

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES
1934

FEDERAL REGISTER

VOLUME 4 NUMBER 174

Washington, Saturday, September 9, 1939

The President

PROCLAIMING A NATIONAL EMERGENCY IN CONNECTION WITH THE OBSERVANCE, SAFEGUARDING, AND ENFORCEMENT OF NEUTRALITY AND THE STRENGTHENING OF THE NATIONAL DEFENSE WITHIN THE LIMITS OF PEACE-TIME AUTHORIZATIONS BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a proclamation issued by me on September 5, 1939,¹ proclaimed the neutrality of the United States in the war now unhappily existing between certain nations; and

WHEREAS this state of war imposes on the United States certain duties with respect to the proper observance, safeguarding, and enforcement of such neutrality, and the strengthening of the national defense within the limits of peace-time authorizations; and

WHEREAS measures required at this time call for the exercise of only a limited number of the powers granted in a national emergency;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do proclaim that a national emergency exists in connection with and to the extent necessary for the proper observance, safeguarding, and enforcing of the neutrality of the United States and the strengthening of our national defense within the limits of peace-time authorizations. Specific directions and authorizations will be given from time to time for carrying out these two purposes.

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 eighth day of September, in the year of our Lord nineteen hundred and [SEAL] thirty-nine, and of the Independence of the United States

of America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

[No. 2352]

[F. R. Doc. 39-3296; Filed, September 8, 1939; 1:16 p. m.]

PROCLAIMING THE NEUTRALITY OF THE UNITED STATES IN THE WAR BETWEEN GERMANY, ON THE ONE HAND, AND THE UNION OF SOUTH AFRICA, ON THE OTHER HAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a state of war unhappily exists between Germany, on the one hand, and the Union of South Africa, on the other hand;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in order to preserve the neutrality of the United States and of its citizens and of persons within its territory and jurisdiction, and to enforce its laws and treaties, and in order that all persons, being warned of the general tenor of the laws and treaties of the United States in this behalf, and of the law of nations, may thus be prevented from any violation of the same, do hereby declare and proclaim that all of the provisions of my proclamation of September 5, 1939,¹ proclaiming the neutrality of the United States in a war between Germany and France; Poland; and the United Kingdom, India, Australia and New Zealand apply equally in respect to the Union of South Africa.

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 8th day of September, in the year of our

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[SEAL] Lord nineteen hundred and thirty-nine, and of the Independence of the United States of



Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 10 cents each; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the FEDERAL REGISTER should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

America the one hundred and sixty-fourth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

[No. 2353]

[F. R. Doc. 39-3297; Filed, September 8, 1939; 1:16 p. m.]

EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR TO THE UNION OF SOUTH AFRICA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 1 of the joint resolution of Congress approved May 1, 1937, amending the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended February 29, 1936, provides in part as follows:

"Whenever the President shall find that there exists a state of war between, or among, two or more foreign states,

the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state."

AND WHEREAS it is further provided by section 1 of the said joint resolution that

"The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred upon me by the said joint resolution, do hereby proclaim that all of the provisions of my proclamation of September 5, 1939,¹ in regard to the export of arms, ammunition, and implements of war to France; Germany; Poland; and the United Kingdom, India, Australia, and New Zealand, henceforth apply to the Union of South Africa.

And I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution, and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

And I do hereby delegate to the Secretary of State the power to exercise any power or authority conferred on me by the said joint resolution, as made effective by this my proclamation issued thereunder, and the power to promulgate such rules and regulations not inconsistent with law as may be necessary and proper to carry out any of its provisions.

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 8th day of September, in the year of our Lord nineteen hundred and [SEAL] thirty-nine, and of the Independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

[No. 2354]

[F. R. Doc. 39-3298; Filed, September 8, 1939; 1:16 p. m.]

¹ 4 F.R. 3819 DI.

REGULATION CONCERNING CREDITS TO BELLIGERENTS

Section 3 of the joint resolution of Congress approved May 1, 1937, reads in part as follows:

"Sec. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act, it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent state or of any state wherein civil strife exists, named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, or of any faction or asserted government within any such state wherein civil strife exists, or of any person acting for or on behalf of any faction or asserted government within any such state wherein civil strife exists, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, faction, asserted government, or person, or to solicit or receive any contribution for any such government, political subdivision, faction, asserted government, or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions. Nothing in this subsection shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf of any such government, political subdivision, faction, or asserted government, but all such solicitations and collections of funds shall be subject to the approval of the President and shall be made under such rules and regulations as he shall prescribe.

"(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

"(c) Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than \$50,000 or imprisoned for not more than five years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation

may be liable to the penalty herein prescribed."

I hereby find that it will serve to protect the commercial and other interests of the United States and its citizens to except from the operation of Section 3 of the joint resolution of Congress approved May 1, 1937, as made applicable to Germany and France, Poland, and the United Kingdom, India, Australia and New Zealand by the Proclamation of the President of September 5, 1939¹ issued under the authority of Section 1 of such joint resolution, ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions; and they are therefore hereby excepted.

I hereby authorize the Secretary of the Treasury to administer the provisions of this regulation and to promulgate such rules and regulations not inconsistent with law as may be necessary and proper to carry out such provisions.

This regulation shall continue in full force and effect unless and until modified, revoked, or otherwise terminated, pursuant to law.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

September 6, 1939.

[F. R. Doc. 39-3295; Filed, September 8, 1939; 11:05 a. m.]

Rules, Regulations, Orders

TITLE 16—COMMERCIAL PRACTICES

FEDERAL TRADE COMMISSION

[Docket No. 3694]

IN THE MATTER OF SPENCER BUSINESS COLLEGE, ET AL.

§ 3.69 (b) (16b) *Misrepresenting oneself and goods—Goods—Terms and conditions:* § 3.69 (c) (20a) *Misrepresenting oneself and goods—Prices—Discounts:* § 3.72 (n1) *Offering deceptive inducements to purchase—Terms and conditions.* Representing, in connection with offer, etc., in commerce, of correspondence courses, that respondents offer for sale correspondence courses at a discount price, unless such price is substantially lower than the price at which such courses are ordinarily offered for sale and sold by respondents, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Spencer Business College, et al., Docket 3694, August 25, 1939]

§ 3.69 (b) (16b) *Misrepresenting oneself and goods—Goods—Terms and conditions:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers:* § 3.72 (n1) *Offering deceptive in-*

ducements to purchase—Terms and conditions. Using, in connection with offer, etc., in commerce, of correspondence courses, the term "scholarship" or any other term or terms of similar import or meaning, to designate, describe or in any way refer to an offer of a correspondence course whereby the recipient is required to pay therefor substantially the same price as the price for which such courses are ordinarily sold by respondents, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Spencer Business College, et al., Docket 3694, August 25, 1939]

§ 3.69 (b) (17) *Misrepresenting oneself and goods—Goods—Value.* Misrepresenting, in connection with offer, etc., in commerce, of correspondence courses, that any specified sum is the actual cost of "materials" of correspondence courses, or otherwise misrepresenting the actual cost of the materials thereof, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Spencer Business College, et al., Docket 3694, August 25, 1939]

§ 3.69 (b) (16b) *Misrepresenting oneself and goods—Goods—Terms and conditions:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers:* § 3.72 (n1) *Offering deceptive inducements to purchase—Terms and conditions.* Representing, in connection with offer, etc., in commerce, of correspondence courses, that correspondence courses are being, or will be, sold only to a limited or selected number of customers, or otherwise misrepresenting any material fact concerning the terms and conditions of sale, or the extent to which the sale of said correspondence courses is limited, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Spencer Business College, et al., Docket 3694, August 25, 1939]

§ 3.69 (a) (14) *Misrepresenting oneself and goods—Business status, advantages or connections — Size and equipment.* Representing, in connection with offer, etc., in commerce, of correspondence courses, that respondents maintain a branch office or offices in any city or locality wherein respondents do not in fact maintain a branch office or offices, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Spencer Business College, et al., Docket 3694, August 25, 1939]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of August, A. D. 1939.

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

IN THE MATTER OF MELVIN B. SELCER, MARY F. SELCER, CLAY SPENCER AND CHARLOTTE SPENCER, INDIVIDUALLY, AND AS CO-PARTNERS, TRADING AS SPENCER BUSINESS COLLEGE AND RAY AXTON, AN INDIVIDUAL

ORDER TO CEASE AND DESIST

This proceeding having been heard by the Federal Trade Commission upon the complaint, as amended, of the Commission, stipulation entered into between W. T. Kelley, Chief Counsel for the Commission, and Julian B. Humphrey, attorney for respondents, and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Melvin B. Selcer, Mary F. Selcer, Clay Spencer, and Charlotte Spencer, individually and as co-partners trading as Spencer Business College, or under any other name or names, and respondent Ray Axton, an individual, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of correspondence courses in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing that respondents offer for sale correspondence courses at a discount price unless such price is substantially lower than the price at which such courses are ordinarily offered for sale and sold by respondents;

(2) Using the term "scholarship" or any other term or terms of similar import or meaning to designate, describe or in any way refer to an offer of a correspondence course whereby the recipient is required to pay therefor substantially the same price as the price for which such courses are ordinarily sold by respondents;

(3) Misrepresenting that any specified sum is the actual cost of "materials" of correspondence courses, or otherwise misrepresenting the actual cost of the materials thereof;

(4) Representing that correspondence courses are being, or will be, sold only to a limited or selected number of customers, or otherwise misrepresenting any material fact concerning the terms and conditions of sale, or the extent to which the sale of said correspondence courses is limited;

(5) Representing that respondents maintain a branch office or offices in any

¹ 4 F.R. 3819 DL

city or locality wherein respondents do not in fact maintain a branch office or offices.

It is further ordered, That the respondents shall within sixty (60) days after the service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

A. N. Ross,
Acting Secretary.

[F. R. Doc. 39-3287; Filed, September 7, 1939;
1:33 p. m.]

TITLE 19—CUSTOMS DUTIES

BUREAU OF CUSTOMS

[T. D. 49955]

WARROAD SEAPLANE BASE, WARROAD, MINNESOTA, REDESIGNATED AS AN AIRPORT OF ENTRY FOR A PERIOD OF ONE YEAR¹

SEPTEMBER 5, 1939.

To Collectors of Customs and Others Concerned:

The Warroad Seaplane Base, Warroad, Minnesota, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from September 2, 1939. (Sec. 7 (b), 44 Stat. 572; 49 U.S.C., 177 (b))

[SEAL]

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 39-3291; Filed, September 7, 1939;
3:53 p. m.]

TITLE 29—LABOR

WAGE AND HOUR DIVISION

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS IN THE HOSIERY INDUSTRY

Notice is hereby given that Special Certificates for the employment of learners in the Hosiery Industry at hourly wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938 (Hosiery Wage Order)² are issued to the employers listed below effective September 18, 1939 until September 18, 1940, subject to the following terms:

OCCUPATIONS AND WAGE RATES

The employment of learners in the Hosiery Industry under this Certificate is limited to the following occupations, learning periods, and minimum wage rates:

¹ This document affects the tabulation in 19 CFR 4.13.

² 4 F.R. 3680, 3711 DI.

[Here follows, in the original document, a table identical with that appearing on Page 3827 of the "Federal Register" for Thursday, September 7, 1939.]

NUMBER OF LEARNERS

Not in excess of 5% of the total number of factory workers employed in the plant may be employed under any of these certificates, unless otherwise indicated hereinbelow.

Name and Address of Firm

NoMend Hosiery, Inc.—13 learners, Lebanon, Pa.

Union Manufacturing Company—12 learners, Union Point, Ga.

Fayetteville Knitting Mills, Inc.—3 learners, Fayetteville, N. C.

Clayson Knitting Co.—5 learners, Star, N. C.

Cherokee Hosiery Mills, Inc., Cleveland, Tenn.

McDonough Hosiery Mills, Inc.—5 learners, McDonough, Ga.

Marvin Carr Silk Mill, Durham, N. C.

Galax Knitting Co., Galax, Va.

Bloomsburg Hosiery Mills, Inc.—5 learners, Bloomsburg, Pa.

Tip-Top Hosiery Mills, Inc.—5 learners, Asheboro, N. C.

Wayne Knitting Mills, Fort Wayne, Indiana.

Hub Hosiery Mills, Lowell, Mass.

Illinois Knitting Company, Mt. Vernon, Ill.

These Special Certificates are issued ex parte under Section 14 of the said Act, Section 522.5 (b) of Regulations Part 522, as amended.³ For fifteen days following the publication of this notice the Administrator will receive detailed written objections to any of these Special Certificates and requests for hearing from interested persons. Upon due consideration of such objections as provided for in said Section 522.5 (b), such Special Certificates, or any of them, may be canceled as of the date of their issuance and if so canceled, reimbursement of all persons employed under such certificates must be made in an amount equal to the difference between the applicable statutory minimum wage and any lesser wage paid such persons.

Signed at Washington, D. C., this 7th day of September 1939.

GUSTAV PECK,
Assistant Chief,

Hearings and Exemptions Section.

[F. R. Doc. 39-3292; Filed, September 8, 1939;
9:45 a. m.]

Notices

FEDERAL TRADE COMMISSION.

United States of America—Before
Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in

³ 4 F.R. 2088 DI.

the City of Washington, D. C., on the 6th day of September, A. D. 1939.

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

[Docket No. 3695]

IN THE MATTER OF RENESOL CORPORATION, A CORPORATION; MAURICE GOLDBERG AND CHARLES GOLDBLATT, INDIVIDUALS

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

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

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

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, September 14, 1939, at ten o'clock in the forenoon of that day (eastern standard time) in Room 332, Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

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

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-3293; Filed, September 8, 1939;
9:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of August, A. D. 1939.

[File No. 43-188]

IN THE MATTER OF THE OHIO FUEL GAS COMPANY

ORDER RELATIVE TO EFFECTIVENESS OF DECLARATION

The Ohio Fuel Gas Company, a subsidiary company of Columbia Gas & Electric Corporation, a registered holding Company, having filed a declaration pursuant to Section 7 of the Public Utility Holding Company Act of 1935 regarding the reduction of the par value of its authorized shares of common stock from \$50 par value to \$45 par value per share;

A public hearing having been held after appropriate notice on the declaration as amended; the declarant having prior to the entry of the findings, opinion and order of the Commission herein, waived a Trial Examiner's report, submission of proposed findings of fact to the Commission, or requested findings of fact by counsel for the Commission, the filing of briefs with the Commission and oral argument before the Commission; the Commission having considered the record in this matter and having filed its findings and opinion herein;

It is ordered, That said declaration be and become effective forthwith, subject to the following terms and conditions:

1. That all corporate action and all matters connected therewith or related thereto shall be performed in all respects as set forth in, and for the purposes represented by, the declaration as amended;

2. That no charges be made to Earned Surplus Prior to January 1, 1938 or to Special Capital Surplus unless (a) such

charge has previously been authorized by appropriate resolution of declarant's board of directors, and (b) subsequent to such resolution of the board of directors, thirty days' prior notice of the making of such charge be given to this Commission. In the event that such proposed charge is to be made to Special Capital Surplus and is not of a capital nature, such notice to this Commission shall be accompanied by a copy of the order of the Public Utilities Commission of Ohio approving such charge to Special Capital Surplus as provided in the order of the Public Utilities Commission of Ohio, in Case No. 10,869. The Commission reserves jurisdiction, on receipt of such notice, in and as part of the proceedings herein, after notice given within such thirty days and opportunity for hearing, to disapprove such charge on the basis of the record herein and any additional evidence that may be adduced by any interested party; and in the event that the Commission shall notify declarant to show cause why such charge should not be disapproved, the charge in question shall not be made until ex-

pressly authorized by order of this Commission;

3. That no dividend shall be paid out of Earned Surplus Prior to January 1, 1938 without prior application to and order of approval by this Commission; this condition to remain in effect until terminated by this Commission's order;

4. That with respect to any part of Special Capital Surplus which is not used for the purposes outlined by the declarant jurisdiction is reserved by this Commission, in and as part of the proceedings herein, with respect to the ultimate disposition of such balance;

5. That all published balance sheets of declarant shall contain an appropriate footnote to the effect that neither Earned Surplus Prior to January 1, 1938 nor Special Capital Surplus are available for the payment of dividends except upon application to and order of approval by this Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-3294; Filed, September 8, 1939; 10:53 a. m.]

