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Rules, Regulations, Orders

TITLE 20—EMPLOYEES' BENEFITS

RAILROAD RETIREMENT BOARD

AMENDMENT TO REGULATIONS UNDER THE RAILROAD RETIREMENT ACT OF 1937

Pursuant to the general authority contained in Section 10 of the Act of June 24, 1937, (Sec. 10, 50 Stat. 314; 45 U.S.C. Sup. III, 228j) the Regulations of the Railroad Retirement Board under such Act (4 F.R. 1477 DI) are amended by Board Orders 39-434, 39-487 and 39-491 dated June 29, 1939, July 25, 1939 and July 27, 1939, respectively, as follows:

Board Order 39-434 dated June 29, 1939 amends the first two sentences of Section 262.19 to read:

"No individual shall be selected as a member of the Actuarial Advisory Committee who does not possess qualifications in actuarial training and experience sufficient to enable him actively to assume the duties and responsibility of such appointment. The compensation of each of the two members selected as members of the Actuarial Advisory Committee shall be fixed from time to time by the Board on a per diem basis."

Board Order 39-487 dated July 25, 1939 amends Sections 210.02 and 210.03, effective as of August 1, 1939, to read:

§ 210.02 *Application to be filed.* No individual, irrespective of his qualifications, shall receive an annuity under the 1935 or 1937 Act unless he has, on or before the date of his death, filed with the office of the Board, in Washington, D. C., or filed with a Regional Office of the Board, a duly executed application, upon such application form as the Board may from time to time provide; *Provided, however,* That a claim or application filed with the Social Security Board, whether before or after the adoption of this regulation, for a lump sum payment under Sec. 204 (a) of Title II of the Social Security Act based in whole or in

part on service with an employer under the Railroad Retirement Act of 1935 or 1937 which service had not at the time of such filing been determined by the Board to be service with an employer shall be an application for an annuity filed with the Railroad Retirement Board as of the date on which such claim or application was filed with the Social Security Board.

§ 210.03 *Filing date.* An application, filed in a manner and form prescribed in Section 210.02, shall be considered filed with the Board as of the date that it is received by the Board in Washington, D. C., or the date that it is received by a Regional Office of the Board, whichever date is earlier.

Board Order 39-491 dated July 27, 1939 amends Section 210.04, effective as of August 1, 1939 to read:

§ 210.04 *Signature on application form.* The application form shall be signed personally by the applicant in his usual manner: *Provided, however,* That if the applicant is unable to sign his name because of physical inability or illiteracy, he shall then make his mark (X) and a witness shall affix the applicant's name. In every case the signature or mark shall either be executed and authenticated in such manner as the form provided may indicate or shall be executed before and authenticated by an employee of the Board duly designated and authorized to perform such services. In the event that the signature or any written portion of the application form is, within the judgment of the Board, substantially illegible or of doubtful authenticity, or if in the judgment of the Board there are substantial omissions in the application form, the Board may require its reexecution or correction: *Provided, however,* That such reexecuted or corrected application form shall be returned and shall be received by the Board within thirty days after notice to correct such deficiency is mailed to the address the applicant has given in the application form; otherwise, the filing date of the application shall be the date when

CONTENTS

RULES, REGULATIONS, ORDERS

TITLE 20—EMPLOYEES' BENEFITS:

Railroad Retirement Board:	Page
Railroad Retirement Act of 1937, regulations amended	3529

TITLE 24—HOUSING CREDIT:

Federal Housing Administration:	
Administrative rules under Section 210 of National Housing Act, amendment..	3530

NOTICES

Federal Trade Commission:

United Factories, Inc., order appointing examiner, etc.....	3530
---	------

Securities and Exchange Commission:

Adams, Charles True, Trustee of Estate of Utilities Power & Light Corp., and Central States Power & Light Corp.	3531
Kinney, G. R., Co., Inc., listing and registration hearing....	3530
Northern Natural Gas Co., effective date of declaration..	3530

United States Civil Service Commission:

Apportionment at close of business, July 31, 1939.....	3531
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such corrected or reexecuted application form is received by the Board. (Secs. 2, 10, 50 Stat. 310, 314; 45 U.S.C. Sup. III, 228b, 228j)

By authority of the Board.
[SEAL] MURRAY W. LATIMER,
Chairman.

AUGUST 3, 1939.

[F. R. Doc. 39-2873; Filed, August 4, 1939; 11:35 a. m.]



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TITLE 24—HOUSING CREDIT

FEDERAL HOUSING ADMINISTRATION

AMENDMENT TO ADMINISTRATIVE RULES UNDER SECTION 210 OF THE NATIONAL HOUSING ACT

The Administrative Rules of the Federal Housing Administrator under Section 210 of the National Housing Act,¹ revised June 30, 1939 (Part 534 Code of Federal Regulations) are hereby amended as follows:

Subsection 4 of Section III of said Administrative Rules (Sec. 534.12) is amended to read as follows:

"4. The mortgage may bear interest at such rate as may be agreed upon between the mortgagee and the mortgagor, but in no case shall such interest rate be in excess of four and one-half per centum (4½%) per annum. Interest shall be payable only on principal outstanding and shall be payable in monthly installments beginning one month following the date of the mortgage."

This amendment is effective as to all mortgages on which a commitment to insure is issued on or after August 5, 1939.

Issued at Washington, D. C., this 2d day of August 1939.

[SEAL] STEWART McDONALD,
Federal Housing Administrator.
By MILES L. COLEMAN,
Acting Administrator.

[F. R. Doc. 39-2869; Filed, August 4, 1939; 10:01 a. m.]

¹ Subsection 4 of Section III of Administrative Rules of the Federal Housing Administrator under Section 210 of the National Housing Act revised February 15, 1938, appears at 3 F.R. 433 DI. See also 4 F.R. 3496 DI.

Notices

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2nd day of August, A. D. 1939.

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

[Docket No. 3797]

IN THE MATTER OF UNITED FACTORIES, INC., A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

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

It is ordered, That Arthur F. Thomas, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, August 11, 1939, at ten o'clock in the forenoon of that day (central standard time) in Court Room Number 600, Irving Pitt Building, Kansas City, Missouri.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-2868; Filed, August 4, 1939; 9:35 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 1st day of August, A. D. 1939.

[File No. 43-229]

IN THE MATTER OF NORTHERN NATURAL GAS COMPANY

ORDER FIXING EFFECTIVE DATE OF DECLARATION REGARDING ISSUE AND SALE OF BONDS AND NOTES

Northern Natural Gas Company, a registered holding company and a subsidiary of registered holding companies, as set forth in the accompanying Find-

ings and Opinion of the Commission, having filed a declaration and amendments thereto pursuant to Section 7 of the Public Utility Holding Company Act of 1935 regarding the issue and sale of \$16,000,000 aggregate principal amount of First Mortgage and First Lien Bonds, Series A, 3¼%, due July 1, 1954, and \$6,000,000 aggregate principal amount of Unsecured Promissory Notes, 2½%, maturing serially in principal amounts of \$500,000 on January 1 and July 1, commencing July 1, 1940, the last note maturing on January 1, 1946;

A hearing thereon having been held after appropriate notice,¹ the record having been duly considered, and the Commission having filed its findings herein;

It is ordered, That such declaration be and become effective forthwith, subject, however, to the following conditions: (a) that the issue and sale of the before mentioned securities shall be effected in substantial compliance with the terms and conditions set forth in, and for the purposes represented by, said declaration as amended, and (b) that on or before January 1, 1940, unless such time shall hereafter be extended by the Commission, at the request of the declarant, the declarant file with this Commission a statement in writing, under oath, giving in detail an itemization of the manner in which the proceeds of the said Unsecured Capital Note issue have been expended;

It is further ordered, That the Commission reserve jurisdiction to determine at a later date, whether the fee to be paid to Dillon, Read & Co. in connection with the issue and sale of the aforementioned First Mortgage and First Lien Bonds, Series A, 3¼%, due July 1, 1954, is or is not reasonable; and whether such fee should or should not be paid; and no part of the said fee to be paid to Dillon, Read & Co. shall be paid pending further order of this Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2870; Filed, August 4, 1939; 11:13 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 2nd day of August 1939.

[File No. 1-58]

IN THE MATTER OF G. R. KINNEY Co., Inc., \$8 CUMULATIVE PREFERRED STOCK, NO 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 Securi-

14 F.R. 2896 DI.

ties Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the \$8 Cumulative Preferred Stock, No Par Value, of G. R. Kinney Co., Inc.; 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, August 25, 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. 39-2872; Filed, August 4, 1939; 11:13 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 2nd day of August 1939.

[File No. 44-30]

IN THE MATTER OF CHARLES TRUE ADAMS, TRUSTEE OF THE ESTATE OF UTILITIES POWER & LIGHT CORPORATION, DEBTOR AND CENTRAL STATES POWER & LIGHT CORPORATION

ORDER ALLOWING PETITION TO INTERVENE

Atlas Corporation having on August 2, 1939 entered its appearance by counsel and having filed an application to intervene in the above entitled proceeding;

It is hereby ordered, That said application of Atlas Corporation for leave to intervene in said proceeding be granted;

subject to all proceedings heretofore taken herein.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-2871; Filed, August 4, 1939; 11:13 a. m.]

UNITED STATES CIVIL SERVICE COMMISSION.

CONDITION OF THE APPORTIONMENT AT CLOSE OF BUSINESS MONDAY, JULY 31, 1939

Important. Although the apportioned classified civil service is by law located only in Washington, D. C., it nevertheless includes only about half of the Federal Civilian positions in the District of Columbia. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his State of original residence. Certifications of eligibles are first made from States which are in arrears.

State	Number of positions to which entitled	Number of positions occupied
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IN ARREARS

1. Virgin Islands.....	9	0
2. Puerto Rico.....	622	42
3. Hawaii.....	143	17
4. California.....	2,286	801
5. Alaska.....	24	9
6. Texas.....	2,345	921
7. Michigan.....	1,950	923
8. Louisiana.....	846	405
9. Arizona.....	175	89
10. New Jersey.....	1,627	881
11. South Carolina.....	700	398
12. Ohio.....	2,676	1,609
13. Oklahoma.....	965	590
14. Mississippi.....	809	495
15. New Mexico.....	170	106
16. Alabama.....	1,065	667
17. Arkansas.....	747	475
18. Georgia.....	1,171	775
19. Kentucky.....	1,053	706
20. North Carolina.....	1,276	892
21. Wisconsin.....	1,183	911
22. Tennessee.....	1,053	813
23. Illinois.....	3,072	2,372
24. Connecticut.....	647	518
25. Indiana.....	1,304	1,138

State	Number of positions to which entitled	Number of positions occupied
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IN ARREARS—Continued

26. Delaware.....	96	84
27. Nevada.....	37	33
28. Oregon.....	384	345
29. Florida.....	591	544
30. Idaho.....	179	168
31. New Hampshire.....	187	178
32. Pennsylvania.....	3,878	3,736
33. New York.....	5,068	4,940
34. Maine.....	321	317
35. Wyoming.....	91	90
36. West Virginia.....	696	691
37. Massachusetts.....	1,711	1,704
38. Colorado.....	417	416

QUOTA FILLED

State	Number of positions to which entitled	Number of positions occupied	Net gain or loss since July 1, 1939
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IN EXCESS

39. Missouri.....	1,461	1,466	-12
40. Vermont.....	145	146	-1
41. Washington.....	629	634	-5
42. Utah.....	204	207	+4
43. Montana.....	216	231	-1
44. Kansas.....	757	817	-2
45. Rhode Island.....	277	304	-2
46. South Dakota.....	279	310	-2
47. North Dakota.....	274	308	-2
48. Iowa.....	995	1,133	-5
49. Minnesota.....	1,032	1,176	-1
50. Nebraska.....	555	692	+7
51. Virginia.....	975	2,037	-2
52. Maryland.....	657	2,066	+18
53. District of Columbia.....	196	8,906	+21

GAINS

By appointment.....	423
By reinstatement.....	2
By transfer.....	33
By correction.....	2
Total.....	460

LOSSES

By separation.....	93
By transfer.....	54
Total.....	147
Total appointments.....	50,232

NOTE: Number of employees occupying apportioned positions who are excluded from the apportionment figures under Section 2, Rule VII, and the Attorney General's opinion of Aug. 25, 1934, 15,301.

By direction of the Commission.

[SEAL] L. A. MOYER,
Executive Director
and Chief Examiner.

[F. R. Doc. 39-2867; Filed, August 3, 1939; 1:03 p. m.]