

Manuf. Co.  
Control, no, manuf. Co.  
Employer, manuf. Co. not

38-T-67  
Mr. Smith

- 1215  
L-38-1215

December 2, 1938

Mr. T. S. Hammond, President  
Whiting Corporation  
Harvey, Illinois

In reply refer to:  
R.R.B. No. A-61245

Dear Sir:

Reference is made to the letter of August 5, 1938, from Miss Gertrude Fitzpatrick, your secretary, in reply to our letter of July 28, 1938.

From the information furnished us, it appears that the Whiting Corporation is a manufacturing concern, specializing in the manufacture of electric traveling cranes, chemical equipment, and foundry equipment, and that it is not directly or indirectly owned or controlled by or under common control with any express company, sleeping-car company or carrier by railroad subject to Part I of the Interstate Commerce Act. Upon the ground that the Whiting Corporation is not so owned or controlled, it is my opinion that it is not an "employer" within the meaning of the Railroad Retirement Act.

Very truly yours,

Lester P. Schoene  
General Counsel