

# FEDERAL REGISTER

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Washington, Tuesday, May 7, 1940

## *The President*

### "I AM AN AMERICAN DAY"—1940

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

WHEREAS, the preamble to Public Resolution 67, 76th Congress, 3d Session, approved May 3, 1940, recites:

"Whereas some two million young men and women in the United States each year reach the age of twenty-one years; and

"Whereas it is desirable that the sovereign citizens of our Nation be prepared for the responsibilities and impressed with the significance of their status in our self-governing Republic";

AND WHEREAS the said public resolution provides:

"That the third Sunday in May each year be, and hereby is, set aside as Citizenship Day and that the President of the United States is hereby authorized and requested to issue annually a proclamation setting aside that day as a public occasion for the recognition of all who, by coming of age or naturalization, have attained the status of citizenship, and the day shall be designated as 'I Am An American Day'.

"That the civil and educational authorities of States, counties, cities, and towns be, and they are hereby, urged to make plans for the proper observance of this day and for the full instruction of future citizens in their responsibilities and opportunities as citizens of the United States and of the States and localities in which they reside.

"Nothing herein shall be construed as changing, or attempting to change, the time or mode of any of the many altogether commendable observances of similar nature now being held from time to time, or periodically, but to the contrary, such practices are hereby praised and encouraged.

"Sec. 2. Either at the time of the rendition of the decree of naturalization or at such other time as the judge may fix,

the judge or someone designated by him shall address the newly naturalized citizen upon the form and genius of our Government and the privileges and responsibilities of citizenship; it being the intent and purpose of this section to enlist the aid of the judiciary, in cooperation with civil and educational authorities, and patriotic organizations in a continuous effort to dignify and emphasize the significance of citizenship."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, pursuant to the aforesaid public resolution, hereby designate Sunday, May 19, 1940, as "I Am An American Day" and I urge that the day be observed as a public occasion in recognition of our citizens who have attained their majority or who have been naturalized within the past year.

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

DONE at the City of Washington, this 3d day of May, in the year of our Lord nineteen hundred and forty, and [SEAL] of the Independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT

By the President:

SUMNER WELLES,  
Acting Secretary of State.

[No. 2402]

[F. R. Doc. 40-1797; Filed, May 4, 1940; 10:13 a. m.]

## *Rules, Regulations, Orders*

### TITLE 10—ARMY: WAR DEPARTMENT

#### CHAPTER V—MILITARY RESERVATIONS AND NATIONAL CEMETERIES

##### PART 53—NATIONAL CEMETERIES<sup>1</sup>

§ 53.4 *Burials in national cemeteries—*  
(a) *Eligibility.* Under the provisions of

<sup>1</sup> § 53.4 is corrected.

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# FEDERAL REGISTER

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R.S. 4878, as amended by act April 15, 1920 (41 Stat. 552; 24 U.S.C. 281) and act June 13, 1935, (49 Stat. 339; 24 U.S.C. 281), the following persons are entitled to burial in a national cemetery:

(1) Those who serve in the Federal forces of the United States, either during peace or war and who die after honor-

able discharge from such service, including service in the—

- (i) Army.
- (ii) Navy.
- (iii) Marine Corps.
- (iv) Coast Guard.
- (v) Coast and Geodetic Survey, who were transferred to and served with the Army or Navy by authority of the President.
- (vi) Public Health Service, who were detailed for duty with and served with the Army or Navy by authority of the President.

(2) Any citizen of the United States who served in the Army or Navy of any government at war with Germany or Austria during the World War and who died while in such service or after honorable discharge therefrom.

(3) Persons dying in the District of Columbia or in the immediate vicinity thereof who have served in the Confederate armies during the Civil War may be buried in the Confederate Section of Arlington National Cemetery as provided in (b) below.

(4) Any member of the Cabinet of the President of the United States at any time during the period between April 6, 1917, and November 11, 1918.

(b) *Evidence of right.* For those who were not in the service of the United States at the time of death, it is a prerequisite that they shall have been honorably discharged from the service. In all cases the last service of a deceased man must have been honorable. The production of the honorable discharge of a deceased man will be sufficient authority for the superintendent of a national cemetery to permit interment. In cases where the honorable discharge cannot be produced or where there is a reasonable doubt as to eligibility for interment in a national cemetery, the superintendent will telegraph The Quartermaster General for verification of service and authorization of interment, furnishing all the information it is possible to obtain concerning the service of the decedent including his full name, organization, serial number if any, and dates of service. In the case of citizens of the United States who served in the Army or Navy of any government at war with Germany or Austria, the superintendent will request evidence of citizenship at time of service, correct name of decedent, grade, and military organization in the Army in which he served and will communicate with The Quartermaster General by telegraph for the necessary permit for burial. Pension certificates will not be accepted as authority upon which to authorize interment.

In the case of Confederate veterans, the certificate of Camp No. 171, United Confederate Veterans of the District of Columbia, that such persons are entitled to burial in Arlington National Cemetery, is required.

In the case of members of the President's Cabinet as indicated in the act of Congress cited in (a) above, authority for interment will be requested of The Quartermaster General.

(c) *Interment of members of families.* The wives of both officers and enlisted men may be buried with their husbands in a national cemetery. In the case of an officer, two grave sites are assigned, one for the officer and the other for his wife. In those cemeteries having officers' sections in which lots are laid out, a lot containing two grave sites is assigned. In the other cemeteries when either the officer or his wife is buried, the adjoining grave site will be reserved for the one surviving. The wife of an officer may be interred prior to the death and burial of her husband. In those cemeteries where lots are assigned to officers and there is sufficient space available in the lot, the burial of minor children or unmarried adult daughters may be permitted. The burial of such children, however, will not be authorized unless the officer or his wife is buried in the lot. Lots will not be assigned for the sole purpose of burying minor children or unmarried adult daughters. Authority for all such interments should be requested of The Quartermaster General.

The wives of enlisted men may be buried in the same grave with their husbands in a national cemetery but only after the death and interment therein of the veterans concerned, except where the enlisted man is 70 years of age or over, in which case interment of his wife prior to his death is authorized, provided he gives assurance that he will eventually be buried in the same grave. No lots or grave sites will be assigned in advance of their actual requirement for burial purposes, except where exceptional circumstances warrant such action, and then only upon authority of The Quartermaster General. (R.S. 4878, 41 Stat. 552, 49 Stat. 339; 24 U.S.C. 281) (Par. 7, A.R. 30-1840, Jan. 15, 1932, as amended by C 1, Aug. 16, 1935)

[SEAL]

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

[F. R. Doc. 40-1800; Filed, May 4, 1940; 11:44 a. m.]

## TITLE 15—COMMERCE

### SUBTITLE A—OFFICE OF THE SECRETARY OF COMMERCE

[Order No. 29]

#### PART I—PERSONNEL REGULATIONS

MAY 3, 1940.

Section 1.16 (d) is amended to read as follows:

(d) Coast and Geodetic Survey.

Employees authorized to employ: Director; chiefs of parties designated as such.

Personnel authorized to be employed: Seamen, firemen, cooks, mess attendants and water tenders on vessels of the Bureau; tide observers, assistant tide observers, and seismograph tenders employed under Schedule A, Subdivision I, paragraph 6; personnel employed under Schedule A, Subdivision XI, paragraph 7, of the Civil Service Rules.

(R.S. 161, 5 U.S.C. 22; 46 Stat. 817, 5 U.S.C. 43.)

[SEAL] EDWARD J. NOBLE,  
Acting Secretary of Commerce.

[F. R. Doc. 40-1794; Filed, May 3, 1940;  
3:51 p. m.]

## TITLE 47—TELECOMMUNICATION

### CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

#### PART 7—RULES GOVERNING COASTAL AND MARINE RELAY SERVICES

Changes in section numbers and headnotes have been made as shown in the following table:

New sec. No.	Old sec. No.	New headnote
7.33	7.102	Operating procedure for coastal-harbor radiotelephone stations in the Great Lakes area only.
7.61	7.101	Frequencies for coastal-harbor radiotelephone stations in the Great Lakes area only.
7.77	7.103	Installation for coastal-harbor radiotelephone stations in the Great Lakes area only.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 40-1795; Filed, May 4, 1940;  
10:07 a. m.]

#### PART 8—RULES GOVERNING SHIP SERVICE

Changes in section numbers and headnotes have been made as shown in the following table:

New sec. No.	Old sec. No.	New headnote
8.54	8.202	Operating procedure for ship radiotelephone stations in the Great Lakes area only.
8.98	8.261	Frequencies for ship radiotelephone stations in the Great Lakes area only.
8.132	8.263	Installation for ship radiotelephone stations in the Great Lakes area only.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 40-1796; Filed, May 4, 1940;  
10:07 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### CHAPTER I—INTERSTATE COMMERCE COMMISSION

[Ex Parte No. MC-5]

ORDER IN THE MATTER OF SECURITY FOR THE PROTECTION OF THE PUBLIC AS PROVIDED IN THE MOTOR CARRIER ACT, 1935, AND OF RULES AND REGULATIONS GOVERNING THE FILING AND APPROVAL OF SURETY BONDS, POLICIES OF INSURANCE, QUALIFICATIONS AS A SELF-INSURER, OR OTHER SECURITIES AND AGREEMENTS BY MOTOR CARRIERS AND BROKERS SUBJECT TO THE MOTOR CARRIER ACT, 1935

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 4th day of April, A. D. 1940.

The matter of amending Rule I of our rules and regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer or other securities and agreements prescribed by our order entered in this proceeding on August 3, 1936, as amended by order entered March 25, 1940,<sup>1</sup> and relating to the matter of security for the protection of the public, being under consideration;

It is ordered, That, from and after June 24, 1940, Rule I of said rules and regulations prescribed by said order of August 3, 1936, be, and it is hereby, further amended to read as follows:

No motor carrier subject to the provisions of the Motor Carrier Act, 1935, shall engage in interstate or foreign commerce, and no certificate or permit shall be issued to a motor carrier, or shall remain in force unless and until there shall have been filed with and approved by the Commission a surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualifications as a self-insurer, or other securities or agreements in not less than the amounts hereinafter prescribed, conditioned to pay, within the amount of such surety bond, policy of insurance (or certificate of insurance in lieu thereof), qualifications as a self-insurer, or other securities or agreements any final judgment recovered against such motor carrier for bodily injuries to or the death of any person resulting from the negligent operation, maintenance, or use of motor vehicles in transportation subject to the Motor Carrier Act, 1935, as amended, or for loss or damage to property of others. Nor shall any common carrier by motor vehicle subject to the provisions of said act engage in interstate or foreign commerce, nor shall any certificate be issued to such carrier, nor

remain in force unless and until there shall have been filed with and approved by the Commission a surety bond, policy of insurance (or certificate of insurance in lieu thereof) qualifications as a self-insurer, or other securities or agreements in not less than the amounts hereinafter prescribed, conditioned upon such carrier making compensation to shippers or consignees for all property belonging to shippers or consignees and coming into the possession of such carrier in connection with its transportation service: *Provided, however*, that this requirement shall not apply in connection with the transportation of such commodities as the Commission may from time to time determine should be exempt from such requirement because of their low value and favorable transportation characteristics.

By the Commission, division 5.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 40-1815; Filed, May 6, 1940;  
11:49 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[General Docket No. 12]

IN THE MATTER OF PRESCRIBING DUE AND REASONABLE MAXIMUM DISCOUNTS OR PRICE ALLOWANCES BY CODE MEMBERS TO "DISTRIBUTORS" UNDER SECTION 4, PART II (H) OF THE BITUMINOUS COAL ACT OF 1937, AND ESTABLISHING RULES AND REGULATIONS FOR THE MAINTENANCE AND OBSERVANCE BY DISTRIBUTORS IN THE RESALE OF COAL, OF THE PRICES AND MARKETING RULES AND REGULATIONS PROVIDED BY SECTION 4 OF THE ACT

AN ORDER PERTAINING TO PROCEDURE IN THE ABOVE ENTITLED MATTERS

Orders entered in General Docket No. 12 having prescribed the procedure to be followed before the Director, and having provided for the filing of exceptions with the Secretary of the Interior,

It is ordered, That

The Director will not entertain or give consideration to any petition or application for rehearing or reconsideration by the Director of the final order or orders of the Director entered in General Docket No. 12. The absence of any such petition or application shall not constitute an abandonment of any objection theretofore presented to the Director.

Dated, May 3, 1940.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 40-1808; Filed, May 6, 1940;  
11:06 a. m.]

<sup>1</sup> 1 F.R. 1156; 5 F.R. 1382.

[General Docket No. 15]

IN THE MATTER OF THE ESTABLISHMENT OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS: IN RE MINIMUM PRICES AS COORDINATED FOR DISTRICTS NOS. 1 TO 20, INCLUSIVE, 22 AND 23

AN ORDER AMENDING AN ORDER DATED JULY 19, 1939, AS AMENDED, PERTAINING TO PROCEDURE IN THE ABOVE ENTITLED MATTERS

The Director of the Bituminous Coal Division, Department of the Interior, having issued an order dated July 19, 1939, pertaining to procedure in General Docket No. 15, and this order having been subsequently amended, and it appearing that the procedure contained in said order as amended should be supplemented as hereinafter provided,

Now, therefore, it is ordered, That the order of July 19, 1939, as amended, be, and it is hereby, further amended by the insertion therein of clause 8-A as follows:

"8-A. The Director will not entertain or give consideration to any petition or application for rehearing or reconsideration by the Director of the final order or orders of the Director entered in General Docket No. 15. The absence of any such petition or application shall not constitute an abandonment of any objection theretofore presented to the Director."

Dated, May 3, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-1809; Filed, May 6, 1940; 11:06 a. m.]

[General Docket No. 15]

IN THE MATTER OF THE ESTABLISHMENT OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS: IN RE MINIMUM PRICES AS COORDINATED FOR DISTRICTS NOS. 1 TO 20, INCLUSIVE, 22 AND 23

ORDER EXTENDING TIME FOR FILING OF EXCEPTIONS TO REPORT OF EXAMINERS IN ABOVE ENTITLED MATTER, REQUESTS FOR REVIEW OF OTHER PHASES OF GENERAL DOCKET NO. 15, AND SUPPORTING BRIEFS; AND FOR PRESENTATION OF ORAL ARGUMENT BEFORE DIRECTOR

My Order in the above entitled proceeding, dated April 23, 1940,<sup>1</sup> having provided that any party to any phase of the proceeding in General Docket No. 15 may file with me, on or before May 13, 1940, exceptions to the proposed findings of fact and conclusions and recommendations of the Examiners in the above entitled matter, a request that the findings and conclusions of the National Bituminous Coal Commission upon any phase of the matters included in General Docket No. 15 be reviewed by me, a brief in support of such exceptions or con-

tentions, and a request for oral argument before me; and

Said Order of April 23, 1940, having further provided that oral argument pursuant to any request therefor, filed as hereinabove provided, would be heard by me on May 17, 1940, commencing at 10 o'clock in the forenoon, in the Hearing Room of the Division, Washington Hotel, Washington, D. C.; and

It appearing that the foregoing periods of time should be extended by 10 days, for the reasons stated in my "Memorandum Concerning Extension of Time to File Exceptions to Report of Examiners, Requests for Review of Other Phases of Above Entitled Matter and Briefs in Support Thereof", dated May 3, 1940:

It is ordered, That exceptions to the proposed findings of fact and conclusions and recommendations of the Examiners, requests for review of the findings and conclusions of the Commission upon any phase of the matters included in General Docket No. 15, briefs in support of such exceptions or contentions, and requests for oral argument before me, may be filed on or before May 23, 1940; and

It is further ordered, That oral argument will be heard by me, pursuant to any request therefor filed as hereinabove provided, on May 27, 1940, commencing at 10 o'clock in the forenoon, in the Hearing Room of the Division, at the Washington Hotel, Washington, D. C.; and

It is further ordered, That except as hereinabove provided, all the provisions of my Order dated April 23, 1940, shall continue in full force and effect; and

It is further ordered, That the motions of District Board 13 and the Associated Industries of New York State, Inc., for an extension of time to file exceptions, requests for review, and supporting briefs, are granted, as provided above; and the motions for an extension of time filed by District Boards 8 and 11, Ayrshire Patoka Collieries Corporation and certain of the Code members of District 11 represented in this proceeding by E. B. Wilkinson as attorney, Carter Coal Company, Pocahontas Fuel Company, Inc., Pocahontas Corporation, Pulaski Iron Company, Inc., Wheeling Township Coal Mining Co., Island Creek Coal Company, Pond Creek Pocahontas Company, Mallory Coal Company, Rochester & Pittsburgh Coal Company, and Bituminous Coal Consumers Association of Virginia, are granted in part to the extent hereinabove indicated; and

It is further ordered, That those portions of the motions of Carter Coal Company, Wheeling Township Coal Mining Co., and Associated Industries of New York State, Inc., which are addressed to the Secretary of the Interior and which ask for extensions of time within which to file with him exceptions to the findings, conclusions and Order of the Director, are dismissed as premature, without prejudice to the right to apply to the Secretary for such extensions subsequent

to the filing of my findings, conclusions and Order.

Dated, May 3, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-1810; Filed, May 6, 1940; 11:07 a. m.]

[General Docket No. 15]

IN THE MATTER OF THE ESTABLISHMENT OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS: IN RE MINIMUM PRICES AS COORDINATED FOR DISTRICTS NOS. 1 TO 20, INCLUSIVE, 22 AND 23

MEMORANDUM CONCERNING EXTENSION OF TIME TO FILE EXCEPTIONS TO REPORT OF EXAMINERS, REQUESTS FOR REVIEW OF OTHER PHASES OF ABOVE ENTITLED MATTER AND BRIEFS IN SUPPORT THEREOF

Various parties to the above-entitled proceeding have made applications for extensions of time within which to file exceptions to the findings, conclusions and recommendations of the Examiners in the above-entitled matter, requests for review of the findings and conclusions of the National Bituminous Coal Commission on any phase of General Docket No. 15, briefs in support thereof, and requests for oral argument before me. These parties are District Boards 8, 11 and 13; Ayrshire Patoka Collieries Corporation and certain of the Code members of District 11 represented in this proceeding by E. B. Wilkinson as attorney; Carter Coal Company; Pocahontas Fuel Company, Inc., Pocahontas Corporation, and Pulaski Iron Company, Inc.; Wheeling Township Coal Mining Co.; Island Creek Coal Company, Pond Creek Pocahontas Company, and Mallory Coal Company; Associated Industries of New York State, Inc.; Rochester & Pittsburgh Coal Company; and Bituminous Coal Consumers Association of Virginia. The time requested by these parties ranges from 20 days after the date of mailing the entire Examiners' Report (April 23, 1940) to 66 days after such date.

The proceedings in Docket No. 15, looking toward the establishment of effective minimum prices on bituminous coal, have been lengthy. The hearing concerning the proposed coordinated minimum prices terminated, for the purpose of receiving evidence, on January 20, 1940. Oral argument was heard by the Examiners on February 14, 15 and 16, 1940. It is reasonable to suppose that the numerous persons who appeared and participated in the hearing and the oral argument, and the numerous written protests and briefs filed with the Examiners, have presented and defined most if not all of the important issues involved in this proceeding. The moving parties referred to above participated in the hearing before the Examiners, and, with few exceptions, in the oral argument.

The testimony presented during each day of the hearing before the Examiners was transcribed and made available to

<sup>1</sup> 5 F.R. 1539.

all interested persons within a day or two thereafter, so that reference could at all times be made to the current transcript. The entire transcript of the testimony has been available since January 22, 1940.

The Examiners filed a portion of their Report on March 21, 1940, consisting of findings of fact on certain general matters and recommended minimum prices for the coals of Districts 16 to 20, inclusive, 22 and 23. This portion of the report, including the schedules of recommended minimum prices, was mailed on March 23, 1940 to the persons who appeared at the hearing, including the moving parties herein. The complete report of the Examiners was submitted on April 13, 1940, and copies of the schedules of recommended minimum prices for Districts 1 to 15, inclusive, were mailed on the same day. The mechanical difficulties involved in duplicating and mailing thousands of copies of a report consisting (with the recommended price schedules) of about 4,000 pages necessitated a distribution of the report and the recommended price schedules in separate instalments. The remaining portion of the Examiners' report was mailed on April 20, 22 and 23, 1940. Accordingly, the parties had about three full months after the close of the hearing during which they could complete their analyses of the record.

My order of July 19, 1939, prescribed a period of 15 days from the date of mailing the Examiners' report for the filing of exceptions thereto by parties residing in Districts 1 to 15, inclusive, and a period of 20 days for parties residing elsewhere. Parties have therefore been on notice since that date that only a limited time would be available for this purpose. This period was changed to 20 days for all parties by my Order of April 23, 1940, which fixed May 13, 1940, as the final date for filing exceptions, requests for review and briefs, and May 17, 1940, as the date for oral argument before me.

All persons, including the moving parties, were thus given 114 days from the close of the hearing, 97 days from the close of oral argument before the Examiners, and 30 days from the time when all the recommended price schedules were mailed, within which to study and analyze the record, and particularly the portions thereof which affect their individual interests and contentions. As to the other phases of General Docket No. 15 concerning which the Commission heretofore issued findings and conclusions, the announcement that parties would have an opportunity to request review of such findings and conclusions was made in my Order of July 19, 1939, thus allowing almost ten months within which to prepare such requests for review and supporting briefs. In fact, some parties who appeared at the hearings before the Commission on earlier phases of General Document No. 15 have heretofore filed

exceptions to the findings and conclusions of the Commission thereon.

In these circumstances, a period of 20 days after the mailing of the last portion of the Examiners' report is not an unreasonable time for the filing of exceptions, requests for review, and supporting briefs. However, it appears that an additional 10 days for the filing of such documents would enable all interested parties further to analyze the record and to limit and clarify the issues involved in their separate contentions, thus contributing towards a more expeditious determination of all the issues raised in General Docket No. 15.

Therefore, the time during which any interested party may file exceptions to the report of the Examiners, requests for review of the findings and conclusions of the Commission upon other phases of General Docket No. 15, supporting briefs, and requests for oral argument before me is extended to May 23, 1940; and date for oral argument pursuant to any request therefor is extended to May 27, 1940, at the hour and place specified in my Order of April 23, 1940. Such an extension will grant in full the motions of District Board 13 and the Associated Industries of New York State, Inc., with respect to the matters hereinabove described, and will grant in part the other motions referred to above. The extension will, however, be applicable to all interested parties.

Those portions of the motions of Carter Coal Company, Wheeling Township Coal Mining Co., and Associated Industries of New York State, Inc., which are addressed to the Secretary of the Interior and which ask for extensions of time within which to file with him exceptions to the findings, conclusions and Order of the Director, are premature, and are dismissed without prejudice to the right to apply to the Secretary for such extensions subsequent to the filing of my findings, conclusions and Order.

An appropriate Order will issue.

Dated, May 3, 1940.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 40-1811; Filed, May 6, 1940;  
11:07 a. m.]

## DEPARTMENT OF AGRICULTURE.

### Food and Drug Administration.

[F.D.C. Docket No. 19]

NOTICE OF PUBLIC HEARING FOR PURPOSE OF RECEIVING EVIDENCE UPON BASIS OF WHICH TO DETERMINE WHETHER REGULATION FIXING AND ESTABLISHING REASONABLE DEFINITION AND STANDARD OF IDENTITY FOR FOOD KNOWN UNDER ITS COMMON OR USUAL NAME AS CANNED CHERRIES SHALL BE AMENDED

In conformity with subsection (e) of section 701 of the Federal Food, Drug,

and Cosmetic Act [sec. 701, 52 Stat. 1035; 21 U.S.C. 371 (e)], and upon the application of a substantial portion of the interested industry, stating reasonable grounds therefor, notice upon the proposal of The Pitted Red Cherry Industry, by The Pitted Red Cherry Section of the National Canners' Association, on behalf of its members, herein set forth, is hereby given to all interested persons that a public hearing will be held beginning at 10:00 a. m., June 5, 1940, in Room 3106, South Building, U. S. Department of Agriculture, Independence Avenue, between 12th and 14th Streets SW., Washington, D. C., for the purpose of receiving evidence upon the basis of which to determine whether the regulation fixing and establishing a reasonable definition and standard of identity for the food known under its common or usual name as canned cherries (§ 27.030, Title 21, C.F.R.) heretofore promulgated by the Secretary of Agriculture on January 6, 1940, and published in the FEDERAL REGISTER on January 9, 1940 (5 F.R. 99), shall be amended in the following particulars:

(1) By inserting, in subsection (a) (1), immediately after "red sour" the words "or red tart".

(2) By inserting, in subsection (b) (1), immediately after "Red Sour" the words "or Red Tart".

(3) By inserting, in subsection (b) (1), immediately after "Red Sour Pitted" the words "or Red Tart Pitted".

All interested persons are invited to attend this hearing and to offer relevant evidence. In lieu of personal testimony, affidavits may be offered either in person at the time of the hearing or by sending the same to Michael F. Markel, Room 2317 South Building, U. S. Department of Agriculture, Washington, D. C., so as to be in his office by the time set for the hearing. Such affidavits, if relevant and material, may be received, but the Secretary will consider the lack of opportunity for cross-examination in determining the weight that shall be given to such affidavits.

The proposal herein set forth is subject to adoption, rejection, amendment, or modification by the Secretary, in whole or in part, as the evidence adduced at the hearing may require.

Michael F. Markel is hereby designated as presiding officer to conduct this hearing, in the place of the Secretary, with authority to administer oaths and to do all things necessary and appropriate to the proper conduct of such hearing, as provided in the general procedural regulations relating to such hearings.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

MAY 4, 1940.

[F. R. Doc. 40-1801; Filed, May 4, 1940;  
11:45 a. m.]

[F.D.C. Docket No. 20]

NOTICE OF PUBLIC HEARING FOR PURPOSE OF RECEIVING EVIDENCE UPON BASIS OF WHICH TO DETERMINE WHETHER REGULATION FIXING AND ESTABLISHING REASONABLE STANDARD OF QUALITY AND SPECIFYING FORM AND MANNER OF LABEL STATEMENT OF SUBSTANDARD QUALITY FOR FOOD KNOWN UNDER ITS COMMON OR USUAL NAME AS CANNED CHERRIES SHALL BE AMENDED

In conformity with subsection (e) of section 701 of the Federal Food, Drug, and Cosmetic Act [sec. 701, 52 Stat. 1055; 21 U.S.C. 371 (e)], and upon the application of a substantial portion of the interested industry, stating reasonable grounds therefor, notice upon the proposal of The Pitted Red Cherry Industry, by The Pitted Red Cherry Section of the National Canners' Association, on behalf of its members, herein set forth, is hereby given to all interested persons that a public hearing will be held beginning at 10:00 a. m., June 5, 1940, in Room 3106, South Building, United States Department of Agriculture, Independence Avenue, between 12th and 14th Streets SW., Washington, D. C. for the purpose of receiving evidence upon the basis of which to determine whether the regulation fixing and establishing a reasonable standard of quality and specifying the form and manner of label statement of substandard quality for the food known under its common or usual name as canned cherries (sec. 27.031, Title 21, CFR) heretofore promulgated by the Secretary of Agriculture on January 8, 1940, and published in the FEDERAL REGISTER on January 9, 1940 (5 F.R. 101), shall be amended in the following particulars:

By striking out, in subsection (b) (1), the following two sentences: "Count the pits and pieces of pits in such total quantity. Count a piece of pit equal to or smaller than  $\frac{1}{2}$  pit as  $\frac{1}{2}$  pit; count a piece of pit larger than  $\frac{1}{2}$  pit as 1 pit," and by inserting, in lieu thereof, the following: "Count the pits in such total quantity. Where pieces of pit shell are found in any single cherry, count these pieces as one-half pit if the total number of such pieces is not more than enough to be the equivalent of one-half pit shell; count such pieces of pit shell as one pit if the total number of such pieces is enough to be the equivalent of more than one-half pit shell, provided that in no case shall pieces all contained within one cherry be counted as more than one pit. Count pieces of pit shell loose in the juice, equal to or smaller than one-half pit as one-half pit, count such pieces larger than one-half pit shell as one pit."

All interested persons are invited to attend this hearing and to offer relevant evidence. In lieu of personal testimony, affidavits may be offered either in person at the time of the hearing or by sending the same to Michael F. Markel, Room 2317 South Building, United States De-

partment of Agriculture, Washington, D. C., so as to be in his office by the time set for the hearing. Such affidavits, if relevant and material, may be received but the Secretary will consider the lack of opportunity for cross-examination in determining the weight that shall be given to such affidavits.

The proposal herein set forth is subject to adoption, rejection, amendment, or modification by the Secretary, in whole or in part, as the evidence adduced at the hearing may require.

Michael F. Markel is hereby designated as presiding officer to conduct this hearing, in the place of the Secretary, with authority to administer oaths and to do all things necessary and appropriate to the proper conduct of such hearing as provided in the general procedural regulation relating to such hearings.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 40-1802; Filed, May 4, 1940;  
11:46 a. m.]

Rural Electrification Administration.

[Administrative Order No. 451]

AMENDMENT OF PRIOR ALLOCATIONS OF FUNDS FOR LOANS

APRIL 26, 1940.

I hereby amend:

(a) Administrative Order No. 369, dated June 30, 1939, by reducing the allocation of \$126,000 therein made for "Arkansas 0027A1 Ouachita" by \$4,500, so that the reduced allocation shall be \$121,500;

(b) Administrative Order No. 339, dated April 18, 1939, by reducing the allocation of \$320,000 therein made for "Colorado R9022A1 Boulder" by \$50,000, so that the reduced allocation shall be \$270,000;

(c) Administrative Order No. 408, dated November 6, 1939, by rescinding the allocation of \$87,000 therein made for "Idaho 9018A1 Lincoln"; and

(d) Administrative Order No. 306, dated November 3, 1938, by reducing the allocation of \$136,000 therein made for "Ohio R9075C1 Williams" by \$6,000, so that the reduced allocation shall be \$130,000.

[SEAL]

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 40-1806; Filed May 4, 1940;  
11:47 a. m.]

[Administrative Order No. 452]

AMENDMENT OF PRIOR ALLOCATIONS OF FUNDS FOR LOANS

APRIL 30, 1940.

I hereby amend:

(a) Administrative Order No. 413, dated November 22, 1939, by reducing

the allocation of \$289,554 therein made for "Alabama 0032A1 Geneva" by \$10,000, so that the reduced allocation shall be \$279,554;

(b) Administrative Order No. 398, dated October 6, 1939, by reducing the allocation of \$50,000 therein made for "Colorado 0020B2 Delta" by \$5,000, so that the reduced allocation shall be \$45,000;

(c) Administrative Order No. 408, dated November 6, 1939, by reducing the allocation of \$143,000 therein made for "Idaho 9015B1 Idaho" by \$1,500, so that the reduced allocation shall be \$141,500;

(d) Administrative Order No. 250, dated May 20, 1938, by rescinding the allocation of \$1,000 therein made for "Iowa 8005W1 Carroll";

(e) Administrative Order No. 182, dated January 19, 1938, by rescinding the allocation of \$15,000 therein made for "Iowa 8031W Grundy";

(f) Administrative Order No. 154, dated October 29, 1937, by rescinding the remaining \$10,000 of a \$25,000 allotment therein made for "Iowa 8039W Benton", the \$15,000 balance having been rescinded by Administrative Order No. 212, dated March 12, 1938;

(g) Administrative Order No. 388, dated September 8, 1939, by reducing the allocation of \$71,000 therein made for "Kentucky 0027E1 Boyle" by \$10,000, so that the reduced allocation shall be \$61,000;

(h) Administrative Order No. 398, dated October 6, 1939, by reducing the allocation of \$127,000 therein made for "Maine 0008A1 Aroostook" by \$5,000, so that the reduced allocation shall be \$122,000;

(i) Administrative Order No. 170, dated December 6, 1937, by rescinding the allocation of \$10,000 therein made for "Maryland 8004W St. Mary's";

(j) Administrative Order No. 71, dated March 17, 1937, by changing the project designation "Nebraska 44B Cass" appearing therein to read "Nebraska 7044B1 Eastern Nebraska District Public";

(k) Administrative Order No. 311, dated December 3, 1938, by changing the project designation "Nebraska R9044C1 Cass" appearing therein to read "Nebraska R9044C1 Eastern Nebraska District Public";

(l) Administrative Order No. 311, dated December 3, 1938, by reducing the allocation of \$239,000 therein made for "Nebraska R9044D1 Cass" by \$10,000, so that the reduced allocation shall be \$229,000;

(m) Administrative Order No. 311, dated December 3, 1938, by changing the project designation "Nebraska R9044D1 Cass" appearing therein to read "Nebraska R9044D1 Eastern Nebraska District Public";

(n) Administrative Order No. 74, dated March 19, 1937, by changing the project designation "Nebraska 44W Cass" appearing therein to read "Nebraska 7044W1 Eastern Nebraska District Public";

(o) Administrative Order No. 315, dated December 29, 1938, by changing the project designation "Nebraska R9044W2 Cass" appearing therein to read "Nebraska R9044W2 Eastern Nebraska District Public";

(p) Administrative Order No. 250, dated May 20, 1939, by rescinding the allocation of \$2,000 therein made for "Ohio 8056W1 Lorain";

(q) Administrative Order No. 232, dated April 1, 1938, by rescinding the allocation of \$10,000 therein made for "Pennsylvania 8004W1 Crawford"; and

(r) Administrative Order No. 364, dated June 21, 1939, by reducing the allocation of \$167,000 therein made for "Wisconsin 0032B1 Pierce" by \$5,000, so that the reduced allocation shall be \$162,000.

[SEAL]

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 40-1803; Filed, May 4, 1940;  
11:46 a. m.]

[Administrative Order No. 453]

#### AMENDMENT OF PRIOR ALLOCATIONS OF FUNDS FOR LOANS

APRIL 30, 1940.

I hereby amend:

(a) Administrative Order No. 97, dated May 13, 1937, by changing the project designation "Kentucky 31 Union" appearing therein to read: "Kentucky 55B1 Henderson-Union";

(b) Administrative Order No. 369, dated June 30, 1939, by changing the project designation "Kentucky 0031C1 Union" appearing therein to read: "Kentucky 0055C1 Henderson-Union";

(c) Administrative Order No. 305, dated October 26, 1938, by changing the project designation "Kentucky 9031W1 Union" appearing therein to read: "Kentucky 9055W1 Henderson-Union"; and

(d) Administrative Order No. 394, dated September 27, 1939, by changing the project designation "Kentucky 0031W2 Union" appearing therein to read: "Kentucky 0055W2 Henderson-Union".

[SEAL]

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 40-1804; Filed, May 4, 1940;  
11:46 a. m.]

[Administrative Order No. 454]

#### ALLOCATION OF FUNDS FOR LOANS

APRIL 30, 1940.

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
Alabama 0032W2 Geneva	\$10,000
Colorado 0020W2 Delta	5,000

Project designation—Continued.	Amount
Florida 0-8015W2 Lafayette	5,000
Georgia 0-8037W2 Douglas	5,000
Georgia 0-8091W2 Laurens	5,000
Idaho 0-9015W2 Idaho	1,500
Illinois 0-8034W2 Jackson	10,000
Kentucky 0027W2 Boyle	10,000
Maine 0008W2 Aroostook	5,000
Mississippi 0-8039W2 Jackson	10,000
Nebraska 0-R9044W3 Eastern Nebraska District Public	10,000
Ohio 0-8075W1 Williams	6,000
Texas 0-8078W2 Cherokee	5,000
Wisconsin 0032W3 Pierce	5,000

[SEAL]

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 40-1805; Filed, May 4, 1940;  
11:47 a. m.]

#### DEPARTMENT OF LABOR.

##### Wage and Hour Division.

##### NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued under Section 14 of the said Act and § 522.5 of Regulations Part 522, as amended, to the employers listed below effective May 7, 1940. These Certificates may be canceled in the manner provided for in the Regulations and as indicated in the Certificate. Any person aggrieved by the issuance of any of these Certificates may seek a review of the action taken in accordance with the provisions of §§ 522.13 or 522.5 (b), whichever is applicable of the aforementioned Regulations.

The employment of learners under these Certificates is limited to the occupations, learning periods, and minimum wage rates specified in the Determination or Order for the Industry designated below opposite the employer's name and published in the FEDERAL REGISTER as here stated:

Regulations, Part 522, May 23, 1939 (4 F.R. 2088), and as amended October 12, 1939 (4 F.R. 4226).

Hosiery Order, August 24, 1939 (4 F.R. 3711).

Apparel Order, October 12, 1939 (4 F.R. 4225).

Knitted Wear Order, October 24, 1939 (4 F.R. 4351).

Textile Order, November 8, 1939 (4 F.R. 4531).

Glove Order, February 20, 1940 (5 F.R. 714).

Telephone Order, April 9, 1940 (5 F.R. 1371).

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EXPIRATION DATE

Elanor Frocks Mfg. Co., 905 Washington Street, Saint Louis, Missouri; Apparel; Dresses; 5 percent; October 24, 1940.

Elanor Frocks Mfg. Co., 905 Washington Street, Saint Louis, Missouri;

Apparel; Dresses; 20 learners; September 3, 1940.

Schramm and Schmieg Company, Burlington, Iowa; Apparel; Overalls and Work Pants; 2 learners; October 24, 1940. Sunnyvale, Inc., 614 Wyoming Avenue, Scranton, Pennsylvania; Apparel; House Dresses; 5 percent; October 24, 1940.

York Shirt Company, York, Pennsylvania; Apparel; Shirts; 5 learners; October 24, 1940.

Beauty Embroidery Co., Inc., 537 Orchard Street, Scranton, Pennsylvania; Textile; Pillow Cases and Sheets; 3 learners; October 24, 1940.

Monument Mills, Housatonic, Massachusetts; Textile; Cotton Yarns and Bedspreads; 3 percent; October 24, 1940.

C. D. Osborn Company, Chicago, Illinois; Glove; Knit Fabric Gloves; 5 percent; October 24, 1940.

C. D. Osborn Company, Chicago, Illinois; Glove; Knit Fabric Gloves; 12 learners; September 10, 1940.

C. D. Osborn Company, Chicago, Illinois; Glove; Leather Dress Gloves; 5 learners; October 24, 1940.

Wells Lamont Smith Corporation, New London, Iowa; Glove; Leather Dress Gloves; 5 learners; October 24, 1940.

Canvas Glove Manufacturing Co., Brooklyn, New York; Glove; Work Gloves; 5 percent; October 24, 1940.

Northern Glove & Mitten Company, Green Bay, Wisconsin; Glove; Work Gloves; 30 learners; September 10, 1940.

The Star Telephone Company, 128 Church Street, Ashland, Ohio; Independent Branch of the Telephone Industry; to employ learners (as indicated in the Telephone Order) as commercial and switchboard operators until December 31, 1940.

Freeland Dress Company, 721 Birkbeck Street, Freeland, Pennsylvania; Apparel; Dresses; 30 learners; September 6, 1940.

Signed at Washington, D. C., this 6th day of May 1940.

GUSTAV PECK,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 40-1816; Filed, May 6, 1940;  
11:59 a. m.]

#### CIVIL AERONAUTICS AUTHORITY.

[Docket Nos. 261, 268, 275, 276, 280 and 281]

IN THE MATTER OF THE PETITION OF UNITED AIR LINES TRANSPORT CORPORATION FOR AN AMENDMENT TO ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR ROUTE NO. 11, UNDER SECTION 401 (H) OF THE CIVIL AERONAUTICS ACT OF 1938

##### NOTICE OF ORAL ARGUMENT

The above-entitled proceeding is assigned for oral argument before the Authority on May 9, 1940, 10 o'clock a. m.

(Eastern Standard Time) in Room 5044, Commerce Building, Washington, D. C.  
Dated Washington, D. C., May 4, 1940.  
By the Authority.

[SEAL]

PAUL J. FRIZZELL,  
Secretary.

[F. R. Doc. 40-1814; Filed, May 6, 1940;  
11:37 a. m.]

# FEDERAL POWER COMMISSION.

[Project No. 390]

IN THE MATTER OF SOUTHERN CALIFORNIA  
EDISON COMPANY LTD.

ORDER GRANTING PETITION FOR REHEARING  
MAY 3, 1940.

Upon consideration of petition for rehearing filed April 3, 1940, by Southern California Edison Company Ltd., licensee for Project No. 390, with respect to certain provisions relating to annual charges in the Commission's March 12, 1940, order authorizing amendment of license;

The Commission orders that:

A rehearing on finding (2) and order (B) of the Commission's order of March 12, 1940, be and it is hereby granted, such rehearing to begin at 10:00 A. M., on the 24th day of June, 1940, in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 40-1807; Filed, May 6, 1940;  
9:29 a. m.]

# SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2681]

IN THE MATTER OF PICTORIAL PAPER PACK-  
AGE CORPORATION—\$5 PAR VALUE COM-  
MON STOCK

ORDER SETTING HEARING ON APPLICATION TO  
WITHDRAW FROM LISTING AND REGISTRA-  
TION

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 May, A. D. 1940.

The Pictorial Paper Package Corporation, 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 the Commission to withdraw its \$5 Par Value Common Stock from listing and registration on the Chicago Stock Exchange; 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, June 3, 1940, at the office of the Securities & Exchange Commission, 105 W. Adams Street, Chicago, Illinois, 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 Henry Fitts, 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. 40-1798; Filed, May 4, 1940;  
11:22 a. m.]

[File No. 59-8]

IN THE MATTER OF THE COMMONWEALTH &  
SOUTHERN CORPORATION AND ITS SUB-  
SIDIARY COMPANIES, RESPONDENTS

ORDER POSTPONING HEARING DATE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3rd day of May, A. D. 1940.

The Commission having issued a notice of and order for hearing in the above matter pursuant to Section 11 (b) (1) of the Public Utility Holding Company Act of 1935; said notice of and order for hearing having directed that a hearing be held on the twentieth day after April 16, 1940; and The Commonwealth & Southern Corporation and its subsidiary companies, respondents herein, having requested a postponement of such hearing date for a period of 30 days from May 6, 1940; and

It appearing to the Commission that a postponement for a period of seven days may appropriately be granted;

*It is ordered*, That the date of the hearing in the above matter be, and the same hereby is, postponed until May 13, 1940.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-1799; Filed, May 4, 1940;  
11:22 a. m.]

[File No. 1-454]

IN THE MATTER OF EITINGON SCHILD CO.,  
INC. COMMON STOCK, NO PAR VALUE

ORDER SETTING HEARING ON APPLICATION TO  
STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3d day of May, A. D. 1940.

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, No Par Value, of Eitongon Schild 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 Tuesday, June 4, 1940, 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 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. 40-1812; Filed, May 6, 1940;  
11:18 a. m.]

[File No. 34-15]

IN THE MATTER OF ARTHUR E. SWANSON,  
KELLOGG LOGSDON, GARY BARTHELL,  
BONDHOLDERS PROTECTIVE COMMITTEE  
FOR INLAND POWER & LIGHT CORPORATION

ORDER DISMISSING DECLARATION WITH RE-  
SPECT TO SOLICITATION OF CONSENTS TO  
A PROPOSED PLAN OF REORGANIZATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of May, A. D. 1940.

A declaration having been filed with the Commission pursuant to Rules 12 (E)

(3) and 12 (E) (5) under the Public Utility Holding Company Act of 1935 with respect to the solicitation of consents to a plan of reorganization for Inland Power & Light Corporation by Arthur E. Swanson, Kellogg Logsdon and Gary Barthell, Bondholders Protective Committee for Inland Power & Light Corporation; and

The Commission, by order on May 1, 1940, having denied the application for

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approval of the plan of reorganization for Inland Power & Light Corporation filed pursuant to Section 11 (f) of the Act and dismissed the application for a report on said plan of reorganization; and

It appearing that in view of the disapproval of said plan and dismissal of the application for a report on said plan, the declaration with respect to solici-

tion of consents to said plan of reorganization should be dismissed;

*It is hereby ordered,* That the declaration with respect to solicitation of consents to said plan be and the same hereby is dismissed.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
*Secretary.*

[F. R. Doc. 40-1813; Filed, May 6, 1940;  
11:18 a. m.]

