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Washington, Tuesday, July 16, 1946

The President

PROCLAMATION 2697

ARMY AIR FORCE DAY—1946

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the United States Army Air Forces began in 1907 as the Aeronautical Division in the Office of the Chief Signal Officer of the Army, with three men and no airplanes, and has grown to its present stature as one of the chief custodians of our future; and

WHEREAS the Army Air Forces contributed greatly to the victories against our enemies in Europe and in Asia, spearheading the attacks and carrying the battle into the heart of the enemy homelands; and

WHEREAS we look back with pride upon the noble achievements and the courageous deeds of the living and remember in affection the devoted service and the heroic sacrifices of the dead; and

WHEREAS we look forward to the increasing importance of American air power in preserving the peace; in defending America against aggression; and in strengthening the Union of our own country by swift, space-ignoring flight;

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may in gratitude do honor to the men and women of the Army Air Forces and pay tribute to all those who through research and development, in science and industry, have supported the growth of our country's air power, do hereby proclaim Thursday, August 1, 1946, as Army Air Force Day, and do invite the Governors of the various States to issue proclamations calling for the observance of that day.

I strongly urge all citizens of this country to familiarize themselves with our Army Air Forces and to recall in appreciation the importance and the influence of air power in our national life in pioneering new means of transportation and communication and new contributions to our comfort, our health, and our well-being.

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 12th day of July, in the year of our Lord nineteen hundred and forty-six [SEAL] and of the Independence of the United States of America the one hundred and seventy-first.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Acting Secretary of State.

[F. R. Doc. 46-12140; Filed, July 15, 1946; 12:10 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing
Administration (Marketing Agreements
and Orders)

PART 900—GENERAL REGULATIONS UNDER
THE AGRICULTURAL MARKETING AGREEMENTS
ACT OF 1937

DEFINITIONS

By virtue of the authority vested in the Secretary of Agriculture by Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the following amendments to the rules of practice and procedure issued thereunder (7 CFR, Cum. Supp., 900.1 et seq., as amended, 7 CFR, 1945 Supp., 900.1 et seq.), as amended, are hereby promulgated:

1. Section 900.2 (e) is amended to read as follows:

§ 900.2 Definitions. * * *

(e) The term "Assistant Administrator" means any Assistant Administrator of the Production and Marketing Administration of the Department or any officer or employee of the Department to whom such Assistant Administrator has heretofore lawfully delegated, or to whom

(Continued on next page)

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Code of Federal Regulations 1945 Supplement

Book 1: Titles 1 through 9, including, in Title 3, Presidential documents in full text with appropriate reference tables.

Book 2: Titles 10 through 14.

These books may be obtained from the Superintendent of Documents, Government Printing Office, at \$3 each.

A limited sales stock of the 1944 Supplement (3 books) is still available at \$3 a book.

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he may hereafter lawfully delegate, the authority to act in his stead.

2. Section 900.51 (e) is amended to read as follows:

§ 900.51 Definitions. * * *

(e) The term "Assistant Administrator" means any Assistant Administrator of the Production and Marketing Administration of the Department or any officer or employee of the Department to whom such Assistant Administrator has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

3. Section 900.101 (e) is amended to read as follows:

§ 900.101 Definitions. * * *

(e) The term "Assistant Administrator" means any Assistant Administrator of the Production and Marketing Administration of the Department or any officer or employee of the Department to whom such Assistant Administrator has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

4. Section 900.200 (e) is amended to read as follows:

§ 900.200 Definitions. * * *

(e) The term "Assistant Administrator" means any Assistant Administrator of the Production and Marketing Administration of the Department or any officer or employee of the Department to whom such Assistant Administrator has heretofore lawfully delegated, or to whom he may hereafter lawfully delegate, the authority to act in his stead.

These amendments merely formalize a transfer of authority previously made effective.

Done at Washington, D. C., this 12th day of July 1946. Witness my hand and the seal of the Department of Agriculture.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

Approved:

HARRY S. TRUMAN.

[F. R. Doc. 46-12135; Filed, July 15, 1946; 11:11 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 144, Amdt. 12]

PART 1468—GRAIN

SALE OF WHEAT BY PRODUCERS TERMINATED
War Food Order No. 144, as amended (11 F.R. 6750, 7332), is hereby further amended by deleting paragraph (g) (2).

This amendment shall become effective at 12:01 a. m., e. s. t., July 16, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 144, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8067)

Issued this 12th day of July 1946.

[SEAL] N. E. DODD,
Acting Secretary.

[F. R. Doc. 46-12108; Filed, July 13, 1946;
11:09 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

QUARTERLY REPORTS BY CERTAIN COMPANIES

The Securities and Exchange Commission acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in it by the said act, hereby amends paragraph (a) (2) of § 240.13A-6b [Rule X-13A-6B] to read as follows:

§ 240.13A-6B *Quarterly reports by certain companies.* (a) * * *

(2) The issuer is not an insurance company, an investment company, a common carrier, a public utility, or a

company primarily engaged in the production and sale of raw cane sugar or other seasonal single-crop agricultural commodity.

Effective July 12, 1946.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12086; Filed, July 13, 1946;
9:43 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

SUPPLEMENTARY STATEMENT OF POLICY RELATING TO AUTHORIZATION BY SFAW FOR SHIPMENT OF BITUMINOUS COAL ON THE U. S. TREASURY DEPARTMENT'S EXPORT PROGRAM

On June 24, 1946, the Solid Fuels Administration for War issued a statement of policy relating to authorization by SFAW for shipment of bituminous coal on the U. S. Treasury Department's export program. The second paragraph of that statement of policy is hereby amended to read as follows:

Any person who has or will have surplus coal available for export may submit an offer to the Solid Fuels Administration for War on or before the 20th day of the month preceding each month in which he desires to make such shipment. Such offer shall be submitted, together with the information hereinafter set forth, in duplicate to the SFAW Area Distribution Manager for the Area in which the offered coal will be produced, except that in the case of coal produced in Districts 7, 12, 16, 17, 18, 19, 20, 22 and 23, the filings shall be made with the Solid Fuels

Administration for War, Washington 25, D. C.

Issued this 12th day of July 1946.

DAN H. WHEELER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 46-12104; Filed, July 13, 1946;
10:50 a. m.]

TITLE 31—MONEY AND FINANCE

Chapter I—Monetary Offices, Department of the Treasury

[1946 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

QUARTER BEGINNING JULY 1, 1946

JULY 1, 1946.

§ 129.9 *Calendar year 1946.* * * *

(c) *Quarter beginning July 1, 1946.*

Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning July 1, 1946, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

VALUES OF FOREIGN MONETARY UNITS

[At par as regards gold units, nongold units have no fixed par with gold]

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentine Republic	Peso	\$1.6335	Given valuation is of gold peso. Paper nominally convertible at 44% of face value. Conversion suspended—Dec. 16, 1929.
Australia	Pound	8.2397	Control of gold stocks and exports authorized Dec. 17, 1929.
Belgium and Belgian Congo	Franc		By decree effective Feb. 12, 1946, the franc was made the official monetary unit replacing the belga. The Anglo-Belgian Financial Agreement of Oct. 5, 1944, fixed the rate of exchange at 176.625 francs per £ sterling.
Bolivia	Boliviano	.6180	Conversion of notes into gold suspended Sept. 23, 1931.
Brazil	Cruzeiro	.2025	Decree law of Oct. 6, 1942, established the cruzeiro as the unit of currency, replacing the milreis. Official rate for cruzeiro in terms of the dollar, announced by the Bank of Brazil, is \$0.0006. Conversion of Stabilization-Office notes into gold suspended Nov. 22, 1930.
British Honduras	Dollar	1.6931	Conversion of notes suspended.
Bulgaria	Lev	.0122	Exchange control established Oct. 15, 1931.
Canada	Dollar	1.6931	Redemption of Dominion notes in gold suspended Apr. 10, 1933.
Chile	Peso	.2060	Given valuation is of gold peso. Gold pesos are received for conversion at the rate of 4 paper pesos for 1 gold peso. Conversion of notes suspended July 30, 1931.
China	Yuan		Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control.
Colombia	Peso	.5714	Obligation to sell gold suspended Sept. 24, 1931. New gold content of .56424 grams of gold $\frac{1}{10}$ fine established by monetary law of Nov. 19, 1935, effective Nov. 30, 1938.
Costa Rica	Colon	.7879	Conversion of notes into gold suspended Sept. 18, 1914; exchange control established Jan. 16, 1932.
Cuba	Peso	1.0000	By law of May 25, 1934.
Czechoslovakia	Koruna		Effective Nov. 1, 1945, official rate of exchange established at 30 Kcs per U. S. dollar and 200 Kcs per £ sterling.
Denmark	Krone	.4537	Conversion of notes into gold suspended Sept. 20, 1931.
Dominican Republic	Dollar	1.6931	U. S. money is principal circulating medium.
Ecuador	Sucre	.3386	Conversion of notes into gold suspended Feb. 9, 1932.
Egypt	Pound (100 piasters)	8.3692	Conversion of notes into gold suspended Sept. 21, 1931.
Estonia	Kroon	.4537	Conversion of notes into gold suspended June 28, 1933.
Ethiopia	Dollar	.4025	New unit established by Proclamation of the Emperor on May 25, 1945, effective July 23, 1945.
Finland	Markka	.0426	Conversion of notes into gold suspended Oct. 12, 1931.

VALUES OF FOREIGN MONETARY UNITS—Continued

[At par as regards gold units, nongold units have no fixed par with gold]

Country	Monetary unit	Value in terms of U. S. money	Remarks
France.....	Franc.....		Provisions of monetary law of Oct. 1, 1936, providing for gold content of franc, superseded by decree of June 30, 1937, which stated that the gold content of the franc shall be fixed ultimately by a decree adopted by the Council of Ministers. Until issuance of such decree a stabilization fund shall regulate the relationship between the franc and foreign currencies. By decree of Dec. 26, 1945, official rate of exchange was established at 119.10 francs per U. S. dollar.
Great Britain.....	Pound sterling.....	\$8.2397	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Greece.....	Drachma.....		Drachma pegged to £ sterling by monetary Reform Law of Nov. 11, 1944. In Jan. 1946 Bank of Greece established official exchange rate at 20,000 drachmas per £.
Guatemala.....	Quetzal.....	1.0000	Conversion of notes into gold suspended Mar. 6, 1933.
Haiti.....	Gourde.....	.2000	National bank notes redeemable on demand in U. S. dollars.
Honduras.....	Lempira.....	.8466	Gold exports prohibited Mar. 27, 1931; lempira circulates as equivalent of half of U. S. dollar.
Hong Kong.....	Dollar.....		Treasury notes and notes of the three banks of issue made legal tender by silver nationalization ordinance of Dec. 5, 1935. Present rate of exchange 1 Hong Kong dollar=1s. 2d.
Hungary.....	Pengő.....	.2961	Exchange control established July 17, 1931.
India (British).....	Rupee.....	.6180	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Indo-China.....	Piaster.....		Piaster pegged to French franc on Dec. 25, 1945, at rate of 1 piaster=17 francs.
Ireland.....	Pound.....	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Latvia.....	Lat.....		Currency pegged to sterling Sept. 28, 1936, at 2,522 lati=£100; on Sept. 13, 1939, a law was passed providing that if the pound sterling should depreciate by more than 5 percent with respect to the United States dollar, or the Swedish krona, the Bank of Latvia shall take steps to keep the rate of exchange of the lat stable by basing it on gold or some other monetary unit.
Liberia.....	Dollar.....	1.6931	U. S. money is principal circulating medium.
Lithuania.....	Litas.....	.1493	Free export of gold suspended Oct. 1, 1935.
Mexico.....	Peso.....		Decree of Aug. 28, 1936, left the monetary unit, the peso, to be later defined by law.
Netherlands and colonies.....	Guilder (florin).....	.6806	Suspension of convertibility of notes into gold and restrictions placed on free gold exports—Sept. 26, 1936; gold export prohibition repealed by decree June 28, 1938; prohibition restored by act of Nov. 25, 1938. The Anglo-Netherlands financial agreement of Sept. 7, 1945, established the official rate of exchange between the Netherlands guilder and the pound sterling at 10.691 guilders for £1 sterling.
Newfoundland.....	Dollar.....	1.6931	Newfoundland and Canadian notes legal tender.
New Zealand.....	Pound.....	8.2397	Conversion of notes into gold suspended and export of gold restricted, Aug. 5, 1914; exchange regulations Dec. 1931.
Nicaragua.....	Cordoba.....	1.6933	Embargo on gold exports Nov. 13, 1931.
Norway.....	Krone.....	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Panama.....	Baiboa.....	1.0000	U. S. money is principal circulating medium.
Paraguay.....	Guarani.....		New unit established by decree law Oct. 5, 1943, effective 30 days later; not tied to gold. Certain prior dated obligations, etc., expressed in the gold peso (oro sellado) are converted as equivalent to 134 Guaranis. Initial exchange rate fixed by Bank of the Republic of Paraguay at 1 Guarani equals U. S. \$0.3255. Exchange control established June 28, 1932.
Persia (Iran).....	Rial.....	.0824	Obligation to pay out gold deferred Mar. 13, 1932; exchange control established Mar. 1, 1936.
Peru.....	Sol.....	.4740	Conversion of notes into gold suspended May 18, 1932; exchange control established Jan. 23, 1945.
Philippine Islands.....	Peso.....	.5000	By act approved Mar. 16, 1935.
Poland.....	Zloty.....	.1899	Exchange control established Apr. 27, 1936.
Portugal.....	Escudo.....	.0749	Gold exchange standard suspended Dec. 31, 1931.
Rumania.....	Leu.....	.0101	Exchange control established May 18, 1932.
Salvador.....	Colon.....	.8466	Conversion of notes into gold suspended Oct. 7, 1931.
Spain.....	Peseta.....		
Straits Settlements.....	Dollar.....	.9613	British pound sterling and Straits dollar and half dollar legal tender.
Sweden.....	Krona.....	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland.....	Franc.....		Order of Federal Council enacted Sept. 27, 1936, instructed the Swiss National Bank to maintain the gold parity of the franc at a value ranging between 190 and 215 milligrams of fine gold.
Thailand (Siam).....	Baht (tical).....	.7491	Conversion of notes into gold suspended May 11, 1932.
Turkey.....	Piaster.....	.0744	100 piasters equal to the Turkish £; conversion of notes into gold suspended 1916; exchange control established Feb. 26, 1930.
Union of South Africa.....	Pound.....	8.2397	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Socialist Republics.....	Chervonetz.....	8.7123	One chervonetz equals 10 rubles. Notes not convertible into gold.
Uruguay.....	Peso.....	.6583	Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931. New gold content of .585018 grams of pure gold per peso established by monetary law of Jan. 12, 1938.
Venezuela.....	Bolivar.....	.3267	Exchange control established Dec. 12, 1936.

(Sec. 25, 28 Stat. 552; sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U.S.C. 372)

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-12080; Filed, July 12, 1946;
12:20 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 385]

PART 608—EXPENDITURES OTHER THAN FOR PERSONAL SERVICES

TRAVEL; AUTHORIZATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend subparagraph (2) of paragraph (a) of § 608.41 to read as follows:

§ 608.41 *Travel; authorization.* * * *
(2) The Governor of a State or a State

Director of Selective Service, for the travel of the personnel of the Selective Service System of his State, provided such travel shall be confined to the territorial limits of the Army Area or Naval District in which his State is located, unless travel beyond the territorial limits of the Army Area or Naval District is required in answer to a subpoena issued by the United States District Court, or has been authorized by the Director of Selective Service.

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS H. HERSHEY,
Director.

JULY 11, 1946.

[F. R. Doc. 46-12081; Filed, July 12, 1946;
3:47 p. m.]

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 213]

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

PART 804—INDIVIDUAL LICENSES

PART 806—TECHNICAL DATA

BLOCKED NATIONALS

Sections 801.1 (c); 801.10; 802.5 (b) (2), (3) and (4); 802.16; 804.12; and 806.3 (a) are hereby amended by deleting therefrom any reference to the "Proclaimed List" or the "Proclaimed List of Certain Blocked Nationals".

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 339, 79th Congress; E.O. 8900, 6 F.R. 4795; E.O. 9361; 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O.

9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: July 12, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.

[F. R. Doc. 46-12082; Filed, July 12, 1946;
4:26 p. m.]

[Amdt. 215]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodities:

Dept. of Com. Sched. B No.	Commodity
	Electric exterior lighting fixtures and parts:
709700	Daylight signaling lamps and parts.
709700	Sodium vapor lighting fixtures and parts.
709700	Street-hood bodies and parts, multiple and series.
709700	Street luminaries and parts.
709700	Street-lighting fixtures and parts.
709700	Traffic signal lights and parts.

The description of commodities listed under Schedule B No. 709700 is accordingly amended to read as follows:

Dept. of Com. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
709700	Electric exterior lighting fixtures and parts, except airport lighting fixtures and cargo lights and parts (report searchlights and airport beacons in 706600 and floodlights in 706700).....		25	25

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective on July 18, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Congress; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: July 12, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.

[F. R. Doc. 46-12084; Filed, July 12, 1946;
4:26 p. m.]

[Amdt. 214]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

The list of commodities set forth in paragraph (b) is amended in the following particulars:

1. The following commodities are hereby added to the list of commodities:

Dept. of Com. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
641200	Copper and manufactures: Refined copper in cathodes, billets, ingots, bars, or other forms (include wire bars).	Lb.	1	1
641300	Old and scrap copper.	Lb.	1	1
642200	Copper pipes and tubes.	Lb.	1	1
642300	Copper plates, sheets and strips.	Lb.	1	1
642400	Copper rods (report copper-weld rods in 664998).	Lb.	1	1
642500	Copper wire, bare.	Lb.	1	1
643000	Rubber-covered wire.	Lb.	1	1
643100	Weatherproof wire.	Lb.	1	1
643500	Other insulated copper wire ¹ .	Lb.	1	1

¹ Magnet wire, copper, insulated, including cotton-covered and enameled wire; lead-covered copper cable and lead-covered or lead-encased copper wire, classified under Schedule B No. 643500, are already on the list of commodities.

2. The following commodities are hereby removed from the list of commodities:

Dept. of Com. Sched. B No.	Commodity
	Dried and evaporated fruits (include dri-pack in tins):
132200	Pears.
132500	Apples.
132600	Apricots.
132700	Peaches.
132900	Apple waste.
133098	Dried and evaporated fruits, n. e. s. (include bananas, strawberries, and cranberries).

3. The dollar value limits in the column headed "GLV Dollar Value Limits" set opposite each of the commodities listed below are hereby amended to read as follows:

Dept. of Com. Sched. B No.	Commodity	GLV dollar value limits country group	
		K	E
107300	Wheat flour, wholly of United States wheat (except in cases or in small packages) (include graham, malt, pastry and macaroni flours).....	100	25
107400	Wheat flour, not wholly of United States wheat (except in cases or small packages) (include graham, malt, pastry and macaroni flours).....	100	25
643500	Lead-covered copper cable.	1	1
643600	Lead-covered or lead-encased copper wire (report rubber covered wire in 643000 and weatherproof wire in 643100).....	1	1

Shipments of any of the above commodities, removed from general license, or whose GLV dollar value limits have been reduced which were on dock, on lighter, laden aboard an exporting carrier or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective immediately except that with respect to commodities added to the list of commodities, it shall become effective on July 18, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Congress; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: July 3, 1946.

FRANCIS MCINTYRE,
Acting Director,
Requirements and Supply Branch.

[F. R. Doc. 46-12083; Filed, July 12, 1946;
4:26 p. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-84, as Amended July 15, 1946]

MANILA (ABACA) AND AGAVE FIBER AND CORDAGE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of manila and agave and products made from them for defense for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3290.221 *Conservation Order M-84—*
(a) *Restrictions on processing of fiber or yarn into rope.* (1) No processor may put into process manila fiber or manila yarn to manufacture rope except for an end use allowed in Schedule A.

(2) [Deleted Feb. 5, 1946]

(b) *Restriction on processing fiber or yarn into other products.* No processor may put into process any manila or agave, or yarns made from those fibers, to manufacture any product (other than rope) except products permitted in Schedule B, and binder twine and baler twine as specifically authorized or directed in writing by the Civilian Production Administration.

(c) *Further restrictions on processing.* (1) The Civilian Production Administration may issue specific directions to proc-

essors who have received manila or agave, by allocation under this order or any other Civilian Production Administration order or by delivery from any United States Government agency, as to the extension of more critical fibers by mixture with less critical ones (i. e. use of "extenders") in the manufacture of any product permitted in paragraphs (a) and (b) above.

(2) The Civilian Production Administration may from time to time issue specific instructions regarding the percentage of extender to be used in the manufacture of agave sisalana rope.

(d) *Restrictions on delivery of rope and twine.* (1) No processor or dealer may sell, deliver, or accept delivery of new rope or new twine, produced in the United States in whole or in part from manila or agave fiber or yarn, for end uses for which the product may not be manufactured under this order.

(2) No person may sell or deliver new binder or new baler twine if he knows or has reason to believe that:

(i) The binder twine will not be used with mechanical harvesting equipment or in the growing, harvesting or delivering of agricultural crops, or that the binder twine will be converted into rope or any other product.

(ii) The baler twine will not be used in a self-tying machine for baling hay, straw or other fodder crops.

(3) No person may use new binder or new baler twine to manufacture rope for sale.

(4) [Deleted Feb. 5, 1946]

(e) [Deleted Mar. 22, 1946.]

(f) *Allocation of fiber.* (1) No processor shall make or accept delivery of any manila or agave fiber contrary to directions which from time to time the Civilian Production Administration may issue. The Civilian Production Administration may from time to time allocate to processors the available supplies of manila and agave fiber and specifically direct the time, manner, and quantities in which deliveries to processors shall be made or withheld.

(2) In general allocations of fiber for rope and products permitted in Schedule B to individual processors will be made upon the following basis: the aggregate allocation of manila and agave fibers to each processor will be in proportion to his average monthly sales of both types of rope during the period January 1, 1939 through December 31, 1941; the manila fiber allocated to each processor for rope will be in proportion to his average monthly sales of manila rope during the period January 1 through December 31, 1939; and the agave fiber allocated to each processor will be in proportion to his aggregate allocation for both fibers, less that for manila. A manufacturer who was not in the hard fiber cordage business during 1939-40-41 may apply to the Civilian Production Administration, Textile Division, Washington 25, D. C., for an allocation. The application should be filed by letter stating the quantity of fiber desired, and should include a statement of the facilities available for the manufacture of cordage products, as permitted under Order M-84, the maximum poundage of fiber which can be processed with his facilities on the basis

of a 40-hour week, and the minimum poundage of fiber needed for economical operation during a three-month period. Applications from new manufacturers will be considered on an equitable basis in view of the allocations given to other manufacturers.

(3) Allocations of agave fiber for binder twine and baler twine will be prorated among processors on the basis of information previously filed with the War Production Board and Civilian Production Administration as to productive capacity, method and rate of operation.

(g) *End use information.* No person may sell or deliver any product controlled by this order to any person who he knows or has reason to believe will use the product in a manner which this order does not permit. He should satisfy himself as to this in some reasonable manner before delivering. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(h) *Restrictions on the use of damaged material.* Any processor or dealer who has in his possession damaged or defective manila or agave fiber or cordage, may report by letter the extent of the damage and state to the Civilian Production Administration the percentage not suitable for the manufacture of products or for use permitted by this order. He may then upon receipt of acknowledgment, without objection from the Civilian Production Administration, use or dispose of any portion unsuitable for the manufacture of products permitted by this order, free from its restrictions.

(i) *Reports.* (1) Processors of manila and agave fiber shall report monthly on CPA-2901, sections 1 and 2.

(2) The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Imports.* The importation of material or products covered by this order shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(k) *Definitions.* In this order:

(1) "Manila" means fiber, spinnable over machinery which is commonly known in the trade by this term and also known as abaca or Manila hemp, wherever grown (either stripped or decorticated), but does not mean the fiber grades of T2 and T3, O or Y, or equivalent, as established by the Insular Government of the Philippine Islands, processor's mill waste or bagasse.

(2) "Agave" means fiber, spinnable over machinery of the species agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala, and maguey, and sometimes preceded by an adjective designating the country or district of origin, but does not include processor's mill waste or bagasse.

(3) "Rope" means any rope or cable, treated or untreated, composed of three or more strands each strand composed of two or more yarns, and not less than 10 percent cordage lubricant (excluding tent and awning rope), but does not in-

clude strings and twines of whatever construction which are commonly used for tying, sewing, baling or other commercial packaging use.

(4) "Twine" means any single or plied yarn or roving, including marlin, for use as a tying material, for sewing or for any similar purpose, but does not include any product falling within the definition of "rope", "binder twine" or "baler twine."

(5) "Binder twine" means a single yarn twine usually containing agave, but sometimes containing manila, istle, jute, coir, hemp, cotton or paper, suitable for use in a harvesting machine and of the type customarily heretofore manufactured. It is put up in balls of approximately five to eight pounds, packed six to ten to the bale. It measures five hundred feet to the pound with a plus or minus tolerance of five per cent, and contains a lubricant of at least ten per cent of the weight of the twine and an insect repellent. It is also known as binding twine.

(6) "Baler twine" means a single yarn usually made of agave fiber and used in a self-tying machine for baling hay, straw or other fodder crops.

(7) [Deleted Feb. 5, 1946]

(8) [Deleted Feb. 5, 1946]

(9) "Processor" means any person (other than a United States Government agency) who spins, twists or otherwise uses any fiber or yarn in the manufacture of rope or twine, or who uses manila or agave fiber in the manufacture of any other product.

(10) [Deleted Mar. 22, 1946.]

(l) *Appeals.* Any appeal from the provisions of this order should be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(m) *Applicability of regulations.* Except as specifically otherwise provided this order and all transactions affected thereby are subject to all applicable provisions of the regulations of the Civilian Production Administration as amended from time to time.

(n) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Civilian Production Administration.

(o) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Textile Division, Civilian Production Administration, Washington 25, D. C., Ref.: M-84.

(p) [Deleted July 15, 1946.]

Issued this 15th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—MANILA CORDAGE END USE

This list specifies the permitted end uses for which rope may be manufactured from manila. It does not, however, restrict manufacture for and delivery to the Army, Navy and Maritime Commission.

Fibers other than manila may be used in the manufacture of rope for any end use subject to applicable provisions of any Civilian Production Administration order dealing specifically with such fibers.

End use	Definition
Auxiliary line-Lyle gun	A 3" circ. hawser-drawn to or from a vessel by means of a whip line and which is used to support a breeches buoy.
Cracker	A short length of fiber drilling cable used in conjunction with a wire drilling cable affording spring or elasticity to the wire line.
Drilling cables-oil, water and gas wells	Used for operating the tools in "cable tool" drilling.
Falls-Ammunition	The hoisting rope used to raise and lower ammunition.
Falls-Lifeboat	A rope used generally in conjunction with a pair of davits, used to raise or lower lifeboats.
Falls-Purse boat	A pair of tackles suspended from davits used to raise and lower the purse boats and seine which weigh about 5 tons.
Falls-Powder tank	Used in handling powder tanks (lowering and hoisting).
Life line	See auxiliary line-Lyle gun.
Manila rope 1 1/4" diam (3 3/4" cir.) and larger	Any use.
Purse line	A line rove through rings attached to the bottom of a seine. By hauling on this line the bottom of the net is closed or pursed.
Shot lines-Lyle guns	Soft laid rope used in connection with Lyle guns for rescue work on disabled ships.
Torpedo lines-Oil well	Approximately 1/4" diam. rope used to lower explosives into oil or gas well preparatory to "shooting" the well.

SCHEDULE B—TWINE END USE

This list specifies the permitted end uses for which twine may be manufactured from manila and agave. The use of agave fiber for the manufacture of binder and baler twine will be authorized as stated in paragraph (b). Manila is not permitted at present for twine and agave is permitted only where indicated.

End use	Definition	Manila	Agave
Bale rope	A heavy wrapping twine for securing large bales or bundles.		
Christmas tree twine	A single ply twine, usually tarred or dyed for binding Christmas trees in bundles for shipping.		
Fodder yarn	Single yarn generally tarred, put up in stranded or many end form, used in tying up fodder. This yarn is comparable to, in certain parts of the country where a mechanical binder is used for harvesting, a binder twine. In other parts where the binding of sheaves is done by hand, fodder yarn is used.		
Hambroline	See seizing stuff.		
Hanging twine—Hard fiber nets	Twine used to hang hard fiber nets to lines.		Yes
Hanging twine—Soft fiber nets	Twine used to hang soft fiber nets to lines.		Yes
Heading twine	See Marline-Lobster.		Yes
Hide rope	Twine-twisted into strand form usually 50 ends. 2 or 3 ply.		
House line	See seizing stuff.		
Lath yarn	A single yarn put up in stranded or many end form either tarred or untarred.		
Marline	See seizing stuff.		
Marline-Lobster	A twine required in the manufacture of the inside tunnel of lobster pots.		Yes
Net twine—Otter trawls	A hard laid twine, usually 2, 3, or 4 ply in sizes from #600 to #1355 used for the manufacture of hard fiber fishing nets. Also for mending nets.		Yes
Piping cord	The cord used in a roll edge trim for furniture, etc.		
Ring yarns	See wrapping twine. A single yarn usually put up in stranded or many end form and used for general tying purposes.		
Roundline	See seizing stuff.		
Seizing stuff	A general term covering fine sizes of rope and twine used for seizing larger ropes and cables.		
Sewing twine	Twine used for bag closing and for general sewing.		
Shingle yarn	A yarn put up in single end form, used for tying up bundles of shingles. Tarred and untarred.		
Small stuff	See seizing stuff.		
Spun yarn	See seizing stuff.		
Tube rope	A heavy wrapping twine of soft twist for securing large bales and bundles.		
Wormline	See seizing stuff.		
Wrapping and tying twine	Single yarn used as twine, or plied twine twisted or laid used for tying, packaging, baling or bundling.		(b)

¹ Only agave tow in hands of processor on March 22, 1946, with or without admixture of other fibers.

[F. R. Doc. 46-12139; Filed, July 15, 1946; 11:39 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II, as Amended June 21, 1946, Amdt. 2]

MANUFACTURING REGULATIONS

Rubber Order R-1, Appendix II, as amended June 21, 1946, is hereby further amended in the following respects:

1. By changing List 5—Regulations for the manufacture of rubber footwear to read as follows:

LIST 5. REGULATIONS FOR THE MANUFACTURE OF RUBBER FOOTWEAR

(a) General provisions. (1) In rubber footwear of all types the overall monthly consumption of natural rubber and GR-S or other synthetic rubbers except Neoprene shall not exceed the ratio of two-thirds natural rubber to one-third synthetic rubber.

(2) No type of rubber footwear shall contain more than 98% natural rubber.

2. By changing List 7—Manufacture of tire and tube repair materials to read as follows:

LIST 7. REGULATIONS FOR THE MANUFACTURE OF TIRE AND TUBE REPAIR MATERIALS

(a) Manufacturing regulations. The manufacture of tire and tube repair materials consuming natural rubber shall be limited to the items shown in this paragraph (a) (2), subject to the compounding regulations designated therefor.

Maximum percent
natural rubber
of total RHC
by weight

Description of item	
(i) Bulk tire repair materials:	
(a) Tread repair stock 1/16" max. ga.)	X
(b) Repair cushion stock	X
(c) Cord repair friction (0.047 max. ga.)	X
(d) Sq. woven fabric friction	X
(e) Cements (cold cure)	(1)
(f) Cements (vulcanizing)	X
(ii) Tire patches: 2	
(a) Uncured vulcanizing type:	
Body	X
Facing	X
(b) Cured and semi-cured vulcanizing type:	
Body	0.0
Facing	X
(c) Temporary emergency cold cure type (composite)	5.0
(iii) Tube patches—all types	X
(iv) Sectional bags	X

1-Maximum 0.20 pounds natural rubber per gal.

2-Natural rubber may be consumed in cements for adhesion purposes in manufacturing tire patches.

(b) Restrictions. (1) The use of cements as manufactured in accordance with (a) Manufacturing regulations (1) (e) and (f) shall be limited to the reconditioning of tires and tubes.

(2) Item (1) (e)—Cements (cold cure) may be packed only in containers of one quart or smaller.

3. By changing List 8—Manufacture of tire and tire casings (except airplane tires) to read as follows:

LIST 8. REGULATIONS FOR THE MANUFACTURE OF TIRES AND TIRE CASINGS

(a) General provisions. (1) The natural rubber content of any tire or tire casing governed by this List 8 shall not include processing losses or natural rubber used in curing bags, or natural rubber latex used in cord treatment.

(2) Natural rubber latex may be consumed in the treatment of rayon and cotton cord at the manufacturer's discretion provided the over-all average by weight of natural latex

so consumed does not exceed 7.5# per 1,000# (dry weight) of total rayon and cotton cord treated. Natural rubber latex may be consumed in the treatment of nylon cord without limit. Dispersions of natural rubber may be used for cord treatment and the amount of natural rubber solids so consumed shall be included in the maximum content natural rubber permitted for each tire.

(3) The use of rayon in the manufacture of tires and tire casings governed by this List 8 shall conform to the regulations set forth in List 15.

(4) The "ply rating" is defined by current Tire and Rim Association standards.

(5) All types of pneumatic tires shall be manufactured with black sidewalls only.

(6) Single marked high pressure type tires or single marked balloon type tires may be substituted for dual marked type tires.

(b) *Manufacturing regulations.* (1) Natural rubber may be consumed in the manufacture of solid auxiliary airplane tires.

(2) Solid tires (except bogie, idler and support rollers), including cured-on solid tires, 4" x 1 1/2" and up, and industrial (bonded and unbonded) type may be manufactured; *Provided*, That natural rubber is consumed only as follows:

Hard rubber base type except industrial—as required.

Tire-gum base (soft base) type except industrial—as required.

Other constructions—as required, except industrial.

Hard rubber base, industrial type. Natural rubber shall be consumed only in cements and/or hard base and shall not exceed, by weight, 10 percent of the total RHC. Individual sizes may exceed the 10 percent maximum: *Provided*, That the average natural rubber content of all sizes does not exceed the 10 percent maximum.

Tire-gum base (soft base), industrial type. Natural rubber shall be consumed only in cements and/or the gum and shall not exceed, by weight, 8 percent of the total RHC. Individual sizes may exceed the 8 percent maximum: *Provided*, That the average natural rubber content of all sizes does not exceed the 8 percent maximum.

Lug-base industrial (unbonded) type. Natural rubber shall be consumed only in cements and/or splicing gum and shall not exceed, by weight, .75 percent of the total RHC. Individual sizes may exceed .75 percent maximum: *Provided*, That the average natural rubber content of all sizes does not exceed the .75 percent maximum.

(3) The manufacture of tires and tire casings consuming more natural rubber than permitted in paragraph (b) (1) and (b) (2) of this List 8 shall be limited to the sizes, listed in this paragraph (b) (3), subject to the maximum natural rubber contents or construction designated therefor in Table A.

(4) All rubber products for military use shall be manufactured in accordance with U. S. Army or Navy specifications.

TABLE A—ALL TYPES OF PNEUMATIC TIRES

Size and type	Tire construction	Tire marking	Maximum percent natural rubber of total RHC by weight rayon, nylon, or cotton
All airplane, all inter-city bus mileage, all low platform trailer, and all wire tires, 8.25 and up highway, mud and snow, city bus mileage, earth mover, rock service, logger, sand, and ribbed traction tires	S-11	None	94
7.50 and down highway, mud and snow, city bus mileage, earth mover, rock service, logger, sand, and ribbed traction tires	S-7	None	67
All passenger, motorcycle, tractor, implement, and industrial pneumatics	S-4	S-3	13
All other pneumatic tires	S-3	S-3	2.5

Individual sizes may exceed the indicated maximum percentage, provided the average natural rubber content of all sizes within the group as listed in this table A does not exceed the indicated maximum percentage. No tire within the group shall be manufactured with a natural rubber content more than 8% greater than maximum allowable percentage of total RHC for tires in that group. For example, an S-7 individual size may be 72%.

(c) *Branding of synthetic tires.* (1) Pneumatic tires (except bicycle tires) containing less than 80% natural rubber shall be marked with the synthetic construction identification number as specified in Appendix II of R-1 dated June 21, 1946. Such marking shall be in the form of a distinct raised letter "S" and numeral of a minimum height of 5/8" on both sides of the tires.

(2) Such tires containing 50% or more natural rubber need not bear any distinguishing mark.

(3) Synthetic solid tires, including bogie, idler and support rollers, shall be branded with a distinct letter "S" of a minimum height of 5/8" on both sides of the tires.

(d) *Definitions.* (1) Where used in this List 8, "Highway" as applied to tread types means regular on-the-road type. (2) Where used in this List 8 "Mud-snow" as applied to tread type means extra traction, on-and-off the road type.

4. In List 9—*Manufacture of tire tubes (except airplane tire tubes)* by changing paragraph (a) (2) to read as follows:

(2) Natural rubber shall be consumed in the manufacture of tubes for Truck, Bus and

Special Purpose tires of 8.25 cross section and larger. Natural rubber may be consumed in the manufacture of puncture seal and other types of safety tubes. The manufacture of other tubes consuming more natural rubber than permitted by paragraph (a) (1) of this list 9 is prohibited.

5. By deleting entirely, List 12—*Manufacture of airplane tires and tire casings.*

6. In List 13—*Manufacture of retreading materials including camelback (wing-die), capping stock (bevel-die), lug stock, base stock, padding stock, stripping stock, filler strip and full circle curing tubes*, by changing the table in paragraph (b) (2) entitled "Retreading materials" to read:

RETREADING MATERIALS	Maximum percent natural rubber of total RHC by weight
Camelback for all Airplane Tires and All Types 14.00 and up	X
All Other Camelback	0
Padding Stock (Maximum thickness 1/16")	X
Stripping Stock (Maximum thickness 1/8")	X
Filling Stock (Maximum thickness 1/8")	X
Camelback Cushion (Maximum thickness 1/16")	X
All Rear Tractor Full Circle Curing Tubes	X
All Other Full Circle Curing Tubes	.04

Camelback is graded as follows:

	Maximum percent new GR-S by weight	Minimum percent new GR-S by weight
(a) Grade A	45	55
(b) Grade C	0	35
(c) Grade F		

7. By entirely deleting List 14—*Manufacture of tank tracks and band tracks.*

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 12th day of July 1946.

CIVILIAN PRODUCTION

ADMINISTRATION,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 46-12085; Filed, July 12, 1946; 4:26 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter 1—General Land Office, Department of the Interior

Appendix—Public Land Orders [Public Land Order 322]

OREGON

WITHDRAWING REVESTED OREGON AND CALIFORNIA RAILROAD GRANT LANDS IN AID OF CONTEMPLATED LEGISLATION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, and the Act of August 28, 1937 (50 Stat. 874), it is ordered as follows:

Subject to valid existing rights, the following-described reversioned Oregon and California Railroad grant lands are hereby classified as chiefly valuable for recreational use, and are withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing laws, and reserved under the jurisdiction of the Secretary of the Interior, in aid of contemplated legislation to enlarge the Silver Creek Recreational Demonstration Project:

WILLAMETTE MERIDIAN

T. 8 S., R. 1 E.,
Sec. 13, E $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 25, All,
Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
T. 8 S., R. 2 E.,
Sec. 17, S $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 19, Lots 3, 4, and NE $\frac{1}{4}$,
Sec. 29, W $\frac{1}{2}$,
Sec. 31, N $\frac{1}{2}$.

The lands described aggregate 1,791.93 acres.

The withdrawal made by this order shall be subject to Executive Order No. 9701 of March 4, 1946, providing for the reservation of rights to fissionable materials in lands owned by the United States.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

JULY 3, 1946.

[F. R. Doc. 46-12109; Filed, July 13, 1946;
2:15 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

Subchapter B—Licenses and Special Radio Regulations

PART 3—STANDARD AND HIGH FREQUENCY STATIONS

STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING FM BROADCAST STATIONS

The Commission in meeting on June 20, 1946 amended Paragraph M *Antenna height above average terrain* of Section 1 *Definitions*, and Section 2 *Engineering standards of allocation* of the Commission's Standards of Good Engineering Practice Concerning FM Broadcast Station, effective immediately, to read as follows:

SECTION 1. Definitions. * * *

M. *Antenna height above average terrain*. (1) For Class A stations the term "antenna height above average terrain" means the height of the radiation center of the antenna above the terrain 10 miles from the antenna.

(2) For Class B stations the term "antenna height above average terrain" means the height of the radiation center of the antenna above the terrain 2 to 10 miles from the antenna. (In general a different antenna height will be determined for each direction from the antenna. The average of these various heights is considered as the antenna height above average terrain for Class B stations.)

No. 137—2

SEC. 2. *Engineering standards of allocation*. A. Sections 3.202 to 3.206 inclusive of the rules and regulations describe the basis for allocation of FM broadcast stations, including the division of the United States into Areas I and II. Where reference is made in the rules to antenna heights of Class A stations, section 2 E (1) of these standards should be consulted; for Class B stations, section 2 E (2) should be consulted.

B. In determining the predicted and measured field intensity contours of FM broadcast stations the following shall govern:

(1) Class A stations will normally not be required to determine their contours.
(2) Class B stations shall determine the extent of their 1000 uv/m and 50 uv/m contours.

The above contours shall be determined in accordance with the methods prescribed in these standards.

C. Although some service is provided by tropospheric waves, the service area is considered to be only that served by the ground wave. The extent of the service is determined by the point at which the ground wave is no longer of sufficient intensity to provide satisfactory broadcast service. The field intensity considered necessary for service is as follows:

TABLE I

Area:	Median field intensity
City business or factory areas.....	1000 uv/m
Rural areas.....	50 uv/m

A median field intensity of 3000 to 5000 uv/m should be placed over the principal city to be served, and a median field intensity of 1000 uv/m should be placed over the business district of cities of 10,000 or greater within the metropolitan district served. The location of the main studio of a Class A station is specified in § 3.203 of the rules. A field intensity of 5000 uv/m should be provided over the main studio of a Class B station except as otherwise provided in § 3.204 of the rules. These figures are based upon the usual noise levels encountered in the several areas and upon the absence of interference from other FM stations.

D. A basis for allocation of satellite stations has not yet been determined. For the present, applications will be considered on their individual merits.

E. The service area is predicted as follows:

(1) *Class A stations*. A map, topographic where obtainable, shall be submitted for the area within 15 miles of the proposed antenna site. On this map shall be indicated the antenna location and a circle of 10 miles radius with the antenna location as center. Representative points shall be picked on this circle 15 degrees apart and the elevation of these points determined. The average elevation of these points will be considered the average elevation of the circle. The difference between the elevation of the center of the radiating system and the average elevation of this circle shall be considered the height of the antenna over the terrain 10 miles from the transmitter. In cases where the applicant believes

this method to be grossly in error due to peculiarities of the terrain, this method shall be used for determining the antenna height but a showing may be made, if desired, determining the height by other means and describing the method used. Calculations of the service contours of Class A stations are not required.

(2) *Class B stations*.

(No changes in present section 2 E (2).)

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12107; Filed, July 13, 1946;
10:50 a. m.]

PART 3—STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

MISCELLANEOUS AMENDMENTS

The Commission in meeting on June 20, 1946, amended § 3.202 *Areas of the United States*, § 3.203 *Class A stations*, § 3.204 *Class B stations*, § 3.205 *Station location*, and adopted § 3.206 *Main studio* to read as follows:

§ 3.202 *Areas of the United States*. For the purpose of allocation the United States is divided into two areas. The first area—area I—includes southern New Hampshire; all of Massachusetts, Rhode Island, and Connecticut; southeastern New York as far north as Albany-Troy-Schenectady; all of New Jersey, Delaware, and the District of Columbia; Maryland as far west as Hagerstown; and eastern Pennsylvania as far west as Harrisburg. The second area—area II—comprehends the remainder of the United States not included in area I.

§ 3.203 *Class A stations*. (a) A Class A station is a station which operates on a Class A channel and is designed to render service primarily to a community or to a city or town other than the principal city of an area, and the surrounding rural area. The transmitter power and antenna height of a class A station shall normally be capable of coverage equivalent¹ to a minimum of 0.1 kw and a maximum of 1.0 kw effective radiated power at 250 feet antenna height, as determined by the methods prescribed in the Standards of Good Engineering Practice Concerning FM Broadcast Stations. Class A stations will not be authorized

¹In some of the territory contiguous to area I, the demand for frequencies requires that applications be given careful study and consideration to insure an equitable distribution of facilities throughout the region. This region includes the remainder of Maryland, Pennsylvania, and New York (except the northeastern corner) not included in area I; Virginia, West Virginia, North Carolina, South Carolina, Ohio, and Indiana; southern Michigan as far north as Saginaw; eastern Illinois as far west as Rockford-Decatur; and southeastern Wisconsin as far north as Sheboygan. Other regions may be added as required.

²For the purpose of determining equivalent coverage, the 1000 uv/m contour should be used.

with more than 1 kw effective radiated power. Standard power ratings of transmitters used for Class A stations shall be not less than 250 watts nor more than 1000 watts. A normal minimum separation for class A stations of 50 miles will be provided on the same channel and 35 miles on adjacent channels.

(b) Twenty channels beginning with 104.1 mc and ending with 107.9 mc (channels 281 through 300) are designated as Class A channels. All of these channels are available for assignment in cities which are not the central city or cities of a metropolitan district. Ten of these channels are also available for assignment in central cities of metropolitan districts which have fewer than six class B stations.²

(c) The main studio of a class A station shall be located in the city served and the transmitter shall be located as near the center of the city as practicable.

§ 3.204 *Class B stations.* (a) A class B station is a station which operates on a class B channel and is designed to render service primarily to a metropolitan district or principal city and the surrounding rural area, or to rural areas removed from large centers of population. The service area of a class B station will not be protected beyond the 1000 uv/m contour; however, class B assignments will be made in a manner to insure, insofar as possible, a maximum of service to all listeners, whether urban or rural, giving consideration to the minimum signal capable of providing service. Standard power ratings of transmitters used for class B stations shall normally be 1000 watts or greater. In the following subsections, antenna height above average terrain and effective radiated power are to be determined by the methods prescribed in the Standards of Good Engineering Practice Concerning FM Broadcast Stations.

(1) In area I, class B stations will be licensed to operate with a service area equivalent² to a minimum of 10 kw effective radiated power and antenna height of 300 feet above average terrain and a maximum of 20 kw effective radiated power and antenna height of 500 feet above average terrain.⁴ In metropolitan districts in area I with a population greater than 250,000 the minimum service area shall be the equivalent² of 20 kw effective radiated power and an antenna height of 350 feet above average terrain. Class B stations in area I will

not be licensed with an effective radiated power greater than 20 kw.

(2) In area II, class B stations will be licensed to operate with a service area equivalent² to a minimum of 2 kw effective radiated power and antenna height of 300 feet above average terrain and a normal maximum of 20 kw effective radiated power and antenna height of 500 feet above average terrain.⁴ The use of greater power and antenna height will be encouraged in those portions of Area II where such use would not result in undue interference to stations already authorized or to probable assignments insofar as can be determined at the time of the grant. In such case, the power, antenna height and area will be determined on the merits of each application, with particular attention being given to rural areas which would not otherwise receive service.

(b) Sixty channels beginning at 92.1 mc and ending 103.9 mc (channels 221 through 280) are designated as class B channels.

§ 3.205 *Station location.* (a) Each FM broadcast station shall be considered located in the state and city where the main studio is located.

(b) The transmitter of each FM broadcast station shall be so located that satisfactory service is delivered to the city where the main studio is located, in accordance with the Standards of Good Engineering Practice Concerning FM Broadcast Stations; *Provided, however,* Upon special showing of need, authorization may be granted to locate the transmitter so that adequate service is not rendered to this city, but in no event shall this city be beyond the 50 uv/m contour.

§ 3.206 *Main studio.* The term "main studio" means the studio from which the majority of local programs originate and/or from which a majority of station announcements are made of programs originating at remote points.

(Sec. 4 (i), 48 Stat. 1066; sec. 303 (r), 48 Stat. 1082; 47 U.S.C. 154 (i), 303 (r))

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12106; Filed, July 13, 1946;
10:50 a. m.]

PART 8—SHIP SERVICE

REQUIREMENTS OF EMERGENCY OR RESERVE INSTALLATION

The Federal Communications Commission in meeting of June 27, 1946, deleted § 8.115 (1) of the Commission's rules governing ship service effective immediately.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12105; Filed, July 13, 1946;
10:50 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[P. & S. Docket No. 402]

UNION STOCK YARDS, CHICAGO, ILL.

NOTICE OF PETITION FOR MODIFICATION

By documents filed on June 17, 19, 1946, the respondents requested a modification of the temporary rates and charges now being assessed by them at the Union Stock Yards for their services.

By orders entered on January 8 and March 12, 1934, pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), the Secretary prescribed reasonable rates and charges to be applied by the respondents for their services as market agencies. On December 26, 1945, an order (4 A. D. 992) was entered suspending until June 30, 1946, the orders entered on January 8 and March 12, 1934. The order of December 26, 1945 is the latest of a series of supplemental orders entered as a result of stipulations specifying rates and charges higher than those prescribed in the orders of January 8 and March 12, 1934. By an order entered on June 27, 1946, the temporary rates and charges presently being applied by respondents were continued in effect for an indefinite period to allow appropriate action to be taken on the petition for modification referred to above. The petition for modification seeks to modify the rates and charges now in effect so as to permit the respondents to publish and file with the Secretary an amendment to their tariff making effective the following rates and charges:

SECTION B—SELLING CHARGES

Section B charges to be applied, except that in no instance shall such charges exceed those provided as maximum in Section C.

	Cents per head
Cattle:	
One head and one head only.....	95
Consignments of more than one head:	
For the first 15 head.....	85
For all over 15 head.....	70
Bulls:	Per head
One head and one head only.....	\$1.25
Consignments of more than one head:	
Apply cattle rates.	
Hogs:	Cents per head
One head and one head only 250# and over.....	50
One head and one head only under 250#.....	40
Consignments of more than one head:	
For the first 10 head.....	30
For the next 15 head.....	27
For all over 25 head.....	20
Sheep:	
One head and one head only.....	35
Consignments of more than one head:	
For the first 10 head in each 250 head.....	28
For the next 50 head in each 250 head.....	18
For the next 60 head in each 250 head.....	8
For the next 130 head in each 250 head.....	3

² For the purpose of determining equivalent coverage, the 1000 uv/m contour should be used.

³ For the time being, until more FM broadcast stations are authorized, the Commission will not authorize class A stations in central cities of metropolitan districts having four or more standard broadcast stations.

⁴ In the determination of appropriate coverage, consideration should be given to population distribution, terrain, service from other FM stations, trade area and other economic factors. Among the recognized trade area authorities are the following: J. Walter Thompson (Retail Shopping Areas), Hearst Magazines, Inc. (Consumer Trading areas), Rand McNally Map Co. (Trading Areas) and Hagstrom Map Co. (Four Color Retail Trading Area Map).

Maximum charge applicable only upon consignments arriving by rail (railroad billing to govern).

\$15.00 per single deck car.
\$20.00 per double deck car.

SECTION C—MAXIMUM SELLING CHARGES

The maximum selling charges shown in this Section C are to be assessed only when such aggregate charges produce a lower charge than the charges shown in Section B.

RAIL CARS

Cattle. The maximum charge for selling a consignment of cattle arriving by rail shall be \$25.00 for each car (railroad billing to govern).

Calves. The maximum charge for selling a consignment of calves arriving by rail shall be \$25.00 for each single deck car and \$32.50 for each double deck car (railroad billing to govern).

Cattle and calves. The maximum charge for selling a carload of cattle and calves arriving by rail shall be \$25.00 for each car (railroad billing to govern).

Hogs. The maximum charge for selling a consignment of hogs arriving by rail shall be \$22.50 for each single deck car and \$30.00 for each double deck car (railroad billing to govern).

Mixed cars. The maximum charge for selling a carload of livestock containing two or more species, delivered in the name of one person to one market agency to be offered for sale during the trading hours of one day, shall be \$27.50 for each single deck car and \$32.50 for each double deck car (railroad billing to govern).

OTHER THAN BY RAIL

Cattle. The maximum charge for selling a consignment of cattle arriving other than by rail shall be the aggregate of \$25.00 for the first 24,400 pounds plus 10 cents for each additional 100 pounds or fraction thereof.

Calves. The maximum charge for selling a consignment of calves arriving other than by rail shall be \$20.00 for each 100 calves or less.

Cattle and calves. The maximum charge for selling a shipment of cattle and calves arriving other than by rail, delivered in the name of one person to one market agency to be offered for sale during the trading hours of one day, shall be the aggregate of \$25.00 for the first 24,400 pounds or less, plus 10 cents for each additional 100 pounds or fraction thereof.

Hogs. The maximum charge for selling a consignment of hogs arriving other than by rail shall be the aggregate of \$22.50 for the first 18,000 pounds plus 10 cents for each additional 100 pounds or fraction thereof.

Mixed shipment. The maximum charge for selling a shipment of livestock, arriving other than by rail, containing two or more species, delivered in the name of one person to one market agency, to be offered for sale during the trading hours of one day, shall be the aggregate of \$27.50 for the first 24,400 pounds or less, plus 10 cents for each additional 100 pounds or fraction thereof.

SECTION D—BUYING CHARGES

The rates for buying livestock shall be the same as the rates shown in section B for selling the same livestock except that in no instance shall such charges exceed those provided as maximum in section E.

SECTION E—MAXIMUM CHARGES

The maximum charges shown in this Section (E) are to be assessed only when such aggregate charges produce a lower charge than the charges shown in Section D.

RAIL CARS

Cattle. The maximum charge for buying a consignment of cattle shipped by rail,

shall be \$25.00 for each car (railroad billing to govern).

Calves. The maximum charge for buying a consignment of calves shipped by rail, shall be \$25.00 for each single deck car and \$32.50 for each double deck car (railroad billing to govern).

Cattle and calves. The maximum charge for buying a carload of cattle and calves shipped by rail shall be \$25.00 for each car (railroad billing to govern).

Hogs. The maximum charge for buying a consignment of hogs shipped by rail, shall be \$22.50 for each single deck car and \$30.00 for each double deck car.

OTHER THAN RAIL

Cattle. The maximum charge for buying a consignment of cattle shipped other than by rail, shall be the aggregate of \$25.00 for the first 24,400 pounds plus 10 cents for each additional 100 pounds or fraction thereof.

Calves. The maximum charge for buying a consignment of calves shipped other than by rail, shall be \$20.00 for each 100 calves or less.

Cattle and calves. The maximum charge for buying a shipment of cattle and calves shipped other than by rail, shall be the aggregate of \$25.00 for the first 24,400 pounds or less, plus 10 cents for each additional 100 pounds or fraction thereof.

Hogs. The maximum charge for buying a consignment of hogs shipped other than by rail, shall be the aggregate of \$22.50 for the first 18,000 pounds plus 10 cents for each additional 100 pounds or fraction thereof.

SECTION G—EXTRA SERVICE CHARGES

The following extra service charges are applicable to each consignment. For each additional weight draft over 3 on account of sales classification brought about by sorting and weighing for the best interests of the shipper: 25 cents.

For each additional check except checks to truckers in payment of transportation, each additional account of sales, each proceeds deposit or bank credit over 1: 5 cents.

SECTION H—RESALES

On livestock purchased on this market by registered traders, or registered market agencies, and without having been removed from this market, resold for account of such purchaser, the commission shall be 50 cents per head on cattle, 25 cents per head on calves, and 6 cents per 100 pounds on the sale weights of hogs, sheep and goats.

SECTION K—NATIONAL LIVE STOCK AND MEAT BOARD

For the purpose of increasing the consumption of meat and meat products, the members of The Chicago Live Stock Exchange, engaged in selling or buying livestock on commission, shall make the following deductions from the proceeds of all livestock sold by them for non-residents:

½ cent for each calf or hog if marketed in less than carlots until contribution reaches 25 cents.

½ cent for each lamb marketed in less than carlots until contribution reaches 25 cents.

1 cent for each head of cattle marketed in less than carlots until contribution reaches 25 cents.

25 cents per car for all livestock marketed in carlots.

Consignments arriving by truck shall be assessed the less than carlot rates with a maximum deduction of 25 cents for each 30 cattle, 75 calves, 75 hogs or 300 sheep.¹

A consignment arriving by truck containing 2 or more of the above classes of livestock shall be subject to a maximum deduction of

¹ Added for clarification (no change)

25 cents for each total weight of 20,000 pounds.¹

All livestock bought for slaughter shall be charged the above rates. The money so collected shall be turned over monthly to the Secretary of the Exchange, who will remit it to the National Live Stock and Meat Board.

If any customer objects to the payment of this sum, his wishes shall be respected and no charge made on his consignment.

SECTION M—FIRE INSURANCE

To defray cost of fire insurance under Hartford Fire Insurance Company Policy No. 5628 the following charge shall be made:

Single truck loads or odd lot consignments:

½ cent per head on cattle.
½ cent per head on calves.
½ cent per head on hogs.
½ cent per head on sheep.

Minimum charge of 1 cent and maximum charge of 7 cents per owner in any truck load.

Truck shipments of live stock as shown on the Stock Yard Company records may disclose several truck loads of single ownership as one consignment. In such consignments of single ownership, 30 cattle, 75 calves, 75 hogs or 300 sheep shall constitute a carload and shall take a maximum of 7 cents per carload.

Excess number of head above carloads in such consignments shall pay additional premium at the above odd lot rate per head.

Arriving by truck containing 2 or more of the above classes of livestock shall be subject to a maximum deduction of 7 cents for each total weight of 20,000 pounds.¹

	Cents per car
Carload consignments.....	7

The rates and charges now set forth in respondents' tariff on file with the Secretary are as follows:

SECTION B—SELLING CHARGES

Section B charges to be applied, except that in no instance shall such charges exceed those provided as maximum in Section C.

	Cents per head
Cattle:	
One head and one head only.....	90
Consignments of more than one head:	
One to 15 head.....	75
Over 15 head.....	60
Hogs:	
One head and one head only.....	35
Consignments of more than one head:	
One to 25 head.....	25
Over 25 head.....	20
Sheep or goats:	
One head and one head only.....	35
Consignments of more than one head:	
For the first 10 head in each 300 head.....	26
For the next 50 head in each 300 head.....	16
For the next 60 head in each 300 head.....	5
For the next 130 head in each 300 head.....	2
For the next 50 head in each 300 head.....	1

SECTION C—MAXIMUM CHARGES

The maximum charges shown in this Section (C) are to be assessed only when such aggregate charges produce a lower charge than the charges shown in Section B.

RAIL CARS

Cattle. The maximum charge for selling a consignment of cattle arriving by rail shall be \$21.00 for each car (railroad billing to govern).

Calves. The maximum charge for selling a consignment of calves arriving by rail shall be \$20.00 for each single deck car and \$25.00

for each double deck car (railroad billing to govern).

Cattle and calves. The maximum charge for selling a consignment of cattle and calves arriving by rail shall be \$21.00 for each car (railroad billing to govern).

Hogs. The maximum charge for selling a consignment of hogs arriving by rail shall be \$18.00 for each single deck car and \$25.00 for each double deck car (railroad billing to govern).

Mixed cars. The maximum charge for selling a carload of livestock containing two or more species, delivered in the name of one person, to one market agency to be offered for sale during the trading hours of one day, shall be \$22.00 for each single deck car and \$27.00 for each double deck car (railroad billing to govern).

OTHER THAN BY RAIL

Cattle. The maximum charge for selling a consignment of cattle arriving other than by rail shall be (the aggregate of) \$21.00 for the first 24,400# plus 8¢ for each additional 100 pounds or fraction thereof.

Calves. The maximum charge for selling a consignment of calves arriving other than by rail shall be \$20.00 for each 100 calves or less, and \$25.00 for each 200 calves or less.

Cattle and calves. The maximum charge for selling a consignment of cattle and, arriving other than by rail, shall be (the aggregate of) \$21.00 for the first 24,400 pounds or less, plus 8 cents for each additional 100 pounds or fraction thereof.

Hogs. The maximum charge for selling a consignment of hogs arriving other than by rail shall be (the aggregate of) \$18.00 for the first 18,000# plus 8¢ for each additional 100 pounds, or fraction thereof.

Mixed shipment. The maximum charge for selling a shipment of livestock, arriving other than by rail, containing two or more species, delivered in the name of one person to one market agency, to be offered for sale during the trading hours of one day, shall be (the aggregate of) \$22.00 for the first 24,400 pounds or less, plus 8 cents for each additional 100 pounds or fraction thereof.

SECTION D—BUYING CHARGES

The rates for buying live stock shall be the same as the rates shown in Section B for selling the same live stock except that in no instance shall such charges exceed those provided as maximum in Section E.

SECTION E—MAXIMUM CHARGES

The maximum charges shown in this Section (E) are to be assessed only when such aggregate charges produce a lower charge than the charges shown in Section D.

RAIL CARS

Cattle. The maximum charge for buying a consignment of cattle, shipped by rail, shall be \$18.00 for each car (Railroad billing to govern).

Calves. The maximum charge for buying a consignment of calves, shipped by rail, shall be \$20.00 for each single deck car and \$25.00 for each double deck car. (Railroad billing to govern).

Cattle and calves. The maximum charge for buying a carload of cattle and calves shall be \$21.00 for each car. (Railroad billing to govern).

Hogs. The maximum charge for buying a consignment of hogs shipped by rail, shall be \$12.00 for each single deck car and \$14.00 for each double deck car. (No extra service charge to apply).

OTHER THAN BY RAIL

Cattle. The maximum charge for buying a consignment of cattle shipped other than by rail, shall be the aggregate of \$18.00 for the first 24,400 pounds plus 7¢ for each additional 100 pounds or fraction thereof.

Calves. The maximum charge for buying a consignment of calves shipped other than by rail, shall be \$20.00 for each 100 calves or less, and \$25.00 for each 200 calves or less.

Cattle and calves. The maximum charge for buying a consignment of cattle and calves for shipment other than by rail, shall be the aggregate of \$18.00 for the first 24,400# or less, plus 7¢ for each additional 100# or fraction thereof.

Hogs. The maximum charge for buying a consignment of hogs shipped other than by rail, shall be the aggregate of, \$14.00 for the first 18,000 pounds plus 7¢ for each additional 100 pounds or fraction thereof. (No extra service charge to apply).

SECTION G—EXTRA SERVICE CHARGES

The following extra service charges are applicable to each consignment (except where specified to the contrary).

For each additional weight draft over 3 on account of sales classification.....	15
For each additional check, each additional account of sales, each proceeds deposit or bank credit over 1.....	5

SECTION H—RESALES

On livestock purchased on this market by registered traders, or registered market agencies, and without having been removed from this market, resold for the account of such purchaser, the commission shall be 40¢ per head on cattle, 20¢ per head on calves, and 5¢ per cwt. on the sale weights of hogs, sheep and goats.

SECTION L—NATIONAL LIVE STOCK AND MEAT BOARD

For the purpose of increasing the consumption of meat and meat products, the members of The Chicago Live Stock Exchange, engaged in selling or buying livestock on commission, shall make the following deductions from the proceeds of all livestock sold by them for non-residents.

25¢ per car for all livestock marketed in carlots.

½¢ for each calf or hog if marketed in less than carlots until contribution reaches 25¢.

½¢ for each lamb marketed in less than carlots until contribution reaches 25¢.

1¢ for each head of cattle marketed in less than carlots until contribution reaches 25¢.

All livestock bought for slaughter shall be charged the above rates.

The money so collected shall be turned over monthly to the Secretary of the Exchange, who will remit it to the National Live Stock and Meat Board.

If any customer objects to the payment of this sum, his wishes shall be respected and no charge made on his consignment.

SECTION N—FIRE INSURANCE

To defray cost of fire insurance under Hartford Fire Insurance Company Policy No. 5628 the following charge shall be made:

Single truck loads or odd lot consignments:	
½¢ per head on cattle.	
½¢ per head on calves.	
½¢ per head on hogs.	
½¢ per head on sheep.	

Minimum charge of 1¢ and maximum charge of 7¢ per owner in any truck load.

Truck shipments of livestock as shown on the Stock Yard Company records may disclose several truck loads of single ownership as one consignment. In such consignments of single ownership, 30 cattle, 75 calves, 75 hogs, or 300 sheep shall constitute a carload and shall take a maximum of 7¢ per carload. Excess number of head above carloads in such consignments shall pay additional premium at the above odd lot rate per head.

Cents
per car

Carload consignments..... 7

Effect of proposed modification. The effect of proposed modification, if granted, would result in additional revenue to the respondents and, accordingly, it appears that public notice should be given to all interested persons of the request of the respondents and to afford all interested persons, including patrons of the respondents, an opportunity to manifest their desire to be heard on the matter.

Therefore, notice is hereby given to the public and to all interested persons of the request of the respondents for a further modification of the orders of the Secretary referred to above.

All interested persons who desire to be heard shall notify the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within fifteen days from the date of the publication of this order.

Copies hereof shall be served on the respondents by registered mail or in person.

Done at Washington, D. C., this 13th day of July 1946.

[SEAL]

E. A. MEYER,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 46-12136; Filed, July 15, 1946; 11:11 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-743]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

JULY 12, 1946.

Notice is hereby given that on June 27, 1946, Panhandle Eastern Pipe Line Company (applicant), a Delaware corporation, having principal offices at 1221 Baltimore Avenue, Kansas City 6, Missouri, and at 135 South La Salle Street, Chicago 3, Illinois, filed an application with the Federal Power Commission, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the applicant to construct and operate an inter-connection of its pipe line system with the Central Illinois Light Company at a point approximately midway between Yates City and Elmwood, Illinois, where the applicant's 8-inch Galesburg lateral crosses Central Illinois Light Company's 4-inch line.

From the application and exhibits submitted therewith it appears that the applicant presently maintains connections and points of delivery of natural gas to the Central Illinois Light Company, at the town border of Peoria, Illinois, for distribution and resale by that company at Peoria, Elmwood, Yates City and other municipalities in Illinois, under FPC Rate Schedule No. 64 and supplements thereto. It further appears that applicant has been requested by Central Illinois Light Company for an additional connection

at the point hereinbefore described for the purpose of enabling the Central Illinois Light Company to maintain sufficient pressure in its 4-inch pipe line to meet demands of attached customers in Yates City and Elmwood, Illinois, on peak days.

Applicant states that no change is proposed to be made in the total volumes of gas to be delivered to Central Illinois Light Company under the existing contract with that Company, nor is any change contemplated in existing rates and charges, and that, there will be no impairment of service to Applicant's other customers who are presently served by the Galesburg lateral serving the Central Illinois Light Company.

Applicant estimates the total cost of the proposed connection and constructing metering and regulator station and appurtenant facilities will be approximately \$4,600.00.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, as amended, and if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of the Applicant should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of this publication, a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-12130; Filed, July 15, 1946;
10:20 a. m.]

[Docket No. G-720]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

JULY 12, 1946.

Upon consideration of the application filed on April 29, 1946, by Cities Service Gas Company (applicant), a corporation organized under the laws of the State of Delaware and having its principal place of business in Oklahoma City, Oklahoma for: (1) a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of 64.5 miles of 12-inch natural gas pipeline from the Phillips Petroleum Company compressor station in the Edmond, Oklahoma gas field to Applicant's Drumright compressor station near Drumright, Creek County, Oklahoma, and 6.5 miles of 16-inch natural gas pipe line extending from Applicant's Craig storage field to its Glavin metering station, both in Johnson County, Kansas, to be used in connection with Applicant's

transportation and sale of natural gas in interstate commerce for resale, and (2) for approval of abandonment of approximately 61 miles of 12-inch natural gas pipe line extending from a point in Kingman County, Kansas, to Applicant's Wichita compressor station, this pipe to be used in the construction of the proposed line from the Edmond gas field to Drumright compressor station;

The Commission orders that:

(A) A public hearing be held commencing on July 19, 1946, at 10:00 a. m. (e. s. t.) in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington 25, D. C., respecting the matters involved and the issues presented in this proceeding: *Provided, however*, That if no protest or petition to intervene has been filed or allowed prior to the date hereinbefore fixed for hearing, or if a protest or petition to intervene, in the judgment of the Commission, raises no issue of substance, the Commission may dispose of the application without contested hearing, by order upon the application and evidence filed or available to the Commission and such additional evidence as the Commission may require to be filed for its consideration.

(B) Interested state commission may participate as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-12129; Filed, July 15, 1946;
10:20 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 546]

REROUTING OF TRAFFIC ON MISSISSIPPI CENTRAL RAILROAD

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of July A. D. 1946.

It appearing, that a strike of certain employees of the Mississippi Central Railroad Company is interfering with operation of that carrier, and that the said carrier is unable to transport the traffic offered to it for movement over its lines; the Commission is of opinion an emergency exists requiring immediate action in that section of the country to avoid congestion of traffic, and to best promote the service in the interest of the public and the commerce of the people: It is ordered, that:

Employees strike on the Mississippi Central R. R. Co.—(a) *Rerouting of freight traffic.* All common carriers by railroad, subject to the Interstate Commerce Act, connecting with the Mississippi Central Railroad Company, on freight traffic which is routed over, or ordinarily moves over the Mississippi Central Railroad Company, are hereby directed to forward such freight traffic via routes most available to expedite its movement and prevent congestion, with-

out regard to the routing thereof made by shippers or by carriers from which the traffic is received, or to the ownership of cars: *Provided*, That the billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting. All rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded insofar only as conflicting with the directions hereby made.

(b) *Rates to be applied.* That inasmuch as such disregard of routing is deemed to be due to carrier's disability, the rates applicable to traffic so forwarded by routes other than those designated by shippers, or by carriers from which the traffic is received, pursuant to this order, shall be the rates which were applicable at date of shipment over the routes so designated.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(d) *Effective date.* This order shall become effective at 12:01 p. m., July 12, 1946.

(e) *Expiration date.* This order shall expire at 11:59 p. m., July 31, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 418; 41 Stat. 476, 485, sec. 4, 10; 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, that copies of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-12137; Filed, July 15, 1946;
11:34 a. m.]

[S. O. 396, Special Permit 47]

RECONSIGNMENT OF CUCUMBERS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F.R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconignment at Chicago, Illinois, July 10, 1946, by R. H. Dietz & Co., of car WFE 61804, cucumbers, now on the Wabash RR., to Paul Darver, Caledonia, Wis. (C. M. St. P. & P.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of July 1946.

G. M. JACKSON,
Acting Director,
Bureau of Service.

[F. R. Doc. 46-12138; Filed, July 15, 1946;
11:34 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1288]

PENNSYLVANIA GAS AND ELECTRIC CORP. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of July A. D. 1946.

In the matter of Pennsylvania Gas & Electric Corporation, The Petersburg & Hopewell Gas Company, Penn-Western Service Corporation, File No. 70-1288.

Pennsylvania Gas & Electric Corporation ("Penn Corp"), a registered holding company, and The Petersburg & Hopewell Gas Company ("Petersburg") and Penn-Western Service Corporation ("Penn-Western"), subsidiaries of Penn Corp having filed an application and declaration and an amendment thereto pursuant to sections 9 (a), 10 and 12 of the Public Utility Holding Company Act of 1935 and the rules thereunder regarding:

1. The sale and transfer by Penn Corp to Scott, Horner & Mason, Incorporated of Lynchburg, Virginia of Penn Corp's investment in Petersburg consisting of 55,000 shares of common stock with a par value of \$10 per share (all of the outstanding common stock of Petersburg) for a cash consideration of \$600,000 subject to closing adjustments.

2. The donation by Petersburg to Penn-Western (an approved mutual service company) of Petersburg's investment in Penn-Western consisting of 24 shares of capital stock of Penn-Western with a par value of \$10 per share and the acquisition of such capital stock by Penn-Western and the payment by Penn-Western to Penn Corp of an amount (\$240) equivalent to the consid-

eration originally received by Penn-Western from Penn Corp for the issuance of such capital stock.

A public hearing having been held after appropriate notice and the Commission having filed its findings and opinion herein:

Penn Corp having requested that the Commission's order shall conform with section 373 (a) of the Internal Revenue Code, as amended, and contain the recitals, specifications and itemizations described in sections 371 (f) and 1808 (f) thereof:

It is ordered, That said application and declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24 and to a reservation of jurisdiction with respect to the use of the proceeds obtained by Penn Corp from the sale of the capital stock of Petersburg;

It is further ordered, That the transactions proposed in the aforesaid application and declaration, as amended, to be effected by Penn Corp with respect to the sale of the capital stock of Petersburg particularly those hereinafter described and recited are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

The sale and transfer by Penn Corp to Scott, Horner & Mason, Incorporated of 55,000 shares of capital stock of the par value of \$10 per share for the consideration and upon the terms and conditions specified in the application and declaration, as amended, of Penn Corp (File No. 70-1288).

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12087; Filed, July 13, 1946;
9:43 a. m.]

[File No. 31-538]

CINCINNATI MILLING MACHINE CO. AND FACTORY POWER CO.

ORDER GRANTING APPLICATION FOR EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of July A. D. 1946.

The Cincinnati Milling Machine Company ("Cincinnati Milling"), a corporation not registered as a holding company, having filed an application requesting an exemption for it and all of its subsidiaries as such, pursuant to section 3 (a) (3) (A) of the Public Utility Holding Company Act of 1935; and

A notice of filing having been issued on May 8, 1946, with respect to said application, and the Commission not having received a request for hearing with respect to said application within the period prescribed in said notice or otherwise and not having ordered a hearing thereon; and

The Commission finding that Cincinnati Milling is only incidentally a holding company, being primarily engaged

or interested in one or more businesses other than the business of a public utility company and not deriving directly or indirectly any material part of its income from The Factory Power Company ("Factory Power"), its only subsidiary company the principal business of which is that of a public utility company, and finding further that the requested exemption is not detrimental to the public interest or the interest of investors or consumers; and

Cincinnati Milling and Factory Power, by amendment to the application herein, having requested that permission be granted to withdraw the application of Factory Power pursuant to section 2 (a) (3) of the act, and the application of Cincinnati Milling except as it relates to section 3 (a) (3) (A) of the act, and it appearing appropriate in the interests of investors and consumers that such requests be granted;

It is hereby ordered, That the application of The Cincinnati Milling Machine Company on behalf of itself as a holding company and its subsidiaries as such, for exemption pursuant to section 3 (a) (3) (A) of the act, be and it is hereby granted, said companies however to remain subject to any obligations imposed on them by any provisions of the act in any capacity other than that of a holding company or a subsidiary company of a holding company.

It is further ordered, That the request of The Factory Power Company for permission to withdraw its application for an order pursuant to section 2 (a) (3) of the Act, and the request of The Cincinnati Milling Machine Company for permission to withdraw its application for an order to be issued either pursuant to section 2 (a) (7) of the act or pursuant to sections 3 (a) (1) and 3 (a) (5) of the act, be and they are hereby granted, and that said applications be and they are hereby deemed withdrawn.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12088; Filed, July 13, 1946;
9:43 a. m.]

[File No. 70-1321]

KITTERY ELECTRIC LIGHT CO. AND NEW ENGLAND GAS AND ELECTRIC ASSN.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of July 1946.

New England Gas and Electric Association (New England), a registered holding company, and its subsidiary, Kittery Electric Light Company (Kittery), having filed a joint application-declaration pursuant to sections 6 (b), 10 and 12 of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder regarding the following transactions:

New England presently owns all of the outstanding common stock of Kittery. Kittery proposes to issue and sell to New

England an additional 1,500 shares of common stock of the par value of \$50 per share, at a price of \$50 per share, or an aggregate of \$75,000, such issue and sale having been expressly authorized by the Public Utilities Commission of the State of Maine by order dated May 24, 1946. The proceeds from the proposed sale, together with available company funds, will be used by Kittery to redeem presently outstanding 3½% serial notes due February 1, 1966, in the principal amount of \$150,000, at par plus a premium of 4¼% and accrued interest to date of redemption, all in accordance with the terms of the notes.

Said application-declaration having been filed on June 17, 1946, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23 promulgated under said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application under section 6 (b) of the act that the requirements of said section have been satisfied, and with respect to said application under section 10 of the act that no adverse findings are necessary under sections 10 (b) or 10 (c) (1) of the act and that the transaction involved has the tendency required by section 10 (c) (2) of the act, and that the requirements under section 12 (f) of the act and Rule U-43 promulgated thereunder are satisfied:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application-declaration be, and hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL]

NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12089 Filed, July 13, 1946;
9:43 a. m.]

[File No. 70-1336]

CAMBRIDGE ELECTRIC LIGHT CO. AND NEW ENGLAND GAS AND ELECTRIC ASSN.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of July 1946.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Gas and Electric Association (New England), a registered holding company, and its subsidiary Cambridge Electric Light Company (Cambridge); and

Notice is further given that any person may, not later than July 24, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reason for such request and the nature of his interest, or may request that he be notified if the

Commission should order a hearing thereon. At any time thereafter, such application-declaration, as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application-declaration, which is on file in the offices of said Commission, for a statement of the transactions therein proposed, which are summarized below:

New England presently owns all the outstanding common stock of Cambridge. Cambridge proposes to issue and sell to New England an additional 3,400 shares of common stock, of the par value of \$25 per share, at a price of \$150 per share, or an aggregate of \$510,000, said price having been fixed by the Department of Public Utilities of Massachusetts. The proceeds from the proposed sale are to be used for the purpose of paying presently outstanding indebtedness aggregating \$500,000 due The First National Bank of Boston on notes of the company which matured June 30, 1946, and for expenditures to plant subsequent to December 31, 1945.

The application by Cambridge is filed pursuant to section 6 (b) of the act for exemption from the provisions of section 6 (a) of the act as to the issue and sale of the 3,400 shares of common stock, such issue and sale having been expressly authorized by the Department of Public Utilities of Massachusetts by order dated June 28, 1946. New England has joined in the filing under sections 9 (a), 10 and 12 (f) of the act in respect to its acquisition of the additional shares of common stock of Cambridge.

By the Commission.

[SEAL]

NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12090; Filed, July 13, 1946;
9:44 a. m.]

[File No. 54-51]

NATIONAL POWER & LIGHT CO. AND CAROLINA POWER & LIGHT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of July A. D. 1946.

National Power & Light Company ("National"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, and Carolina Power & Light Company ("Carolina"), a public utility subsidiary of National Power & Light Company, having filed a joint application-declaration pursuant to the provisions of the Public Utility Holding Company Act of 1935 regarding the following proposed transactions:

Carolina proposes to amend its agreement of merger and consolidation

(Charter), subject to approval of its stockholders, to provide in substance, (1) that whenever the common stock equity of Carolina is less than 20% of total capitalization and surplus, the company cannot pay dividends on its common stock (other than dividends payable in common stock) in an amount which exceeds 50% of net income available for common stock, and (2) that whenever the common stock equity of Carolina is between 20% and 25% of total capitalization and surplus, the company cannot pay dividends on its common stock (other than dividends payable in common stock) in an amount which exceeds 75% of net income available for common stock. The proposed amendment also provides that whenever the ratio of common stock equity to total capitalization and surplus exceeds 25%, no restriction upon common stock dividends is imposed unless the payment of such dividends would reduce the ratio to less than 25% of total capitalization and surplus.

Carolina also proposes to amend its charter, subject to approval of its stockholders, to grant to its common stockholders preemptive rights in connection with the sale or issuance of any new or increased shares of common stock, and to require that the consideration received by the company from the issuance and sale of any additional shares of common stock without nominal or par value shall be entered in its capital account on its books of account.

National and Carolina jointly request that the commission rescind its order dated November 3, 1941, prohibiting National from causing or permitting Carolina to declare or pay dividends on its common stock in excess of \$600,000 per annum plus 25% of the amount by which net earnings available for common stock may exceed \$1,250,000 per annum.

Said application-declaration having been filed on the 24th day of June 1946, and a notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and the rules thereunder are satisfied and deeming it appropriate in the public interest and the interest of investors and consumers that said application-declaration be granted and permitted to become effective and that the effective date thereon be advanced:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12091; Filed, July 13, 1946;
9:44 a. m.]

[File No. 54-51]

NATIONAL POWER & LIGHT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of July A. D. 1946.

National Power & Light Company, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, having filed an application-declaration pursuant to the provisions of the Public Utility Holding Company Act of 1935 regarding the following proposed transactions:

National Power & Light Company proposes, subject to requisite stockholder approval, to reduce the capital of National represented by the 5,468,927 shares of common stock of National issued and outstanding (including 12,827 shares held in the treasury) from \$98,520,845 to \$546,892.70 and to create thereby, after adjustment of treasury shares, capital surplus in the amount of \$97,910,878.23. National Power & Light Company states that the proposed reduction in capital is a preliminary step to the distribution of its assets in compliance with the Order of Dissolution of this Commission dated August 23, 1941 directed against National.

Said application-declaration having been filed on the 11th day of June 1946, and a notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the Act and the Rules thereunder are satisfied and deeming it appropriate in the public interest and the interest of investors and consumers that said application-declaration be granted and permitted to become effective and that the effective date thereon be advanced:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12092; Filed, July 13, 1946;
9:44 a. m.]

[File Nos. 70-1297, 70-1302]

UNITED GAS IMPROVEMENT CO. ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of July A. D. 1946.

In the matters of The United Gas Improvement Company, File No. 70-1297; Kansas City Gas Company and The Wyandotte County Gas Company, File No. 70-1302.

Kansas City Gas Company (Kansas City) and The Wyandotte County Gas Company (Wyandotte), subsidiaries of Cities Service Company, a registered holding company, and The United Gas Improvement Company (UGI), also a registered holding company, having filed applications and declarations and amendments thereto pursuant to sections 6 (b), 12 (c) and 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-44, and U-50 promulgated thereunder, regarding (1) the sale by UGI to Kansas City of 33,401.96 shares of 6% cumulative first preferred stock, par value \$100, and 15,527.36 shares of 6% non-cumulative second preferred stock, par value \$100, of Kansas City for \$4,892,932 in cash subject to adjustments for accrued dividends; (2) the sale by UGI to Wyandotte of 1,000 shares of 6% cumulative first preferred stock, par value \$100, and 4,000 shares of 6% non-cumulative second preferred stock, par value \$100, for \$257,068 in cash subject to adjustments for accrued dividends; (3) the acquisition and retirement by Kansas City and Wyandotte of their respective preferred stocks set forth above; and (4) the issue and sale to banks by Kansas City of nine-month promissory notes in the aggregate principal amount of \$4,000,000 bearing interest at the rate of 1 3/4 % per annum; and

UGI having requested an exception from the competitive bidding provisions of Rule U-50 in connection with the proposed sale of the preferred stocks of Kansas City and Kansas City having requested that the Commission exempt the issue and sale of the said notes from the provisions of sections 6 (a) and 7 of the act pursuant to the first sentence of section 6 (b) thereof; and

UGI having requested that the order of the Commission to be issued herein conform to the pertinent requirements of section 1808 (f) of the Internal Revenue Code, as amended; and

The applications and declarations of Kansas City and Wyandotte and the declaration of UGI having been consolidated, and public hearing having been held after appropriate notice; and the Commission having considered the record and having made and filed its findings and opinion herein;

It is ordered, That the applications and declarations, as amended, be, and the same are hereby granted and permitted to become effective, subject to the conditions prescribed by Rule U-24.

It is further ordered, That the proposed sale by UGI of 33,401.96 shares of 6% cumulative first preferred stock and 15,527.36 shares of 6% noncumulative preferred stock of Kansas City is hereby excepted from the provisions of Rule U-50.

It is further ordered, That the aggregate amount of outstanding notes and drafts having a maturity of nine months or less which Kansas City may issue be increased to such percentage of the principal amount and par value of the other

outstanding securities of Kansas City as may be necessary to permit the issuance of the proposed notes in the aggregate principal amount of \$4,000,000 in accordance with the terms and for the purposes set forth in the application.

It is further ordered and recited, That the sale by UGI of 33,401.96 shares of \$100 par value 6% cumulative first preferred stock and 15,527.36 shares of \$100 par value 6% non-cumulative second preferred stock of Kansas City, and 1,000 shares of \$100 par value 6% cumulative first preferred stock and 4,000 shares of \$100 par value 6% non-cumulative second preferred stock of Wyandotte is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12093; Filed, July 13, 1946;
9:44 a. m.]

[File Nos. 70-1333, 70-1270]

NORTH AMERICAN LIGHT AND POWER CO.
AND ILLINOIS POWER CO.NOTICE OF FILING AND ORDER FOR HEARING
AND ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 11th day of July 1946.

Notice is hereby given that an application-declaration has been filed with this Commission by North American Light & Power Company, a registered holding company and subsidiary of The North American Company, a registered holding company.

All interested persons are referred to said application-declaration which is on file in the office of this Commission for a statement of transactions therein proposed, which may be summarized as follows:

North American Light & Power Company proposes to exercise its holdings of 300,000 warrants of its subsidiary, Illinois Power Company, to purchase 300,000 shares of common stock of Illinois Power Company at \$30 per share, resulting in a total purchase price of \$9,000,000. Such amount, it is proposed, should be used by Illinois Power Company together with other available funds to pay dividend arrears on its present preferred stock and to pay \$11,596,680 principal amount of dividend arrears certificates, represented by 433,195 certificates of \$24 each.

Illinois Power Company has heretofore filed an application-declaration which, as amended, proposes in general (i) the payment of dividend arrears on its preferred stock and the Dividend Arrears Certificates by the use of treasury funds; (ii) the call and redemption of its preferred stock which by its terms is convertible into common stock on the basis of 2 shares of common for each share of preferred, pursuant to an underwriting agreement by which all common shares not issued in conversion will be purchased by the underwriter; and (iii) the issuance and sale of 200,000 shares of \$50

par value serial preferred stock by competitive bidding. Hearings have been held on such application-declaration and said hearings are presently in adjournment subject to the call of the trial examiner to permit Illinois Power Company to file additional information.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application-declaration filed by North American Light & Power Company, and that said application-declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission; and

It further appearing to the Commission that the foregoing filings of North American Light & Power Company and Illinois Power Company are related and that evidence offered in respect of each of the matters may have a bearing on the other, and that substantial savings in time, effort and expense will result if said matters are consolidated;

It is ordered, That said matters be, and hereby are, consolidated subject to the reservation that if at any time it appears conducive to the orderly, efficient and economic disposition of the matters herein, the Commission may order a separate hearing concerning any of the issues in the consolidated proceedings, may close the record with respect to any of such issues or may take any action on any such issues prior to the closing of the record on the other issues therein or may consolidate with these proceedings other matters or filings pertaining to the instant proceedings.

It is further ordered, That a hearing on said application-declaration filed by North American Light & Power Company be held on July 30, 1946, at 10:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At such hearing there will also be heard such other and further evidence as Illinois Power Company or any other participant in the proceeding may desire to adduce with respect to the application-declaration filed by Illinois Power Company. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing shall be held. Any person desiring to be heard or otherwise wishing to participate in these consolidated proceedings shall file with the Secretary of the Commission on or before July 26, 1946, his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Willis A. Monty or any other officer or officers of the Commission designated to preside at 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.

It is further ordered, That without limiting the scope of issues presented by the application-declaration filed by North American Light & Power Company, particular attention will be directed at the hearing to the following

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matters and questions (in addition to the matters and questions heretofore designated in our order dated May 7, 1946, Holding Company Act Release No. 6613, with respect to the aforementioned application-declaration filed by Illinois Power Company):

1. Whether the proposed acquisition of securities meets the requirements of section 10 of the act;

2. Whether the consideration proposed to be paid is reasonable and bears a fair relation to the sums invested in or the earning capacity of the utility assets underlying the securities to be acquired;

3. Whether the proposed acquisition of securities will unduly complicate the capital structure of the holding-company system of the applicant or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of such holding-company system;

4. Whether the proposed acquisition of securities is subject to the laws of any State, and, if so, whether compliance has been made with such laws;

5. Whether, in general, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or the rules, regulations or orders promulgated thereunder, and whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions.

It is further ordered, That the Secretary of this Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice and order to North American Light & Power Company, Illinois Power Company, and the Illinois Commerce Commission by registered mail, and that notice of the aforesaid hearing shall be given to all other persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12094; Filed, July 13, 1946;
9:44 a. m.]

[File No. 70-1332]

WASHINGTON WATER POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of July A. D. 1946.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by The Washington Water Power Company ("Washington"), an electric utility subsidiary of American Power & Light Company, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company.

Notice is further given that any interested person may, not later than July 25, 1946 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be

held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration as filed or as amended may be permitted to become effective pursuant to Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Washington proposes to call in, redeem and retire, at the redemption price of \$110 per share, plus accrued dividends, 68,753 shares of the 103,753 shares of its no par value \$6 preferred stock presently outstanding in the hands of the public. At April 30, 1946, the aggregate stated value on the books of Washington of the shares to be retired was \$6,869,258, or approximately \$99.91 per share. The overall cash cost to the company to retire said shares is estimated at \$7,636,583, including estimated expenses of \$5,000 and the payment of accrued dividends.

It is proposed to retire all shares of Washington's \$6 preferred stock now held by stockholders whose post offices addresses now of record with the company are outside of Washington's service area, which consists of Stevens, Lincoln, Spokane, Adams, Whitman and Asotin Counties in the State of Washington; the towns of Chelan, Chelan Falls, Lakeside and Manson in Chelan County, Washington; the town of Hartline in Grant County, Washington; the towns of Cusick and Usk in Pend Oreille County, Washington; the Counties of Kootenai, Shoshone, Latah, Benewah, Nez Perce, Lewis, Idaho and Clearwater in the State of Idaho. The difference between the number of shares called for retirement from holders outside the service area and the 68,753 total shares to be retired is proposed to be made up by selecting, by lot, shares held by holders within the service area.

The articles of incorporation of Washington provide that if less than all of the shares of the \$6 preferred stock are to be redeemed, the shares to be redeemed shall be selected in such manner as the Board of Trustees or the Executive Committee shall determine.

Upon consummation of the proposed transactions described above, Washington will have outstanding 35,000 shares of \$6 preferred stock with an aggregate stated value of \$3,496,850.

Washington has designated section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42 thereunder as applicable to the proposed transactions.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12095; Filed, July 13, 1946;
9:44 a. m.]

[File No. 54-51]

NATIONAL POWER & LIGHT CO. AND BIRMINGHAM ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of July A. D. 1946.

National Power & Light Company ("National"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, and Birmingham Electric Company ("Birmingham"), a public utility subsidiary of National, having filed a joint application-declaration pursuant to the provisions of the Public Utility Holding Company Act of 1935 regarding the following transaction:

Birmingham proposes to amend its Certificate of Incorporation, subject to approval of its stockholders, to grant to its common stockholders preemptive rights in connection with the sale or issuance of any new or increased shares of common stock.

Said application-declaration having been filed on the 27th day of June 1946, and a notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the Act and the Rules thereunder are satisfied and deeming it appropriate in the public interest and the interest of investors and consumers that said application-declaration be granted and permitted to become effective and that the effective date thereon be advanced:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12096; Filed, July 13, 1946;
9:45 a. m.]

[File No. 812-440]

AMERICAN RESEARCH AND DEVELOPMENT CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of July A. D. 1946.

American Research and Development Corporation has filed an application pursuant to the provisions of section 6 (c) of the Investment Company Act of 1940 for an order or orders of exemption (1) from the provisions of section 12 (d) and (e) of the act to the extent

necessary to permit any registered investment company to purchase shares of the applicant (American Research and Development Corporation), (2) from the provisions of section 13 (a) (1) of the act in respect of a change of the applicant's classification under the Act from a diversified to a non-diversified company, and (3) from the provisions of section 14 (a) with respect to the manner in which its securities will be initially offered to the public.

It is ordered, pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on the 23d day of July at 10 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That Allen MacCullen, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the above-named applicant, and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12134; Filed, July 15, 1946;
10:20 a. m.]

[File No. 52-19]

PORTLAND ELECTRIC POWER CO.

NOTICE OF FILING OF AMENDMENTS TO PLAN

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 12th day of July 1946.

Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company ("PEPCO"), a registered holding company, and a debtor now in reorganization under Chapter X of the Bankruptcy Act, as amended, in the District Court of the United States for the District of Oregon, having filed an amended plan, a first alternative amended plan and a second alternative amended plan for the reorganization of PEPCO, pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935; and

The Commission having, on January 14, 1946, issued its findings, opinion and order (Holding Company Act Release No. 6365) approving the Trustees' second alternative amended plan for submission to said District Court subject to certain terms and conditions, *inter alia*:

1. That prior to the submission of the plan to the District Court, the Trustees shall file with the Court and the Commission an amendment or amendments to their second alternative amended plan (a) reserving to themselves the right, at

any time prior to the consummation of the plan, to apply to the Court and to the Commission for approval of the sale of the common stock of Portland General Electric Company or Portland Traction Company, (b) deleting from the second alternative amended plan, paragraph (I) of Article VII thereof, and (c) deleting therefrom the language of the introduction quoted in the Findings and Opinion of the Commission herein and paragraph (D) of Article IV, relating to the sale by Portland General Electric Company of the stock of Seattle Gas Company and the status of Portland General Electric Company as a registered holding company; *Provided, however*, That submission of said amendment or amendments to the Court need not await the Commission's further approval thereof;

2. That jurisdiction be reserved to the Commission over any sale of the stocks of Portland General Electric Company or Portland Traction Company;

3. That jurisdiction be reserved to the Commission to review and reexamine the allocations of securities provided in the plan, in the event that the stocks of Portland General Electric Company or Portland Traction Company are sold; and

The Trustees having filed the amendments to their second alternative amended plan in compliance with Condition 1 contained in our order of January 14, 1946; and the Court having on June 29, 1946 entered its order approving the Trustees' second alternative amended plan of reorganization, as amended, in compliance with said conditions, and as further amended by inserting a paragraph in said plan to the effect that acceptance of the plan by holders of two-thirds in amount of bonds, represented in proofs of claim individually filed and allowed herein, is essential to the confirmation of the plan; and

The Court having on April 26, 1946 entered its order approving the sale by the Trustees to Portland Transit Company of the stock of Portland Traction Company ("Traction") and the assets of the electric interurban railway division of PEPCO ("Interurban") for a total consideration of \$7,900,000 pursuant to an alternative proposal of Portland Transit Company dated April 4, 1946;

Notice is hereby given that the Trustees have now filed an application for approval of certain amendments to their second alternative amended plan for the reorganization of PEPCO in compliance with Conditions 2 and 3 of our order of January 14, 1946.

Notice is further given that any interested person may, not later than the 26th day of July, 1946 at 5:30 p. m. e. d. s. t., request the Commission in writing that a hearing be held on such amendments, stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such plan, as amended, may be approved. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said amendments which are on file in the office of this Commission for a complete statement of the changes proposed in the

plan which may be summarized as follows:

The amendments state that subsequent to the approval by the Commission of the Trustees' second alternative amended plan, the Trustees entered into a contract with Portland Transit Company for the sale of all the capital stock of Traction and the assets of Interurban for the sum of \$7,900,000 in cash (subject to a reduction equal to a dividend to be paid by Traction prior to the consummation of the sale).

The amendments further state that if the contract for the sale of the Traction stock and the assets of Interurban to Portland Transit Company is consummated, the Trustees will immediately apply to the Court for an order declaring that the sale has been consummated. Upon the entry of such an order, the allocations provided in the second alternative amended plan will be based upon the excess of the proceeds from such sale over the valuation of the respective assets and upon the reduction of taxes resulting from such sale (on the basis of the same claims and with the value of Portland General Electric Company ("PGE") common stock the same as heretofore approved by this Commission and by the Court) as follows:

1. Prior to the consummation of the plan and as of such date as the Court may indicate, PGE will: (a) Transfer to PEPCO \$93,000 principal amount of 1934 bonds as a dividend; (b) pay to PEPCO a further dividend of not less than \$1,500,000 cash.

2. The holders of 1934 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon:

\$680.00 in cash.
34.50 shares of PGE common stock.

3. The holders of 1937 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon, and a proportionate amount with respect to a principal amount of less than \$1,000:

\$594.80 in cash.
30.00 shares of PGE common stock.

4. The holders of prior preference stock will receive in full satisfaction for each share of such stock and all accrued and unpaid dividends thereon:

6½ shares of PGE common stock.

5. The holders of the first preferred stock will receive in full satisfaction for each share of such stock and all accrued and unpaid dividends thereon:

¾ shares of PGE common stock.

6. No certificate for fractions of a share of PGE common stock will be issued to either the holders of bonds or preferred stock, but in lieu thereof scrip certificates will be issued by PGE which shall be calculated to the nearest 1/10th of a share.

7. It is stated that should the Court, upon notice to all persons affected, fix a time to expire not sooner than 10 years after the final decree in the reorganization proceedings closing the estate, within which, as provided in the plan, holders of bonds and certificates for stock shall present or surrender the same and should any holder thereof fail to present or surrender such securities within such

time, the distribution such holder would otherwise be entitled to receive will be transferred to PGE as capital contributions free from all claims.

8. All creditors with the exception of the holders of bonds will be paid in full.

9. The Trustees reserve to themselves the right at any time prior to the consummation of the plan to apply to the Court and to the Commission for approval of the sale of the common stock of PGE.

It is further stated in said amendments that the sum of \$500,000 was paid at the time said contract was entered into with Portland Transit Company, the balance to be payable on the closing date of said sale which according to the terms of the contract will occur prior to July 30, 1946. In the event certain conditions do not occur prior to this date, and unless the time is extended by mutual agreement, the contract will terminate and said sum of \$500,000 will be returned to Portland Transit Company.

The amendments further state that if all conditions to the obligation of Portland Transit Company to complete the purchase of Traction and the assets of Interurban occur prior to June 30, 1946, or within such time as may be agreed upon, and Portland Transit Company defaults in the payment of the balance of the purchase price, the Trustees will apply to the Court for an order declaring such default and the forfeiture of said sum of \$500,000 heretofore paid by Portland Transit Company to the Trustees as agreed liquidated damages. Upon the entry of such an order, the allocations provided in the second alternative amended plan will be based upon the additional assets of PEPCO (on the basis of the same claims and with the value of PGE and Traction common stocks and Interurban Railway assets, Center Street shops and carhouses the same as heretofore approved by this Commission and by the Court) as follows:

1. The holders of 1934 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon:

\$235.75 in cash.
41.50 shares of PGE common stock.
23.50 shares of Traction common stock.

2. The holders of 1937 bonds will receive in full satisfaction for each \$1,000 bond and accrued interest thereon and a proportionate amount with respect to a principal amount of less than \$1,000:

\$235.75 in cash.
35.50 shares of PGE common stock.
19.50 shares of Traction common stock.

3. The holders of the first preferred stock will receive in full satisfaction for each share of such stock and all accrued and unpaid dividends thereon:

.23 shares of PGE common stock.
.333 shares of Traction common stock.

4. No change will be made in the allocation to the prior preference stockholders.

It is ordered, That the Secretary of the Commission shall serve a copy of this notice and order by registered mail on Thos. W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, the subsidiaries of Portland Electric Power Company, Guaranty

Trust Company of New York, Indenture Trustee, the parties who have heretofore entered their appearance herein, or their respective counsel of record, and on the Public Utilities Commissioner of the State of Oregon and the Department of Public Utilities of the State of Washington; and that notice be given to all other persons by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12131; Filed, July 15, 1946;
10:20 a. m.]

[File Nos. 70-1284, 70-1287]

MISSOURI POWER & LIGHT CO. AND NORTH
AMERICAN LIGHT & POWER CO.

SUPPLEMENTAL ORDER RELEASING
JURISDICTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 11th day of July 1946.

Missouri Power & Light Company, a subsidiary of North American Light & Power Company, a registered holding company, having filed an application and declaration and amendments thereto pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder regarding the issuance and sale pursuant to the competitive bidding requirements of Rule U-50 of (a) First Mortgage Bonds, ---% Series, due 1976, in the aggregate principal amount of \$7,500,000 and (b) 40,000 shares of ---% Cumulative Preferred Stock and other transactions incident thereto; and

The Commission having by order dated May 28, 1946, granted said amended application and permitted said amended declaration to become effective, except as to the price to be paid for said first mortgage bonds and cumulative preferred stock, the redemption prices thereof, the interest and dividend rates thereon, respectively, the underwriters' spreads and their allocation, and all legal fees and expenses, as to which matters jurisdiction was reserved; and

Missouri Power & Light Company having filed a further amendment to its application-declaration, as amended, in which it is stated that, in accordance with the permission granted by said order of the Commission dated May 28, 1946, it has offered such first mortgage bonds and cumulative preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

BONDS

Bidder	Price to company	Interest rate	Cost to company
White, Weld & Co. and Shields & Co.	101.5511	2½	2.674
The First Boston Corp.	101.389	2½	2.6823
Halsey, Stuart & Co.	101.3099	2½	2.6861
Blyth & Co., Inc.	101.289	2½	2.6871
Glore, Forgan & Co.	101.0719	2½	2.6977

PREFERRED

Bidder	Price to company	Dividend rate	Cost to company
	Per-	Per-	Per-
	cent	cent	cent
Glore, Forgan & Co.	102.0719	3.90	3.8208
Blyth & Co., Inc.	101.659	3.90	3.8591
The First Boston Corp.	100.159	3.90	3.8938
White, Weld & Co. and Shields & Co.	101.52	4.00	3.9401

Said amendment having further set forth that Missouri Power & Light Company has accepted the bid of White, Weld & Co. and Shields & Co. for the purchase of the First Mortgage Bonds 2.75% Series due 1976 as set out above and that the successful bidder will offer said bonds for sale to the public at a price of 102.06% of the principal amount thereof, plus accrued interest from July 1, 1946, to date of delivery resulting in an underwriter's spread of .4989% of the principal amount of the bonds and that declarant has accepted the bid of Glore, Forgan & Co. for the purchase of the 3.90% Cumulative Preferred Stock as set out above and that the successful bidder will offer said Preferred Stock for sale to the public at a price of 104% of the par value, plus accrued dividends from July 1, 1946, resulting in an underwriter's spread of \$1.9281 per share; and

Counsel for the Company and for the underwriters having filed statements with respect to the nature of their services performed in connection with the transactions; and

The Commission having examined the record in the light of said amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid for said First Mortgage Bonds, 2.75% Series due 1976, and the interest rate thereon, or the price to be paid for the 3.90% Cumulative Preferred Stock and the dividend rate thereon, or the underwriter's spread in connection with said Preferred Stock and Bonds; and

It appearing that the legal fees as follows: Doran, Kline, Cosgrove, Jeffrey, & Russell, \$15,000, Lester G. Seacat, \$1,000, and Keyes and Bushman \$600, as counsel for the Company, and Beekman & Bogue, \$10,000, as independent counsel for the underwriters, are for necessary services and are not unreasonable, and that the expenses as shown by the amendment herein filed are not unreasonable;

It is ordered, that jurisdiction heretofore reserved over the prices to be paid for said bonds and preferred stock, the redemption prices thereof, the interest and dividend rates thereon, respectively, and the underwriters' spreads and their allocation be, and the same hereby is, released, and the said application-declaration, as further amended, be, and the same hereby is granted and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That the jurisdiction heretofore reserved over all legal fees and expenses of all counsel to be paid in connection with the proposed

transactions, be, and the same hereby, is released.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12133; Filed, July 15, 1946;
10:21 a. m.]

[File No. 54-146]

PORTLAND GAS & COKE CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of July A. D. 1946.

Portland Gas & Coke Company ("Portland"), a gas utility subsidiary of American Power & Light Company, a registered holding company, having filed pursuant to section 11 (e) and other applicable sections of the Public Utility Holding Company Act of 1935 a plan designed to enable it to meet the standards of section 11 (b) of the act, and as an initial step of said plan having filed an application and amendments thereto pursuant to section 6 (b) of the act for exemption from the provisions of sections 6 (a) and 7 of the act of the issue and sale by Portland, in accordance with the competitive bidding requirements of Rule U-50, of \$10,000,000 principal amount of First Mortgage Bonds, ---%, due 1976, and other matters stated in said application; and

The Commission having, by order dated July 2, 1946, granted said application, as amended, subject to the condition that said issue and sale of bonds shall not be consummated until Portland obtains from the Public Utilities Commissioner of Oregon a certificate of authority expressly authorizing the issue of the ---% of First Mortgage Bonds, due 1976, and having reserved jurisdiction over the price to be paid to Portland for such bonds, the interest rate thereon, the underwriters' spread and its allocation, and all legal fees to be paid in connection with the proposed issuance and sale of securities; and

Portland having filed a further amendment to said application stating that, in accordance with the said order of the Commission, dated July 2, 1946, it offered such bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Bidders	Percent of principal amount (%)	Interest rate	Cost to company
		Per-	
		cent	
Halsey, Stuart & Co., Inc.	100.2839	3 3/4	3.110376
Blyth & Co., Inc.	100.80	3 3/4	3.208276
White, Weld & Co.	101.475	3 3/4	3.297201
Harris, Hall & Co.	100.389	3 3/4	3.354336

¹ Exclusive of accrued interest.

Said amendment further stated that Portland has accepted the bid of Halsey, Stuart & Co., Inc. for the bonds as set forth above and that the bonds will be

offered for sale to the public at a price of 101.46%, resulting in an underwriters' spread of 1.176%; and

The Commission having examined said amendment and having considered the record herein, and finding no reason for imposing terms or conditions with respect to the price to be paid for said bonds, the redemption prices thereof, the interest rate thereon, and the underwriters' spread and its allocation; and the Public Utilities Commissioner of Oregon having issued a certificate of authority expressly authorizing the issue of said bonds; and

It appearing to the Commission that the legal fees to be paid in connection with the proposed issuance and sale of securities are not unreasonable and that jurisdiction over them should now be released;

It is ordered, That jurisdiction heretofore reserved over the prices to be paid for said bonds, the redemption prices thereof, the interest rate thereon, and the underwriters' spread and its allocation, be, and the same hereby is, released; and said application, as further amended, be, and the same hereby is, granted, subject, however, to the terms and conditions prescribed in Rule U-24; and

It is further ordered, That jurisdiction heretofore specifically reserved over the legal fees in connection with the proposed issuance of securities be, and the same hereby is, released.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-12132; Filed, July 15, 1946;
10:21 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6777]

ERNST SELIGMAN

In re: Bank account owned by Ernst Seligman. F-28-5600-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Ernst Seligman, whose last known address is Mullerstrasse 46, Munchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Ernst Seligman, by The First National Bank of Chicago, 38 South Dearborn Street, Chicago 90, Illinois, arising out of an agency account, Account Number 3632, entitled Ernst Seligman, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within

a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12064; Filed, July 12, 1946;
10:13 a. m.]

[Vesting Order 6778]

FANNY SELIGMANN

In re: Bank account owned by Fanny Seligmann. F-28-5601-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Fanny Seligmann, whose last known address is Mullerstrasse 46, Munchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Fanny Seligmann, by The First National Bank of Chicago, 38 South Dearborn Street, Chicago 90, Illinois, arising out of an agency account, Account Number 3632, entitled Fanny

Seligmann, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12065; Filed, July 12, 1946;
10:13 a. m.]

[Vesting Order 6780]

EMIL WEBER III

In re: Bank account owned by Emil Weber III. F-28-12655-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Emil Weber III, whose last known address is Ringsheim Aut Lahr,

Baden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Emil Weber III, by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, arising out of a savings account, Account Number 394412, entitled Emil Weber III, maintained at the office of the aforesaid bank located at 110 South Spring Street, Los Angeles, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12066; Filed, July 12, 1946;
10:14 a. m.]

[Vesting Order 6565]

MARIA E. WING

In re: Trust under the will of Maria E. Wing, deceased. File No. D-28-2403; E. T. sec. 3222.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margarethe L. Ritzler formerly known as Margarethe Lavinia Von Schierbrand in and to a trust created under the will of Maria E. Wing, deceased,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a national of a designated enemy country, Germany.

National and Last Known Address

Margarethe L. Ritzler formerly known as Margarethe Lavinia Von Schierbrand, Germany.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12097; Filed, July 13, 1946;
9:50 a. m.]

[Vesting Order 6707]

GRAF GEORGE ZU LYNAR

In re: Mortgage Participation Certificate #26 in Series 101,578 issued to Graf George zu Lynar by Lawyers Mortgage Company. File No. F-28-12630; E. T. sec. 4777.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate No. 26 issued and guaranteed by Lawyers Mortgage Company under Mortgage No. 101,578, and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Graf George zu Lynar, Germany.

That such property is in the process of administration by William P. Thomas, Benjamin Antin and Harry G. McDonough, acting as Trustees under a Declaration of Trust, dated January 22, 1938, under the judicial supervision of the Supreme Court, Bronx County, New York;

And determining that to the extent such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 21, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12098; Filed, July 13, 1946;
9:50 a. m.]

HERMAN P. MILLER

[Vesting Order 6708]

In re: Estate of Herman P. Miller, deceased. File No. D-28-8388; E. T. sec. 9723.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emily Muller, Kate Ebelling, Emil Muller and Karl Muller, and each of them, in and to the estate of Herman P. Miller, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emily Muller, Germany.
Kate Ebelling, Germany.
Emil Muller, Germany.
Karl Muller, Germany.

That such property is in the process of administration by the Public Administrator of New York County, as Administrator, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

propriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 21, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12099; Filed, July 13, 1946;
9:50 a. m.]

