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Washington, Saturday, June 22, 1940

The President

EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A BOMBING AND GUNNERY RANGE

CALIFORNIA

By virtue of the authority vested in me by section 1 of the act of July 9, 1918, 40 Stat. 845, 848 (U.S.C., title 10, sec. 1341), it is hereby ordered that all the public lands within the following-described areas be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws including the mining laws, subject to valid existing rights, for the use of the War Department as a bombing and gunnery range:

San Bernardino Meridian

- T. 9 N., R. 6 W., secs. 5 to 8, inclusive, secs. 17 to 20, inclusive, and secs. 29 to 32, inclusive.
- T. 10 N., R. 6 W., S $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 5, E $\frac{1}{2}$ sec. 6, secs. 7, 8, 17 to 20, inclusive, and secs. 29 to 32, inclusive.
- T. 9 N., R. 7 W., secs. 1 to 36, inclusive.
- T. 10 N., R. 7 W., secs. 7 to 36, inclusive.
- T. 9 N., R. 8 W., secs. 1 to 36, inclusive.
- T. 10 N., R. 8 W., sec. 6, N $\frac{1}{2}$ and SW $\frac{1}{4}$ sec. 7, S $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 9, S $\frac{1}{2}$ and S $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 10, secs. 11 to 16, inclusive, S $\frac{1}{2}$, NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ sec. 17, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ sec. 18, secs. 19 to 36, inclusive.
- T. 8 N., R. 9 W., secs. 1 to 6, inclusive.
- T. 9 N., R. 9 W., secs. 1 to 36, inclusive.
- T. 10 N., R. 9 W., secs. 1 to 12, inclusive, NW $\frac{1}{4}$, and N $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 13, SW $\frac{1}{4}$ and N $\frac{1}{2}$ sec. 14, secs. 15 to 20, inclusive, N $\frac{1}{2}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ sec. 21, N $\frac{1}{2}$ NW $\frac{1}{4}$ sec. 22, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ sec. 23, S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ sec. 24, secs. 25 to 29, inclusive, E $\frac{1}{2}$ W $\frac{1}{2}$ and E $\frac{1}{2}$ sec. 32, secs. 33 to 36, inclusive.
- T. 8 N., R. 10 W., secs. 1 and 2.
- T. 9 N., R. 10 W., secs. 1, 2, 11 to 14, inclusive, secs. 23 to 26, inclusive, secs. 35 and 36.
- T. 10 N., R. 10 W., secs. 12, 13, 24, 35 and 36.

This order supersedes Executive Orders No. 6588 of February 6, 1934, No. 7707 of September 11, 1937, and No. 7740 of November 15, 1937.

This order shall continue in force until revoked by the President or by act of Congress.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 20, 1940.

[No. 8450]

[F. R. Doc. 40-2539; Filed, June 21, 1940; 9:46 a. m.]

EXECUTIVE ORDER

AUTHORIZING THE APPOINTMENT OF RUSSELL STURGIS TO THE POSITION OF ASSISTANT TERRITORIAL REPRESENTATIVE IN THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR, WITHOUT REGARD TO THE REQUIREMENTS OF THE CIVIL SERVICE RULES

By virtue of and pursuant to the authority vested in me by the provisions of paragraph Eighth, subdivision SECOND, section 2 of the Civil Service Act (22 Stat. 404), it is hereby ordered that Russell Sturgis may be appointed to the position of assistant territorial representative in the Wage and Hour Division, Department of Labor, without compliance with the requirements of the Civil Service Rules, provided that such appointment shall not thereby confer a competitive classified civil-service status.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 20, 1940.

[No. 8451]

[F. R. Doc. 40-2538; Filed, June 21, 1940; 9:46 a. m.]

CONTENTS

THE PRESIDENT

Executive Orders:	Page
California, withdrawal of public lands for use of War Department as bombing and gunnery range-----	2329
Sturgis, Russell, authorizing appointment as assistant territorial representative, Wage and Hour Division--	2329
RULES, REGULATIONS, ORDERS	
TITLE 24—HOUSING CREDIT:	
Home Owners' Loan Corporation:	
Renewal insurance and accruals on tax and insurance accounts-----	2330
TITLE 42—PUBLIC HEALTH:	
United States Public Health Service:	
Payments to states from funds appropriated under Title VI, Social Security Act, regulations governing---	2330
NOTICES	
Securities and Exchange Commission:	
Eversharp, Inc., application granted -----	2331
Hearings:	
Capital Transit Co-----	2332
Consolidated Electric and Gas Co., et al-----	2333
Reading Gas Co-----	2332
Seattle Stock Exchange-----	2332
Trustees under Pension Trust Agreement, General Utility Investors Corp., et al-----	2333



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Rules, Regulations, Orders

TITLE 24—HOUSING CREDIT

CHAPTER IV—HOME OWNERS' LOAN CORPORATION

[Special Administrative Order No. 265]

PART 409—INSURANCE SECTION

RENEWAL INSURANCE AND ACCRUALS ON TAX AND INSURANCE ACCOUNTS

The following Special Administrative Order affects the second paragraph of § 409.02-3.

Notwithstanding the provisions to the contrary of any regulations of the Corporation or of any extension or other agreements between home owners and the Corporation, in any case where a Tax and Insurance Account has been established, the home owner, including a vendee, may replace insurance policies as they expire with insurance fully paid for a term of at least three years if said policies comply with the requirements of the Corporation's regulations. The home owner shall submit receipted bills or other satisfactory evidence of the payment of the full premium on such policies. No funds shall be paid out of the Tax and Insurance Account to agents for insurance ordered by the home owner.

Accruals on the Tax and Insurance Account shall continue until the expiration of existing insurance, but if the home owner at or prior to expiration date delivers to the Corporation renewal policies satisfactory to the Corporation in form and amount, with premium paid for three years, accruals shall then be suspended during the coverage of such policies and the home owner so notified.

The Loan Service Division in the Regional Office shall be advised in cases where the home owner has delivered to the Corporation such renewal policies at or prior to expiration date.

Any such policies delivered to the Corporation beginning May 15, 1940, may be accepted and accruals suspended in conformance with the provisions hereof.

Effective date May 15, 1940.

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k)).

Promulgated by General Manager and General Counsel of Home Owners' Loan Corporation.

[SEAL]

J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 40-2537; Filed, June 20, 1940; 3:32 p. m.]

TITLE 42—PUBLIC HEALTH

CHAPTER I—UNITED STATES PUBLIC HEALTH SERVICE

REGULATIONS OF THE SURGEON GENERAL GOVERNING PAYMENTS TO STATES FROM FUNDS APPROPRIATED UNDER THE PROVISIONS OF TITLE VI OF THE SOCIAL SECURITY ACT FOR THE FISCAL YEAR 1941

Pursuant to the authority contained in section 602 (c) of the Act approved August 14, 1935, 49 Stat. 634 (U.S.C., Sup. IV, title 42, sec. 802 (c)), the following regulations are hereby prescribed:

§ 9.301 *Matching requirements.* Allotments to the several States shall be available for payment when matched by State or local public funds appropriated and expended for public health work, as follows:

The amounts allotted to States on the basis of population and special health problems determined by (1) the mortality from pneumonia, cancer, and other infectious diseases except influenza and syphilis, and (2) the prevalence of geographically limited diseases, special industrial hazards and other conditions that result in an inequality of exposure to these hazards among the States, shall be matched:

(a) Fifty per cent by an equal amount of existing appropriations of public funds for public health work.

(b) Fifty per cent by an equal amount of new appropriations of public funds for public health work made since January 1, 1935, or made prior to that date for the specific purpose of matching funds available under the provisions of the Social Security Act: *Provided*, The Surgeon General in his discretion may permit not to exceed 50 per cent of the money available for matching with new public funds to be matched with existing State appropriations for

local health service where the State is already making a substantial appropriation for this purpose, and may waive matching requirements in those States wherein the per capita¹ appropriation for State health department services (exclusive of funds for the maintenance of institutions) exceeds the average per capita appropriations of all of the States for the same purposes.*

§ 9.302 *Method of payment to States and custody of funds.* Payments shall be made quarterly to the Treasurer of the State or other State official authorized by law to receive such funds. Payments will be certified only after such State has complied with the provisions of the Act and the Regulations authorized thereunder.

All such payments shall be held by the State official to whom made in a separate fund distinct from other State funds and shall be disbursed and audited in accordance with the fiscal procedure of the State. Expenditures shall be made solely for the purposes specified in budgets approved by the State health officer and the Surgeon General.*

§ 9.303 *State and local appropriations not to be replaced.* No funds paid to a State pursuant to Title VI of the Social Security Act shall be used to replace State or local funds in such a way as to effect a conservation or reduction of appropriations for health work by State and local governmental agencies.*

§ 9.304 *Submission of plans.* To be eligible to receive payments from allotments each State shall submit to the Surgeon General:

(a) A comprehensive statement of the State health organization, programs, appropriations and budgets. This statement should include all activities maintained through local, State or federal funds under the supervision of or in cooperation with the State health department.

(b) A proposed plan for extending and improving the administrative functions of the State department of health, including the State plan for a merit system of personnel administration as is now in effect or may hereafter be adopted applicable to any State or local health personnel. If found acceptable, such merit system shall apply to State or local personnel rendering services in accordance with budgets submitted to the Public Health Service as required in § 9.305 of these regulations, provided that, at the option of the State agency the following may be exempted from compliance with the merit system plan: Members of State and local boards or commissions; the executive head of the State agency administering the State

¹ To be calculated on the Census Bureau 1937 mid-year estimate of population.

* §§ 9.301 to 9.310, inclusive, issued under the authority contained in sec. 602 (c), 49 Stat. 634; 42 U.S.C. 802 (c).

public health program; members of advisory councils or committees or similar bodies paid only for attendance at meetings; State and local officials serving ex officio and performing incidental duties, and all part-time professional persons who are paid for any form of medical, nursing, or other professional service, and who are not engaged in the performance of administrative duties under the State plan but who meet the standards of training and experience established by the responsible State authority.

(c) A proposed plan for extending and improving local (county, district, city) health services.*

§ 9.305 *Submission of budgets.* Before payment shall be made to any State, the State health officer shall submit to the Surgeon General, for approval:

(a) Prior to July 1, 1940, on forms supplied by the Public Health Service, a budget for each project, State or local, in which Public Health Service funds are to be utilized. The budgets shall show the sources, proposed uses, and amounts of all funds, together with such other information relating to such proposed projects as the Surgeon General may require.

(b) Subsequent to July 1, 1940, budgets for new projects and revised budgets for existing projects may be submitted to the Surgeon General for approval in any quarter after the beginning of the fiscal year, but such budgets will not be made effective prior to the beginning of the next succeeding quarter: *Provided*, That exceptions to this rule may be made by the Surgeon General, when necessary to meet emergencies.*

§ 9.306 *Submission of application for payment.* Prior to the beginning of each quarter of the fiscal year each State health officer shall submit, on a form provided by the Public Health Service, a request for funds for the quarter. The application for quarterly payment shall include only those funds required for financing budgets actually in force, or which definitely will become operative, in the quarter for which payment is requested. In support of this application there shall be attached a statement itemizing by budgets the amount requested for the quarter.*

§ 9.307 *Balances from payments.* In those instances where savings have accumulated in the State, the Surgeon General shall make deductions from payments due in a subsequent quarter in the amount of such savings. Funds so deducted from the payment to a State shall be paid to such State in any subsequent quarter of the fiscal year upon the submission and approval of budgets.*

§ 9.308 *Financial reports.* The State health officer shall submit to the Sur-

geon General on forms provided for that purpose financial reports as follows:

(a) A quarterly project financial report for each budget in which Public Health Service funds are being used, which shall show the actual amount of expenditure of Public Health Service funds, of State and of local funds budgeted, and such other information as the Surgeon General may from time to time require.

(b) A consolidated quarterly report summarizing all budget expenditures of Public Health Service funds, and such other information as the Surgeon General may from time to time require. This report must be certified by the State health officer and a responsible State accounting officer.

(c) An annual report of all State expenditures for public health purposes, showing by appropriations all such State expenditures for the State fiscal year ending within the federal fiscal year. This report must be certified also by the Treasurer or other State official charged with the responsibility for disbursing State health department funds.*

§ 9.309 *Progress reports of activities.* Reports of activities will be required by the Public Health Service from each State health department as follows:

(a) An annual report in duplicate of all activities of the State health department, which may be submitted in narrative form.

(b) *For the district office.* A quarterly report of all activities from each local health project in which Public Health Service funds are being used, on forms of the State health department.

(c) *For the Surgeon General.* A quarterly consolidated activity report for all local projects in which Public Health Service funds are being used, on forms provided by the Public Health Service for that purpose.

The listing of certain items on the consolidated report form referred to above should not be interpreted as requiring that all such activities be carried out in every local health project. Also, other activities not listed on the report form may be reported in an appropriate manner.

Statistical reports may be submitted with narrative reports wherever considered desirable by the State health officer.*

§ 9.310 *Training of personnel.* In order to meet the needs for properly qualified professional and technical personnel with which to conduct effectively the State and local health services, funds paid to a State may be used to pay living stipends, tuition and traveling expenses for the training of personnel employed or to be employed in the State and local health services. Except where specifically authorized by the Surgeon General the training period

shall not exceed one year for any individual. Allowances for stipends for public health trainees shall not exceed the amount specified by the Surgeon General.

A trainee application form provided by the Public Health Service shall be completed by the proposed trainee and submitted by the State health officer with his recommendation, to the district office of the Public Health Service for approval before the trainee enters upon training.*

THOMAS PARRAN,
Surgeon General.

JUNE 10, 1940.

Approved June 19, 1940.

PAUL V. McNUTT,
Federal Security Administrator.

[F. R. Doc. 40-2536; Filed, June 20, 1940; 1:26 p. m.]

Notices

SECURITIES AND EXCHANGE COMMISSION.

[File No. 7-460-1]

IN THE MATTER OF EVERS HARP, INC., \$1 PAR VALUE COMMON STOCK

ORDER GRANTING APPLICATION UNDER SECTION 12 (F) AND 23 (A) OF THE SECURITIES EXCHANGE ACT OF 1934, AS AMENDED, AND RULE X-12F-2 (B) PROMULGATED THEREUNDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of June 1940.

Continuance of unlisted trading privileges on the New York Curb Exchange, in the Common Stock, No Par Value of The Wahl Company, having been permitted by action of this Commission on October 1, 1934; and

Said Exchange, pursuant to paragraph (b) of Rule X-12F-2, having applied to this Commission setting forth that there are being effected changes in said security other than those specified in paragraph (a) of said Rule and asking the Commission to determine that said security after said changes is substantially equivalent to the said security heretofore admitted to unlisted trading privileges; and

The Commission having considered the matter;

It is ordered, Pursuant to section 12 (f) and 23 (a) of the Securities Exchange Act of 1934, as amended, and Rule X-12F-2 (b) promulgated thereunder, that the determination sought by said application is made and the application is hereby granted.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-2545; Filed, June 21, 1940; 11:02 a. m.]

[File Nos. 7-461, 7-462, 7-463, 7-464]

IN THE MATTER OF APPLICATIONS BY THE SEATTLE STOCK EXCHANGE TO EXTEND UNLISTED TRADING PRIVILEGES TO PUGET SOUND PULP AND TIMBER COMPANY COMMON STOCK, NO PAR VALUE; 6% CUMULATIVE PREFERRED STOCK, \$20 PAR VALUE; PUGET SOUND POWER AND LIGHT COMPANY \$5 PRIOR PREFERENCE STOCK, NO PAR VALUE; 25-YEAR FIRST MORTGAGE 5½% BONDS DUE JUNE 1, 1949; 20-YEAR FIRST MORTGAGE 5% BONDS DUE MAY 1, 1950; 19-YEAR FIRST MORTGAGE 4½% BONDS DUE JUNE 1, 1950; RAYONIER INCORPORATED COMMON STOCK, \$1 PAR VALUE; \$2 CUMULATIVE PREFERRED STOCK, \$25 PAR VALUE; SOUNDVIEW PULP COMPANY COMMON STOCK, \$5 PAR VALUE; 6% CUMULATIVE PREFERRED STOCK, \$100 PAR VALUE

ORDER SETTING HEARING ON APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of June, A. D., 1940.

The Seattle Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, as amended, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned securities; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Tuesday, July 30, 1940, at the office of the Securities and Exchange Commission, Room 1407 Exchange Building, 821 Second Avenue, Seattle, Washington, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-2543; Filed, June 21, 1940; 11:01 a. m.]

[File No. 31-445]

IN THE MATTER OF READING GAS COMPANY
NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of June A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on July 9, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

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

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 3, 1940.

The matter concerned herewith is in regard to:

Reading Gas Company, a Pennsylvania corporation, has applied for an Order of the Commission pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 declaring that said Reading Gas Company is not a subsidiary company of Consumers Gas Company, The United Gas Improvement Company, or of The United Corporation.

Reading Gas Company, by agreement dated November 19, 1885, leased all of its properties and franchises to Consumers Gas Company for a term of 99 years from November 1, 1885. Consumers Gas Company, a subsidiary of The United Gas Improvement Company, a registered holding company and a subsidiary of The United Corporation, a

registered holding company, owns approximately 10.45% of the outstanding stock of Reading Gas Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-2542; Filed, June 21, 1940; 11:00 a. m.]

[File No. 46-242]

IN THE MATTER OF CAPITAL TRANSIT COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on July 1st, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

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

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before June 28th, 1940.

The matter concerned herewith is in regard to an application of the Capital Transit Company for an exemption pursuant to Section 9 (c) (3) of the Act with respect to the purchase by it of the bonds of The Capital Traction Company, an associated company whose properties were heretofore acquired by the applicant and whose bonded indebtedness represented by First Mortgage

Bonds in the principal amount of \$5,-800,000 was assumed by it.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-2544; Filed, June 21, 1940;
11:02 a. m.]

[File No. 70-81]

IN THE MATTER OF CONSOLIDATED ELECTRIC AND GAS COMPANY, THE ISLANDS GAS AND ELECTRIC COMPANY, ATLANTA GAS LIGHT COMPANY, MACON GAS COMPANY, MANILA GAS CORPORATION, PORTO RICO GAS & COKE COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on July 10, 1940, at Ten o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue N.W., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

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

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 5, 1940.

The matter concerned herewith is in regard to an application by the companies above named for approval of acquisition by purchase in the open market of certain hereinafter described debt securities issued or assumed by the

said companies, in the estimated principal amounts hereinafter set forth:

Consolidated Electric and Gas Company, \$190,000, Central Gas and Electric Company First Lien Bonds 5½% Series of 1926 due March 1, 1946.

Consolidated Electric and Gas Company, \$80,000, Central Gas and Electric Company First Lien Bonds 6% Series of 1926 due March 1, 1946.

Consolidated Electric and Gas Company, \$100,000, Federated Utilities Inc. First Lien Bonds 5½% Series of 1927 due March 1, 1957.

Consolidated Electric and Gas Company, \$125,000, Consolidated Electric and Gas Company Collateral Trust Bonds 3%-6% A Series due August 1, 1962, 3%-6% B Series due August 1, 1962, 6% Series due August 1, 1957.

The Islands Gas and Electric Company, \$100,000, Islands Gas and Electric Company 25-year 5½% Sinking Fund Secured Bonds due March 1, 1953.

Atlanta Gas Light Company, \$140,000, Atlanta Gas Light Company First Mortgage 5% Bonds due June 1, 1947.

Macon Gas Company, \$15,000, Macon Gas Company First Mortgage Bonds 4½% Series due June 1, 1952.

Manila Gas Corporation, \$130,000, Manila Gas Corporation First Lien Collateral Trust 5½% Bonds due October 1, 1943.

Porto Rico Gas & Coke Company, \$15,000, Porto Rico Gas & Coke Company First Mortgage 6% Sinking Fund Bonds due July 1, 1952.

The application states that these acquisitions are for the purpose of meeting sinking fund requirements. The applicants have designated Section 12 (c) of the Act and Rule U-12C-1 as applicable to the above transactions.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-2541; Filed, June 21, 1940;
11:00 a. m.]

[File No. 46-150]

IN THE MATTER OF TRUSTEES UNDER PENSION TRUST AGREEMENT, GENERAL UTILITY INVESTORS CORPORATION, ASSOCIATED POWER CORPORATION, NY PA NJ UTILITIES COMPANY, ASSOCIATED GAS AND ELECTRIC CORPORATION, ASSOCIATED GAS AND ELECTRIC COMPANY

NOTICE OF AND ORDER FOR HEARING UNDER PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

At a regular session of the Securities and Exchange Commission held at its

office in the City of Washington, D. C., on the 21st day of June, A. D. 1940.

The Commission having on June 29, 1939 issued its order in the above matter (Holding Company Act Release No. 1615) containing, among others, the following condition:

"(4) Associated Power Corporation shall make no payments which will reduce the principal of its convertible obligations held by NY PA NJ Utilities Company to less than \$340,000 (which is the remaining amount due thereon after the cancellation mentioned in paragraph two above), and shall not reduce its open account indebtedness to NY PA NJ Utilities Company below \$300,000;"

NY PA NJ Utilities Company having filed a motion for modification of the above condition so as to permit the liquidation and dissolution of Associated Power Corporation;

It is ordered, That a hearing on such matter be held on July 8, 1940 at ten o'clock in the forenoon of that day at the Securities and Exchange Building, 1778 Pennsylvania Avenue N.W., Washington, D. C. On such day the hearing room clerk in room 1102 will advise as to the room where such hearing will be held.

At such hearing NY PA NJ Utilities Company shall show cause why this Commission should issue its order modifying such condition as prayed.

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

Notice of such hearing is hereby given to NY PA NJ Utilities Company and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission pursuant to the Commission's Rules of Practice on or before July 3, 1940.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-2540; Filed, June 21, 1940;
11:00 a. m.]