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Rules, Regulations, Orders

TITLE 29—LABOR CHILDREN'S BUREAU [Regulation No. 1] CHILD LABOR

PART 401. CERTIFICATES OF AGE*†

OCTOBER 14, 1938.

SEC. 401.1 *Definitions.* As used in this regulation:

(a) "Act" means the child-labor provisions of the Fair Labor Standards Act of 1938;

(b) "Chief of the Bureau" means the Chief of the Children's Bureau of the United States Department of Labor;

(c) "Oppressive child-labor age" means—

(1) Under the age of 16 years with respect to employment in any occupation;¹

(2) 16 and under 18 years of age with respect to employment in any occupation found and by order declared by the Chief of the Bureau to be particularly hazardous for the employment of minors of such ages or detrimental to their health or well-being.

*Issued pursuant to the authority contained in sections 3 (1) and 11 (b) of the Fair Labor Standards Act of 1938 (52 Stat. 1060).

†This regulation, originally published in 3 F. R. 2487 DI, October 15, 1938, is republished in form appropriate for inclusion in the Codification of Federal Regulations.

¹Employment of a child by his parent or by a person standing in place of a parent in occupations other than manufacturing or mining is exempted (section 3 (1)) from the 16-year minimum-age standard.

The Act provides that the Chief of the Bureau shall provide by regulation or by order that the employment of employees between the ages of 14 and 16 years in occupations other than manufacturing and mining shall not be deemed to constitute oppressive child labor if and to the extent that the Chief of the Bureau determines that such employment is confined to periods which will not interfere with their schooling and to conditions which will not interfere with their health and well-being.

(d) A certificate of age means a certificate as provided in subsections (a) or (b) of section 401.2 of this regulation.

(e) "State agency" means any executive department, board, bureau or commission of the State or any division or unit thereof.

SEC. 401.2 *Certificates of age, effect.* The employment of any minor shall not be deemed to constitute oppressive child labor under the Act if his employer shall have on file an unexpired certificate, issued and held in accordance with this regulation, which shall be either—

(a) A Federal certificate of age, issued by a person authorized by the Chief of the Bureau, showing that such minor is above the oppressive child-labor age applicable to the occupation in which he is employed, or—

(b) A State certificate, which may be in the form of and known as an age, employment, or working certificate or permit, issued by or under the supervision of a State agency in such States as hereafter may be designated for this purpose by the Chief of the Bureau, showing that such minor is above the oppressive child-labor age applicable to the occupation in which he is employed. Any such certificate shall have the force and effect specified in section 401.4 hereof.

An employer, in order to protect himself from unwitting violation of the Act, should obtain a certificate of age as prescribed in paragraphs (a) and (b) of this section, for each minor 16 or 17 years of age employed by him; and, if the employment is in an occupation found and by order declared to be particularly hazardous for the employment of minors 16 and under 18 years of age or detrimental to their health or well-being, he should obtain a certificate of age for each minor 18 or 19 years of age so employed. An employer may request the issuance of a certificate for any minor of more advanced age if he has any doubt concerning the age of such minor.

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SEC. 401.3 *Federal certificates of age, information contained in.* A Federal certificate of age issued by any person authorized by the Chief of the Bureau shall contain the following information:

- (a) Name and address of minor.
- (b) Place and date of birth of minor, together with a statement indicating the evidence on which this is based.
- (c) Sex and color of minor.
- (d) Signature of minor.
- (e) Name and address of minor's parent or person standing in place of parent.
- (f) Name and address of employer.



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- (g) Signature of issuing officer.
(h) Date and place of issuance.

A Federal certificate of age for a minor under 18 years of age shall be sent by a person authorized to issue such certificates to the prospective employer of the minor, who shall keep such certificate on file at the place of the minor's employment and who on the termination of the employment of the minor shall return the certificate to the person issuing it. A certificate so returned shall be accepted as proof of age for the issuance of any subsequent Federal certificate of age for that minor, without presentation of further proof of age. Whenever a Federal certificate of age is issued for a minor 18 or 19 years of age it shall be given to the minor by the person issuing the certificate. Every minor 18 or 19 years of age shall, upon entering employment, deliver his certificate of age to his employer for filing and upon the termination of the employment the employer shall return the certificate to the minor.

SEC. 401.4 Proof of age. A Federal certificate of age shall be issued upon application of the minor desiring employment to the person authorized to issue such certificate and only after documentary evidence of age has been received, examined, and approved. Such evidence shall consist of one of the following proofs of age, to be required in the order of preference herein designated, as follows:

(a) A birth certificate or attested transcript thereof or a signed statement of the recorded date and place of birth, issued by a registrar of vital statistics or other officer charged with the duty of recording births.

(b) A record of baptism or attested transcript thereof, showing the date and place of birth and date and place of

baptism of the minor, or a bona fide contemporary record of the date and place of the minor's birth kept in the Bible in which the records of the births in the family of the minor are preserved, or other documentary evidence satisfactory to the Chief of the Bureau or such persons as he may authorize to issue Federal certificates of age, such as a passport showing the age of the minor, or a certificate of arrival in the United States issued by the United States immigration office and showing the age of the minor, or a life-insurance policy: *Provided*, That such other documentary evidence has been in existence at least one year prior to the time it is offered as evidence; *And provided further*, That a school record of age or an affidavit of a parent or a person standing in place of a parent, or other written statement of age shall not be accepted except as specified in paragraph (c) of this section;

(c) The school record or the school-census record of the age of the minor, together with the sworn statement of a parent or person standing in place of a parent as to the age of the minor and also a certificate signed by a physician specifying what in his opinion is the physical age of the minor; such certificate shall show the height and weight of the minor and other facts concerning his physical development which were revealed by such examination and upon which the opinion of the physician as to the physical age of the minor is based. If the school or school-census record of age is not obtainable, the sworn statement of the parent or person standing in place of a parent as to the age of the minor, together with a physician's certificate of age as hereinbefore specified, may be accepted as evidence of age.

The officer issuing a Federal certificate of age for a minor shall require the evidence of age specified in paragraph (a) of this section in preference to that specified in paragraphs (b) and (c) of this section, and shall not accept the evidence of age permitted by either subsequent paragraph unless he shall receive and file evidence that the evidence of age required by the preceding paragraph or paragraphs cannot be obtained.

SEC. 401.5 Acceptance of State certificates. A State in which age, employment, or working certificates or permits are issued by or under the supervision of a State agency substantially in accordance with this regulation may be designated by the Chief of the Bureau as a State in which certificates so issued shall have the same force and effect as Federal certificates except as individual certificates may be suspended or revoked in accordance with section 401.6 hereof: *Provided*, That any State having a certificate system which does not entirely conform with this regulation may be so designated temporarily by the Chief of the Bureau upon the basis of an agreement with an agency of the State pending such improvements in State law and

procedure as will bring such State system up to the standards of this regulation.

Certificates requiring conditions or restrictions additional to those required by this regulation shall not be deemed to be inconsistent herewith.

The designation of a State under this section shall have force and effect during the period of time specified therein unless withdrawal of such designation at an earlier date is deemed desirable for the effective administration of the Act. No withdrawal or expiration of the designation of a State under this section shall make any certificate invalid if it was issued by or under the supervision of a State agency as herein provided prior to such withdrawal or expiration.

SEC. 401.6 Suspension or revocation of certificates. (a) Whenever a person duly authorized to make investigations or inspections under this Act shall obtain substantial evidence that the age of the minor as given on a certificate held by an employer subject to this Act is incorrect, he shall inform the employer and the minor of such evidence and of his intention to present the same to the issuing officer in order to afford such officer opportunity to revoke the certificate. Before revoking a certificate the issuing officer shall give the employer and the minor reasonable opportunity to present any evidence which they may desire to present in support of the validity of the certificate. If, upon such presentation, the issuing officer does not revoke the certificate, the said authorized person shall, if in his judgment the evidence so warrants, suspend the certificate for the purposes of the Act by writing across the face of the certificate "Suspended as Proof of Age Under the Fair Labor Standards Act of 1938" and he shall notify the employer, the minor, the issuing officer, and the State agency or agencies supervising the issuance or revocation of certificates that the certificate is suspended as proof of age under the Act. Such notice shall contain a statement of the evidence upon which the suspension is based and the reason for such suspension, and shall inform the persons notified that if they so desire they may send documentary evidence or certified copies thereof, or other relevant information concerning the age of the minor for whom the certificate is suspended, to the appropriate reviewing officer in that State, if any, whose name and address shall be stated in said notice, or, if there is no such reviewing officer, to the Chief of the Bureau, who in such case shall be the reviewing officer. The person suspending the certificate shall also send to the reviewing officer a complete statement of the case, including copies of documentary evidence upon which such suspension is based. In no case shall the Chief of the Bureau cancel the acceptance for the purposes of the Act of a State certificate issued by or under the supervision of a State agency without giving the State agency or agencies

supervising the issuance or revocation of certificates adequate opportunity to revoke or cancel the certificate in question.

(b) After the expiration of a reasonable period for the submission of evidence to the reviewing officer by any of the interested persons and upon the basis of evidence so submitted—

(1) the reviewing officer shall revoke the certificate or cancel the acceptance of the certificate for the purposes of the Act and send notices of his action to the minor, the employer, the officer suspending the certificate, the issuing officer, and when the reviewing officer is not the Chief of the Bureau, to the Chief of the Bureau, or—

(2) if the reviewing officer is not the Chief of the Bureau and if such reviewing officer believes that the action of the officer suspending the certificate should be reversed, he shall submit the case to the Chief of the Bureau with such recommendations as he may wish to make.

The Chief of the Bureau shall have the right in all cases to review and approve or reverse the action of suspending or reviewing officers and shall review suspensions in all cases in which there has been no previous review, and shall send notices of his decision to the minor, the employer, the issuing officer, the officer suspending the certificate, and the reviewing officer.

(c) If the action on a suspension or revocation of a certificate is reversed, a new certificate may be issued upon the surrender of the one suspended or revoked. If for any reason such new certificate cannot be obtained from an issuing officer the notice of the reversal of suspension or revocation, if attached to such certificate, shall be recognized and accepted as meeting the requirements of the Act and of this regulation.

SEC. 401.7 Revoked or suspended certificates. A certificate which has been revoked, suspended, or canceled as proof of age under the Act shall be of no force and effect under the Act, after notice of such revocation, suspension, or cancellation, except as otherwise provided in section 401.6 hereof.

SEC. 401.8 Effect on other laws. No provision of this regulation shall under any circumstances justify or be construed to permit noncompliance with the provisions of any other Federal law or of any State law or municipal ordinance establishing higher standards than those established under this regulation.

SEC. 401.9 Revision of regulation. Any person wishing a revision of any of the terms of the foregoing regulation applicable to certificates of age may submit in writing to the Chief of the Bureau a petition setting forth the changes desired and the reasons for proposing them. If, after consideration of the petition, the Chief of the Bureau believes that reasonable cause for amendment of the regulation is set forth, he shall either schedule a hearing, with due notice to

interested parties, or shall make other provision for affording interested parties an opportunity to present their views, both in support and in opposition to the proposed changes.

KATHARINE F. LENROOT,
Chief.

[F. R. Doc. 39-1045; Filed, March 28, 1939; 11:31 a. m.]

**TITLE 31—MONEY AND FINANCE:
TREASURY**

PUBLIC DEBT SERVICE

[1939—Department Circular No. 607]

PARTIAL REDEMPTION, BEFORE MATURITY, OF 2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

I. NOTICE OF CALL FOR PARTIAL REDEMPTION, BEFORE MATURITY, OF 2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

MARCH 24, 1939.

To holders of 2¾ percent Mutual Mortgage Insurance Fund Debentures, Series B:

1. The Federal Housing Administrator, with the approval of the Secretary of the Treasury, has issued¹ the following notice of call for partial redemption and offer to purchase with respect to 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U. S. C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1939, on which date interest on such debentures shall cease:

Denomination	Serial numbers	
	Regular series	Star series
(all numbers inclusive)		
\$50	1 to 106	
\$100	1 to 347	1 to 4
\$500	1 to 153	1 to 13
\$1,000	1 to 500	1 to 7
\$5,000	1 to 20	
\$10,000	1 to 4	

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Federal Housing Administrator, with the approval of the Secretary of the Treasury. The serial number of each debenture will be found on the face thereof, in the upper right-hand corner. All numbers are preceded by the letter "B," and numbers in the star series are also preceded by a star, as, for example, "☆B9."

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1939. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1939, and provision will be made for the payment of final interest due, July 1, 1939, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Federal Housing Administrator hereby offers to purchase any called debentures at any time from April 1 to June 30, 1939, inclusive, at par and accrued interest, to date of purchase.

¹ 4 F. R. 1357 DL.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1939, or for purchase prior to that date will be given by the Secretary of the Treasury.

II. TRANSACTIONS IN CALLED DEBENTURES

1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1939, are hereby designated called 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, and are hereinafter referred to as called debentures.

2. Transfers and denominational exchanges in called debentures will terminate at the close of business on March 31, 1939.

III. REDEMPTION OR PURCHASE

1. Holders of called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1939, with interest in full to that date, at the rate of \$13.75 per \$1,000. Interest on called debentures will cease on July 1, 1939.

2. Holders of called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1939, inclusive, for purchase at par and accrued interest, at the rate of \$0.075967 per \$1,000 per day from January 1, 1939, to date of purchase.

IV. RULES AND REGULATIONS GOVERNING REDEMPTION AND PURCHASE

1. The United States Treasury Department is the agent of the Federal Housing Administrator for the redemption and purchase of called debentures. In accordance with regulations adopted by the Federal Housing Administrator and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Called debentures presented for redemption on July 1, 1939, or for purchase between April 1 and June 30, 1939, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., accompanied by appropriate written advice. (Use Form P. D. 1617 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or as-

signee or by a duly constituted representative to "The Federal Housing Administrator for redemption" or to "The Federal Housing Administrator for purchase," according to whether the debentures are to be presented for redemption on July 1, 1939, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Administrator for redemption (or purchase) for the account of _____," inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any called debentures, whether purchased prior to, or redeemed on or after July 1, 1939, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debentures is considered a detached assignment.

7. A called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1939, upon an appropriate assignment for that purpose executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1939, and in case of assignments for redemption on or after July 1, 1939, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., at the expense and risk of

the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express.

9. In order to facilitate the redemption of called debentures on July 1, 1939, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1939. Such early presentation by holders will insure prompt payment of principal and interest when due.

V. GENERAL PROVISIONS

1. Any further information which may be desired regarding the redemption of called debentures under this circular may be obtained from any Federal Reserve bank or from the Division of Loans and Currency, Treasury Department, Washington, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of called debentures.

[SEAL] H. MORGENTHAU, Jr.,
Secretary of the Treasury.

[Form PD 1617]

FORM OF ADVICE TO ACCOMPANY CALLED 2 3/4 PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B, PRESENTED FOR REDEMPTION ON JULY 1, 1939, OR FOR PURCHASE PRIOR TO THAT DATE

To the Federal Reserve Bank of _____, or Treasury Department, Division of Loans and Currency, Washington, D. C.:

Pursuant to the provisions of Treasury Department Circular No. 607, dated March 24, 1939, the undersigned presents and surrenders herewith for _____

(Indicate whether for immediate purchase or for redemption on July 1, 1939)

\$_____, face amount of called 2 3/4 percent Mutual Mortgage Insurance Fund debentures, Series B, registered in the name of _____ and duly assigned to "The Federal Housing Administrator for _____," as follows:

Number of bonds	Denomination	Serial numbers of bonds	Face amount
-----	\$50	-----	\$-----
-----	100	-----	-----
-----	500	-----	-----
-----	1,000	-----	-----
-----	5,000	-----	-----
-----	10,000	-----	-----
Total.....			\$-----

and requests that remittance covering payment therefor be forwarded to the undersigned at the address indicated below.

Signature _____
Name (please print) _____
Address in full _____
Date _____

*Debentures presented for immediate purchase should be assigned to "The Federal Housing Administrator for purchase"; debentures presented for redemption on July 1, 1939, should be assigned to "The Federal Housing Administrator for redemption."

[F. R. Doc. 39-1047; Filed, March 28, 1939; 12.32 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Division of Territories and Island Possessions.

ANCHORAGE BASE HOSPITAL SERVICE CHARGE

ANCHORAGE, ALASKA,
February 24, 1939.

Dr. P. L. HEITMEYER, Chief of Staff,
Base Hospital, The Alaska Railroad,
Anchorage, Alaska.

DEAR SIR: Effective this date, a service charge in amount of \$5.00 will be assessed all physicians using the facilities of the Anchorage Base Hospital for each hospital case record delinquent one (1) month or over.

Yours very truly,

J. T. CUNNINGHAM,
Acting General Manager.

The above is hereby confirmed.

RUTH HAMPTON,
Assistant Director.

[F. R. Doc. 39-1040; Filed, March 28, 1939; 9:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 24th day of March 1939.

[File No. 1-65]

IN THE MATTER OF PITTSBURGH UNITED CORPORATION COMMON STOCK, \$25 PAR VALUE, AND CONVERTIBLE 7% CUMULATIVE PREFERRED STOCK, \$100 PAR VALUE

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The New York Stock Exchange pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, \$25 Par Value, and Convertible 7% Cumulative Preferred Stock,

\$100 Par Value, of Pittsburgh United Corporation; and

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

It is ordered, That the matter be set down for hearing at 10 A. M. on Monday, April 17, 1939, at the office of the Securities and Exchange Commission, 120 Broadway, New York City, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Adrian C. Humphreys, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1042; Filed, March 28, 1939; 11:10 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 24th day of March 1939.

[File No. 1-549]

IN THE MATTER OF AMERICAN EXPRESS COMPANY COMMON STOCK \$100 PAR VALUE

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

The New York Stock Exchange pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Common Stock, \$100 Par Value, of American Express Company; and

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

It is ordered, That the matter be set down for hearing at 10 A. M. on Friday, April 14, 1939, at the office of the Securities & Exchange Commission, 120 Broadway, New York City, and continue thereafter at such times and places as the Commission or its officer herein

designated shall determine, and that general notice thereof be given; and

It is further ordered, That Adrian C. Humphreys, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1044; Filed, March 28, 1939; 11:11 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 25th day of March 1939.

[File No. 7-375]

IN THE MATTER OF APPLICATION BY NEW YORK CURB EXCHANGE TO EXTEND UNLISTED TRADING PRIVILEGES TO THE OHIO POWER COMPANY FIRST MORTGAGE BONDS, 3¼% SERIES DUE OCTOBER 1, 1968

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

The New York Curb Exchange, pursuant to Section 12 (f) of the Securities Exchange Act of 1934, as amended, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the First Mortgage Bonds, 3¼% Series due October 1, 1968, of The Ohio Power Company; and

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

It is ordered, That the matter be set down for hearing at 10 a. m. on Tuesday, April 25, 1939, in Room 1102, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Charles S. Moore, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to per-

form all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1043; Filed, March 28, 1939; 11:10 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 28th day of March, A. D. 1939.

[File No. 1-1187]

IN THE MATTER OF NATIONAL OATS COMPANY COMMON STOCK WITHOUT PAR VALUE

ORDER GRANTING APPLICATION FOR WITHDRAWAL FROM LISTING AND REGISTRATION

National Oats Company having made application to the Commission pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D-2 promulgated thereunder, for permission to withdraw from listing and registration on the St. Louis Stock Exchange 100,000 shares of common stock without par value; and

A hearing having been held¹ on due notice before a trial examiner; the trial examiner having filed an advisory report; the Commission having considered the record and being fully advised in the premises, and having this day filed its findings of fact and opinion herein;

It is ordered, That said application be and hereby is granted, effective at the close of business on April 27, 1939.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1041; Filed, March 28, 1939; 11:10 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C. on the 27th day of March 1939.

[File Nos. 7-371 to 7-374]

IN THE MATTER OF ATLAS CORP., COMMON STOCK, \$5 PAR VALUE; BETHLEHEM STEEL CORP., COMMON STOCK, NO PAR VALUE; NIAGARA HUDSON POWER CORP., COMMON STOCK, \$10 PAR VALUE; THE STUDEBAKER CORP., COMMON STOCK, \$1 PAR VALUE

ORDER SETTING HEARING ON APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES

The Philadelphia Stock Exchange, pursuant to Section 12 (f) of the Securities Exchange Act of 1934, as

¹ 3 F. R. 2816 DL.

amended, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges in round-lots to the above-mentioned securities; and

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

It is ordered, That the matter be set down for hearing at 10 a. m. on Thurs-

day, April 27, 1939, in Room 1101, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That James G. Ewell, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena

witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-1046; Filed, March 28, 1939;
12:25 p. m.]