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**Rules, Regulations, Orders**

**TITLE 17—COMMODITY AND SECURITIES EXCHANGES**

**SECURITIES AND EXCHANGE COMMISSION**

**PUBLIC UTILITY HOLDING COMPANY ACT OF 1935**

**AMENDMENT OF RULES U-17C-1, U-17C-2 AND U-17C-3**

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly Section 17 (c) [c. 687, sec. 17, 49 Stat. 830; 15 U. S. C., Sup. III, 79q], 12 (f) [c. 687, sec. 12, 49 Stat. 823; 15 U. S. C., Sup. III, 79i], and 20 (a) [c. 687, sec. 20, 49 Stat. 833; 15 U. S. C., Sup. III, 79t] thereof, and finding that such action will not adversely affect the public interest or the interest of investors or consumers and is appropriate to carry out the provisions of said Act, the Securities and Exchange Commission hereby amends Rules U-17C-1 [Sec. 15.U-17C-1], U-17C-2 [Sec. 15.U-17C-2] and U-17C-3 [Sec. 15.U-17C-3] (adopted February 20, 1939 to become effective April 1, 1939)<sup>1</sup> to read as follows:

Sec. 15.U-17C-1 (*Rule U-17C-1*). *Exemptions from section 17 (c) of the act for officers and directors of operating companies.* As to acting as officer or director or both of an operating company, the following persons are hereby exempt from Section 17 (c)<sup>2</sup> of the Act:

(a) A person who (1) has no financial connection with any commercial banking institution other than one or more such institutions having their principal offices within the territory served by such operating company and (2) has no financial connection with any investment banker; or

(b) A person who owns, or is the designated representative of one or more persons who own, the beneficial interest in

(1) 10% or more of the outstanding voting securities of such company, or (2) 10% or more of any class of the outstanding securities of such company, provided the capital amount of all outstanding securities of such class aggregates more than 10% of the capital amount of all outstanding securities of such company, or (3) obligations of such company totaling 2% or more of the corporate assets of such company at the close of the preceding calendar year if such obligations are in default or are held as security for a debt which is in default; or

(c) A person who (1) is regularly employed by such company and/or one or more associate companies thereof and (2) devotes substantially all of his working time to such employment alone or together with employment by a public-utility company which is not an associate company of any registered holding company and (3) has no financial connection with any investment banker; or

(d) A person who is the trustee, or is the designated representative of the trustee, under a corporate trust indenture or similar instrument under which outstanding obligations of such company were issued; or

(e) A person who is specifically authorized by an order of the Federal Power Commission to hold every position as officer, executive officer, or director held by such person in such company and in any financial institution; or

(f) A person whose election or appointment as (1) an officer or director or both of such company, or (2) a voting trustee of securities of such company, is specifically approved by a court of the United States in connection with the confirmation of a plan of reorganization, and not more than 5 years shall have elapsed since the date of such approval.

(g) A person whose *only* financial connection is (a) with one or more commercial banking institutions each having combined capital and surplus not in excess of \$1,500,000, or (b) with a single investment banker which has total capital and surplus not exceeding \$500,000 and which investment banker (including any business of which it is a

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<sup>1</sup> 4 F. R. 1108 DI.  
<sup>2</sup> C. 687, sec. 17, 49 Stat. 830; 15 U. S. C., Sup. III, 79q



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continuation) is not and has not at any time after April 1, 1939 engaged in underwriting or otherwise participating in the marketing of, or trading in (except as brokers), securities of any public-utility or holding company.

Provided, however, that no such company (1) shall have as many as one-half of its directors persons with financial connections within the scope of Section 17 (c)<sup>2</sup> of the Act or (2) shall sell, directly or indirectly, any securities to, or pursuant to an underwriting agreement with, or by participation of, a financial institution if such company or any company of which such company is a subsidiary company at any time during the preceding 12 months shall have had as an officer or director a person or per-

sons having a financial connection with such financial institution. Nevertheless, any such company (1) may sell its securities to a commercial banking institution if all persons having financial connections with such commercial banking institution and also acting as officers or directors of such company are acting in such capacity by virtue of paragraphs (a) or (c) above, and (2) may, prior to January 1, 1941, renew or extend any of its obligations to a commercial banking institution which were held by such institution prior to April 1, 1939.

SEC. 15.U-17C-2 (Rule U-17C-2). Exemptions from section 17 (c) of the act for officers and directors of non-operating companies. As to acting as officer or director or both of any nonoperating company, the exemptions provided by paragraphs (b), (c), (d), (e), (f), and (g) of Rule U-17C-1 [Sec. 15.U-17C-1] shall also be applicable to a non-operating company, subject, however, to the limitations contained in the proviso of that rule.

SEC. 15.U-17C-3 (Rule U-17C-3). Definitions of terms used in section 17 (c) of the act and rules thereunder.—As used in Section 17 (c)<sup>2</sup> of the Act and rules adopted thereunder:

(1) "Officer" and "Executive Officer" mean (a) a Chairman of the Board of Directors, Chairman of the Finance Committee or Executive Committee, President, Vice President, Treasurer, Secretary, Comptroller, and in the case of a financial institution also a Cashier or Trust Officer, and (b) any other person who performs functions corresponding to those normally performed by the foregoing officers, regardless of whether he has an official title or whether his title contains a designation of assistant, and regardless of whether he is serving without salary or other compensation.

(2) "Director" means any director of a corporation or any individual who performs similar functions in connection with a partnership, trust, or voting trust.

(3) A "bank, trust company, investment banker, or banking association or firm" shall be deemed not to include the Reconstruction Finance Corporation, or a Federal Reserve Bank, or a bank or trust company (a) which does not accept deposits or, if accepting deposits, not less than 85 per cent of whose total deposits at the end of the preceding calendar year consisted of time and savings deposits as defined by Regulation IV of the Federal Deposit Insurance Corporation, or (b) not more than 10 per cent of whose total loans and discounts at the end of the preceding calendar year consisted of commercial loans and discounts.

(4) "Investment banker" means a person engaged in business as an underwriter or a dealer, as these terms are defined in the Securities Act of 1933, but does not include a bank, trust company, banking association, or banking firm which is prohibited by statute or by rule or regulation thereunder from un-

derwriting or participating in the marketing of securities of a public-utility or holding company. "Investment banker" shall include a corporation a majority of whose stock having the unrestricted right to vote for the election of directors is owned by an investment banker.

(5) "Financial institution" means a bank, trust company, investment banker, or banking association or firm, or a corporation a majority of whose stock, having the unrestricted right to vote for the election of directors, is owned by a bank, trust company, investment banker or banking association or firm except a corporation (a) not engaged in the business of a bank, trust company, investment banker, or banking association or firm and (b) a majority of whose stock, having the unrestricted right to vote for the election of directors, is owned by a financial institution which is not organized under the laws of the United States or of a State thereof and does not have its principal office located in the United States.

(6) "Commercial banking institution" means any financial institution except an investment banker or a corporation a majority of whose stock, having the unrestricted right to vote for the election of directors, is owned by an investment banker.

(7) A person shall be deemed to have a "financial connection" if he is an executive officer, director, partner, appointee, or representative (including a designated representative) of a financial institution.

(8) "Designated representative" means a person who has been designated in writing to the Commission by not more than 10 financial institutions and/or other persons to represent them by acting as officer or director or both of a registered holding company or subsidiary company. No financial institution shall have a designated representative as an officer or director of a company unless (a) such institution is trustee under a corporate trust indenture or similar instrument under which outstanding obligations of such company were issued, or (b) such institution owns the beneficial interest in securities of such company whose capital amount exceeds one-half of 1 per cent of the capital amount of all outstanding securities of such company. A designated representative shall have no financial connection other than with persons for whom he is designated representative.

(9) "Capital amount" means with respect to obligations the principal amount and with respect to capital stock the par value, or, if the stock has no par value, the market value at the date of its issue.

(10) "Operating company" means any registered holding company or subsidiary company which during the preceding calendar year had corporate gross revenues derived from its operations as a public-utility company equal to at least 70 per cent of the consolidated gross revenues of such company and all its sub-

subsidiary companies, if any, derived from their operations as public-utility companies.

(11) "Non-operating company" means any registered holding company or subsidiary company *except* (a) an operating company and (b) any company exempted by Rule U-3D-5 [Sec. 15.U-3D-5] from obligations, duties and liabilities imposed by the Act upon such company as a subsidiary company.

Effective April 1, 1939.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-1007; Filed, March 24, 1939; 11:40 a. m.]

**Notices**

**WAR DEPARTMENT.**

**EXAMINATION FOR APPOINTMENT IN VETERINARY CORPS, REGULAR ARMY**

*Examination for appointment in the Veterinary Corps, Regular Army.* An examination of applicants for appointment in the Veterinary Corps, Regular Army, under the provisions of AR 605-20 (10 CFR 73.13-73.17), will be held within the continental limits of the United States from July 24 to July 29, 1939, inclusive. (Sec. 4, act of June 31, 1935 (49 Stat. 506), provides that original appointments in the Veterinary Corps will be made in the grade of first lieutenant from Reserve veterinary officers between the ages of twenty-three and thirty-two years.)

2. Applications and requests for information concerning this examination will be addressed to The Adjutant General.

3. Formal applications on W. D., A. G. O. Form No. 62 (Application for Commission in the Regular Army), accompanied by at least three letters of recommendation and small photograph of applicants, must reach The Adjutant General's Office not later than July 1. Applications received after that date will not be considered. (Sec. II, Cir. No. 17, W. D., March 22, 1939.)

E. S. ADAMS,  
Major General,  
The Adjutant General.

[F. R. Doc. 39-1006; Filed, March 24, 1939; 10:43 a. m.]

**DEPARTMENT OF THE INTERIOR.**

**National Bituminous Coal Commission.**

[Docket No. 321-FD]

**ORDER IN THE MATTER OF APPLICATION OF C. F. RUSSELL FOR CERTIFICATE OF EXEMPTION**

At a regular session of the National Bituminous Coal Commission held at its

offices in Washington, D. C., on the 22nd day of March 1939.

*It appearing,* That on the 22nd day of March 1938, the Commission entered its Order No. 237<sup>1</sup> providing for a public hearing to be held at the Northern Hotel, Billings, Montana, on the 25th day of April 1938, commencing at the hour of 10:00 o'clock, a. m., for the purpose of receiving evidence to enable the Commission to determine whether certain coals in the State of Montana are subject to the provisions of the Bituminous Coal Act of 1937, and for the further purpose of hearing applications for certificates of exemption as provided for by Order No. 28;<sup>2</sup> and that C. F. Russell, operating a coal mine in Section 15, Township 23, Range 22, in Blaine County, State of Montana, filed application for certificate of exemption pursuant to Order No. 28, alleging that the coals produced by him are not subject to the provisions of the said Act. The Commission assigned the cause to an examiner of the Commission for a hearing at the time and place designated by said Order No. 237; and

*It further appearing,* That due and proper notice of said hearing was given to all interested parties, and the cause came on to be heard pursuant to said Order No. 237; and the evidence being adduced and being submitted to the examiner, the examiner filed his report in the above-entitled matter with the Secretary of the Commission, copies of which were thereafter served upon interested parties in conformance with the Rules of Practice and Procedure of the Commission. More than fifteen (15) days have elapsed since said service, and no exceptions to the said report have been filed with the Commission; and

The Commission being fully advised of the evidence adduced at the hearing as the same is contained in the official transcripts of the testimony and documentary evidence filed herein, finds that the proposed finding of fact and the conclusion submitted by the examiner are, in all respects, true and correct, and the same are hereby adopted as the finding of fact and conclusion of the Commission;

*Now, therefore,* It is by order hereby certified:

That the coal produced at the mine operated by C. F. Russell in Section 15, Township 23, Range 22, Blaine County, in the State of Montana, is coal within the meaning of the Bituminous Coal Act of 1937, and is therefore subject to the provisions of said Act.

The Secretary of the Commission shall forthwith mail a copy of this order to the Secretaries of the Bituminous Coal Producers' Boards for the several districts, to the Consumers' Counsel, to the Commissioner of Internal Revenue, to the Applicant herein, and shall cause

a copy of this order to be published in the FEDERAL REGISTER.

By order of the Commission.

Dated this 22nd day of March, 1939.

[SEAL] F. WITCHER McCULLOUGH,  
Secretary.

[F. R. Doc. 39-1016; Filed, March 24, 1939; 12:43 p. m.]

**DEPARTMENT OF AGRICULTURE.**

**Agricultural Adjustment Administration.**

[Docket No. A-94-1 O-94-1]

**NOTICE OF REOPENING OF HEARING HELD ON MARCH 13, 1939, WITH RESPECT TO PROPOSAL TO AMEND TENTATIVELY APPROVED MARKETING AGREEMENT AND ORDER NO. 30 REGULATING HANDLING OF MILK IN TOLEDO, OHIO, MARKETING AREA**

Whereas, under section 8c of Title I of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, the Secretary of Agriculture, hereinafter called the Secretary, issued an order regulating the handling of milk in the Toledo, Ohio, marketing area, effective September 16, 1938;<sup>1</sup> and

Whereas, the Secretary tentatively approved a marketing agreement regulating the handling of milk in the said area on July 30, 1938;<sup>2</sup> and

Whereas, the Secretary held a public hearing<sup>3</sup> in connection with certain proposed amendments to said marketing agreement and said order at the Waldorf Hotel, Toledo, Ohio, on March 13, 1939; and

Whereas, the Dairy Section, Division of Marketing and Marketing Agreements, has proposed that the price per hundredweight for Class I milk be reduced from \$2.35 to \$2.15, and

Whereas, the Secretary desires additional evidence as to this proposal and as to the amendments considered at the aforementioned public hearing and has, therefore, determined to reopen said hearing;

Now, therefore, notice is hereby given of the reopening of said hearing at the Waldorf Hotel, Toledo, Ohio, at 10:00 a. m., e. s. t., March 29, 1939.

This reopened public hearing is for the purpose of receiving additional evidence as to the necessity for (a) changing the price per hundredweight for Class I milk from \$2.35 to \$2.15, (b) revising the provision relating to sales outside of the marketing area, (c) increasing the sums deducted for marketing services to producers not members of a qualified cooperative association, (d) making changes in the wording of said marketing agreement and said order for the purpose of affording more effective administration thereof, and (e) changing

<sup>1</sup> 3 F. R. 725 DI.  
<sup>2</sup> 2 F. R. 1325 (1581 DI).

<sup>3</sup> 3 F. R. 2169 DI.  
<sup>4</sup> 3 F. R. 1893 DI.  
<sup>5</sup> 4 F. R. 1179 DI.

any other provisions of said marketing agreement and said order.

Copies of the proposed amendments to said order and to said marketing agreement, considered at the hearing on March 13, 1939, may be procured from the Hearing Clerk, Office of the Solicitor, Room 0310, South Building, United States Department of Agriculture, Washington, D. C., or may be there inspected.

[SEAL] H. A. WALLACE,\*  
Secretary of Agriculture.

Dated, March 24, 1939.

[F. R. Doc. 39-1015; Filed, March 24, 1939;  
12:03 p. m.]

#### CIVIL AERONAUTICS AUTHORITY.

[Docket No. 4-401-E-1]

IN THE MATTER OF THE APPLICATION OF  
CHICAGO AND SOUTHERN AIR LINES, INC.

ORDER AUTHORIZING ISSUANCE OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

At a session of the Civil Aeronautics Authority held in the city of Washington, D. C., on the 17th day of March 1939.

Chicago and Southern Air Lines, Inc., having filed application for a certificate of public convenience and necessity under section 401 (e) (1) of the Civil Aeronautics Act of 1938, and a full hearing thereon having been held, and the Authority, upon consideration of the record of such proceedings having issued its opinion containing its findings of fact, conclusions, and decision, which is attached hereto and made a part hereof, and finding that its action in this matter is necessary pursuant to said opinion:

*It is ordered,* That there be issued to Chicago and Southern Air Lines, Inc., a certificate of public convenience and necessity authorizing it, subject to the provisions of such certificate, to engage in air transportation with respect to persons, property and mail between the terminal point Chicago, Ill., the intermediate points Peoria, Ill., Bloomington, Ill., Springfield, Ill., St. Louis, Mo., Memphis, Tenn., Greenwood, Miss., and Jackson, Miss., and the terminal point New Orleans, La.

*It is further ordered,* That said certificate shall be subject to the terms, conditions, and limitations prescribed by Regulation 401-F-1<sup>1</sup> issued by the Authority on February 24, 1939, all amendments thereto, and such other terms, conditions, and limitations as may from time to time be prescribed by the Authority.

*It is further ordered,* That said certificate shall be issued in the form attached hereto,<sup>2</sup> and shall be signed on behalf of the Authority by the Chairman of the

<sup>1</sup> 4 F. R. 1029 DI.

<sup>2</sup> Filed as a part of the original document with the Division of the Federal Register, The National Archives.

Authority, and shall have affixed thereto the seal of the Authority attested by the Secretary. Said certificate shall be made effective from the 22nd day of August, 1938.

By the Authority.

[SEAL] PAUL J. FRIZZELL,  
Secretary.

[F. R. Doc. 39-1011; Filed, March 24, 1939;  
11:52 a. m.]

[Docket Nos. 45-401 (E)-1, 44-402 (C)-1]

IN THE MATTER OF THE APPLICATION OF  
CANADIAN COLONIAL AIRWAYS, INC.

Under section 401 (e) (1) of the Civil Aeronautics Act of 1938 and Regulation 401-B-1 of the Civil Aeronautics Authority promulgated thereunder, for a permanent certificate of convenience and necessity authorizing the applicant to engage as an air carrier of persons, property, mail and Canadian mail, in scheduled foreign air transportation between New York (Port Newark, Newark, New Jersey), via Albany, New York, in the United States, to Montreal, Province of Quebec, Dominion of Canada, and return, and as amended January 7, 1939, to include a stop at Burlington, Vermont.

And under section 402 (c) of the Civil Aeronautics Act of 1938 and pursuant to Regulation 402-D-1 of the Civil Aeronautics Authority, for a permit authorizing the applicant to engage as a foreign air carrier of persons, property, mail, and Canadian mail, in scheduled foreign air transportation between Montreal, Province of Quebec, Dominion of Canada, via Albany, to New York (Port Newark, Newark, New Jersey), New York, in the United States of America, and return.

#### NOTICE OF HEARING

The above-entitled proceedings are assigned for public hearing on April 11, 1939, at 10 o'clock a. m. (Eastern Standard Time), at the office of the Civil Aeronautics Authority (Conference Room "B," Departmental Auditorium), Washington, D. C., before Examiner George A. Keyser.

Dated Washington, D. C., March 22, 1939.

By the Authority.

[SEAL] PAUL J. FRIZZELL,  
Secretary.

[F. R. Doc. 39-1012; Filed, March 24, 1939;  
11:52 a. m.]

[Docket No. 14-401(E)-1]

PAN AMERICAN AIRWAYS, INC.

Application for a permanent certificate of public convenience and necessity under section 401 (e) (1) of the Civil Aeronautics Act of 1938, to engage in scheduled air transportation in the carriage of passengers, property and mail, over routes between:

Miami, Florida, and Buenos Aires, Argentina; via Cuba; Haiti; Dominican

Republic; San Juan, Puerto Rico; St. Thomas, Virgin Islands; British West Indies; Guadeloupe; Martinique; Trinidad; British Guiana; Netherlands Guiana; French Guiana; Brazil (including Rio de Janeiro); Paraguay; and Uruguay; or any combination of two or more of said countries or places.

Miami, Florida, and Cristobal, Canal Zone, via Cuba; Jamaica; and Colombia; or any one or more of said countries.

Miami, Florida, and Colombia; via Cuba and Jamaica; or any one or more of said countries.

Miami, Florida, and Havana, Cuba. Miami, Florida, and the Bahama Islands.

Miami, Florida, and Merida, Mexico; via Cuba; and between Merida, Mexico, and Belize, British Honduras.

Cristobal, Canal Zone, and Trinidad; via Colombia, and Venezuela; or any one or more of said countries.

Brownsville, Texas, and Cristobal, Canal Zone; via Mexico; Guatemala; El Salvador; Honduras; Nicaragua; Costa Rica; Panama; and Balboa, Canal Zone; or any combination of one or more of said countries or places.

Brownsville, Texas, and Mexico City, Mexico; with or without an intermediate stop or intermediate stops in Mexico.

Haiti and Jamaica; with an intermediate stop in Cuba (except that authorization for the transportation of United States mail on this route is not included in this application).

Miami, Florida, and Venezuela; via Cuba and Haiti, or any one or more of said countries (except that authorization for the transportation of United States mail on the sector of this route between Haiti and Venezuela is not included in this application).

[Docket No. 27-401 (E)-1]

PANAMA AIRWAYS, INC.

Application for a permanent certificate of public convenience and necessity under section 401 (e) (1) of the Civil Aeronautics Act of 1938, to engage in scheduled air transportation in the carriage of passengers and property over a route between Cristobal, Canal Zone, and Balboa, Canal Zone.

[Docket No. 28-401 (E)-1]

URABA, MEDELLIN AND CENTRAL AIRWAYS, INC.

Application for a permanent certificate of public convenience and necessity under section 401 (e) (1) of the Civil Aeronautics Act of 1938, to engage in scheduled air transportation in the carriage of passengers, property and mail, over a route between Cristobal, Canal Zone, and Medellin, Columbia, with intermediate stops at Balboa, Canal Zone and at Turbo, Columbia.

#### NOTICE OF POSTPONEMENT OF HEARING

MARCH 22, 1939.

Public hearing in the above-entitled proceedings now assigned on April 10,

1939,<sup>1</sup> is hereby postponed to May 15, 1939, 10 o'clock a. m. (Eastern Standard Time) at the offices of the Civil Aeronautics Authority (Commerce Auditorium) in Washington, D. C., before Examiner F. A. Law, Jr.

F. A. LAW, JR.  
Examiner.

[F. R. Doc. 39-1013; Filed, March 24, 1939; 11:53 a. m.]

[Docket No. 38-401 (E)-1]

PAN AMERICAN-GRACE AIRWAYS, INC.

*Application for a permanent certificate of public convenience and necessity under section 401 (e) (1) of the Civil Aeronautics Act of 1938, to engage in scheduled air transportation in the carriage of passengers, property and mail over the route between Cristobal (Canal Zone) and Buenos Aires (Argentina), with intermediate stops in Colombia, Ecuador and Peru and thence (a) with intermediate stops in Chile and Argentina with connecting service between Chile and Bolivia and (b) with intermediate stops in Bolivia (or in Chile and Bolivia) and Argentina.*

NOTICE OF POSTPONEMENT OF HEARING

MARCH 22, 1939.

Public hearing in the above-entitled proceeding now assigned on April 17, 1939,<sup>2</sup> is hereby postponed to May 22, 1939, 10 o'clock a. m. (Eastern Standard Time) at the offices of the Civil Aeronautics Authority in Washington, D. C., before Examiner F. A. Law, Jr.

F. A. LAW, JR.,  
Examiner.

[F. R. Doc. 39-1014; Filed, March 24, 1939; 11:52 a. m.]

#### FEDERAL TRADE COMMISSION.

*United States of America—Before  
Federal Trade Commission*

[Docket No. 3740]

IN THE MATTER OF METZ BROS. BAKING  
COMPANY

#### COMPLAINT

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of Section 2 of the Clayton Act as amended by the Robinson-Patman Act, approved June 19, 1936 (U. S. C., title 15, sec. 13), hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. The respondent, Metz Bros. Baking Company, is a corporation

organized and existing under and by virtue of the laws of the State of Iowa, with its principal office and place of business located at 408 Pearl Street, Sioux City, Iowa, and plants located at Sioux City, Iowa, and Sioux Falls, South Dakota.

PAR. 2. Respondent corporation is now and has been since June 19, 1936, engaged in the business of manufacturing, offering for sale, selling and distributing bread. Respondent sells and distributes said product in commerce between and among the states of Iowa, Minnesota, South Dakota and Nebraska, and preliminary to or as a result of said sales causes said product to be shipped and transported from the place of origin of the shipment to the purchasers thereof who are located in the aforementioned states other than the state of origin of the shipment. There is, and has been at all times herein mentioned, a continuous current of trade and commerce in said product across state lines between respondent's factories and the purchasers of said product. Said product is sold and distributed for resale within the states of Minnesota, South Dakota, Nebraska and Iowa.

PAR. 3. In the course and conduct of its business, as aforesaid, respondent is now and during the time herein mentioned has been in substantial competition with other corporations and with individuals, partnerships and firms engaged in the business of manufacturing, selling and distributing bread in commerce.

PAR. 4. In the course and conduct of its business, as aforesaid, since June 19, 1936, respondent has been and is now discriminating in price between different purchasers buying said bread of like grade and quality sold by the respondent in interstate commerce for use, consumption and resale by giving and allowing certain of its said purchasers of its product lower prices than given or allowed other of its said purchasers. Said discrimination in price is, by the following practice and policy, pursued by the respondent, to-wit: In certain trade areas or localities respondent sells its product of the same grade, quality and weight at lower prices than it sells the identical product in other trade areas or localities. To illustrate, the respondent, in the course and conduct of its business, maintains two manufacturing plants for bread, one of said plants being located in Sioux City, Iowa, and the other plant being located in Sioux Falls, South Dakota.

From its plant located in Sioux Falls, South Dakota, respondent sells its product to customers located in the trade areas of Southeastern, Northwestern and Central South Dakota and a part of Southwestern Minnesota, and thirty miles into the Northwestern territory of Iowa. From its plant located in Sioux City, Iowa, respondent sells its product to customers located in the aforementioned area and also to customers located in the

trade area comprising the City of Omaha, Nebraska, and in and around the trade area of Marshall and Worthington, Minnesota.

From the respondent's plants, as aforesaid, fleets of trucks are operated for the sale and distribution of bread into and through the various states, as aforesaid. Prior to September 16, 1938, the prevailing wholesale price of bread sold by the respondent and its competitors in the various trade areas, as aforesaid, except in the State of Iowa, was 11¢ for a 24-ounce loaf, and 8¢ for a 16-ounce loaf. On September 16, 1938, respondent lowered the wholesale price of bread within the trade areas designated as Southwestern Minnesota and Southeastern, Northwestern and Central South Dakota, from 11¢ to 8¢ for a 24-ounce loaf, and from 8¢ to 6¢ for a 16-ounce loaf, or a decrease in the wholesale price of 27 percent; while in the trade area of the northwestern section of the State of Iowa the respondent maintained a price of 6¢ for a 16-ounce loaf, 8¢ for a 20-ounce loaf, and 10¢ for a 24-ounce loaf.

PAR. 5. The general effect of said discrimination in price so made by the respondent, as set forth above, has been and may be (a) substantially to lessen competition, and (b) to injure, destroy or prevent competition between respondent and its competitor in the sale and distribution of such product, and (c) to tend to create a monopoly in respondent in said line of commerce in the various localities or trade areas in the United States in which such competitors respectively are engaged in business.

PAR. 6. The foregoing alleged acts and practices of said respondent are violations of subsection 2 (a) of Section 1 of of the said Act of Congress approved June 19, 1936, entitled, "An Act to amend Section 2 of the Act entitled 'An Act to supplement existing laws against unlawful restraints and monopolies and for other purposes,'" approved October 15, 1914, as amended (U. S. C. Title 15, Section 13), and for other purposes.

Wherefore, the premises considered, the Federal Trade Commission, on this 20th day of March, A. D., 1939, issues its complaint against said respondent.

#### NOTICE

Notice is hereby given you, Metz Bros. Baking Company, respondent herein, that the 28th day of April, A. D., 1939, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission, in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

<sup>1</sup> 4 F. R. 997 DI.

<sup>2</sup> 4 F. R. 1092 DI.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule VII) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If the respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true, and if in the judgment of the Commission such facts admitted constitute a violation of law or laws as charged in the complaint, to make and serve findings as to the facts and an order to cease and desist from such violations. Upon application in writing made contemporaneously with the filing of such answer, the respondent, in the discretion of the Commission, may be heard on brief, in oral argument, or both, solely on the question as to whether the facts so admitted constitute the violation or violations of law charged in the complaint.

*In witness whereof*, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 20th day of March, A. D., 1939.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 39-1002; Filed, March 24, 1939; 9:09 a. m.]

*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 23rd day of March, A. D. 1939.

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

[Docket No. 3632]

IN THE MATTER OF SAM BELL, AN INDIVIDUAL, DOING BUSINESS UNDER THE NAME AND STYLE OF LONGWEAR PAINT AND VARNISH WORKS

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 William C. Reeves, 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 Thursday, April 6, 1939, at ten o'clock in the forenoon of that day (central standard time) Room 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 upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 39-1000; Filed, March 24, 1939; 9:08 a. m.]

*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 23rd day of March, A. D. 1939.

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

[Docket No. 3709]

IN THE MATTER OF KERSH A. SMITH, INDIVIDUALLY AND TRADING AS TEETERBABB COMPANY OF COLORADO

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 William C. Reeves, 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 Tuesday, April 18, 1939, at ten o'clock in the forenoon of that day (Mountain Standard Time) in Circuit Court Room, Post Office Building, Denver, Colorado.

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 upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 39-1001; Filed, March 24, 1939; 9:08 a. m.]

**RURAL ELECTRIFICATION ADMINISTRATION.**

[Amended Administrative Order No. 323]

**CORRECTION OF ALLOCATION OF FUNDS FOR LOANS**

MARCH 22, 1939.

Administrative Order No. 323, dated February 25, 1939, should be corrected so that the Order reads as follows:

I hereby amend Administrative Order No. 69, dated March 9, 1937, by inserting "and Section 5" after "Section 4" and by reducing the allocation of \$24,000 therein made for Wisconsin 16W Douglas by \$15,000, so that the reduced allocation shall be \$9,000.

I hereby amend Administrative Order No. 74, dated March 19, 1937, by reducing the allocation of \$530,000 therein made for Texas 49 Denton by \$40,000, so that the reduced allocation shall be \$490,000.

I hereby amend Administrative Order No. 78, dated March 31, 1937, by rescinding the allocation of \$47,000 therein made for Nebraska 5 Adams. I hereby amend Administrative Order No. 4, dated July 28, 1936, by reducing the allocation of \$428,000 therein made for Nebraska 5 Adams by \$28,000, so that the reduced allocation shall be \$400,000.

I hereby amend Administrative Order No. 105, dated June 7, 1937, by rescinding the allocation of \$45,000 therein made for West Virginia 8G Hardy.

I hereby amend Administrative Order No. 136, dated September 9, 1937, by rescinding the allocation of \$33,000 therein made for Arizona 8009 Maricopa.

I hereby amend Administrative Order No. 156, dated October 29, 1937, which transferred the allocation of \$200,000 therein made for Texas 39 Rockwell and the allocation of \$360,000 therein made for Texas 46 Rains to Texas 7067 Rains-Rockwell, by reducing this combined

amount of \$560,000 by \$55,000, so that the reduced allocation for Texas 7067 Rains-Rockwell shall be \$505,000.

I hereby amend Administrative Order No. 183, dated January 31, 1938, by rescinding the allocation of \$5,000 therein made for Wisconsin 8027W1 Buffalo.

I hereby amend Administrative Order No. 232, dated April 1, 1938, by rescinding the allocation of \$5,000 therein made for Kansas 8015W1 Dickinson.

I hereby amend Administrative Order No. 269, dated July 7, 1938, by rescinding the allocation of \$30,000 therein made for Florida 9017G1 Jackson.

I hereby amend Administrative Order No. 274, dated July 25, 1938, by rescinding the allocation of \$30,000 therein made for North Dakota 9013G1 Foster.

I hereby amend Administrative Order No. 279, dated August 18, 1938, by reducing the allocation of \$234,400 therein made for Georgia R9088A1 Telfair by \$37,400, so that the reduced allocation shall be \$197,000.

JOHN M. CARMODY,  
Administrator.

[F. R. Doc. 39-1003; Filed, March 24, 1939;  
10:36 a. m.]

[Administrative Order No. 328]

ALLOCATION OF FUNDS FOR LOANS

MARCH 22, 1939.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation	Amount
Alabama R9029A1 Greene	\$446,000
Alabama R9030A1 Autauga	384,000
Arkansas R9009B1 Craighead	365,000
California R9016B1 Plumas	25,000
Colorado R9020A2 Delta	68,000
Colorado R9021A1 T. E. T. R. & G.	39,000
Idaho R9017A1 Fremont	80,000
Illinois R9023D1 Sangamon	94,000
Indiana R9081A1 Sullivan	200,000
Indiana R9092B1 Jackson	170,000
Iowa R9067A1 Sac	163,000
Iowa R9074A1 Allamakee	214,000
Kentucky R9052B1 Fleming	227,000
Louisiana R9014A1 L. I. & E.	65,000
Montana R9012B1 Missoula	25,000
Nevada R9004B1 Clark	19,000
North Carolina R9039A1 Union	460,000
North Dakota R9016A1 Ramsay	108,000
Ohio R9088A1 Gallia	154,000
Oklahoma R9018A1 Beckham	145,000
Oklahoma R9021A1 Washita	236,000
Oklahoma R9023A1 Okmulgee	292,000
Oklahoma R9024A1 Lincoln	130,000
Pennsylvania R9017A4 Armstrong	60,000
Pennsylvania R9018A1 Bedford	250,000
Pennsylvania R9020A1 Blair	250,000
Tennessee R9001D1 Meigs	30,000
Tennessee R9019E1 Rutherford	50,000
Tennessee R9021D1 Franklin	22,000
Texas R9088A1 Nueces	184,000
Texas R9094A1 Gonzales	166,000
Wisconsin R9047B1 Jackson	184,000
Wisconsin R9057A1 Rusk	150,000

JOHN M. CARMODY,  
Administrator.

[F. R. Doc. 39-1005; Filed, March 24, 1939;  
10:36 a. m.]

[Administrative Order No. 329]

ALLOCATION OF FUNDS FOR LOANS

MARCH 22, 1939.

By virtue of the authority vested in me by the provisions of Section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation	Amount
Indiana R9053W1 Steuben	\$3,000
Michigan R9038W3 Cass	15,000
Minnesota R9048W2 Anoka	5,000
Missouri R9024W1 Callaway	5,000
Nebraska R9054W3 Cuming	5,000
Nebraska R9061W1 Merrick	5,000
North Carolina R9034W1 Anson	20,000
Ohio R9084W2 Carroll	12,000
Texas R9048W2 Hidalgo	20,000
Texas R9049W1 Denton	3,000
Texas R9070W1 Hamilton	10,000
Texas R9074W2 Baylor	5,000
Wisconsin R9054W1 Polk-Bennett	10,000

JOHN M. CARMODY,  
Administrator.

[F. R. Doc. 39-1004; Filed, March 24, 1939;  
10:36 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 23rd day of March, A. D. 1939.

IN THE MATTER OF WEST OHIO GAS COMPANY

Including related matters arising upon the following designated applications: Harry O. Bentley and Edmond W. Hebel, File No. 55-54; David C. Patterson, Max J. Naueremann, and David Copland, as a Committee for holders of First and Re-funding Mortgage Bonds of West Ohio Gas Company, File No. 55-55; Humes, Buck, Smith & Stowell and Marshall, Melhorn, Davies, Wall & Bloch, File No. 55-56; The National Bank of Lima, Ohio, File No. 55-57; and Duff and Phelps, File No. 55-59.

SUPPLEMENTAL NOTICE OF AND ORDER FOR HEARING

Applications pursuant to Rule U-11F-2 under the Public Utility Holding Company Act of 1935 having been duly filed with this Commission, and the Commission in its Notice of and Order for Hearing, dated March 16, 1939, having ordered that a hearing on such applications be held on March 29, 1939, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

A further application pursuant to Rule U-11F-2 under the Public Utility Hold-

\* 4 F. R. 1248 DI.

ing Company Act of 1935 having been filed with this Commission by Duff and Phelps;

It is ordered, That a hearing on such application of Duff and Phelps be held on March 29, 1939, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such declarants or applicants and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before March 25, 1939.

The matter concerned herewith is in regard to the application (in addition to the applications set forth in the Notice of and Order for Hearing dated March 16, 1939) of Messrs. Duff and Phelps pursuant to Rule U-11F-2 requesting approval by the Commission of final maximum allowances of \$8,500 for services rendered and of \$1,784.34 for expenses incurred and to be incurred in connection with the proceedings for the reorganization of West Ohio Gas Company in the District Court of the United States for the Northern District of Ohio, Western Division.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-1008; Filed, March 24, 1939;  
11:40 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 23rd day of March, A. D. 1939.

[File No. 55-58]

IN THE MATTER OF LEONARD S. FLORSHEIM, TRUSTEE OF INLAND POWER & LIGHT CORPORATION

NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 11 (f) and Rule U-11F-2 of the Public Utility Holding Company Act of 1935,

having been duly filed with this Commission by the above-named party;

*It is ordered,* That a hearing on such matter be held on April 11th, 1939, at 2:00 o'clock in the afternoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

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

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before April 5th, 1939.

The matter concerned herewith is in regard to an application of said Leonard S. Florsheim, trustee of Inland Power & Light Corporation, a registered holding company undergoing reorganization under section 77B of the Bankruptcy Act, for approval of reimbursement out of the assets of the debtor's estate for expenses incurred by said Leonard S. Florsheim, as trustee, for the period from March 15, 1938, to November 30, 1938. Applicant represents that such expense has been incurred in the maintenance of an office, amounting for the period from December 1, 1937 to November 30, 1938, to \$3,071.06, as follows:

Rent .....	\$832.30
Electricity.....	137.59
Telephone.....	238.44
Salaries .....	1,824.96
Office Supplies.....	37.77

Applicant also requests exemption from the necessity of filing hereafter an application for approval of expenses incurred as trustee, in the maximum amount of \$300 a month, for the period subsequent to November 30, 1938.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-1009; Filed, March 24, 1939; 11:40 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 23rd day of March, A. D. 1939.

[File No. 32-135]

In the Matter of MICHIGAN PUBLIC SERVICE COMPANY AND LEONARD S. FLORSHEIM, TRUSTEE OF INLAND POWER AND LIGHT CORPORATION

NOTICE OF AND ORDER FOR HEARING

Applications pursuant to sections 6 (b), 10, and Rule U-12D-1 of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

*It is ordered,* That a hearing on such matter be held on April 11, 1939, at 2:00 o'clock in the afternoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

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

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before April 5th, 1939.

The matters concerned herewith are in regard to the proposed sale by Leonard S. Florsheim, Trustee of Inland Power and Light Corporation, a registered holding company presently undergoing reorganization under section 77B of the Bankruptcy Act, of (1) certain real estate at Cheboygan, Michigan, on the Cheboygan River, (2) a hydro-electric plant and dam located thereon, and (3) all outstanding securities (455 shares common stock) of Cheboygan Slackwater Navigation Company, which company owns and operates the locks by which navigation on the Cheboygan River is transported past said dam.

Said sale is proposed to be made to Michigan Public Service Company, a subsidiary of Inland Power and Light Corporation, for a total consideration of \$210,500 in principal amount of First Mortgage 5% Gold Bonds, Series A, due April 1, 1947, to be issued by said subsidiary, and \$25 in cash. The applications state that said properties have been operated by the subsidiary for eight years as an integral part of its business, under a lease from the proposed vendor at an annual rental of \$24,000. The bonds in question are to be issued at 95 per cent. of their principal amount, the properties to be sold being valued at \$200,000. Accrued interest on the bonds to the date of delivery of a deed of the properties will be paid by the vendor, and rentals, insurance premiums, and taxes will be apportioned as of the same date.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 39-1010; Filed, March 24, 1939; 11:41 a. m.]

UNITED STATES TARIFF COMMISSION.

INVESTIGATION No. 112 DISCONTINUED AND DISMISSED

SEAMLESS COTTON HOSIERY

It is hereby ordered by the United States Tariff Commission on the 21st day of March 1939 that the investigation heretofore, on the 15th day of October 1936 instituted, for the purposes of Section 336 of Title III of the Tariff Act of 1930, with respect to the differences in costs of production of, and of all other facts and conditions enumerated in said section with respect to, the following articles described in paragraph 916(a) of Title I of said tariff act, namely,

Hose and half-hose, seamless, or mock-seamed, finished or unfinished, wholly or in chief value of cotton, made wholly or in part on knitting machines,

being wholly or in part the growth or product of the United States, and of and with respect to like or similar articles wholly or in part the growth or product of competing foreign countries, be, and the same is hereby, *discontinued and dismissed*.

By order of the United States Tariff Commission this 21st day of March 1939.

[SEAL] SIDNEY MORGAN,  
Secretary.

[F. R. Doc. 39-999; Filed, March 23, 1939; 2:46 p. m.]



INVESTIGATION No. 113 DISCONTINUED AND  
DISMISSEDCOTTON VELVETEENS AND COTTON  
CORDUROY

It is hereby ordered by the United States Tariff Commission on the 21st day of March 1939 that the investigation heretofore, on the 5th day of November 1936 instituted, for the purposes of Section 336 of Title III of the Tariff Act of 1930, with respect to the differences in costs of production of, and of all other

No. 58—2

facts and conditions enumerated in said section with respect to, the following articles described in paragraph 909 of Title I of said tariff act, namely,

Pile fabrics (not including pile ribbons), cut or uncut, whether or not the pile covers the entire surface, wholly or in chief value of cotton: Velveteens and corduroys,

being wholly or in part the growth or product of the United States, and of and

with respect to like or similar articles wholly or in part the growth or product of competing foreign countries, be, and the same is hereby, *discontinued and dismissed*.

By order of the United States Tariff Commission this 21st day of March, 1939.

[SEAL]

SIDNEY MORGAN,  
Secretary.

[F. R. Doc. 39-998; Filed, March 23, 1939;  
2:46 p. m.]

