLISHMENT OF RATES IN CONTRAVENTION OF SECTION 4 (1) OF THE INTERSTATE COMMERCE ACT BY AUTHORITY OF FOURTH SECTION ORDER NO. 3700

JULY 8, 1936.

*Notice to All Carriers:*

By fourth section order No. 3700, General No. 13, entered by the Commission February 3, 1914, carriers subject to the Interstate Commerce Act, Part I, are authorized to establish reduced rates which do not conform to the provisions of section 4 of that act, subject to the conditions provided therein, in those instances in which the existing rates do not conform to the provisions of that section but are "included in and covered by applications" filed with the Commission on or before February 17, 1911, and to continue such rates until the determination of such applications.

It has come to the attention of the Commission that in some instances carriers have published and filed changes in rates not included and covered by applications filed with the Commission on or before February 17, 1911, or have published new rates, and have shown in schedules containing such rates that they were published by authority of fourth section order No. 3700.

There is no authority contained in this order for such changes in rates or the establishment of new rates where such rates are in contravention of the provision of section 4.

Carriers subject to the provisions of section 4 of the Interstate Commerce Act, Part I, are requested to give this matter their attention and to take such steps as are necessary to see that rates in contravention of that section are not published as by authority of the above order, except in those instances as provided therein, where such rates are included in applications filed prior to February 17, 1911, which have not been determined by the Commission.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 1218—Filed, July 11, 1936; 12:05 p. m.]

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ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 8th day of July A. D. 1936.

IN THE MATTER OF COLLECTION OF RATES AND CHARGES AT DESTINATION BY COMMON CARRIERS BY MOTOR VEHICLE

*It appearing,* That the Commission, Division 5, acting under the authority of Section 223 of the Motor Carrier Act, 1935, by order entered March 17, 1936,[1] authorized common carriers subject to the said Act to extend credit for a period not exceeding thirty days in the collection of rates and charges due and owing at the time of delivery or relinquishment of possession of the property at destination subject to the conditions specified in said order;

*And it further appearing,* That the said maximum credit period of thirty days is not in the public interest and that a shorter credit period should be authorized;

*It is ordered,* That the said order of March 17, 1936, be, and it is hereby, amended to authorize common carriers by motor vehicle, effective August 20, 1936, to extend credit in the collection of rates and charges due and owing at the time of delivery or relinquishment of possession of the property at destination for a period not exceeding fifteen days from the time of delivery or relinquishment of possession of the property at destination;

*And it is further ordered,* That the said order of March 17, 1936, shall remain in full force and effect in all other respects.

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary.*

[F. R. Doc. 1213—Filed, July 11, 1936; 12:04 p. m.]

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ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 2nd day of July A. D. 1936.

[Docket No. BMC 19734]

APPLICATION OF MRS. KATHERINE FISHER AND J. H. FISHER FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Mrs. Katherine Fisher and J. H. Fisher, Copartners, Doing Business as Arrow Motor Lines, of 819 Guilford Avenue, Hagerstown, Md., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, with Exceptions, in Interstate Commerce Over the Following Routes

*Route No. 1.*—Between Cumberland, Md., and Richmond, Va., via Hagerstown and Frederick, Md., and Washington, D. C., over U. S. Highways 40, 240, 1.

*Route No. 2.*—Between Cumberland, Md., and Burlington, N. C., via Hagerstown, Md., New Market, Waynesboro, and Lynchburg, Va., over U. S. Highways 40, 11, 250, 29, Va. Highway 6, N. C. Highway 54.

*Route No. 3.*—Between Hagerstown, Md., and Romney, W. Va., via Martinsburg, W. Va., and Winchester, Va., over U. S. Highways 11, 50.

*Route No. 4.*—Between Hagerstown and Cumberland, Md., over U. S. Highway 40. Return trip via Keyser, Romney, Berkeley Springs, W. Va., and Hancock, Md., over U. S. Highways 220, 50, 40, W. Va. Highway 29, Md. Highway 9.

*Route No. 5.*—Between Hagerstown, Md., and Winston-Salem, N. C., via Frederick, Licksville, and Rockville, Md., Washington, D. C., Richmond, Va., over U. S. Highways 40, 15, 240, 1, and Md. Highway 28, thence Winston-Salem, N. C., via Oxford, Durham, Burlington, and Lexington, N. C., over U. S. Highways 158, 15, 70, 52. Return trip via Greensboro, Durham, Oxford, and Henderson, N. C., over U. S. Highways 421, 70, 15, 158, thence Hagerstown, Md., via Washington, D. C., and Frederick, Md., over U. S. Highways 1, 240, 40.

*Route No. 6.*—Between Hagerstown, Md., and Washington, D. C., via Frederick, Md., over U. S. Highways 40, 240. Return trip via Baltimore, Westminster, and Emmitsburg, Md., and Waynesboro, Pa., over U. S. Highways 1, 140, Md. Highways 32, 16, 60.

*Route No. 7.*—Between Cumberland, Md., and Burlington, N. C., via Hagerstown, Md., Washington, D. C., and Richmond, Va., over U. S. Highways 40, 240, 1, thence Burlington, N. C., via Oxford and Durham, N. C., over U. S. Highways 158, 15, 70.

*Route No. 8.*—Between Cumberland, Md., and Winston-Salem, N. C., via Paw Paw, W. Va., Winchester, Lexington, and Covington, Va., over U. S. Highways 50, 11, 60, Md. Highway 51, W. Va. Highway 29, thence Winston-Salem, N. C., via Roanoke and Hillsville, Va., and Mount Airy, N. C., over U. S. Highways 220, 221, 52. Return trip via

[1] 1 F. R. 47.

Greensboro, Burlington, and Reidsville, N. C., Danville, Va., over U. S. Highways 421, 70, 29, N. C. Highway 54, thence Cumberland, Md., via Lexington, Va., and Hagerstown, Md., over U. S. Highways 501, 11, 40.

*Route No. 9.*—Between Cumberland, Md., and Richmond, Va., via Romney, W. Va., Winchester, Opal, and Fredericksburg, Va., over U. S. Highways 50, 15, 1, W. Va. Highway 28, Va. Highway 17, and an un-numbered Va. Highway.

*Route No. 10.*—Between Cumberland, Md., and Burlington, N. C., via Paw Paw, W. Va., Winchester, Lexington, and Lynchburg, Va., and Reidsville, N. C., over U. S. Highways 50, 11, 501, 29, W. Va. Highways 51, 29.

*Route No. 11.*—Between Cumberland, Md., and Charlotte, N. C., via Keyser, W. Va., Winchester, New Market, and Martinsville, Va., Reidsville, Greensboro, Gastonia, Lowell, Mount Holly, N. C., over U. S. Highways 220, 50, 11, 29, N. C. Highways 54, 7, 273, 27. Return trip via Mooresville, Salisbury, Lexington, and Burlington, N. C., over U. S. Highways 21, 29, 70, N. C. Highways 150, 54, thence Cumberland, Md., via Ridgeway, Roanoke, and Winchester, Va., and New Creek, W. Va., over U. S. Highways 220, 11, 50.

*Route No. 12.*—Between Hagerstown, Md., and Fayetteville, N. C., via Frederick, Md., Washington, D. C., Richmond, Va., and Raleigh, N. C., over U. S. Highways 40, 240, 1, 15. Return trip via Sanford, Siler City, Asheboro, Graham, Burlington, Durham, and Oxford, N. C., over U. S. Highways 421, 64, 70, 15, N. C. Highways 53, 62, thence Hagerstown, Md., via Henderson, N. C., Washington, D. C., and Frederick, Md., over U. S. Highways 158, 1, 240, 40.

*Route No. 13.*—Between Cumberland, Md., and Spartansburg, S. C., via Hagerstown, Md., Winchester, Roanoke, and Martinsville, Va., over U. S. Highways 40, 11, 220, thence Spartansburg, S. C., via Winston-Salem, Lexington, and Concord, N. C., over U. S. Highways 220, 158, 52, 29. Return trip via Gastonia, Greensboro, Burlington, and Reidsville, N. C., Danville and Lynchburg, Va., over U. S. Highways 29, 70, N. C. Highway 54, thence Cumberland, Md., via Lexington, Staunton, Va., and Hagerstown, Md., over U. S. Highways 501, 11, 40.

*Route No. 14.*—Between Cumberland, Md., and Fayetteville, N. C., via New Creek and Romney, W. Va., Winchester, Roanoke, and Martinsville, Va., Leaksville, Reidsville, and Burlington, N. C., over U. S. Highways 220, 50, 11, N. C. Highways 106, 54, 704, thence Fayetteville, N. C., via Central Falls, Asheboro, Siler City, and Sanford, N. C., over U. S. Highways 220, 64, 421, N. C. Highways 62, 24. Return trip via Sanford, Siler City, Liberty, Burlington, and Reidsville, N. C., Danville and Buena Vista, Va., over U. S. Highways 421, 29, 501, N. C. Highways 24, 62, 54, thence Cumberland, Md., via Lexington, Staunton, and Winchester, Va., and Hagerstown, Md., over U. S. Highways 60, 11, 40.

*Route No. 15.*—Between Hagerstown, Md., and Burlington, N. C., via Winchester, Middleburg, Warrenton, Culpeper, and Farmville, Va., and Durham, N. C., over U. S. Highways 11, 50, 15, 70, Va. Highway 29.

*Route No. 16.*—Between Hagerstown, Md., and Hemp, N. C., via Roanoke, Va., Greensboro and Seagrove, N. C., over U. S. Highways 11, 220, N. C. Highway 705.

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

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

*It is further ordered*, That this matter be set down for hearing before Examiner L. B. Dunn, on the 30th day of July A. D. 1936, at 10 o'clock a. m. (standard time), at the office of the Interstate Commerce Commission, Washington, D. C.

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

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1223—Filed, July 11, 1936; 12:08 p. m.]

ORDER

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

[Docket No. BMC 50729]

APPLICATION OF RED STAR SIGHTSEEING LINE, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Red Star Sightseeing Line, Inc., of 179 Palmetto Street, Brooklyn, N. Y., for a Certificate of Public Convenience and Necessity (Form BMC 9, New Operation), Authorizing Seasonal Operation as a Common Carrier by Motor Vehicle in the Transportation of Persons in Interstate Commerce for the Purpose of Conducting Tours from Brooklyn, N. Y., to Points Located in the States of New York, Delaware, Pennsylvania, Maryland, Virginia, New Jersey, Connecticut, Massachusetts, and the District of Columbia

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

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

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

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

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1222—Filed, July 11, 1936; 12:07 p. m.]

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ORDER

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

[Docket No. BMC 81751]

APPLICATION OF HOWARD W. JUETT FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Howard W. Juett, of 15 South Erwin Street, Cartersville, Ga., for a Permit (Form BMC A1), Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Agricultural Commodities in Interstate Commerce Over the Following Routes

*Route No. 1.*—Between Cincinnati, Ohio, and Fort Meyers, Fla., via Knoxville, Tenn., over U. S. Highways 25, 25W, thence Dalton, Ga., via Cleveland, Tenn., over U. S. Highways 70, 11, Tenn. Highway 60, Ga. Highway 71, thence Lake City, Fla., over U. S. Highway 41, thence Fort Meyers, Fla., via Palatka and Punta Gorda, Fla., over U. S. Highways 17, 41, Fla. Highway 28.

*Route No. 2.*—Between Cincinnati, Ohio, and Miami, Fla., via Knoxville, Tenn., over U. S. Highways 25, 25W, thence Dalton, Ga., via Cleveland, Tenn., over U. S. Highways 70, 11, Tenn. Highway 60, Ga. Highway 71, thence Miami, Fla., via Perry and Baxley, Ga., over U. S. Highways 41, 341, 1.

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

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

*It is further ordered*, That this matter be set down for hearing before Examiner L. H. McDaniel, on the 1st day of August A. D. 1936, at 10 o'clock a. m. (standard time), at the office of the Interstate Commerce Commission, Washington, D. C.

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

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1221—Filed, July 11, 1936; 12:07 p. m.]

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ORDER

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

[Docket No. BMC 81751]

APPLICATION OF HOWARD W. JUETT FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of Howard W. Juett, of 15 South Erwin Street, Cartersville, Ga., for a Permit (Form BMC 10), to Extend Its Present Operations Filed on Form BMC A1, Authorizing Operation as a Contract Carrier by Motor Vehicle in the Transportation of Oleomargarine and Agricultural Commodities in Interstate Commerce Over the Following Routes

*Route No. 1.*—Between Cincinnati, Ohio, and Fort Meyers, Fla., via Knoxville, Tenn., over U. S. Highways 25, 25W, thence Dalton, Ga., via Cleveland, Tenn., over U. S. Highways 70, 11, Tenn. Highway 60, Ga. Highway 71, thence Lake City, Fla., over U. S. Highway 41, thence Fort Meyers, Fla., via Palatka and Punta Gorda, Fla., over U. S. Highways 17, 41, Fla. Highway 28.

*Route No. 2.*—Between Cincinnati, Ohio, and Miami, Fla., via Knoxville, Tenn., over U. S. Highways 25, 25W, thence Dalton, Ga., via Cleveland, Tenn., over U. S. Highways 70, 11, Tenn. Highway 60, Ga. Highway 71, thence Miami, Fla., via Perry and Baxley, Ga., over U. S. Highways 41, 341, 1.

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

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

*It is further ordered*, That this matter be set down for hearing before Examiner L. H. McDaniel on the 1st day of August A. D. 1936, at 10 o'clock a. m. (standard time), at the office of the Interstate Commerce Commission, Washington, D. C.

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

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1220—Filed, July 11, 1936; 12:06 p. m.]

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ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of July A. D. 1936.

[Docket No. BMC 18562]

APPLICATION OF JOHN PETERS FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of John Peters, Individual, Doing Business as Peters Southern Express, of 673 West Bowery Street, Akron, Ohio, for a Permit (Form BMC 1), Authorizing Operation as a Contract Carrier in the Transportation of Rubber and Oil Products in Interstate Commerce between Akron, Ohio, and Vicinity, and Louisville, Ky., and Vicinity, also to and from Points in the States of Ohio, Kentucky, Tennessee, Alabama, and Georgia Over Irregular Routes

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

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

*It is further ordered*, That this matter be set down for hearing before Examiner D. C. Dillon, on the 28th day of July A. D. 1936, at 9 o'clock a. m. (standard time) at the Portage Hotel, Akron, Ohio;

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

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1251—Filed, July 14, 1936; 12:58 p. m.]

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ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of July A. D. 1936.

[Docket No. BMC 18562]

APPLICATION OF JOHN PETERS FOR AUTHORITY TO OPERATE AS A CONTRACT CARRIER

In the Matter of the Application of John Peters, Individual, Doing Business as Peters Southern Express, of 673 West Bowery Street, Akron, Ohio, for a Permit (Form BMC 10), to Extend Its Present Operation, Filed on Form BMC 1, as a Contract Carrier by Motor Vehicle in the Transportation of Commodities Generally, With Exceptions, in Interstate Commerce Between Akron, Ohio, and Vicinity, and All Points and Areas in the States of New York, Pennsylvania, New Jersey, Rhode Island, Connecticut, Massachusetts, New Hampshire, Michigan, Missouri, West Virginia, Virginia, North Carolina, South Carolina, Indiana, Illinois, and Florida, Over Irregular Routes

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

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

*It is further ordered*, That this matter be set down for hearing before Examiner D. C. Dillon, on the 28th day of July A. D. 1936 at 9 o'clock a. m. (standard time), at the Portage Hotel, Akron, Ohio.

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

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1250—Filed, July 14, 1936; 12:58 p. m.]

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ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 7th day of July A. D. 1936.

[Docket No. BMC 19201]

APPLICATION OF PENNSYLVANIA TRANSFER COMPANY OF PITTSBURGH, OR PENNSYLVANIA TRUCK LINES, INC., FOR AUTHORITY TO OPERATE AS A COMMON CARRIER

In the Matter of the Application of Pennsylvania Transfer Company of Pittsburgh, or Pennsylvania Truck Lines, Inc., of 1013 Penn Avenue, Pittsburgh, Pa., for a Certificate of Public Convenience and Necessity (Form BMC 1), Authorizing Operation as a Common Carrier by Motor Vehicle in the Transportation of Commodities Generally, in Interstate Commerce between Pittsburgh, Pa., and Points in the States of Maryland, Michigan, Ohio, Pennsylvania, and West Virginia, Over Irregular Routes

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

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

*It is further ordered*, That this matter be set down for hearing before Examiner D. C. Dillon on the 29th day of July A. D. 1936, at 9 o'clock a. m. (standard time), at the Fort Shelby Hotel, Detroit, Mich.

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

By the Commission, division 5.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1252—Filed, July 14, 1936; 12:58 p. m.]

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[Fourth Section Application No. 16414]

GASOLINE AND KEROSENE TO GEORGIA AND SOUTH CAROLINA

JULY 11, 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: J. E. Tilford, Agent.
Commodities involved: Gasoline and kerosene, in tank cars, carloads.
From Wilmington, N. C., Charleston, S. C., Brunswick, Port Wentworth, and Savannah, Ga., Jacksonville and Panama City, Fla.
To: Points in Georgia and South Carolina.
Grounds for relief: Truck 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.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1214—Filed, July 11, 1936; 12:04 p. m.]

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[FOURTH SECTION APPLICATION No. 16415]

GASOLINE AND KEROSENE TO NORTH CAROLINA AND SOUTH CAROLINA

JULY 11, 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: J. E. Tilford, Agent.
Commodities involved: Gasoline and kerosene, in tank cars, carloads.
From: South Atlantic ports.
To: Points in North Carolina and South Carolina.
Grounds for relief: Truck 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.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1215—Filed, July 11, 1936; 12:04 p. m.]

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[Fourth Section Application No. 16416]

RATES—MERIDIAN AND BIGBEE RIVER RAILWAY

JULY 11, 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: J. E. Tilford, Agent.
Commodities involved: Class and commodity rates.
From, to, and via Meridian and Bigbee River Railway.
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.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1216—Filed, July 11, 1936; 12:05 p. m.]

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[Fourth Section Application No. 16417]

COKE FROM ALABAMA AND TENNESSEE TO CENTRAL TERRITORY

JULY 11, 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: J. E. Tilford, Agent.
Commodity involved: Coke, in carloads.
From: Points in Alabama and Tennessee.
To: Points in Central Territory.
Grounds for relief: Carrier competition and to maintain grouping.

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.

[SEAL] GEORGE B. MCGINTY, *Secretary*.

[F. R. Doc. 1217—Filed, July 11, 1936; 12:05 p. m.]

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[Fourth Section Application No. 16418]

GRAVEL—LA GRANGE, MO., TO PRAIRIE CITY, ILL.

JULY 14, 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: R A. Sperry, Agent.
Commodities involved: Gravel, road surfacing, in carloads.
From: La Grange, Mo.
To: Prairie City, Ill.
Grounds for relief: Truck 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. 1254—Filed, July 14, 1936; 12:59 p. m.]

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[Fourth Section Application No. 16419]

GLOVES FROM OHIO AND INDIANA TO THE SOUTH

JULY 14, 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: B. T. Jones, Agent, pursuant to Fourth-Section Order No. 9800.
Commodities involved: Gloves, work, cotton cloth, in carloads.
From: Points in Ohio and Indiana.
To: Points in Louisiana, Tennessee, and Mississippi.
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. 1255—Filed, July 14, 1936; 12:59 p. m.]

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[Fourth Section Application No. 16420]

CEMENT TO STATIONS ON THE MISSISSIPPI AND SKUNA VALLEY RAILROAD

JULY 14, 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: F. A. Leland, Agent.
Commodity involved: Cement, in carloads.
From: Points in Arkansas, Kansas, Missouri, Oklahoma, and Texas.
To: Stations on the line of the Mississippi and Skuna Valley Railroad Company.
Grounds for relief: Short or weak line carrier.

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. 1256—Filed, July 14, 1936; 12:59 p. m.]

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## SECURITIES AND EXCHANGE COMMISSION.

SECURITIES ACT OF 1933

[Release No. 890]

AMENDMENT TO RULE 201 OF THE GENERAL RULES AND REGULATIONS UNDER THE SECURITIES ACT OF 1933

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly Section 3 (b) thereof, finding that the amendments to Rule 201 hereby adopted are necessary to carry out the provisions of the Act and are necessary and appropriate in the public interest and for the protection of investors, and finding that, by reason of the small amounts involved and the limited character of the public offerings, the registration of the classes of securities specified in Rule 201 and Rule 203 of the General Rules and Regulations under the Securities Act of 1933, when such securities are sold in conformity with the terms and conditions prescribed in such Rules as in effect subsequent to the action hereby taken, is not necessary in the public interest or for the protection of investors, hereby amends Rule 201 as follows:

I. By the deletion of Section (1) of said Rule 201 in its entirety, and by the insertion in lieu thereof the following:

(1) That no portion of the securities herein exempted shall be sold otherwise than for cash, and that no securities of the same class as those herein exempted (except evidences of indebtedness exchanged by the issuer with its existing security holders) shall have been sold otherwise than for cash within one year prior to the offering of the securities herein exempted.

II. By the insertion after the words "in denominations of not less than $500 principal amount each", appearing in clause (a) of Section (5) of Rule 201 of the words "and shall be offered to the public at a price not less than 90 percent of the principal amount thereof."

III. By the deletion of clause (b) of Section (5) of said Rule 201 in its entirety, and by the insertion in lieu thereof of the following: "(b), if shares of stock in a corporation or similar interests in a trust or unincorporated association, shall have a par or, if no-par, a stated value of not less than $100 each, and shall be offered to the public at a price not less than the par or, if no-par, stated value thereof."

IV. By the insertion after the words "in units of not less than $500 each", appearing in clause (d) of Section (5) of said Rule 201, of the words "and shall be offered to the public at a price not less than 90 percent of the face amount thereof."

V. By the deletion of the words "in minimum amounts as to each equal to their" appearing in the last sentence of said Section (5), and by the insertion in lieu thereof of the words "for one or more whole units thereof having the"; and, further, by the deletion of the word "as" appearing after the words "stated value" in said last sentence.

Section (5) of said Rule, as amended, reads as follows:

(5) That the securities: (a), if evidences of indebtedness, shall be in denominations of not less than $500 principal amount each and shall be offered to the public at a price not less than 90 per cent. of the principal amount thereof; or (b), if shares of stock in a corporation or similar interests in a trust or unincorporated association, shall have a par or, if no-par, a stated value of not less than $100 each, and shall be offered to the public at a price not less than the par or, if no-par, stated value thereof; or (c), if securities issued only to bona fide members or members-elect by a person organized and operated exclusively for social, literary, artistic, athletic, or recreational purposes, and not for pecuniary profit, no part of the net earnings of which inures to the benefit of any shareholder, member, or individual, shall be in units of not less than $10 each; or (d), if any other kind of security, shall be in units of not less than $500 each and shall be offered to the public at a price not less than 90 per cent. of the face amount thereof. Subscriptions to purchase any of the foregoing shall be for one or more whole units thereof having the denomination, par, or stated value specified above with regard to each respectively.

The foregoing action shall become effective immediately upon the publication thereof.

By the Commission.

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

[F. R. Doc. 1239—Filed, July 13, 1936; 1:11 p. m.]

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*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 10th day of July A. D. 1936.

Filed on July 3, 1936

IN THE MATTER OF CLAUDE E. DELAPP, DOING BUSINESS AS NATIONAL INVESTMENT CO., OFFERING SHEETS OF WORKING INTERESTS IN BEAUDOIN BRIDGES FARM

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

The Securities and Exchange Commission, upon information received by the Commission, having reasonable grounds to believe that the offering sheet filed by Claude E. DeLapp, doing business as National Investment Co., on the 3rd day of July 1936 covering certain working interests in the property described therein as Beaudoin Bridges Farm, is incomplete or inaccurate in a material respect all as hereinafter more particularly set forth,

The Commission alleges briefly that the said offering sheet is incomplete or inaccurate in the following material respects:

1. In that the information given under Item 9 of Division II is not in substance responsive to the requirements of such item.

2. In respect of the information given under Item 18 of Division II, the date there given being prior to that upon which the offering sheet was signed by Claude E. DeLapp.

3. In that under Item 2 (c) of Division II the area of the tract is stated to be 40 acres, whereas the copy of the conveyance furnished as Exhibit B indicates the area to be approximately 80 acres.

4. In that the information required by Item 11 of Division II is omitted as to the Austin Chalk as found in the

Edwards Lime wells located on the so-called "Bridges 15 acres", and in other wells located a like distance from the tract in question.

5. In that the information required by Item 11 of Division II is omitted as to the Austin Chalk as found in the wells on the so-called "Merriweather Farm", which are located the same distance from the track in question as is "Merriweather No. 1."

6. In that the information required by Item 11 of Division II is omitted as to the Austin Chalk as found in the abandoned well described as a "direct off-set on the west of the Bridges farm."

7. In that the information as to the thickness and content required by Item 11 of Division II is omitted as to the Edwards Lime as found in the wells located on the "Bridges 15 acres" and in other wells located a like distance from the tract in question and in that as to the said wells the total depths and dates of completion are omitted.

8. In that under Item 12 of Division II it is stated that "The Bridges farm is located on the direct line of production of the Salt Flat Field."

9. In that only two copies were filed with the Commision.

It is therefore 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 the same hereby is, suspended until the 8th day of August 1936; that an opportunity for hearing be given to the said Claude E. DeLapp 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 should be revoked or continued;

It is further ordered, that Charles S. Lobingier, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such 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 begin on the 24th day of July 1936, at 2:00 o'clock in the afternoon of that day 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 officer may designate.

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

By the Commission.

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

[F. R. Doc. 1238—Filed, July 13, 1936; 1:11 p. m.]

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*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 8th day of July A. D. 1936.

IN THE MATTER OF E. FRIEDMAN, DOING BUSINESS AS THE ROLES COMPANY, OFFERING SHEETS OF ROYALTY INTERESTS IN CONTINENTAL-YOUNG FARM

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

The Commission having, upon information received by the Commission, reasonable grounds to believe that the offering sheet filed by E. Friedman, doing business as The Roles Company, on the first day of July 1936, covering certain royalty interests in the property described therein as the Continental-Young Farm, is incomplete and inaccurate in a material respect.

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 the said offering sheet be, and the same hereby is, suspended until the 5th day of August 1936; and

It is further ordered, that an opportunity for hearing be given to the said E. Friedman for the purpose of determining the material completeness and accuracy of the said offering sheet and whether the said Order of Suspension should be revoked or continued, and that Charles S. Lobingier, an officer of the Commission, be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such 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 begin on the 20th day of July 1936, at 10:00 o'clock in the forenoon of that day at the office of the Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

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

By the Commission.

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

[F. R. Doc. 1241—Filed, July 13, 1936; 1:12 p. m.]

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*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 10th day of July A. D. 1936.

Filed on July 3, 1936

IN THE MATTER OF PARK T. GRIMES, OFFERING SHEETS OF ROYALTY INTERESTS IN ROSENTHAL & BEARDMORE DERBY KARST FARM

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

The Securities and Exchange Commission, upon information received by the Commission, having reasonable grounds to believe that the offering sheet filed by Park T. Grimes on the 3rd day of July 1936 covering certain royalty interests in the property described therein as Rosenthal & Beardmore Derby Karst Farm, is incomplete or inaccurate in a material respect all as hereinafter more particularly set forth.

The Commission alleges briefly that the said offering sheet is incomplete or inaccurate in the following material respects:

1. In that in Item 1 of Division I it is stated that a 1/160th royalty interest will be entitled to 1 barrel of oil out of every 640 barrels produced, or 1,000 cubic feet of gas out of every 640,000 cubic feet produced.

2. In that under Item 16 (c) and Item 16 (d) of Division II the required information is not given as to the smallest fractional interest proposed to be offered by means of the offering sheet as described in Item 1 of Division II.

It is therefore 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 the same hereby is, suspended until the 8th day of August 1936; that an opportunity for hearing be given to the said Park T. Grimes 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 should be revoked or continued;

It is further ordered, that Charles S. Lobingier, an officer of the Commission, be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such 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 begin on the 24th day of July 1936 at 10:00 o'clock in the forenoon of that day 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 officer may designate.

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

By the Commission.

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

[F. R. Doc. 1240—Filed, July 13, 1936; 1:12 p. m.]

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*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 8th day of July, A. D. 1936.

Filed on July 1, 1936

IN THE MATTER OF STUART L. VANCE, DOING BUSINESS AS STUART L. VANCE & COMPANY, OFFERING SHEETS OF ROYALTY INTEREST IN ALMA AND SKELLY JOHNSON FARM

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

The Commission having, upon information received by the Commission, reasonable grounds to believe that the offering sheet filed by Stuart L. Vance, doing business as Stuart L. Vance & Company, on the first day of July 1936, covering certain royalty interests in the property described therein as the Alma and Skelly Johnson Farm, is incomplete and inaccurate in a material respect.

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 the said offering sheet be, and the same hereby is, suspended until the 5th day of August 1936; and

It is further ordered, that an opportunity for hearing be given to the said Stuart L. Vance for the purpose of determining the material completeness and accuracy of the said offering sheet and whether the said Order of Suspension should be revoked or continued, and that Charles S. Lobingier, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such 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 begin on the 21st day of July 1936 at 10:00 o'clock in the forenoon of that day at the office of the Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

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

By the Commission.

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

[F. R. Doc. 1242—Filed, July 13, 1936; 1:12 p. m.]

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*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 8th day of July A. D. 1936.

IN THE MATTER OF L. H. WITWER, OFFERING SHEETS OF ROYALTY INTERESTS IN CONTINENTAL-YOUNG FARM

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

The Commission having, upon information received by the Commission, reasonable grounds to believe that the offering sheet filed by L. H. Witwer on the first day of July 1936 covering certain royalty interests in the property described therein as the Continental-Young Farm, is incomplete and inaccurate in a material respect,

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 the said offering sheet be, and the same hereby is, suspended until the 5th day of August 1936; and

It is further ordered, that an opportunity for hearing be given to the said L. H. Witwer for the purpose of determining the material completeness and accuracy of the said offering sheet and whether the said Order of Suspension should be revoked or continued, and that Charles S. Lobingier, an officer of the Commission be, and he hereby is, designated as Trial Examiner to preside at such hearing, to adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to such 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 begin on the 21st day of July 1936 at 3:00 o'clock in the afternoon of that day at the office of the Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said officer may designate.

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

By the Commission.

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

[F. R. Doc. 1243—Filed, July 13, 1936; 1:13 p. m.]

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*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 13th day of July 1936.

File 32-23

IN THE MATTER OF THE DECLARATION OF SOUTHWESTERN DEVELOPMENT COMPANY

ORDER FIXING DATE FOR DECLARATION TO BECOME EFFECTIVE

Southwestern Development Company, a registered holding company, having filed with the Commission a declaration under Section 7 (a) of the Public Utility Holding Company

Act of 1935 with respect to the issuance of promissory notes to the Guaranty Trust Company of New York having the following principal amounts, maturities, and interest rates:

$750,000, July 1, 1937, 2% per annum.
$750,000, July 1, 1938, 2½% per annum.
$750,000, July 1, 1939, 3% per annum.
$750,000, July 1, 1940, 3½% per annum.
$3,376,348.36, July 1, 1941, 4% per annum.

Notice and opportunity for hearing on said declaration having been given;[1] said declaration having been amended; the record in this matter having been duly considered; and the Commission having duly made and filed its Findings herein;

It is ordered that said declaration, as amended, be and become effective on July 14, 1936, on condition that the issuance be effected in substantial compliance with all the terms and conditions set forth in said application.

By the Commission.

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

[F. R. Doc. 1249—Filed, July 14, 1936; 12:52 p. m.]

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## VETERANS' ADMINISTRATION.

### REVISION OF REGULATIONS

#### DEATH OF WORLD WAR VETERAN WHILE RECEIVING OR ENTITLED TO RECEIVE COMPENSATION, PENSION, OR RETIREMENT PAY FOR DISABILITY OF THIRTY PER CENT OR MORE

2548. For the purposes of Public, No. 484, 73d Congress (Act of June 28, 1934), and Public, No. 844, 74th Congress (Act of June 29, 1936), the widow, child, or children of a person who served with the United States military or naval forces in the World War and who dies or has died of a disability not due to service while receiving or entitled to receive at the time of death, compensation, pension, or retirement pay for a disability of 30 per centum or more directly or presumptively incurred in or aggravated by service after April 5, 1917, and before July 2, 1921, during service entered into prior to November 12, 1918, or, if service was in Russia, prior to April 2, 1920, shall be entitled to receive compensation at the monthly rates specified in R & P R-2640.

(A) *Establishment of Service Connected Disability of 30 Per Cent or More.*—The existence of the directly or presumptively service connected disease or injury must have been established to the satisfaction of the Veterans' Administration prior to the date of the veteran's death, but the determination of a 30 per centum disability, resulting from such disease or injury, may be based upon evidence filed subsequent to death, and the proof of 30 per centum or more disability must be filed within three years from the date of death or from June 28, 1934, whichever is the later date: *Provided*, That a disease or injury or an aggravation thereof will be considered as having been established to the satisfaction of the Veterans' Administration where the evidence of record in the Veterans' Administration, or in the War or Navy Departments, prior to the death of the person who served, shows the existence of such disease or injury and as having been directly or presumptively incurred in or aggravated by service. Any disability that may be properly directly service connected under the provisions of Public, No. 2, 73d Congress or Section 28, Public, No. 141, 73d Congress, will be considered directly service connected for the purpose of Public No. 484, 73d Congress and any disability that may be properly presumptively service connected under the provisions of Sections 26, 27, and 28 of Public, No. 141, 73d Congress, will be considered presumptively service connected for the purpose of Public, No. 844, 74th Congress. An existing rating of 30 per centum or more shall not include ratings of temporary total granted solely by reason of hospitalization or treatment.

(B) *Rating of 30 Per Centum or More Previously Established Assumed To Be Correct.*—In the case of any deceased person who served in the World War in which an existing rating of 30 per centum or more has been established by a proper rating agency based on a directly or presumptively service connected disease or injury, as defined in subparagraph (A) above, such rating will be assumed to be correct except for fraud, clear or unmistakable error as to conclusions of fact or law, or misrepresentation of a material fact, regardless of the particular rating schedule under which evaluated, and will be accepted as having established service connection and degree of disability sufficient to constitute title to compensation in the widow, child, or children of the deceased, in accordance with the provisions of Public, No. 484, 73d Congress (Act of June 28, 1934), and Public, No. 844, 74th Congress (Act of June 29, 1936).

(C) *Rating Schedules To Be Used in Evaluation of Disability.*—In any case where a deceased person who served in the World War was receiving or entitled to receive at the date of death, compensation, pension, or retired pay for less than a 30 per centum disability directly or presumptively incurred in or aggravated by service in the World War, as defined in subparagraph (A) above, and proof of a 30 per centum disability or more at date of death has been filed not later than three years subsequent to June 28, 1934, or the date of death, whichever is the later, the degree of disability will be evaluated in accordance with the schedule of disability ratings in effect at the time of death, or the schedule of disability ratings, 1925, and extensions thereto, or the Schedule for Rating Disabilities, 1933, second edition, whichever provides the higher rating for the disease or injury evaluated. In such cases, the burden of proof shall be upon the claimant to show that the 30 per centum disability existed at the date of death.

(D) *Discharge Requirements.*—The requirements as to discharge must conform to Section 23 of the World War Veterans' Act, 1924, as amended (Section 447, Title 36, U. S. Code).

(E) *Federal Income Tax Exemption.*—Exemption from the payment of Federal income tax for the preceding year is a requisite to title to compensation in any person under Public, No. 484, 73d Congress (Act of June 28, 1934), and Public, No. 344, 74th Congress (Act of June 29, 1936).

(F) *"Person Who Served", Definition of.*—The term "person who served" includes both men and women commissioned, enrolled, enlisted, or drafted, who were finally accepted for active service, including members of training camps authorized by law, and such other persons as have been heretofore recognized by statute as having a pensionable or compensable status.

(G) *Misconduct.*—Death resulting from misconduct of the person who served is not a ground for denial of compensation under the provisions of Public, No. 844, 74th Congress. See R & P R-2576 (B) (July 13, 1936).

2576. Original awards of death compensation under Public, No. 484, 73d Congress (Act of June 28, 1934) and Public, No. 844 (Act of June 29, 1936), shall commence:

(A) If the person who served died from a disease or injury not service connected and not the result of his own misconduct, as defined in Veterans Regulations No. 10, Paragraph IX, while receiving or entitled to receive compensation, pension, or retirement pay for a 30 per centum disability or more *directly* connected with service:

(1) On June 28, 1934, in those cases in which death of the person who served occurred prior to June 28, 1934;

(2) The date of filing application in these cases wherein death of the person who served occurred on or subsequent to June 28, 1934;

(B) If the person who served died under the conditions set forth in subparagraph (A) hereof, except that his death was the result of his own misconduct; or, whether or not the result of misconduct, if death occurred while he was receiving or entitled to receive compensation, pension, or retirement pay for a disability of 30 per centum or more *presump-*

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[1] 1 F. R. 798.

*tively* connected with service or under a combined service connected disability rating of 30 per centum or more when the directly service connected disability was less than 30 per centum disabling:

(1) The date of filing application or June 29, 1936, whichever is the later;

(2) Any claim filed subsequent to March 19, 1933, and prior to June 29, 1936, under Public, No. 2, Public, No. 141, or Public, No. 484, 73d Congress (Acts of March 20, 1933, March 28, 1934, and June 28, 1934), disallowed under Public, No. 484, 73d Congress, or abandoned prior to June 29, 1936, under such laws, may, upon written notice from the claimant or his representative, to the Veterans' Administration, be revived at any time prior to June 30, 1937, and when title is otherwise established payments under Public, No. 844 (Act of June 29, 1936), shall commence on the date of its enactment; provided that in any claim adjudicated under Public, No. 484, 73d Congress, in which the claimant or his representative has not been notified of the disallowance thereof, or if a claim under Public, No. 2, Public, No. 141, or Public, No. 484, 73d Congress, was pending on June 29, 1936, it shall be considered an application under Public, No. 844, 74th Congress, without the written notice required herein and, if allowed, payments thereunder shall commence June 29, 1936 (July 13, 1936).

[Instruction No. 1, Public, No. 788, 74th Congress]

INCREASE OF PENSION TO CERTAIN VETERANS OF THE REGULAR ESTABLISHMENT WHO WERE ON THE ROLLS MARCH 19, 1933

4. Awards pursuant to Public, No. 788, 74th Congress, will be effective July 1, 1936. Adjudication Form 553c, Decision of Fact and Law (Supplemental Award Brief Face), will be used, and under remarks, there will be incorporated a notation specifying Public, No. 788, 74th Congress, and this instruction as authority for the award.

5. Payments pursuant to Public, No. 788, 74th Congress, except for fraud, misrepresentation of a material fact, or unmistakable error as to conclusion of fact or law, shall be 75% of the compensation or pension that would have been payable as of March 19, 1933, under the World War Veterans' Act, 1924, as amended, or the Act of July 14, 1862, as amended, whichever is applicable, under the disability evaluation in effect March 19, 1933, or the present or any subsequent evaluation pursuant hereto, provided, however, that in no event shall the rate exceed 75% of the rate for the same degree of disability under Veterans' Regulation No. 1 (a), Part I, and provided further that the present rate of pension or compensation of any veteran shall not be reduced by reason of the application of Public, No. 788, 74th Congress. Computations will include additional amounts payable March 19, 1933, because of dependents and special statutory rates, subject, of course, to any intervening changes therein.

6. Pension payable pursuant to the provisions of Public, No. 788 will be subject to the provisions of Veterans' Regulation No. 6 series, Paragraph VI and instructions issued pursuant thereto, and will be apportioned in accordance with the provisions of R & P, R-1310 to 1317, inclusive. Increases and reductions occasioned by changed physical condition or family status will be subject to the provisions of Veterans' Regulation No. 2 series. The provisions of Veterans' Regulation No. 10 series, Paragraph X, with reference to reduction because of being employed by the Government of the United States, etc., will not be applicable to awards under this instruction (July 13, 1936).

[SEAL] FRANK T. HINES,
*Administrator of Veterans' Affairs.*

[F. R. Doc. 1244—Filed, July 13, 1936; 1:21 p. m.]