

JUL 17 1942

THE NATIONAL ARCHIVES
LITTEA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES
1934

VOLUME 7NUMBER 131

Washington, Saturday, July 4, 1942

The President

EXECUTIVE ORDER 9188

SUSPENDING CERTAIN STATUTORY PROVISIONS RELATING TO EMPLOYMENT IN THE CANAL ZONE

By virtue of the authority vested in me by section 109 of the Naval Appropriation Act, 1943 (Public No. 441, 77th Congress), and section 2 of the War Department Civil Appropriation Act, 1943 (Public No. 527, 77th Congress), relating to certain kinds of employment in the Canal Zone, and deeming such course to be in the public interest, I hereby suspend, effective July 1, 1942, compliance with the provisions of the said sections during the continuance of any of the wars in which the United States is now engaged.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 30, 1942.

[i. R. Doc. 42-6269; Filed, July 2, 1942; 2:32 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VII—Agricultural Adjustment Agency

[ACP-1941-16]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

SUBPART C—1941

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148, 16 U.S.C. 590g to 590q), as amended, the 1941 Agricultural Conservative Program, as amended, is further amended as follows:

1. Section 701.201 (c), subparagraph (2) is amended to read as follows:

§ 701.201 Allotments, yields, productivity indexes, payments and deductions.

(c) Peanuts.

(2) National and state acreage allotments. The national and State peanut acreage allotments, as established by the Secretary, are as follows:

States and Allotments in Acres

Alabama, 274,907; Arkansas, 5,473; California, 1,257; Florida, 73,236; Georgia, 550,694; Louisiana, 353; Mississippi, 2,476; New Mexico, 3,673; North Carolina, 225,702; Oklahoma, 61,607; South Carolina, 18,375; Tennessee, 4,766; Texas, 246,373; and Virginia, 141,108. Total, 1,610,000.

2. Section 701.201 (c), subparagraph (5) is amended by adding the following:

(5) Normal yields.

The 1941 county average yields of peanuts, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Alabama: Autauga, 522; Baldwin, 590; Barbour, 620; Bibb, 590; Blount, 590; Bullock, 567; Butler, 618; Chambers, 662; Chilton, 584; Clarke, 441; Coffee, 771; Conecuh, 638; Covington, 728; Crenshaw, 689; Cullman, 590; Dale, 722; Dallas, 542; Elmore, 685; Escambia, 642; Etowah, 590; Geneva, 767; Hale, 515; Henry, 734; Houston, 755; Lee, 540; Lowndes, 496; Macon, 494; Madison, 590; Marengo, 449; Marion, 590; Marshall, 590; Mobile, 590; Monroe, 665; Montgomery, 624; Perry, 707; Pike, 700; Randolph, 590; Russell, 537; Shelby, 590; Sumter, 441; Talladega, 590; Tallapoosa, 590; and Wilcox, 450.

Arkansas: Crawford, 345; Cross, 631; Faulkner, 560; Franklin, 591; Hempstead, 392; Johnson, 502; Little River, 544; Logan, 335; Nevada, 307; Poinsett, 670; Pope, 583; St. Francis, 529; and Sebastian, 335.

California: Madera, 913; Merced, 1,167; Orange, 1,720; Riverside, 1,844; San Ber-

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Published daily, except Sundays, Mondays, and days following legal holidays 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. 500), under regulations prescribed by the Administrative Committee, approved by the President.

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<i>North Carolina:</i> Beaufort, 1,099; Bertie, 1,168; Bladen, 1,062; Brunswick, 920; Camden, 1,181; Chowan, 1,270; Columbus, 1,098; Craven, 893; Cumberland, 961; Currituck, 1,146; Duplin, 913; Edgecombe, 1,169; Franklin, 929; Gates, 1,192; Greene, 926; Halifax, 1,167; Harnett, 898; Hoke, 948; Hertford, 1,169; Johnston, 880; Jones, 913; Lenoir, 893; Martin, 1,144; Nash, 1,254; New Hanover, 912; Northampton, 1,202; Onslow, 939; Pamlico, 892; Pasquotank, 1,177; Pender, 896; Perquimans, 1,232; Pitt, 1,061; Robeson, 1,045; Sampson, 914; Scotland, 880; Tyrrell, 1,161; Wake, 800; Warren, 935; Washington, 1,144; Wayne, 952; and Wilson, 1,055.	
<i>Oklahoma:</i> Atoka, 436; Bryan, 446; Caddo, 461; Canadian, 477; Carter, 439; Choctaw, 436; Cleveland, 515; Coal, 436; Creek, 477; Garvin, 480; Grady, 467; Harmon, 460; Haskell, 419; Hughes, 457; Jefferson, 428; Johnston, 461; Latimer, 393; Le Flore, 464; Lincoln, 442; Love, 456; McClain, 516; McCurtain, 436; McIntosh, 476; Marshall, 463; Mayes, 415; Murray, 453; Muskogee, 418; Okfuskee, 457; Oklahoma, 467; Okmulgee, 446; Osage, 398; Pawnee, 414; Payne, 398; Pittsburg, 459; Pontotoc, 498; Pottawatomie, 504; Pushmataha, 436; Rogers, 401; Seminole, 460; Sequoyah, 375; Stephens, 431; Tulsa, 419; Wagoner, 442; and Washita, 460.	
<i>South Carolina:</i> Abbeville, 574; Aiken, 675; Allendale, 671; Bemberg, 605; Barnwell, 634; Calhoun, 723; Charleston, 660; Chesterfield, 649; Colleton, 659; Darlington, 738; Dillon, 724; Edgefield, 604; Fairfield, 680; Florence, 841; Hampton, 703; Horry, 782; Kershaw, 697; Lancaster, 700; Lee, 670; Lexington, 804; Marion, 816; Orangeburg, 756; Richland, 718; Sumter, 818; and Williamsburg, 760.	
<i>Tennessee:</i> Benton, 796; Decatur, 832; Fayette, 462; Hardeman, 550; Hickman, 804; Humphreys, 820; Perry, 808; and Shelby, 574.	
<i>Texas:</i> Anderson, 494; Atascosa, 448; Bailey, 365; Bastrop, 448; Bee, 431; Bexar, 429; Blanco, 455; Bosque, 404; Bowie, 474; Brazos, 440; Brooks, 389; Brown, 449; Burnet, 448; Caldwell, 457; Callahan, 429; Cherokee, 588; Clay, 372; Coleman, 359; Comanche, 471; Cooke, 392; Coryell, 421; Dallas, 474; Denton, 481; De Witt, 448; Dickens, 378; Dimmit, 300; Duval, 351; Eastland, 427; Erath, 462; Fannin, 520; Fayette, 504; Fort Bend, 518; Freestone, 412; Frio, 392; Garza, 386; Gillespie, 491; Goliad, 422; Gonzales, 458; Grayson, 463; Grimes, 432; Guadalupe, 450; Hamilton, 425; Harris, 569; Henderson, 497; Hill, 433; Hood, 433; Hopkins, 478; Houston, 503; Jack, 410; Jim Hogg, 383; Jim Wells, 479; Johnson, 424; Jones, 404; Karnes, 429; Kent, 348; Lamar, 546; Lamb, 365; La Salle, 373; Lavaca, 447; Lee, 463; Leon, 446; Liberty, 518; Live Oak, 437; Llano, 434; Lubbock, 402; Lynn, 328; McCulloch, 365; McLennan, 435; McMullen, 402; Marion, 483; Mason, 451; Medina, 438; Milam, 461; Mills, 360; Montague, 387; Montgomery, 466; Morris, 458; Na-	
nardino, 1,133; San Joaquin, 870; and Stanislaus, 1,500.	
<i>Florida:</i> Alachua, 516; Bay, 650; Bradford, 516; Calhoun, 655; Citrus, 550; Columbia, 600; Dixie, 519; Escambia, 594; Gadsden, 523; Gilchrist, 491; Hamilton, 612; Holmes, 667; Hernando, 548; Jackson, 611; Jefferson, 508; Lafayette, 568; Leon, 429; Levy, 589; Madison, 587; Marion, 568; Okaloosa, 574; Santa Rosa, 715; Suwannee, 511; Union, 600; Wakulla, 510; Walton, 625; and Washington, 511.	
<i>Georgia:</i> Appling, 630; Atkinson, 660; Bacon, 583; Baker, 652; Baldwin, 590; Ben Hill, 739; Berrien, 657; Bibb, 580; Bleckley, 665; Brooks, 669; Bryan, 597; Bulloch, 707; Burke, 682; Butts, 646; Calhoun, 666; Candler, 649; Chattahoochee, 495; Clay, 657; Coffee, 738; Colquitt, 749; Columbia, 701; Cook, 733; Coweta, 627; Crawford, 510; Crisp, 813; Decatur, 593; Dodge, 679; Dooly, 800; Dougherty, 603; Early, 718; Effingham, 686; Emanuel, 705; Evans, 583; Fayette, 597; Glasscock, 657; Grady, 712; Hancock, 590; Harris, 555; Heard, 566; Henry, 601; Houston, 765; Irwin, 836; Jasper, 566; Jeff Davis, 619; Jefferson, 677; Jenkins, 706; Johnson, 641; Jones, 480; Lanier, 670; Laurens, 616; Lee, 633; Lowndes, 682; McDuffie, 698; Macon, 626; Marion, 533; Meriwether, 592; Miller, 683; Mitchell, 721; Monroe, 580; Montgomery, 666; Muscogee, 551; Newton, 661; Peach, 764; Pierce, 619; Pike, 609; Pulaski, 693; Putnam, 590; Quitman, 723; Randolph, 704; Richmond, 699; Rockdale, 590; Schley, 558; Screven, 673; Seminole, 656; Spalding, 600; Stewart, 630; Sumter, 718; Talbot, 512; Tattall, 632; Taylor, 622; Telfair, 615; Terrell, 767; Thomas, 612; Tift, 787; Toombs, 619; Troup, 618; Turner, 777; Twiggs, 586; Upson, 603; Ware, 619; Washington, 673; Wayne, 644; Webster, 702; Wheeler, 655; Wilcox, 712; Wilkes, 590; Wilkinson, 536; and Worth, 748.	
<i>Louisiana:</i> Lincoln, 525; Rapides, 529; Union, 637; Washington, 836.	
<i>Mississippi:</i> Forrest, 493; Greene, 477; Harrison, 485; Lauderdale, 478; Neshoba,	

cogdoches, 451; Palo Pinto, 427; Parker, 474; Polk, 487; Rains, 477; Red River, 481; Runnels, 373; Rusk, 462; San Saba, 402; Smith, 486; Somervell, 434; Stephens, 388; Tarrant, 460; Taylor, 355; Terry, 365; Titus, 468; Upshur, 460; Waller, 587; Webb, 352; Williamson, 457; Wilson, 467; Wise, 405; Wood, 468; and Zavala, 346.

Virginia: Brunswick, 740; Charles City, 955; Chesterfield, 810; Dinwiddie, 880; Greenville, 1,120; Hanover, 815; Isle of Wight, 1,210; James City, 1,085; Mecklenberg, 800; Nansemond, 1,210; New Kent, 1,110; Norfolk, 1,205; Nottoway, 970; Prince George, 890; Princess Anne, 1,090; Powhatan, 815; Southampton, 1,180; Surry, 1,130; Sussex, 1,075; and York, 1,120.

3. Section 701.201 (d) (2) is amended to read as follows:

(d) *Potatoes.*

(2) *National and State acreage allotments.* The national and State potato acreage allotments for States in the commercial potato-producing area, as established by the Secretary, are as follows:

States and Allotments in Acres

Alabama, 17,000; California, 54,800; Colorado, 87,600; Connecticut, 9,622; Florida, 27,829; Georgia, 1,698; Idaho, 113,000; Kansas, 10,500; Kentucky, 6,050; Louisiana, 20,103; Maine, 150,503; Maryland, 7,675; Massachusetts, 7,226; Michigan, 121,702; Minnesota, 169,014; Missouri, 5,874; Nebraska, 60,817; Nevada, 1,100; New Hampshire, 2,430; New Jersey, 50,173; New York, 111,451; North Carolina, 33,697; North Dakota, 103,601; Ohio, 24,912; Oregon, 30,100; Pennsylvania, 84,304; Rhode Island, 3,250; South Carolina, 9,373; South Dakota, 10,068; Utah, 5,500; Vermont, 2,424; Virginia, 50,907; Washington, 24,900; Wisconsin, 94,472; and Wyoming, 18,900. Total, 1,532,575.

4. Section 701.201 (d) (5) is amended by adding the following:

(5) *Normal yields.*

The 1941 county average yields of potatoes in the commercial potato-producing area, as established by the Secretary, are as follows:

Counties and Yields per Acre in Bushels

Alabama: Baldwin, 129; and Escambia, 134.

California: Contra Costa, 277; Inyo, 300; Kern, 348; Los Angeles, 244; Madera, 175; Modoc, 289; Riverside, 254; San Bernardino, 220; San Joaquin, 287; Santa Barbara, 366; Siskiyou, 315; and Tulare, 220.

Colorado: Alamosa, 167; Conejos, 147; Costilla, 154; Custer, 105; Delta, 171; Eagle, 219; Garfield, 197; La Plata, 162; Mesa, 180; Moffat, 91; Montezuma, 112; Montrose, 190; Morgan, 190; Pitkin, 217; Rio Grande, 203; Routt, 117; Saguache, 157; Sedgwick, 157; Teller, 114; and Weld, 180.

Connecticut: Fairfield, 215; Hartford, 279; Litchfield, 220; Middlesex, 220; New Haven, 210; New London, 210; Tolland, 279; and Windham, 242.

Florida: Alachua, 110; Bradford, 89; Broward, 112; Clay, 143; Dade, 158; De Soto, 78; Escambia, 107; Flagler, 90; Lee, 116; Palm Beach, 85; Putnam, 115; Saint Johns, 121; and Union, 119.

Georgia: Chatham, 185; and Effingham, 144.

Idaho: Ada, 240; Bannock, 201; Bingham, 251; Bonneville, 253; Canyon, 252; Cassia, 245; Elmore, 200; Franklin, 240; Fremont, 198; Gem, 200; Gooding, 217; Jefferson, 208; Jerome, 245; Lemhi, 230; Lincoln, 204; Madison, 209; Minidoka, 220; Owyhee, 252; Payette, 257; Power, 200; Teton, 140; Twin Falls, 245; Valley, 188; and Washington, 257.

Kansas: Douglas, 119; Jefferson, 110; Johnson, 107; Leavenworth, 110; Shawnee, 117; and Wyandotte, 112.

Kentucky: Jefferson, 114; and Oldham, 118.

Louisiana: Ascension, 75; Lafourche, 63; Pointe Coupee, 77; Rapides, 82; St. James, 71; and Terrebonne, 72.

Maine: Androscoggin, 240.3; Aroostook, 304.9; Cumberland, 222.0; Franklin, 205.0; Hancock, 236.8; Kennebec, 233.6; Knox, 208.6; Lincoln, 240.3; Oxford, 235.3; Penobscot, 275.0; Piscataquis, 262.2; Sagadahoc, 240.3; Somerset, 250.0; Waldo, 264.3; Washington, 260.0; and York, 190.8.

Maryland: Somerset, 155; and Worcester, 140.

Massachusetts: Barnstable, 200; Berkshire, 198; Bristol, 225; Essex, 197; Franklin, 222; Hampden, 252; Hampshire, 237; Middlesex, 244; Norfolk, 208; Plymouth, 201; and Worcester, 219.

Michigan: Allegan, 120; Alpena, 116; Antrim, 120; Barry, 115; Bay, 110; Berrien, 122; Calhoun, 113; Cass, 110; Charlevoix, 120; Cheboygan, 118; Emmet, 140; Genesee, 122; Grand Traverse, 115; Ingham, 105; Ionia, 119; Isabella, 117; Jackson, 107; Kalamazoo, 120; Kalkaska, 112; Kent, 117; Lapeer, 113; Leelanau, 115; Lenawee, 122; Livingston, 108; Macomb, 124; Mason, 110; Mecosta, 117; Menominee, 127; Missaukee, 110; Monroe, 122; Montcalm, 118; Newaygo, 117; Oakland, 101; Oceana, 112; Osceola, 118; Ottawa, 121; Otsego, 110; Presque Isle, 113; St. Clair, 122; Saginaw, 122; Tuscola, 114; Van Buren, 125; Washtenaw, 104; Wayne, 108; and Wexford, 111.

Minnesota: Aitkin, 102; Anoka, 85; Becker, 78; Beltrami, 120; Benton, 85; Carlton, 108; Cass, 108; Chisago, 86; Clay, 80; Clearwater, 100; Crow Wing, 100; Dakota, 100; Douglas, 86; Freeborn, 136; Hennepin, 103; Hubbard, 87; Isanti, 85; Itasca, 121; Kanabec, 85; Kittson, 89; Mahanomen, 81; Marshall, 92; Mille Lacs, 91; Morrison, 87; Mower, 88; Norman, 80; Otter Tail, East, 88; Otter Tail, West, 88; Pine, 100; Pennington, 89; Polk, East, 84; Polk, West, 89; Ramsey, 98; Red Lake, 89; Roseau, 98; St. Louis, North, 123; St. Louis, South, 123; Sherburne, 85; Todd, 86; Wadena, 86; Washington, 93; Wilkin, 78; Winona, 100; and Wright, 82.

Missouri: Clay, 91; Ray, 107; and St. Louis, 110.

Nebraska: Banner, 67; Box Butte, 57; Cheyenne, 62; Dawes, 62; Kimball, 67; Morrill, 130; Scotts Bluff, 175; Sheridan, 60; and Sioux, 125.

Nevada: Lyon, 183; and Washoe, 178.

New Hampshire: Belknap, 229; Carroll, 266; Cheshire, 293; Coos, 297; Grafton, 246; Hillsboro, 225; Merrimack, 240; Rockingham, 218; Strafford, 210; and Sullivan, 255.

New Jersey: Atlantic, 160; Burlington, 190; Camden, 190; Cape May, 160; Cumberland, 202; Gloucester, 190; Hunterdon, 190; Mercer, 202; Middlesex, 202; Monmouth, 202; Morris, 190; Ocean, 190; Salem, 202; Sussex, 180; and Warren, 190.

New York: Albany, 176; Allegany, 145; Broome, 155; Cattaraugus, 155; Cayuga, 166; Chautauqua, 153; Chemung, 160; Chenango, 170; Clinton, 190; Columbia, 151; Cortland, 184; Delaware, 141; Dutchess, 153; Erie, 140; Essex, 190; Franklin, 190; Fulton, 126; Genesee, 158; Greene, 146; Herkimer, 178; Jefferson, 147; Lewis, 141; Livingston, 153; Madison, 200; Monroe, 165; Montgomery, 150; Nassau, 245; Niagara, 147; Oneida, 195; Onondaga, 172; Ontario, 178; Orange, 202; Orleans, 220; Oswego, 172; Otsego, 136; Putnam, 180; Rensselaer, 150; Rockland, 180; St. Lawrence, 141; Saratoga, 153; Schenectady, 172; Schoharie, 135; Schuyler, 135; Seneca, 135; Steuben, 140; Suffolk, 220; Sullivan, 135; Tioga, 153; Tompkins, 160; Ulster, 176; Warren, 150; Washington, 150; Wayne, 175; Westchester, 180; Wyoming, 150; and Yates, 135.

North Carolina: Beaufort, 160; Camden, 144; Carteret, 162; Craven, 155; Currituck, 144; Duplin, 150; Edgecombe, 135; Martin, 140; Pamlico, 162; Pasquotank, 144; Pitt, 150; Sampson, 135; Tyrrell, 145; Washington, 145; and Wayne, 150.

North Dakota: Cass, 83; Grand Forks, 85; Pembina, 95; Richland, 72; Steele, 83; Traill, 85; and Walsh, 92.

Ohio: Ashtabula, 147; Columbiana, 178; Erie, 119; Fulton, 152; Geauga, 151; Hardin, 115; Lorain, 146; Lucas, 143; Mahoning, 170; Medina, 148; Portage, 152; Sandusky, 121; Stark, 148; Trumbull, 148; and Wayne, 148.

Oregon: Baker, 146; Clackamas, 120; Columbia, 178; Crook, 267; Deschutes, 184; Hood River, 178; Klamath, 265; Lane, 155; Linn, 137; Malheur, 231; Marion, 117; Multnomah, 155; Umatilla, 121; Washington, 160; and Yamhill, 165.

Pennsylvania: Adams, 190; Allegheny, 175; Armstrong, 195; Beaver, 175; Bedford, 185; Berks, 180; Blair, 198; Bradford, 207; Bucks, 195; Butler, 192; Cambria, 202; Cameron, 175; Carbon, 190; Centre, 201; Chester, 195; Clarion, 197; Clearfield, 180; Clinton, 185; Columbia, 208; Crawford, 192; Cumberland, 195; Dauphin, 200; Delaware, 183; Elk, 193; Erie, 185; Fayette, 191; Forest, 191; Franklin, 209; Fulton, 200; Huntingdon, 185; Indiana, 193; Jefferson, 179; Juniata, 180; Lackawanna, 182; Lancaster, 200; Lawrence, 199; Lebanon, 193; Lehigh, 204; Luzerne, 199; Lycoming, 190; McKean, 180; Mercer, 180; Mifflin, 185;

Monroe, 195; Montgomery, 198; Montour, 182; Northampton, 212; Northumberland, 175; Perry, 192; Philadelphia, 165; Pike, 232; Potter, 195; Schuylkill, 182; Snyder, 170; Somerset, 209; Sullivan, 190; Susquehanna, 165; Tioga, 171; Union, 194; Venango, 187; Warren, 193; Washington, 199; Wayne, 205; Westmoreland, 194; Wyoming, 192; and York, 180.

Rhode Island: Bristol, 200; Kent, 160; Newport, 257; Providence, 160; and Washington, 300.

South Carolina: Beaufort, 189; Charleston, 161; Colleton, 137; Hampton, 145; and Jasper, 154.

South Dakota: Codington, 89; Deuel, 95; and Hamlin, 87.

Utah: Box Elder, 218; Cache, 204; Davis, 232; Millard, 196; Morgan, 215; Piute, 200; Utah, 223; and Weber, 224.

Vermont: Addison, 212.7; Bennington, 221.4; Caledonia, 290.3; Chittenden, 221.3; Essex, 285.8; Franklin, 223.6; Grand Isle, 199.0; Lamoille, 263.0; Orange, 253.5; Orleans, 253.7; Rutland, 227.2; Washington, 251.0; Windham, 278.2; and Windsor, 231.7.

Virginia: Accomac, 140; Elizabeth City, 119; Gloucester, 150; James City, 125; Mathews, 150; Middlesex, 150; Nansemond, 145; Norfolk, 140; Northampton, 150; Princess Anne, 140; Warwick, 120; and York, 130.

Washington: Benton, 179; Clark, 150; Kittitas, 320; Skagit, 236; Snohomish, 225; Spokane, 80; and Yakima, 292.

Wisconsin: Adams, 72; Barron, 97; Chippewa, 102; Columbia, 95; Dodge, 123; Forest, 92; Juneau, 94; Langlade, 109; Marathon, 92; Marinette, 99; Marquette, 72; Milwaukee, 101; Oconto, 106; Oneida, 84; Portage, 79; Racine, 115; Washington, 118; Waukesha, 96; Waupaca, 96; and Waushara, 72.

Wyoming: Goshen, 142; Laramie, 74; and Park, 169.

5. Section 701.201 (e) (2) is amended to read as follows:

(e) *Rice*.

(2) *National and State acreage allotments*. The national and State rice acreage allotments, as established by the Secretary, are as follows:

States and Allotments in Acres

Arkansas, 155,117; California, 112,998; Louisiana, 421,716; Missouri, 500; and Texas, 204,887. Total, 895,218.

6. Section 701.201 (e) (4) is amended by adding the following:

(4) *Normal yields*.

(iv) The 1941 State average yields per acre of rice, as established by the Secretary, are as follows:

States and Average Yields;
(Hundredweight)

Arkansas, 23.8; California, 31.0; Louisiana, 18.4; Missouri, 21.4; and Texas, 23.2.

7. Section 701.201 (f) (2) is amended to read as follows:

(f) *Tobacco*.

(2) *National and State acreage allotments*. The national and State acreage allotments of Burley tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Alabama, 166; Arkansas, 85; Georgia, 136; Illinois, 37; Indiana, 10,751; Kansas, 451; Kentucky, 264,276; Missouri, 5,662; North Carolina, 7,948; Ohio, 13,662; Oklahoma, 8; South Carolina, 100; Tennessee, 62,836; Virginia, 10,535; and West Virginia, 4,053. Total, 380,706.

The national and State acreage allotments of flue-cured tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Alabama, 500; Florida, 13,700; Georgia, 73,663; North Carolina, 511,224; South Carolina, 85,418; and Virginia, 77,610. Total, 762,115.

The national and State acreage allotments of dark air-cured tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Indiana, 379; Kentucky, 30,777; Missouri, 7; and Tennessee, 4,633. Total, 35,796.

The national and State acreage allotments of fire-cured tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Illinois, 14; Kentucky, 33,151; Missouri, 13; Tennessee, 35,176; Virginia, 15,976. Total, 84,330.

The national and State acreage allotment of Virginia sun-cured tobacco, as established by the Secretary, is as follows: Virginia, 3,100 acres.

The national and State acreage allotment of cigar filler tobacco Type 41, as established by the Secretary, is as follows: Pennsylvania, 30,500 acres.

The national and State acreage allotments of cigar filler and binder tobacco (other than Types 41 and 45), as established by the Secretary, are as follows:

States and Allotments in Acres

Connecticut, 11,715; Illinois, 15; Indiana, 17; Massachusetts, 5,140; Minnesota, 779; New Hampshire, 33; New York, 1,360; Ohio, 17,571; Pennsylvania, 423; Vermont, 30; and Wisconsin, 24,905. Total, 61,988.

The national and State acreage allotments of Georgia-Florida Type 62 tobacco, as established by the Secretary, are as follows:

States and Allotments in Acres

Florida, 2,349; and, Georgia, 551. Total, 2,900.

8. Section 701.201 (f) (4) is amended by the addition of the following:

(4) *Normal yields*.

(iv) The 1941 county average yields of Burley tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Alabama: Calhoun, 845; Cullman, 845; Jackson, 726; Lauderdale, 650; Limestone,

845; Madison, 674; Marshall, 845; Sumter, 845; Tuscaloosa, 600; and Winston, 660.

Arkansas: Baxter, 800; Benton, 850; Carroll, 857; Clay, 800; Fulton, 800; Sharp, 700; Van Buren, 800; Washington, 650; and White, 495.

Georgia: Banks, 849; Catoosa, 850; Cherokee, 819; Dade, 850; Fannin, 850; Floyd, 850; Gilmer, 860; Gordon, 847; Habersham, 850; Hall, 850; Hancock, 850; Monroe, 851; Murray, 850; Pickens, 850; Rabun, 852; Towns, 856; Union, 847; Walker, 850; and Whitfield, 864.

Illinois: Clark, 400; Crawford, 850; Effingham, 850; Hamilton, 833; Moultrie, 850; Vermillion, 849; Warren, 814; and Will, 800.

Indiana: Bartholomew, 909; Brown, 838; Clark, 778; Crawford, 693; Daviess, 675; Dearborn, 825; Decatur, 788; Dubois, 823; Fayette, 945; Floyd, 809; Fountain, 1,219; Franklin, 804; Grant, 1,140; Greene, 942; Harrison, 729; Hendricks, 1,420; Henry, 852; Howard, 823; Jackson, 725; Jefferson, 939; Jennings, 727; Johnson, 1,219; Lawrence, 774; Madison, 852; Martin, 852; Marion, 852; Monroe, 885; Morgan, 1,032; Ohio, 899; Orange, 824; Owen, 814; Parke, 852; Perry, 767; Putnam, 852; Randolph, 852; Ripley, 816; Rush, 936; Scott, 760; Shelby, 740; Spencer, 697; Sullivan, 823; Switzerland, 910; Tipton, 852; Union, 1,123; Wabash, 852; Warrick, 823; and Washington, 776.

Kansas: Atchison, 742; Brown, 869; Doniphan, 910; Jefferson, 821; Johnson, 913; Leavenworth, 885; Linn, 906; Miami, 841; and Wyandotte, 841.

Kentucky: Adair, 774; Allen, 815; Anderson, 804; Ballard, 700; Barren, 804; Bath, 815; Bell, 721; Boone, 950; Bourbon, 993; Boyd, 638; Boyle, 892; Bracken, 842; Breathitt, 688; Breckinridge, 709; Bullitt, 768; Butler, 715; Caldwell, 753; Calloway, 757; Campbell, 845; Carlisle, 770; Carroll, 946; Carter, 718; Casey, 793; Christian, 803; Clark, 938; Clay, 737; Clinton, 805; Crittenden, 748; Cumberland, 704; Daviess, 766; Edmonson, 739; Elliott, 726; Estill, 680; Fayette, 1,010; Fleming, 861; Floyd, 750; Franklin, 849; Fulton, 600; Gallatin, 940; Garrard, 845; Grant, 940; Graves, 801; Grayson, 704; Green, 754; Greenup, 709; Hancock, 722; Hardin, 783; Harlan, 600; Harrison, 892; Hart, 734; Henderson, 756; Henry, 865; Hickman, 792; Hopkins, 719; Jackson, 741; Jefferson, 799; Jessamine, 889; Johnson, 710; Kenton, 870; Knott, 600; Knox, 682; Larue, 805; Laurel, 734; Lawrence, 710; Lee, 610; Leslie, 610; Letcher, 620; Lewis, 789; Lincoln, 828; Livingston, 606; Logan, 874; Lyon, 741; McCracken, 666; McCreary, 730; McLean, 745; Madison, 862; Magoffin, 641; Marion, 836; Marshall, 691; Mason, 862; Meade, 750; Menifee, 686; Mercer, 869; Metcalfe, 730; Monroe, 730; Montgomery, 907; Morgan, 720; Muhlenberg, 686; Nelson, 872; Nicholas, 882; Ohio, 680; Oldham, 811; Owen, 887; Owsley, 680; Pendleton, 840; Perry, 599; Pike, 740; Powell, 635; Pulaski, 765; Robertson, 808; Rockcastle, 736; Rowan, 720; Russell, 748; Scott, 980; Shelby, 914; Simpson, 891; Spencer, 810; Taylor, 799; Todd, 780; Trigg, 761; Trimble, 940; Union, 785; Warren, 894; Washington, 858; Wayne, 830; Webster, 796; Whitley, 659; Wolfe, 725; and Woodford, 1,006.

Missouri: Adair, 854; Andrew, 965; Atchison, 860; Bates, 716; Bollinger, 641; Boone, 807; Buchanan, 965; Caldwell, 934; Callaway, 916; Carter, 500; Cape Girardeau, 748; Carroll, 864; Cass, 874; Chariton, 892; Clay, 965; Clinton, 966; Cole, 811; Cooper, 887; Daviess, 937; De Kalb, 934; Gentry, 854; Grundy, 876; Holt, 860; Howard, 864; Howell, 858; Jackson, 962; Knox, 829; Lafayette, 937; Lawrence, 600; Lewis, 800; Lincoln, 972; Linn, 916; Livingston, 801; McDonald, 854; Macon, 922; Marion, 826; Mercer, 682; Miller, 533; Monroe, 922; Moniteau, 910; Oregon, 942; Pike, 814; Platte, 966; Randolph, 801; Ray, 940; Reynolds, 500; Saint Clair, 845; Saline, 908; Schuyler, 808; Scotland, 808; Scott, 748; Shelby, 876; Stone, 665; Taney, 696; Warren, 600; Webster, 748; and Worth, 850.

North Carolina: Alleghany, 893; Ashe, 991; Avery, 951; Buncombe, 929; Burke, 856; Caldwell 856; Cherokee, 896; Clay, 942; Davidson, 857; Davie, 927; Forsyth, 762; Gaston, 762; Graham, 934; Haywood, 940; Henderson, 873; Jackson, 900; Mecklenburg, 975; McDowell, 844; Macon, 895; Madison, 898; Mitchell, 927; Polk, 762; Rutherford, 725; Swain, 877; Transylvania, 937; Watauga, 997; Wilkes, 753; and Yancey, 935.

Ohio: Adams, 829; Belmont, 1,312; Brown, 863; Butler, 759; Clark, 878; Clermont, 859; Clinton, 827; Coshocton, 901; Fairfield, 897; Fayette, 857; Gallia, 954; Greene, 1,023; Guernsey, 901; Hamilton, 865; Highland, 921; Hocking, 901; Jackson, 940; Lawrence, 852; Meigs, 771; Miami, 987; Monroe, 781; Montgomery, 988; Morgan, 901; Muskingum, 901; Noble, 875; Pickaway, 965; Pike, 782; Preble, 815; Ross, 896; Scioto, 837; Shelby, 988; Union, 725; Vinton, 813; Warren, 866; and Washington, 1,106.

Oklahoma: Delaware, 850; and Mayes, 850.

South Carolina: Abbeville, 875; Anderson, 875; Cherokee, 870; Chester, 875; Greenville, 870; Laurens, 875; McCormick, 875; Oconee, 874; Pickens, 874; Saluda, 875; Spartanburg, 874; Union, 875; and York, 868.

Tennessee: Anderson, 825; Bedford, 835; Bledsoe, 740; Blount, 980; Bradley, 869; Campbell, 860; Cannon, 734; Carter, 992; Cheatham, 899; Claiborne, 959; Clay, 732; Cocke, 880; Coffee, 630; Cumberland, 702; Davidson, 886; DeKalb, 815; Dickson, 880; Dyer, 934; Fentress, 761; Franklin, 805; Giles, 799; Grainger, 1,000; Greene, 925; Grundy, 805; Hamblen, 994; Hamilton, 731; Hancock, 997; Hawkins, 915; Hickman, 790; Houston, 900; Humphreys, 721; Jackson, 815; Jefferson, 1,003; Johnson, 1,111; Knox, 982; Lawrence, 783; Lewis, 677; Lincoln, 835; Loudon, 933; McMinn, 859; Macon, 830; Marion, 787; Marshall, 830; Maury, 842; Meigs, 810; Monroe, 880; Montgomery, 785; Moore, 846; Morgan, 602; Obion, 880; Overton, 769; Perry, 670; Pickett, 810; Polk, 793; Putnam, 822; Rhea, 885; Roane, 864; Robertson, 840; Rutherford, 810; Scott, 739; Sequatchie, 760; Sevier, 970; Smith, 840; Stewart, 791; Sullivan, 960; Sumner, 845; Trousdale, 840; Unicoi, 900; Union, 930; Van Buren, 609; Warren, 703; Washington, 980; Wayne, 770; White, 905; Williamson, 845; and Wilson, 868.

Virginia: Albemarle, 825; Amelia, 825; Amherst, 825; Appomattox, 825; Bedford, 875; Bland, 1,150; Botetourt, 950; Brunswick, 975; Buchanan, 960; Buckingham, 960; Campbell, 825; Carroll, 875; Charlotte, 825; Chesterfield, 825; Cumberland, 850; Dickenson, 960; Dinwiddie, 825; Floyd, 1,000; Fluvanna, 850; Franklin, 825; Frederick, 900; Giles, 825; Goochland, 825; Grayson, 1,090; Halifax, 825; Henrico, 850; Lee, 1,000; Lunenburg, 800; Mecklenburg, 860; Montgomery, 1,000; Nottoway, 825; Orange, 800; Powhatan, 860; Patrick, 825; Prince Edward, 850; Pulaski, 1,000; Rockbridge, 850; Russell, 1,190; Scott, 1,030; Smyth, 1,125; Spotsylvania, 850; Tazewell, 1,200; Washington, 1,125; Wise, 960; and Wythe, 1,030.

West Virginia: Boone, 687; Cabell, 696; Clay, 641; Jackson, 723; Kanawha, 630; Lincoln, 641; Logan, 611; Mason, 750; Mercer, 1,190; Mingo, 741; Monroe, 1,176; Putnam, 660; Roane, 661; Wayne, 739; Wirt, 628; and Wood, 609.

(v) The 1941 county average yields of flue-cured tobacco, as established by the Secretary, are as follows:

Counties and Yields, per Acre in Pounds

Alabama: Autauga, 800; Butler, 746; Coffee, 800; Conecuh, 800; Covington, 836; Dale, 840; Etowah, 840; Geneva, 837; Henry, 797; Houston, 853; Jackson, 700; and Randolph, 700.

Florida: Alachua, 948; Baker, 820; Bay, 810; Bradford, 890; Calhoun, 820; Citrus, 712; Columbia, 910; Dixie, 820; Gadsden, 820; Gilchrist, 898; Hamilton, 940; Hernando, 921; Hillsborough, 850; Holmes, 878; Jackson, 879; Jefferson, 842; Lafayette, 850; Lake, 810; Leon, 865; Levy, 869; Madison, 900; Marion, 849; Nassau, 823; Okaloosa, 870; Pasco, 820; Polk, 820; St. Johns, 900; Santa Rosa, 870; Seminole, 900; Sumter, 889; Suwannee, 909; Taylor, 890; Union, 917; Wakulla, 900; and Washington, 855.

Georgia: Appling, 977; Atkinson, 1,018; Bacon, 975; Baker, 853; Barrow, 812; Ben Hill, 896; Berrien, 1,039; Brantley, 1,028; Brooks, 1,020; Bryan, 786; Bulloch, 919; Burke, 799; Calhoun, 976; Camden, 888; Candler, 844; Charlton, 943; Chatham, 861; Chattahoochee, 800; Cherokee, 817; Clarke, 816; Clayton, 757; Clinch, 947; Coffee, 1,030; Colquitt, 1,033; Cook, 1,041; Crawford, 812; Crisp, 925; Decatur, 858; DeKalb, 812; Dodge, 847; Dooly, 895; Dougherty, 893; Early, 878; Echols, 848; Effingham, 841; Emanuel, 825; Evans, 854; Fayette, 816; Glascock, 940; Glynn, 1,012; Grady, 880; Gwinnett, 813; Hall, 800; Heard, 812; Henry, 796; Houston, 880; Irwin, 995; Jeff Davis, 1,034; Jefferson, 828; Jenkins, 728; Johnson, 721; Lanier, 1,041; Laurens, 855; Lee, 943; Liberty, 846; Long, 859; Lowndes, 995; McIntosh, 970; Madison, 812; Marion, 776; Miller, 882; Mitchell, 900; Monroe, 812; Montgomery, 856; Pierce, 989; Pulaski, 805; Quitman, 760; Richmond, 812; Schley, 816; Screven, 811; Seminole, 905; Stewart, 759; Sumter, 900; Taliaferro, 827; Tattnall, 878; Taylor, 816; Telfair, 840; Terrell, 798; Thomas, 1,012; Tift, 991; Toombs, 830; Treutlen, 781; Troup, 812; Turner, 906; Walton, 801; Ware, 1,034; Washington, 816; Wayne,

998; Webster, 800; Wheeler, 850; Wilcox, 849; Wilkes, 812; Wilkinson, 818; and Worth, 1,000.

North Carolina: Alamance, 737; Alexander, 870; Anson, 872; Beaufort, 908; Bertie, 973; Bladen, 880; Brunswick, 869; Burke, 775; Cabarrus, 832; Caldwell, 807; Camden, 744; Carteret, 854; Caswell, 834; Catawba, 826; Chatham, 744; Chowan, 868; Cleveland, 818; Columbus, 1,018; Craven, 856; Cumberland, 860; Currituck, 826; Davidson, 823; Davie, 744; Duplin, 891; Durham, 717; Edgecombe, 946; Forsyth, 839; Franklin, 883; Gaston, 723; Gates, 786; Granville, 745; Greene, 921; Guilford, 841; Halifax, 974; Harnett, 871; Hertford, 978; Hoke, 878; Hyde, 934; Iredell, 813; Johnston, 914; Jones, 875; Lee, 845; Lenoir, 900; Lincoln, 685; Martin, 960; Mecklenburg, 806; Montgomery, 696; Moore, 763; Nash, 909; New Hanover, 847; Northampton, 821; Onslow, 851; Orange, 755; Pamlico, 803; Pender, 851; Perquimans, 826; Person, 821; Pitt, 872; Randolph, 771; Richmond, 833; Robeson, 955; Rockingham, 883; Rowan, 782; Sampson, 866; Scotland, 837; Stanly, 681; Stokes, 848; Surry, 824; Tyrrell, 826; Union, 843; Vance, 825; Wake, 820; Warren, 788; Washington, 791; Wayne, 901; Wilkes, 692; Wilson, 956; and Yadkin, 824.

South Carolina: Aiken, 617; Allendale, 748; Bamberg, 770; Barnwell, 830; Berkeley, 734; Calhoun, 690; Charleston, 700; Cherokee, 700; Chester, 767; Chesterfield, 820; Clarendon, 864; Colleton, 856; Darlington, 883; Dillon, 932; Dorchester, 857; Edgefield, 624; Fairfield, 679; Florence, 917; Georgetown, 931; Greenville, 801; Hampton, 752; Horry, 1,076; Jasper, 830; Kershaw, 734; Lancaster, 785; Laurens, 700; Lee, 832; Lexington, 823; McCormick, 906; Marion, 926; Marlboro, 882; Newberry, 994; Orangeburg, 817; Richland, 721; Saluda, 834; Sumter, 891; Williamsburg, 927; and York, 650.

Virginia: Amelia, 840; Amherst, 750; Appomattox, 800; Bedford, 860; Brunswick, 780; Buckingham, 750; Campbell, 785; Carroll, 800; Charlotte, 828; Chesterfield, 780; Cumberland, 838; Dinwiddie, 785; Floyd, 700; Fluvanna, 750; Franklin, 862; Gloucester, 750; Goochland, 770; Greensville, 790; Halifax, 760; Henrico, 760; Henry, 750; Isle of Wight, 910; Lunenburg, 780; Mecklenburg, 780; Middlesex, 760; Nansemond, 840; New Kent, 800; Norfolk, 800; Nottoway, 800; Patrick, 815; Pittsylvania, 790; Powhatan, 790; Prince Edward, 845; Prince George, 740; Smyth, 750; Southampton, 750; Surry, 895; and Sussex, 800.

(vi) The 1941 county average yields of dark air-cured tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Indiana: Dubois, 850; Perry, 1,087; Pike, 730; Posey, 860; Spencer, 863; and Warrick, 820.

Kentucky: Allen, 950; Breckenridge, 795; Butler, 808; Caldwell, 830; Calloway, 830; Carlisle, 880; Christian, 825; Crittenden, 851; Daviess, 922; Fulton, 851; Graves, 830; Grayson, 738; Hancock, 990; Hardin, 855; Henderson, 910; Hickman, 857; Hopkins, 796; Logan, 860; Lyon, 840; McCracken, 829; McLean, 875;

Marshall, 808; Monroe, 850; Muhlenberg, 737; Ohio, 850; Simpson, 960; Todd, 800; Trigg, 835; Union, 860; Warren, 965; and Webster, 840.

Missouri: Ripley, 860; and Texas, 860.

Tennessee: Bedford, 750; Benton, 822; Carroll, 586; Giles, 837; Henry, 809; Jackson, 800; Lewis, 600; Macon, 861; Montgomery, 855; Obion, 860; Overton, 659; Pickett, 660; Robertson, 824; Sumner, 836; Trousdale, 678; Warren, 650; Weakley, 830; and Williamson, 700.

(vii) The 1941 county average yields of fire-cured tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Illinois: Johnson 851; Massac 860.

Kentucky: Ballard, 920; Caldwell, 830; Calloway, 830; Carlisle, 880; Christian, 825; Crittenden, 851; Fulton, 851; Graves, 830; Hickman, 857; Hopkins, 796; Livingston, 805; Logan, 860; Lyon, 840; McCracken, 829; Marshall, 808; Muhlenberg, 737; Simpson, 960; Todd, 800; and Trigg, 835.

Missouri: Butler, 860.

Tennessee: Carroll, 775; Cheatham, 876; Coffee, 739; Davidson, 921; Dickson, 823; Dyer, 495; Franklin, 741; Henry, 809; Henderson, 600; Hickman, 681; Houston, 832; Humphreys, 792; Lawrence, 833; Macon, 1,100; Montgomery, 822; Moore, 863; Obion, 860; Robertson, 889; Stewart, 840; Sumner, 864; Weakley, 840; and Williamson, 802.

Virginia: Albemarle, 700; Amelia, 830; Amherst, 795; Appomattox, 850; Bedford, 875; Botetourt, 900; Brunswick, 940; Buckingham, 795; Campbell, 850; Charlotte, 850; Chesterfield, 880; Cumberland, 830; Dinwiddie, 880; Floyd, 800; Franklin, 825; Frederick, 800; Greensville, 610; Halifax, 800; Henry, 700; Lunenburg, 885; Mecklenburg, 800; Nelson, 795; Notoway, 880; Pittsylvania, 840; Powhatan, 830; Prince Edward, 860; Roanoke, 750; Rockbridge, 950; and Sussex, 770.

(viii) The 1941 county average yields of Virginia sun-cured tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Virginia: Amelia, 830; Buckingham, 795; Caroline, 1,000; Charlotte, 850; Chesterfield, 840; Cumberland, 830; Dinwiddie, 800; Essex, 945; Fluvanna, 800; Goochland, 750; Hanover, 840; Henrico, 850; King and Queen, 910; King William, 910; Louisa, 800; Lunenburg, 800; Powhatan, 830; Prince George, 750; and Spottsylvania, 835.

(ix) The 1941 county average yields of cigar filler tobacco Type 41, as established by the Secretary, are as follows:

Counties and Yields Per Acre in Pounds

Pennsylvania: Berks, 1,248; Chester, 1,381; Dauphin, 1,148; Lancaster, 1,278; Lebanon, 1,200; and York, 1,293.

(x) The 1941 county average yields of cigar filler and binder tobacco (other than Types 41 and 45), as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Connecticut: Fairfield, 1,500; Hartford, 1,586; Litchfield, 1,500; Middlesex, 1,500; and Tolland, 1,585.

Illinois: Boone, 1,000.

Indiana: Randolph, 896; and Wayne, 896.

Massachusetts: Franklin, 1,568; Hampden, 1,568; and Hampshire, 1,568.

Minnesota: Benton, 914; Fillmore, 956; Freeborn, 1,021; Houston, 1,000; Meeker, 1,064; Mille Lacs, 1,010; Sherburne, 893; Stearns, 1,236; Winona, 686; and Scott, 1,000.

New Hampshire: Cheshire, 1,489.

New York: Cayuga, 1,187; Chemung, 1,298; Onondago, 1,262; Oswego, 1,148; Steuben, 1,231; and Wayne, 1,185.

Ohio: Butler, 1,155; Clark, 968; Darke, 936; Greene, 1,028; Miami, 951; Montgomery, 991; Preble, 975; Shelby, 898; and Warren, 1,081.

Pennsylvania: Bradford, 1,130; Clinton, 1,297; Juniata, 1,402; Lycoming, 1,375; Snyder, 1,280; Tioga, 1,099; and Union, 1,375.

Vermont: Windham, 1,489.

Wisconsin: Barron, 1,058; Buffalo, 1,200; Chippewa, 1,239; Columbia, 1,303; Crawford, 1,371; Dane, 1,390; Dunn, 1,045; Grant, 1,243; Green, 1,308; Jackson, 1,103; Jefferson, 1,278; Juneau, 1,031; La Crosse, 1,355; Monroe, 1,316; Richland, 1,369; Rock, 1,342; Saint Croix, 1,356; Trempealeau, 1,155; and Vernon, 1,329.

(xi) The 1941 county average yields of Georgia-Florida Type 62 tobacco, as established by the Secretary, are as follows:

Counties and Yields per Acre in Pounds

Florida: Gadsden, 1,018; Leon, 900; and Madison, 970.

Georgia: Decatur, 1,050; and Grady, 1,050.

Done at Washington, D. C., this 3d day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-6304; Filed, July 3, 1942; 11:04 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 502—VESTING ORDERS

[Vesting Order No. 33]

VESTING ALL OF THE CAPITAL STOCK OF GENERAL DYESTUFF CORPORATION

§ 502.33 *Vesting Order No. 33.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C.A. App. sec. 5 (b), as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong., 1st sess.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same

hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All outstanding shares of the capital stock of General Dyestuff Corporation (a New York corporation), which shares are more fully described in Exhibit A attached hereto and made a part hereof.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Shares of the outstanding capital stock of General Dyestuff Corporation, the numbers of the certificates representing which, the number of shares represented by such certificates, and the names of the registered owners of which, are, respectively, as follows:

Certificate Nos.	Number of shares	Names of registered owners
117, 118, 119	23	J. Robt. Bonnar.
125	37	J. Robt. Bonnar.
101, 102, 103	1,975	W. H. Duisberg.
137, 138, 139	4,725	Elizabeth S. Halbach and F. H. Stafford, trustees.
107, 108	30	Henry F. Hermann.
104, 105, 106	225	Percy Kuttroff.
134	50	Geo. A. LaVallee.
109, 110, 111	300	R. Lenz.
126	100	R. Lenz.
114, 115, 116	300	H. W. Martin.
120	50	H. W. Martin.
132, 133	750	A. V. St. George.
128, 129, 130, 131	73	Lennart Swenson.
112, 113	15	A. T. Wingender.
121	25	A. T. Wingender.

[F. R. Doc. 42-6271; Filed, July 2, 1942; 3:21 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 26]

VESTING OF CERTAIN PROCESSES AND FORMULAE

§ 502.26 *Vesting Order No. 26.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C.A. App. sec. 5 (b), as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong., 1st

sess.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property shall be and the same hereby is vested in the Alien Property Custodian to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All right, title and interest in the processes and formulae listed and described in Exhibit A attached hereto and made a part hereof.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 18, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Certain processes and formulae now in the possession of the Empire Trust Company, 120 Broadway, New York City, as described in a document dated January 16, 1942 and signed by Erwin T. Fritzsching.

The documents, drawings and descriptions, consisting of the indicated number of pages, covering the following processes and formulae:

Name of product	Process subdivisions	Number of pages
Cerolin.....	General Description and process based on laboratory work.....	4
	Equipment for 1 lb.....	1
	Flow sheet.....	1
	Testing Method.....	1
Cholesterin.....	Gewinnung von Cholesterin aus Wollfett.....	2
	Verfahren zur betriebsmaessigen Herstellung; Drawings.....	4
Coumarin.....	Herstellung.....	8
	Tabletten.....	1
Diplosal.....	Drawings.....	1
	Ergosterin aus Trockenhefe.....	2
Ergosterin.....	Umkristallisieren von Roh-Ergosterin.....	2

Name of product	Process subdivisions	Number of pages
Eucupln, Optochln. Vuzin.	Allegemeines zur Fabrikation von Eucupin. Herstellung von Eucupinbasicum.	2
	Eucupln bihydrochloricum.	2
	Aufarbeiten des zurueckgewonnenen Hydrocupreins; Optochin.	1
	Salzsaures Optochin.....	1
	Optochin-Waschalkohol.....	2
	Vuzin bihydrochloricum.	2
	Kosten der wichtigen Apparate.	1
	Drawing 36/126 Trommel.	1
	Drawing X 6. 148.....	1
	Oestradiol Glucoside.....	3
	Progesterone Concentrations.	7
	Testosterone Propionate (Plant Processing).	5
	Testosterone Propionate (Laboratory Processing).	3
	Dehydro Androsterone Acetate.	4
	Handling of Catalyst.....	6
	Androstenediol Benzoate.	4
	Androstenediol 17 Benzoate.	4
	Testosterone Benzoate.....	3
	Testosterone.....	2
	Testosterone Propionate.	4
	Prolaktin.....	1
	Cholesterol.....	1
	Drawings.....	3
Hydrocupreline.....	3	
Drawings.....	1	
Nucleic Acid.....	Nucleic Acid.....	2
	Purification of Crude Nucleic Acid.	1
Sodium Nucleic.....	1	
Quinine and Minor Alkaloids.	Processes.....	146
	Verzeichnis ueber Standard Prozesse.	
	Extraktionsanlage.	
	Extraktionsapparat.	
	Siebmaschine & Waage.	
	Chinin Bisulfuricum.	
	Drawings.....	57
	Process.....	2
	Drawings.....	4
	Drawings.....	8
Quinine Sulphate Powder Pills.	Fabrikation.....	11
	Verfahren.....	3
Straphantbln.	Drawings.....	4
	Drawings.....	4
Theophyllin.....	Drawings.....	2
	Drawings.....	1
Vanillin.....	Vanillin aus Benzilidenverbindung.	2
	Drawings.....	1

[F. R. Doc. 42-6273; Filed, July 2, 1942; 4:19 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 34]

VESTING OF THE ENTIRE COMMON CAPITAL STOCK OF BYK, INC. AND UNITED STATES TRADE-MARK NO. 372,098

§ 502.34 Vesting Order No. 34. Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered liquidated, sold or otherwise dealt with in the interest of

and for the benefit of the United States; such property being described as follows:

(a) All of the common capital stock of Byk, Inc. (a Delaware corporation) consisting of the following:

(1) Six shares registered in the name of Byk-Guldenwerke Chemische Fabrik, A. G., 11 Alsenstrasse, Berlin, N. W. 40, Germany.

(2) Three shares registered in the name of Dresdner Bank, 35 Behrenstrasse, Berlin W. 56, Germany.

(3) One share registered in the name of Reichs-Kredit Gesellschaft, A. G., 53 Franzosischestrasse, Berlin, W. 8, Germany.

(b) All right, title and interest (including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof) of Byk-Guldenwerke Chemische Fabrik, A. G., No. 11 Alsenstrasse, Berlin N. W. 40, Germany, in and to that certain trade-mark registered in its name in the United States Patent Office under No. 372,098.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6274; Filed, July 2, 1942; 4:19 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 35]

VESTING ALL OUTSTANDING SHARES OF THE COMMON CAPITAL STOCK OF SIEMENS, INCORPORATED

§ 502.35 Vesting Order No. 35. Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in

Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same is hereby vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All outstanding shares of the common capital stock of Siemens, Incorporated (a New York corporation) consisting of the following:

- a. 25 shares owned by Siemens & Halske, A. G., Berlin, Germany.
- b. 25 shares owned by Siemens-Schuckertwerke, A. G., Berlin, Germany.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6275; Filed, July 2, 1942; 4:19 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 36]

VESTING 7,304 SHARES OF THE COMMON STOCK OF AJAX TRANSPORTATION COMPANY

§ 502.36 *Vesting Order No. 36.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with

in the interest of and for the benefit of the United States; such property being described as follows:

7,304 shares of the common capital stock of Ajax Transportation Company (a Missouri corporation) registered in the names of Hanns Frankenberg and Adolph Gaeng, nominees for Ubersee Finanz-Korporation, A. G. (Overseas Finance Corporation, Limited), and represented by certificate No. 15, together with all declared and unpaid dividends on the same.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1, within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C. on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6276; Filed, July 2, 1942; 4:19 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 37]

VESTING 697 SHARES OF THE COMMON CAPITAL STOCK OF BISLERI COMPANY, INC. AND ONE UNITED STATES TRADE-MARK

§ 502.37 *Vesting Order No. 37.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

(a) 697 shares of the common capital stock of Bisleri Company, Inc. (a New York corporation) consisting of the following:

- (1) 695 shares registered in the name of S. A. Felice Bisleri & Cia., Milan, Italy.
- (2) 2 shares registered in the name of Michele Bonelli, Milan, Italy.

(b) That certain trade-mark (including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof) owned by S. A. Felice Bisleri & Cia., Milan, Italy, and registered in the United States Patent Office under No. 177,130.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6277; Filed, July 2, 1942; 4:20 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 38]

VESTING 100 SHARES OF THE COMMON CAPITAL STOCK OF AMERICAN OBERMAIER CORPORATION

§ 502.38 *Vesting Order No. 38.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U. S. C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

100 shares of the common capital stock of American Obermaier Corporation (a New York corporation) owned by Obermaier & Cie, Neustadt, Germany.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6278; Filed, July 2, 1942; 4:20 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 39]

VESTING OF ALL THE CAPITAL STOCK OF CASTLE RAYON CORPORATION

§ 502.39 *Vesting Order No. 39.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All of the capital stock of Castle Rayon Corporation (a New York corporation) consisting of 100 shares owned by Chantillon, S. A. I., Milano, Italy.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any in-

terest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6279; Filed, July 2, 1942; 4:20 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 40]

VESTING 1,000 SHARES OF THE CAPITAL STOCK OF BUTTE FARM LAND COMPANY

§ 502.40 *Vesting Order No. 40.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

1,000 shares of the capital stock of Butte Farm Land Company (a California corporation) the names of the owners of which and the number of shares owned by them, respectively, are as follows:

Names of owners:	Number of shares
Toyotara Ikuta.....	400
K. Ikuta.....	1
S. Yamada.....	199
Hideo Yamada.....	200
Sumi Yamada.....	100
Kazuko Yamada.....	100

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hear-

ing thereon, on Form No. APC-1, within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6280; Filed, July 2, 1942; 4:20 p. m.]

PART 502—VESTING ORDERS

[Vesting Order No. 41]

VESTING ALL OF THE OUTSTANDING CAPITAL STOCK OF AMERICAN LURGI CORPORATION

§ 502.41 *Vesting Order No. 41.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C. App., as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong.)), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All of the outstanding capital stock (consisting of 600 shares of preferred and 150 shares of common) of American Lurgi Corporation (a New York corporation) registered in the name of Rotopulsor A. G., Fronwagplatz 9, Schaffhausen, Switzerland.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return or compensation should be made.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 30, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-6281; Filed, July 2, 1942; 4:21 p. m.]

[General Order No. 2]

PART 503—GENERAL ORDERS

Correction

In the instructions for preparing Form APC 2, appearing on page 4635 of the issue for Tuesday, June 23, 1942, the reference to paragraph 1 (b) should read "(a) (2)"; the reference to paragraph 2 (b) should read "(b) (2)".

TITLE 12—BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222—CONSUMER CREDIT

"CYCLE BILLING"

Section 222.12 is amended, effective July 2, 1942, by adding the following new paragraph at the end thereof:

(m) "Cycle billing". (1) The provisions of subparagraph (2) shall be applicable, instead of the provisions of the opening paragraph of § 222.5 (c), to any Registrant who (i) on May 6, 1942, was using a system of recording and billing his charge accounts whereby such accounts were divided into several groups and a different monthly closing date and monthly billing period was used for each such group, and (ii) has received from the Federal Reserve Bank of his district a notification which is still in force stating that the Federal Reserve Bank is satisfied (a) that such billing system makes it impracticable for him to operate under § 222.5 (c) and (b) that it would be impracticable for him, in view of orders of the War Production Board restricting deliveries of office machinery, to change his system over to one that uses the calendar month as the billing period.

(2) A charge account maintained by such Registrant shall be deemed to be in default if any article (whether listed or unlisted) for which credit was extended in such account has not been paid for in full on or before the 40th day following the last day of the applicable monthly billing period during which such article was sold, except as provided in the three numbered paragraphs in § 222.5 (c).

(3) With respect to any article sold in such a charge account, the maximum maturity shall be the period provided in subparagraph (2) instead of that provided in § 222.5 (a). [The foregoing amendment was issued under the authority contained in sec. 5 (b), 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; sec. 301, Pub. Law 354, 77th Congress; 12 U.S.C. 95 (a) and Sup., and Executive Order No. 8843, dated August 9, 1941.]

Board of Governors of the Federal Reserve System.

[SEAL]

S. R. CARPENTER,
Assistant Secretary.[F. R. Doc. 42-6318; Filed, July 3, 1942;
12:02 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 24-10, Civil Air Regulations]

PART 24—MECHANIC CERTIFICATES

PERMANENT MECHANIC CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 29th day of June 1942.

Acting pursuant to sections 205 (a), 601, and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective December 7, 1941, Part 24 of the Civil Air Regulations is amended as follows:

1. By amending § 24.32 to read as follows:

§ 24.32 *Duration*. A mechanic's certificate shall be of 60 days' duration, and unless the holder is otherwise notified by the Administrator within such period, it shall continue in effect thereafter until otherwise specified by the Board, unless suspended or revoked: *Provided*, That a factory mechanic's rating shall terminate at any time that the holder thereof ceases to be employed by the manufacturer to whose products the rating is limited or whenever the facilities of such manufacturer are no longer available to or in use by the holder.

2. By striking § 24.33 and inserting in lieu thereof the following:

§ 24.33 *Unassigned*.

3. By adding a new § 24.55 to read as follows:

§ 24.55 *Recent experience requirements*. The holder of a mechanic's certificate shall not exercise the privileges thereunder, unless within the preceding twenty-four calendar months he has:

(a) Served as a mechanic under the terms of his certificate and rating for at least six months of such twenty-four-month period, or

(b) Demonstrated to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

4. By adding a new § 24.56 to read as follows:

§ 24.56 *Reports*. The holder of a mechanic's certificate shall transmit to the Administrator, annually, during the month of January, a report for the preceding twelve-month period, setting forth the amount and type of his aeronautical experience and such other pertinent data as the Administrator may require.

5. By adding a new § 24.57 to read as follows:

§ 24.57 *Expired certificates: special issuance*. The holder of a mechanic's certificate which has expired during the preceding twelve months may obtain a new certificate and the same rating

theretofore held immediately prior to its expiration, upon application, by demonstrating to the satisfaction of the Administrator that he is able to meet the standards currently prescribed by the Civil Air Regulations for the issuance of the certificate and rating.

6. By amending the table of contents to conform to Items 2, 3, 4, and 5 of this amendment.

7. By adding to the table of contents in the proper numerical order the following:

§ 24.23 *Factory mechanic rating*.

§ 24.37 *Special issuance of certificate or rating*.

§ 24.38 *Revocation*.

§ 24.53 *Factory mechanic rating limitations*.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.[F. R. Doc. 42-6290; Filed, July 3, 1942;
10:33 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 72]

PART 408—ACCOUNTING SECTION

The second sentence of § 408.00k is amended to read as follows:

§ 400.00k *Insufficient payments*. * * * The appropriate account affected shall be credited with the amount of such insufficiency, with a contra debit to the account, "Charges to Reserve." (Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective July 1, 1942.

[SEAL] J. FRANCIS MOORE,
Secretary.[F. R. Doc. 42-6268; Filed, July 2, 1942;
12:36 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

MISCELLANEOUS AMENDMENTS

Section 801.2 *Prohibited exportations*¹ is hereby amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designations assigned

¹ 7 F.R. 4952.

to the commodities listed below are amended to read as follows:

Commodity	Gen. Lic. Group
MACHINERY-CONSTRUCTION & CONVEYING	
Dredging machinery parts.....	O
MACHINERY-MINING, WELL & PUMPING	
Rock drills.....	C
Rotary pumps, all others.....	1, 47
TOYS, ATHLETIC & SPORTING GOODS	
Amusement park & playground devices & parts (include bowling alleys, merry-go-round, slides, swings, trapeze, climbing ropes, seesaws, horizontal bars, & other athletic contrivances).....	C
Billiard tables & accessories (specify by name).....	C
Children's wheel goods & parts (specify by name) (includes coaster express, & play wagons; sleds, automobiles, tricycles; & wheels & other parts).....	C
Dolls & parts (specify type, i. e. composition, or stuffed) (include clothing).....	C
Fishing rods.....	C
Fishing reels.....	C
Fishing tackle & parts, n. e. s.....	C
Golf clubs.....	C
Ice skates.....	C
Roller skates.....	C
Toys & parts, mechanical (include coaster, express & play wagons; sleds, automobiles, tricycles; and wheels & other parts) (specify by name).....	C
Toys, not mechanical of metal (include air rifles) (specify by name).....	C
Toys, not mechanical, of wood (specify by name).....	C
Toys & parts, except rubber, n. e. s. (include marbles (specify by name).....	C
Athletic & sporting goods, n. e. s.....	C

Part 802—General Licenses² is hereby amended by adding the following section:

§ 802.15 *Re-exportation of machinery, equipment or parts.* A general license is hereby issued permitting re-exportation to Mexico of machinery, equipment or parts of machinery and equipment owned and operated in Mexico, which is shipped into the United States for repair purposes, under six months bond, and also of replacement parts which are added to such machinery, equipment or parts of machinery and equipment while in the United States.

Section 804.7 *Special provisions concerning applications to export certain commodities* is hereby amended by adding the following paragraph:

(1) *Vehicles.* Applications for licenses to export vehicles with tires must include a statement of the number of tires to be exported with the vehicles.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,
Colonel, Infantry, Chief, Export Control Branch, Office of Exports.

[F. R. Doc. 42-6291; Filed, July 3, 1942; 10:44 a. m.]

¹ 7 F.R. 5001.

Chapter IX—War Production Board
Subchapter B—Division of Industry Operations
PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Amendment 2 to General Limitation Order L-38]

1. Paragraph (c) *Prohibiting sale of refrigerating and air conditioning equipment* of § 1071.1 *General Limitation Order L-38* as amended by Amendment No. 1, issued June 18, 1942, is hereby further amended by adding thereto the following subparagraph:

(3) Notwithstanding the provisions of (c) (1) of this order, after July 10, 1942, no unused self-contained drinking water coolers shall be sold, leased, traded, loaned, delivered, shipped, transferred or installed for the purpose of supplying drinking water for human consumption except to fill an order of

(i) The Army or Navy of the United States, the United States Maritime Commission or the Coast Guard, or

(ii) A manufacturer who has been specifically authorized by the Director of Industry Operations to accept such water coolers.

No application for such specific authorization will be granted unless made on Form PD-1A accompanied by a statement signed by the applicant representing that the applicant is a manufacturer engaged in producing materials to fill "defense orders" as defined in § 944.1 (b) of Priorities Regulation No. 1 as amended; that such water coolers are essential to the health of the applicant's employees employed in the applicant's shop or plant; and that such water coolers will not be used in the offices, restaurants, or cafeterias connected with such shop or plant. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6311; Filed, July 3, 1942; 11:16 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Limitation Order L-126]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel, copper, brass, bronze and other critical materials 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:

§ 1071.2 *Limitation Order L-126—*
(a) *Definitions.* For the purpose of this order and all schedules issued pursuant thereto:

(1) "Refrigerating and air conditioning equipment" means any type of machinery, equipment or other apparatus (except a domestic mechanical refrigerator as defined in paragraph (a) (2) hereof and except a domestic ice refrigerator as defined in paragraph (a) (3) hereof) which is primarily designed to lower the temperature of matter, or to regulate the temperature or humidity of air, by mechanical, chemical or physical means, and includes all insulated enclosures, materials, parts, implements and devices used with such machinery, equipment or apparatus in causing it to perform its function of refrigeration or air conditioning.

(2) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating) but does not include any low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(3) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box for home use.

(4) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(5) "Required specifications" includes requirements to standardize the types, sizes, models or forms of, or the specifications for, refrigerating and air conditioning equipment; to eliminate, reduce or conserve the use of critical materials in the production or use of such equipment; and to substitute less critical for more critical materials in the production or use of such equipment.

(b) *Issuance of schedules of required specifications.* The Director of Industry Operations may from time to time issue Schedules establishing Required Specifications with respect to the production or use of any Refrigerating and air conditioning equipment. On and after the effective date of any such Schedule, no Refrigerating and air conditioning equipment affected thereby shall be produced, fabricated, delivered, accepted or installed, if such production, fabrication, delivery, acceptance or installation is prohibited by the terms of such schedule.

(c) *Appeals.* Any person affected by this order or any schedule issued pursuant thereto who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order or such schedule would disrupt or impair a program of conversion from non-defense work, may apply for relief by addressing a letter to the War Production Board setting forth the pertinent facts and the

reasons why such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(d) *Applicability of Priorities Regulation No. 1.* This order (and any Schedule issued pursuant thereto) and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of the order (or schedule) shall govern.

(e) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: L-126.

(f) *Violations.* Any person who wilfully 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. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E. O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6307; Filed, July 3, 1942;
11:16 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule I to Limitation Order L-126]

REQUIRED SPECIFICATIONS SCHEDULE I—SELF-CONTAINED DRINKING WATER COOLERS

§ 1071.3 *Schedule I to Limitation Order L-126—(a) Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles self-contained drinking water coolers for supplying drinking water for human consumption.

(2) "Self-contained" means a single cabinet or housing for a drinking water cooler containing, or manufactured to contain, two or more of the following assemblies:

(i) Water cooling low side or evaporator with or without controls.

(ii) Bubbler valve fountain assembly or assemblies, or glass- or pitcher-filler assembly or assemblies.

(iii) Electric refrigeration condensing unit with or without controls.

(3) "Bubbler type" means any type of self-contained drinking water cooler which is designed primarily for supplying drinking water through or by means of a sanitary bubbler or drinking fountain.

(4) "Bottle type" means any type of self-contained drinking water cooler which is designed to be used only with an inverted bottle water container of any size for supplying drinking water.

(5) "Cafeteria type" means any type of self-contained drinking water cooler which is designed primarily for supplying drinking water through or by means of a glass- or pitcher-filler assembly.

(6) "Copper base alloy" means any alloy which contains 40% or more copper by weight.

(7) "Design of cabinet enclosure" means a particular combination of cabinet enclosure or housing, drain receptor or receptors, bubbler valve assemblies, and glass or pitcher filler assemblies. Any change in the size or location of any of these items constitutes a change in design.

(b) *Required specifications.* Pursuant to Limitation Order L-126 the following Required Specifications are hereby established for self-contained drinking water coolers:

(1) *Types, sizes and capacities.*

TYPE A—ELECTRIC BUBBLER STORAGE TYPE (FOR MARINE AND NAVY USE ABOARD SHIP—AIR-COOLED)

Size	Capacity, minimum	Peak load capacity in 15-minute period, minimum	Maximum fixture equipment authorized
5	5 G. P. H. . . .	Gallons 1.87	1 bubbler assembly and 1 glass-filler.
10	10 G. P. H. . . .	3.75	2 bubbler assemblies and 1 glass-filler.
20	20 G. P. H. . . .	7.50	4 bubbler assemblies and 1 glass-filler.

NOTE.—Type A cooler capacities are based on the use of a waste water pre-cooler using 60% spill. The above specified capacities are based on an ambient temperature of 100° F. inlet to 50° F. outlet drinking water.

TYPE B—ELECTRIC BUBBLER STORAGE TYPE (FOR LAND USE—AIR OR WATER COOLED)

Size	Capacity, minimum	Peak load capacity in 15-minute period, minimum	Maximum fixture equipment authorized
5	5 G. P. H. . . .	Gallons 1.87	1 bubbler assembly, and 1 glass-filler if requested.
10	10 G. P. H. . . .	3.75	1 bubbler assembly, and 1 glass-filler if requested.

NOTE.—Type B cooler capacities are based on the use of a waste water pre-cooler using 60% spill. The above specified capacities are based on an ambient temperature of 100° F. while reducing water from 90° F. inlet to 50° F. outlet drinking water.

TYPE C—ELECTRIC BOTTLE TYPE (FOR LAND USE—AIR-COOLED)

Size	Capacity, minimum	Storage minimum	Peak load capacity 15-minute period minimum	Maximum fixture equipment authorized
2	2 G. P. H.	Qts. 2	Gallons 0.75	1 bumper ring for bottles; 1 self-closing faucet.

NOTE.—Type C cooler capacities are based on an ambient temperature of 90° F. while reducing water from 90° F. inlet to 50° F. outlet drinking water.

TYPE D—ELECTRIC CAFETERIA STORAGE TYPE (FOR LAND USE—AIR OR WATER COOLED)

Size	Capacity, minimum	Storage, minimum	Peak load capacity 15-minute period, minimum	Maximum fixture equipment authorized
10	10 G. P. H.	Gallons 5	Gallons 4	2 self-closing glass- or pitcher-fillers.
25	25 G. P. H.	12.5	10	2 self-closing glass- or pitcher-fillers; 1 outlet for remote use.

NOTE.—Type D cooler capacities are based on an ambient temperature of 100° F. while reducing water from 90° F. inlet to 50° F. outlet drinking water, capacity to be obtained without the use of waste water pre-cooler.

TYPE E—ICED BUBBLER TYPE (GENERAL PURPOSE)

Size	Ice capacity, minimum	Maximum fixture equipment authorized
1	Pounds 50	1 bubbler; or 1 glass-filler.
2	100	2 bubblers; or 2 glass-fillers; or 1 bubbler and 1 glass-filler.

TYPE F—ICED BOTTLED TYPE

1	25	1 bumper ring for bottles; 1 self-closing faucet; 1 waste faucet.
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(2) *Restrictions on materials.*—(i) In the manufacture of self-contained drinking water coolers, no producer shall use:

- (a) Aluminum;
- (b) Block tin tubing, or tin castings;
- (c) Alloy steel, stainless steel, monel, or other nickel alloy metals, except in refrigerant and electric controls, and then only provided that such use is limited to the minimum amount practicable;

(ii) In the manufacture of self-contained drinking water coolers (exclusive of condensing units, motors, controls, and wiring) no producer shall use copper or copper base alloy except in the following parts: (i) low sides, (ii) pre-coolers, (iii) bubblers, (iv) water valves, (v) water lines, (vi) liquid and suction lines, (vii) refrigerant or temperature controls, (viii) glass- or pitcher-fillers, and then only provided that the total weight of such materials per unit does not exceed the

respective maximum quantity set forth below for each type and size:

Type A, electric...	Size 5, 11 pounds.	Size 10, 15 pounds.	Size 20, 20 pounds.
Type B, electric...	Size 5, 10 pounds.	Size 10, 12 pounds.	
Type C, electric...	Size 2, 5 pounds.		
Type D, electric...		Size 10, 12 pounds.	Size 25, 12 pounds.
Type E, iced...	Size 1, 6 pounds.	Size 2, 13 pounds.	
Type F, iced...	Size 1, 1 pound.		

(iii) From and after the effective date of this Schedule, the provisions of Conservation Order M-9-c as amended shall no longer apply to the manufacture of self-contained drinking water coolers.

(c) *General restrictions.* (1) On and after the effective date of this schedule, no producer may produce more than one design of cabinet enclosure for any one type and size cooler as established in paragraph (b);

(2) On and after the effective date of this schedule, no self-contained drinking water coolers which do not conform to the types, sizes and capacities established by paragraph (b) hereof shall be produced or delivered by any producer or accepted by any person from such producer, except with the express permission of the Director of Industry Operations.

(3) The foregoing paragraphs (1) and (2) shall not prohibit:

(i) The delivery by a producer of such self-contained drinking water coolers (nor the receipt thereof from such producer) as were in his stock in finished form on the effective date of this Schedule, or which had on said date been cast, fabricated, formed, or processed in such manner that their manufacture in conformity with this Schedule would be impractical; or

(ii) The installation for use aboard ship of self-contained water coolers, the plans of which have already been drawn, and submitted to and accepted by or for the account of the Navy of the United States or the Maritime Commission. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3rd day of July 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-6308; Filed, July 3, 1942; 11:17 a. m.]

PART 1071—INDUSTRIAL AND COMMERCIAL REFRIGERATION AND AIR CONDITIONING MACHINERY AND EQUIPMENT

[Schedule II to Limitation Order L-126]

REQUIRED SPECIFICATIONS SCHEDULE NO. II (REFRIGERATION CONDENSING UNITS) TO LIMITATION ORDER L-126

§ 1071.4 *Schedule II to Limitation Order L-126—(a) Definitions.* For the purpose of this schedule:

(1) "Producer" means any person who produces, manufactures, processes, fabricates or assembles refrigeration condensing units.

(2) "Refrigeration condensing unit" means a specific refrigerating machine combination, of the open type intended for remote installation, consisting of a compressor, receiver, base, and the usually furnished accessories, with or without motor, and with or without condenser. As used in this schedule, the term refrigeration condensing unit refers only to such units which are to be used in refrigerating and air conditioning equipment as defined in paragraph (a) (1) of Limitation Order No. L-126.

(3) "Open type" refrigeration condensing unit means that type of unit in which the motive power and compressor are interconnected in such a way that a refrigerant shaft seal is necessary.

(4) "Model" means a specific combination of the following items in a refrigeration condensing unit:

- (i) Base.
- (ii) Valves.
- (iii) Condensor.
- (iv) Number of cylinders.
- (v) Bore and stroke.
- (vi) Motor (H. P. rating).

Any change in any one of the above items constitutes a change in model, except that conversion of a water cooled to an evaporatively cooled condensing unit does not constitute such a change in model.

(5) "Compressor body" means that part of a compressor which consists of a specific combination of bore, stroke, valve and cylinder.

(6) "Duplex condensing unit" means any refrigeration condensing unit consisting of two or more compressors which are powered by one or more motors mounted on a common base, and which discharge into a common condenser.

(7) "Lend-lease country" means the government of any foreign country receiving aid pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(b) *Required specifications.* Pursuant to Limitation Order L-126, the following required specifications are hereby established for refrigeration condensing units:

(1) No producer shall:

(i) Manufacture any refrigeration condensing units in sizes below 1/8 h. p.

(ii) Manufacture any refrigeration condensing units up to and including 2 h. p., except in air cooled condensing models. Water cooled condensing models below 3 h. p. may be produced only after it has been demonstrated to the satisfaction of the Director of Industry Operations (in an appeal pursuant to paragraph (c) of Order L-126) that air cooled models are impractical or hazardous;

(iii) Manufacture any refrigeration condensing units above 2 h. p., except in water cooled and evaporatively cooled models;

(iv) Manufacture any duplex condensing units up to and including 20 h. p., except for multi-stage applications;

(v) Manufacture or assemble more types of basic compressor bodies than an amount equal to one-half the total number of types (by h. p. rating) of refrigeration condensing units produced by him.

(vi) Manufacture more than one refrigeration condensing unit model in any given h. p. rating for the suction temperature brackets of 5° F., 20° F., and 40° F. respectively, and for each of the following refrigerant classifications:

- (a) Ammonia,
- (b) Carbon Dioxide,
- (c) Freon, Methyl Chloride, Sulphur Dioxide;

(vii) Deliver any refrigeration condensing unit model, of the belt-driven type, unless it includes a motor pulley and belt drive at the time of shipment.

(viii) Without specific authorization of the Director of Industry Operations, manufacture any refrigeration condensing unit in a h. p. rating not produced by him before May 1, 1942, nor manufacture any unit which is designed to use a refrigerant not used by him prior to May 1, 1942; or

(ix) Use any metals in the construction of the base of any refrigeration condensing unit employing a motor of 3/4 h. p. and below, or a motor of above 20 h. p., except that ferrous metals may be used for necessary bolts, washers, nuts, straps, sole plates, pipe sleeves, and adjustable motor rails: *Provided*, That the restrictions in this subparagraph (ix) shall not apply to refrigeration condensing units for use in aircraft by the army or navy of the United States, or for use aboard ship by the Navy of the United States or the Maritime Commission.

(c) *Applicability of order.* (1) The required specifications established by paragraph (b) hereof shall apply to all refrigeration condensing units; *provided*, however, that the foregoing shall not prohibit

(i) Installations for use of units the plans of which have already been drawn, and submitted to and accepted by or for the account of the Army or Navy of the United States, the Maritime Commission, or Lend-Lease Countries, and

(ii) The delivery by any producer of such units (nor the receipt thereof from such producer) as were in his stock in finished form on the effective date of this Order, or which had on said date been cast, machined, or otherwise processed in such manner that their manufacture in conformance with this schedule would be impractical. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3rd day of July 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-6309; Filed, July 3, 1942; 11:16 a. m.]

PART 1099—BEDS, SPRINGS AND MATTRESSES
[Amendment 2 to General Limitation Order L-49]

Section 1099.1 (*General Limitation Order L-49*) is hereby amended in the following particulars:

Paragraph (a) is hereby amended to read as follows:

(a) *Definitions.* For the purposes of this order:

(1) "Bedding products" means the following: coil, flat, box and fabric bed-springs (whether or not they are integral parts of beds or other sleeping equipment); innerspring mattresses and pads; studio couches, sofa beds and lounges designed for dual sleeping and seating purposes.

(2) "Base period" means the twelve months period ending June 30, 1941.

(3) "Iron and steel used" means the aggregate weight of iron and steel contained in a finished product.

(4) "Manufacturer" means any person who manufactures or assembles bedding products or parts made specifically for incorporation into bedding products.

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraphs:

(11) During the period from July 1, 1942 to July 31, 1942, inclusive, no manufacturer of coil, flat and fabric bed-springs shall use more iron and steel in his aggregate production of coil, flat and fabric bed-springs than 65% of the average monthly amount of iron and steel in the aggregate used by such manufacturer in the production of coil, flat and fabric bed-springs during the base period.

(12) During the period from July 1, 1942 to July 31, 1942, inclusive, no manufacturer of box bed-springs shall use more iron and steel in the production of box bed-springs than 65% of the average monthly amount of iron and steel used by such manufacturer in the production of box bed-springs during the base period.

(13) During the period from July 1, 1942 to July 31, 1942, inclusive, no manufacturer of studio couches, sofa beds and lounges designed for dual sleeping and seating purposes shall use more iron and steel in his aggregate production of studio couches, sofa beds and lounges designed for dual sleeping and seating purposes than 65% of the average monthly amount of iron and steel in the aggregate used by such manufacturer in the production of studio couches, sofa beds and lounges designed for dual sleeping and seating purposes during the base period.

Subparagraphs (b) (4) and (b) (10) are hereby amended by substituting the words "bedding products" for the words "Group I or Group II products" wherever they appear.

Subparagraphs (b) (8), (b) (9) and (b) (10) are hereby amended by striking therefrom the words "(whether Class A, Class B or Class C)" wherever they appear.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O.

17 F.R. 4333, 4569.

9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6310; Filed, July 3, 1942;
11:16 a. m.]

PART 1299—SUNN HEMP AND SUNN HEMP PRODUCTS

[Conservation Order M-187]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of sunn hemp and sunn hemp products 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.

§ 1299.1 *Conservation Order M-187—*
(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith in which case the provisions of this order shall govern.

(b) *Additional definitions.* As used in this order:

(1) "Sunn hemp" means fibers of the crotalaria or hibiscus variety, including but not limited to, Benares hemp, Bengal hemp and Madras hemp, grown in India, or fibers of the same type wherever grown.

(2) "Marine oakum" means a material for caulking ships, processed from sunn hemp or a combination of sunn hemp and other material, but with a fiber content of not less than 75% by weight of sunn hemp.

(3) "Processor" means any person who processes sunn hemp for the manufacture of marine oakum.

(4) "Damaged sunn hemp" means sunn hemp certified as damaged in applicable writings, which shall be deemed to be representations to the War Production Board, signed by representatives of the insurance company or companies required to meet the claim because of the damage involved, and by representatives of at least two processors, not connected with the person possessing the sunn hemp involved, certifying that the sunn hemp is unfit for the manufacture of marine oakum.

(5) "Full bale unbroken" means the original shipping bale which has not been opened except for the purpose of sampling.

(c) *Uses of sunn hemp.* No person shall use or put into process any sunn hemp for any use other than the manufacture of marine oakum: *Provided, however,* That this restriction shall not apply to:

(1) Other than full bales unbroken on July 3, 1942.

(2) 10 or less full bales unbroken of the bales possessed by any person on July 3, 1942.

(3) The manufacture of any product, or any component to be physically incorporated into such product, produced by or for the account of the United States Army, Navy or Maritime Commission, but only in the amounts and to the extent required by the specifications, including performance specifications, applicable to the particular contract, sub-contract or purchase order of the United States Army, Navy or Maritime Commission.

(d) *Deliveries of sunn hemp or marine oakum.* (1) No person shall sell or deliver, directly or indirectly, any sunn hemp or marine oakum unless to fill purchase orders placed by or for the account of:

(i) Any processor as defined in paragraph (b) (3).

(ii) Any person for manufacture pursuant to paragraph (c) (3).

(iii) The Board of Economic Warfare, the Defense Supplies Corporation or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended.

(iv) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics and the Office of Scientific Research and Development.

(v) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown, Colonies and Protectorates, and Yugoslavia; or, on purchase orders placed by any agency of the United States Government, the government of any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(vi) Any person for use on vessels engaged in the carriage of cargo, as common carriers of passengers, in towage, in lighterage, in fishing for commercial fish markets or canneries, or for use in ship building.

(2) No person prohibited under paragraph (c) from using or putting into process any sunn hemp shall refuse to accept and fill purchase orders of the kind described in paragraph (d) (1) to the extent of his holdings of sunn hemp prohibited from use, provided such purchase orders are at regularly established prices and terms of sale or payment.

(e) *Inventories of sunn hemp or marine oakum.*

(1) No person shall put sunn hemp into process in an amount which will result in an inventory of marine oakum in excess of a 60 day supply, or of a practicable minimum working inventory, reasonably necessary to meet deliveries of marine oakum on the basis of his current method and rate of operation, whichever supply is greater.

(2) No person shall knowingly deliver sunn hemp and no person shall accept delivery thereof if the inventory of the person accepting delivery, based on the scheduled date of arrival, will exceed a 120 day supply of sunn hemp based on his current method and rate of operation.

(3) No person shall knowingly deliver marine oakum and no person shall accept delivery thereof if the inventory of the person accepting delivery, based on the scheduled date of arrival, will exceed a 60 day supply of marine oakum based on his current method and rate of operation.

(f) *Certifications.* (1) No person shall knowingly deliver sunn hemp unless the person requesting delivery shall furnish a certificate, signed by a duly authorized official, in substantially the following form:

The undersigned hereby certifies to the vendor and the War Production Board that the undersigned is familiar with the terms of Conservation Order M-187, that he is authorized thereunder to accept delivery of sunn hemp, that he will use same only for the uses permitted under the order, and that delivery thereof, based on the scheduled date of arrival, will not result in an inventory in excess of a 120 day supply of sunn hemp based on his current method and rate of operation.

(2) No person shall knowingly deliver marine oakum unless the person requesting delivery shall furnish a certificate, signed by a duly authorized official, in substantially the following form:

The undersigned hereby certifies to the vendor and the War Production Board that the undersigned is familiar with the terms of Conservation Order M-187, that he is authorized thereunder to accept delivery of marine oakum, that he will use same only for the uses permitted under the order, and that delivery thereof, based on the scheduled date of arrival, will not result in an inventory in excess of a 60 day supply of marine oakum based on his current method and rate of operation.

(3) The vendor shall be entitled to rely on such certification unless he knows or has reason to believe it to be false.

(g) *General exceptions.* The restrictions of this order shall not apply to:

(1) The importation of sunn hemp or marine oakum.

(2) Any person whose interest in the particular sunn hemp or marine oakum is solely in its transportation or public warehousing or the discharge of applicable shipping or security documents.

(3) Any of the United States Government departments, agencies or corporations or the government of any of the countries described in paragraph (d) (v).

(4) Damaged sunn hemp as defined in paragraph (b) (4), provided any person possessing damaged sunn hemp shall file with the War Production Board on or before the third business day following its sale, delivery or use, a certificate, signed by a duly authorized official, in substantially the following form:

The undersigned hereby certifies to the War Production Board that ----- bales of sunn hemp, bales Nos. ----- ex ----- (ship), which arrived at ----- (port),

on ----- (date), have been deemed to be damaged by representatives of the insurance company or companies required to meet the claim because of the damage involved and by representatives of at least two processors, not connected with the person possessing the sunn hemp involved, certifying that the sunn hemp is unfit for the manufacture of marine oakum, as evidenced by their attached applicable writings.

(h) *Reports and communications.*

(1) Each processor shall file with the War Production Board on or before July 30, 1942, a report showing the amount of sunn hemp purchased by him and the amount of sunn hemp processed by him during each of the years 1939, 1940, 1941, and the amount of marine oakum delivered by him in each month of 1941.

(2) Each person participating in any transaction involving sunn hemp or marine oakum shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time.

(3) All reports required to be filed under, and all communications concerning, this order shall be addressed to War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref.: M-187.

(i) *Records and inspection.* (1) Each person participating in any transaction involving sunn hemp or marine oakum shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production, sales and transactions in such material.

(2) All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(j) *Appeals.* Any person affected by the order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(k) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully 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 (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.).

Issued this 3d day of July 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-6312; Filed, July 3, 1942;
11:17 a. m.]

PART 3009—CATTLE HIDES, CALF AND KIP SKINS

[Conservation Order M-194]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cattle hides, calf and kip skins for war purposes, 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:

§ 3009.1 *Conservation Order M-194—*

(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Additional definitions.* For the purposes of this order:

(1) "Cattle hides" mean the hides or skins of bulls, steers, and cows, whether native or branded, foreign or domestic, including calf and kip skins (but excluding slunks) and shall also include buffalo hides.

(2) "Tanner" means any person who during the preceding three years has tanned, or who during the operation of this order tans, more than 100 cattle hides during any one calendar month either for his own account or on contract for others.

(3) "Contractor" means any person who during the preceding three years has caused, or who during the operation of this order causes, more than 100 cattle hides during any one calendar month to be tanned for his account by others.

(4) "Processor" means any person who during the preceding three years has converted, or who during the operation of this order converts, more than 100 cattle hides during any one calendar month into a product or products other than leather.

(5) "Producer" means any person who takes off cattle hides in the United States.

(6) "Collector" means a dealer, importer or any other person who during the preceding three years has collected, or who during the operation of this order collects, more than 500 cattle hides during any one calendar month from producers or other collectors for resale to tanners, contractors, or other collectors.

(7) "Purchase" includes the making of an agreement to purchase.

(c) *Restrictions on the purchase, sales and delivery of cattle hides.* (1) No tanner, processor or contractor, or agent or broker therefor, shall purchase or accept delivery of any cattle hides sold or taken off subsequent to July 2, 1942, unless specifically authorized by the Director of Industry Operations as hereinafter provided in subparagraph (2) and no person shall sell or deliver any hides purchased or taken off subsequent to said date to any tanner, processor or contractor, or agent or broker therefor,

unless such tanner, processor or contractor has been expressly authorized to purchase or receive such hides.

(2) Applications for authorization to purchase or accept delivery of cattle hides required by paragraph (1) above shall be made by tanners, processors and contractors on Forms PD 569, PD 569A stating the quantities, classes, selections and weights desired and the types of leather or other products to be produced. Such applications shall also state substitutable classes, selections and weights in the event that the requested hides cannot be allocated. The applications shall also contain such additional information as to inventories, capacity, and other matters as may be required by said forms.

Each application for imported cattle hides the importation of which is restricted by General Imports Order M-63 shall be accompanied by properly executed copies of all forms required by the Defense Supplies Corporation to authorize the purchase of foreign hides for its account.

Said applications shall be filed by such persons, on such dates and shall cover such periods as may be required by orders of the Director of Industry Operations supplemental to this order.

The Director of Industry Operations shall take such action upon all applications as he may deem necessary in the public interest and to promote the national defense.

In making allocations from the available supply of cattle hides an allocation will be made to each tanner, processor or contractor in an amount equal to the proportion of the total wettings of cattle hides during the year ended June 30, 1941 by or for the account of such tanner, processor or contractor, *Provided, however*, That increased allocations may be made to tanners, processors and contractors who have purchase orders for leather to be physically incorporated into mechanical leather products, or into shoes, accoutrements and other articles to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development, or any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), to the extent necessary to enable such tanners, processors and contractors to fill such orders. Where such increased allocations result in depleting the supply of hides of a particular class and selection which would ordinarily be available to other tanners, processors and contractors, equitable adjustments may be made in the allocation of hides of other classes and selections so as to provide such tanners, processors and contractors with hides substitutable, as nearly as may be, for those hides used to make the aforesaid increased allocations. Specific allocations of cattle hides may be made by the Director of Industry Operations from

time to time to tanners or processors who have not received permission to purchase hides by reason of lack in whole or in part of a prior purchase record and who establish that the tanning or processing of cattle hides by them is appropriate in the public interest and will promote the national defense.

Tanners, processors and contractors who secure authorization to purchase or accept delivery of cattle hides may execute such authorization through agents or brokers, if they so desire.

(d) *Restrictions on the use of cattle hides.* (1) No tanner, processor or contractor shall tan or process or cause to be tanned or processed any cattle hides purchased after July 2, 1942 or taken off after said date except into the types of leather or other product stated in his application for authorization to purchase or accept delivery of the same unless in the judgment of a qualified expert who inspects said hides after they have been delivered and before tanning or processing has begun, or during the course of such tanning or processing, said hides or any part thereof are not suitable for such purpose. A certificate by said expert covering all hides diverted during any month from the purposes originally stated in the application for authorization shall be furnished to the Director of Industry Operations on or before the tenth day of the succeeding month. Said expert may be regularly in the employ of the tanner, processor or contractor, but must be approved in writing by the Director of Industry Operations.

(2) A tanner, processor or contractor may apply by letter to the Director of Industry Operations for permission to sort out any cattle hides which in the judgment of the aforesaid expert will not produce the type of leather or other product he wishes to make and to sell such hides to another tanner or processor who has authority to purchase the same.

(3) The Director of Industry Operations may direct any tanner or processor to hold any cattle hides (whether or not purchased pursuant to this Order) and ship the same to another tanner or processor who may be better able to tan or process the hides into types of leather or other product for which they are suitable.

(e) *Reports.* (1) Each producer who during the preceding three years has produced, or who during the operation of this order produces, more than 500 cattle hides (other than calf or kip skins) during any one calendar month or more than 200 calf or kip skins during any one calendar month shall report on Forms PD569C, PD569D to the War Production Board on or before the tenth day of each month all cattle hides taken off during the preceding month, those sold during the month, shipped and unshipped, and the unsold and on hand balance as of the end of the month, wherever stored.

(2) Each collector who during the preceding three years has acquired, or who during the operation of this order ac-

quires more than 500 cattle hides (other than calf or kip skins) during any one calendar month or more than 200 calf or kip skins during any one calendar month shall report to the War Production Board on Forms PD569C, PD569D on or before the tenth day of each month all cattle hides acquired by him during the preceding month (including those in transit, on contract or purchased), cattle hides sold during said month, shipped and unshipped, and the balance unsold as of the last day of the month (including those in transit, on contract, purchased, or in storage).

(3) Each tanner or processor who during the preceding three years has tanned or processed, or who during the operation of this order tans or processes, more than 100 cattle hides (other than calf or kip skins) during any one calendar month or more than 100 calf or kip skins during any one calendar month shall report to the War Production Board on Forms PD-569, PD569A on or before the tenth day of each month with regard to the number of cattle hides tanned or processed during the preceding month, sales of cattle hides sold during said month, shipped and unshipped, and the amount of hides in his possession as of the last day of the month or in transit, on contract, purchased, or in storage. Tanners and processors having contracts to tan or process hides for others (including collectors and producers) shall include in such reports the names and addresses of such other persons and the number and types of hides covered by each of said contracts.

(4) All persons affected by this order shall execute and file with the War Production Board such other reports and questionnaires as may be required by said Board from time to time.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cattle hides, calf and kip skins conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-194, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C. Ref.: M-194.

(i) *Violations.* Any person who willfully violates any provision of this order

or who, in connection with this order, willfully 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. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 3d day of July 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-6313; Filed, July 3, 1942;
11:17 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Regulation 6]

PROCEDURE FOR THE ADJUSTMENT OF MAXIMUM PRICES FOR COMMODITIES OR SERVICES UNDER GOVERNMENT CONTRACTS OR SUBCONTRACTS

Pursuant to the authority of sections 201 (d) and 203 (a) of the Emergency Price Control Act of 1942 (Public, No. 421, 77th Cong., 2d Sess., Jan. 30, 1942), the following rules are hereby prescribed for the adjustment of maximum prices established by the Office of Price Administration for commodities or services which are essential to the war program and which are or will be the subject of Government contracts or subcontracts:

§ 1300.401 *Right to apply for adjustment.* Any person who has entered into or proposes to enter into a Government contract or a subcontract under any such contract, who believes that an established maximum price impedes or threatens to impede production of a commodity or supply of a service which is essential to the war program and which is or will be the subject of such contract or subcontract may apply for adjustment of that maximum price in the manner set forth below.

Any Government agency may appear as an interested party in the case of any such application.

After an application has been filed and pending the issuance of an order granting or denying the application, the applicant may enter into or offer to enter into contracts and may make deliveries at the price requested in the application. If the order issued denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant may be required to refund the excess. If a request for review is filed by the applicant in accordance with § 1300.406 of this Procedural Regulation No. 6, the applicant, pending action by

the Administrator, may enter into or offer to enter into contracts and may make deliveries at the price requested in the application. If the order issued by the Administrator denies the application in whole or in part, the contract price shall be revised downward to the maximum price ordered, and if any payment has been made at the requested price, the applicant may be required to refund the excess.

§ 1300.402 *Form of application.* An application for adjustment shall be made on Form OPA-6PR-1 set out in Appendix A, incorporated as § 1300.412 of this Procedural Regulation No. 6, and a separate form shall be filed for each commodity or service. Such forms may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix A.

§ 1300.403 *Application must be verified.* An application for adjustment shall be signed by the applicant and shall contain a statement, signed and sworn to by the applicant, that the statements made in the application are known by him to be true and correct.

§ 1300.404 *Place for filing application and number of copies.* An original and two copies of an application for adjustment may be filed either with the appropriate Regional Office of the Office of Price Administration, or with the Office of Price Administration, Washington, D. C. Any application made with respect to a contract entered into or proposed to be entered into (a) with the Department of the Navy, the total value of which exceeds \$200,000, (b) with the War Department, the total value of which exceeds \$5,000,000, (c) with any agency of the United States other than the War Department or the Department of the Navy, or (d) with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such Government, shall be filed with the Office of Price Administration, Washington, D. C. Any application filed in Washington, D. C., may be transmitted by the Office of Price Administration to the appropriate Regional Office for action by that Office. A list of the Regional Offices with an enumeration of the states included in each region is set forth in Appendix B, incorporated as § 1300.413 of this Procedural Regulation No. 6.

§ 1300.405 *Action by regional offices.* After due consideration, the Regional Office may, by order, grant, in whole or in part, or deny any application for adjustment which is properly pending before it. The decision of the Regional Office shall be accompanied by a statement of the reasons for its action. In cases of unusual difficulty or importance, the Regional Office shall refer the application for decision to the Administrator in Washington, D. C.

§ 1300.406 *Review by administrator.* Any applicant whose application for adjustment has been denied in whole or in

part by the Regional Office may, within fifteen days after the date on which such order of denial was mailed to him, file with the Regional Office a request for review by the Administrator of the order of denial. Requests for review shall be filed on Form OPA-6PR-2, set out in Appendix C, incorporated as section 1300.414 of this Procedural Regulation No. 6. Such form may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix C.

§ 1300.407 *Action by administrator.* After due consideration, the Administrator may, by order, grant, in whole or in part, or deny any application for adjustment which

(a) is properly before the Administrator on request for review of action by a Regional Office;

(b) is filed with the Office of Price Administration, Washington, D. C., and not transmitted to a Regional Office for action, or

(c) is filed with the appropriate Regional Office but is referred for decision to the Administrator by that Office. The decision of the Administrator shall be accompanied by a statement of the reasons for his action.

§ 1300.408 *Protest of denial of application.* Any applicant whose application for adjustment is denied in whole or in part by the Administrator may, within sixty days after the issuance of the Administrator's order finally denying such application, file a protest against such order in accordance with the provisions of Procedural Regulation No. 1 (7 F.R. 971).

§ 1300.409 *Amendment of this regulation.* Any provision of this Procedural Regulation No. 6 may be amended or rescinded by the Administrator at any time. Such amendment or rescission shall be published in the FEDERAL REGISTER and shall take effect from the date of its publication, unless otherwise specified therein.

§ 1300.410 *Definitions.* As used in this Procedural Regulation No. 6, the terms:

(a) "Administrator" means the Price Administrator of the Office of Price Administration, Washington, D. C., or such person as he may appoint or designate to carry out any of his duties.

(b) "Government contract" means any contract with the United States or any agency thereof or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such Government.

(c) "Appropriate Regional Office" means:

(1) If the application for adjustment is made with respect to a contract entered into or proposed to be entered into with the War Department or the Department of the Navy, the Regional Office of the Office of Price Administration for the

region in which is located the field purchasing office or depot of the War Department, or the naval purchasing office with which the applicant is negotiating or expects to negotiate.

(2) If the application for adjustment is made with respect to a subcontract under a Government contract, the Regional Office of the Office of Price Administration (1) for the region in which is located the plant of the applicant in which the commodity involved is or will be produced or in which the service involved is or will be supplied or (ii) if such plants are located in more than one region, for any region in which any such plant is located.

(d) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(e) "FEDERAL REGISTER" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

§ 1300.411 *Effective date.* This Procedural Regulation shall become effective July 3, 1942.

Issued this 1st day of July 1942.

LEON HENDERSON,
Administrator.

§ 1300.412 *Appendix A: Form OPA-6 PR-1.*

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

Form OPA-6PR-1

Application for Adjustment of Maximum Prices for Commodities or Services Under Government Contracts or Subcontracts

NOTES: (1) Unless otherwise indicated, "commodity" refers to a particular size and specification and the applicant shall submit separate forms for commodities of varying specifications.

(2) A separate form should be filed for each commodity or service. If application is made with respect to a commodity or service, which is or will be subject to several contracts, submit, on extra sheets, answers to questions I-2a, I-2b, and I-2c for each contract.

(3) The term "contract" includes purchase orders, letters of intent, or other arrangements not yet completed.

(4) One original and two copies of the form, and of all supplementary statements, must be filed.

----- here-
(Applicant)
by makes application to the Office of Price Administration, pursuant to Procedural Regulation No. 6, for adjustment of the maximum price established for the particular commodity or service described below, which is or will be the subject of Government contracts or subcontracts.

The following facts are furnished to the OPA in support of this application:

Name of company -----
Address -----
(Street) (City) (State)

I. Description of Commodity or Service and Contract on which Adjustment is Sought:

1. Brief description of commodity or service (indicate unit of measure): -----

2 (a) Serial number or other identification of contract, giving name and address of purchaser or prospective purchaser:

(1) Identification of contract -----
(2) Name of purchaser -----
(3) Address of purchaser -----

(Street) (City) (State)

(b) If price adjustment is sought with respect to deliveries under existing contracts, submit:

1. Date of contract -----
2. Estimated date of completion -----
3. Total quantity of commodity or service contracted for -----
4. Total quantity of commodity or service remaining to be delivered or supplied -----

(c) If price adjustment is sought for a proposed contract, submit:

1. Final delivery date to be stipulated by proposed contract -----
2. Estimated date at which deliveries will begin -----
3. Total quantity of commodity or service to be contracted for -----
4. Value of contract (proposed unit price times quantity) -----

(d) If contract is a subcontract, submit serial number or other identification of prime contract, whether or not there are intermediate subcontracts -----

3. Established maximum price per unit, pursuant to Maximum Price Regulation No. ----- (indicate unit)

4. Requested unit price -----
5. Give names and addresses of the plants of the applicant in which the commodity or service is being or will be produced or supplied -----

II. Importance of Commodity or Service in Company's Operations:

Sales of particular commodity or service involved		Total company sales
Units	Dollars	Dollars
-----	-----	-----
-----	-----	-----
-----	-----	-----

1. Actual sales for 1941 -----
2. Actual sales Jan. 1, 1942, to ----- 1942.
(present date)
3. Estimated sales Jan. 1, 1942 to Dec. 31, 1942, assuming price adjustment requested is granted for the particular commodity or service involved.

III. Unit Costs of Commodity or Service: *General.* Explain on a separate sheet (in triplicate) attached to this form, the items included in Lines 3 and 4 of Columns I and II and the basis of allocation of such items of cost to the commodity or service involved. *Under no circumstances are Income and Excess Profits Taxes to be included as costs.*

Column I. (a) In this column give actual cost data if available. Actual cost data for the most recent quarter will be acceptable. If no actual cost data are available, give estimates as to current costs. *Indicate, however, by encircling the appropriate figures where estimates are being employed.* Both actual and estimated cost data should be based upon total sales of the particular commodity or service involved and not merely upon sales under the particular contract involved.

(b) *Direct materials.* In computing cost of direct materials, use costs as shown on your books. If material cost is estimated,

use the same method in which your books are kept.

(c) *Direct Labor.* State cost of direct or production labor following the classifications in your own records; and for each classification; use actual wages of men employed on the job, or if not practicable, base cost on departmental or shop average wage rates for each classification.

(d) *Other Manufacturing Costs.* These costs should be stated in accordance with the method of allocation established in your company.

Column II. (a) In this column give estimated costs of producing the commodity or supplying the service for the remainder of 1942. These estimates should be based upon total volume of that commodity or service for the remainder of 1942, assuming price adjustment requested is granted.

(b) In submitting data for the remainder of 1942, compute cost estimates in accordance with the principles indicated in the above instructions for filling in Column I.

	I	II
	Current costs	Estimated costs remainder of 1942
1. Direct materials -----	-----	-----
2. Direct labor -----	-----	-----
3. Other manufacturing costs -----	-----	-----
4. Other expenses -----	-----	-----
5. Total cost -----	-----	-----
6. Number of units on which cost computation is based -----	-----	-----
7. Period used for current costs -----	-----	• • •

IV. Submit, in triplicate, a detailed explanation of the reasons for requesting price adjustment, including a detailed justification for any anticipated increased costs reported in Column II above together with a separate showing of the effect on unit costs of each such increase.

V. State whether the applicant has entered into, or will enter into, a government contract or subcontract, or will make deliveries, at the requested unit price—pursuant to Procedural Regulation No. 6—pending final action by the Office of Price Administration. Yes () No ().

VI. Submit the following:

- A. Balance Sheets as of the close of:
 - 1. 1936 through 1941 (fiscal or calendar years).
 - 2. Most recent accounting period.
- B. Income Statements for:
 - 1. 1936 through 1941 (fiscal or calendar years).
 - 2. Most recent accounting period.

Instructions: (1) Income statements must show: (a) net sales (b) cost of commodities and/or services sold, stating separately, total direct labor costs, total direct material costs, and total other manufacturing costs (c) general and administrative expenses, segregating compensation to officers and directors, and (d) net profits, before income and excess profits taxes. All charges to operations representing accumulations of reserves must be shown in detail on the statements.

(2) If this application is submitted to the National Office of OPA, the applicant need not file with the application any required financial data which were previously submitted on Form A—Annual Financial Report—or Form B—Interim Financial Report—issued by the Office of Price Administration.

Applicant
By -----

Title

AFFIDAVIT

STATE OF _____
 County of _____ ss:
 The undersigned, _____,
 being first duly sworn according to law, on
 oath deposes and says: that he is the person
 whose name appears subscribed to the above
 Application for Adjustment; and that he has
 read the same and knows to his own knowl-
 edge that the facts contained therein are true
 and correct.

Signature _____
 Subscribed and sworn to before me this
 _____ day of _____ A. D. 1942.

Officer Administering Oath

§ 1300.413 Appendix B: Regional of-
 fices and States and Territories covered.

Region I. Boston Regional Office, 17
 Court Street, Maine, New Hampshire,
 Vermont, Massachusetts, Rhode Island,
 and Connecticut.

Region II. New York Regional Office,
 350 Fifth Avenue, New York, New Jer-
 sey, Pennsylvania, Delaware, Maryland,
 and District of Columbia.

Region III. Cleveland Regional Office,
 263 Union Commerce Building, Ohio,
 Michigan, Indiana, Kentucky, and West
 Virginia.

Region IV. Atlanta Regional Office,
 Candler Building, Peachtree Street, Geor-
 gia, Alabama, Mississippi, Florida, Ten-
 nessee, North Carolina, South Carolina,
 and Virginia.

Region V. Dallas Regional Office, Fi-
 delity Union Building, Texas, Oklahoma,
 Louisiana, Missouri, Arkansas, and Kan-
 sas.

Region VI. Chicago Regional Office,
 2301 Civic Opera Building, 20 North
 Wacker Drive, Illinois, Wisconsin, Iowa,
 Minnesota, North Dakota, South Dakota,
 and Nebraska.

Region VII. Denver Regional Office,
 334 U. S. National Bank Building, Colo-
 rado, New Mexico, Utah, Idaho, Montana,
 and Wyoming.

Region VIII. San Francisco Regional
 Office, 1355 Market Street, California,
 Nevada, Arizona, Oregon, and Wash-
 ington.

Region IX. Territorial Office, Office of
 Price Administration, Washington, D. C.,
 Alaska, Puerto Rico, Virgin Islands, Can-
 nel Zone, and Hawaii.

§ 1300.414 Appendix C: Form OPA-
 6PR-2.

UNITED STATES OF AMERICA
 OFFICE OF PRICE ADMINISTRATION
 Form OPA-6PR-2

(To be filed with the appropriate Regional
 Office)

Request for Review of the Order Denying
 Application for Adjustment

_____, an appli-
 cant for adjustment of a maximum price
 pursuant to Procedural Regulation No. 6 of
 the Office of Price Administration, hereby
 requests the Price Administrator, Washing-
 ton, D. C., to review an order of denial of
 such application for adjustment entered by
 the _____ Regional Office and
 mailed to the applicant on _____,
 194____.

The applicant's objections to such order
 of denial are as follows: _____
 (Applicant should

_____ state briefly and concisely, and separately

 number, his objections.)

 (Applicant)
 By _____

 (Title)

[F. R. Doc. 42-6316; Filed, July 3, 1942;
 11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Revised Supplementary
 Regulation 4¹ to General Maximum Price
 Regulation²]

EXCEPTION FOR CERTAIN BEEF, VEAL, ETC.

A statement of the considerations in-
 volved in the issuance of this Amend-
 ment has been issued simultaneously
 herewith, and has been filed with the
 Division of the Federal Register.

A new subparagraph (16) is added to
 § 1499.29:

§ 1499.29 Exceptions for sales and deliv-
 eries to the United States or any
 agency thereof of certain commodities
 and in certain transactions and for cer-
 tain other commodities, sales and deliv-
 eries. (a) General Maximum Price Reg-
 ulation shall not apply to sales or deliv-
 eries of the following commodities or in
 the following transactions:

* * * * *
 (16) Sales or deliveries to the Armed
 Forces of the United States or the Fed-
 eral Surplus Commodities Corporation
 of beef and veal, or any products made
 or derived therefrom, under contracts
 entered into before July 13, 1942.

* * * * *
 (d) (2) Amendment No. 1 (§ 1499.29
 (a) (16)) to Supplementary Regulation
 No. 4 to the General Maximum Price
 Regulation shall become effective as of
 July 1, 1942.

Issued this 2d day of July 1942.

LEON HENDERSON,
 Administrator.

[F. R. Doc. 42-6283; Filed, July 2, 1942;
 5:05 p. m.]

**Chapter XV—Board of War
 Communications**

[Order No. 8-A]

**PART 1707—CLOSURE OF DOMESTIC RADIO-
 TELEGRAPH CIRCUITS**

MISCELLANEOUS EXEMPTIONS

Whereas, pursuant to Order No. 8¹
 (§ 1707.1) of the Board of War Commu-
 nications, the Federal Communications
 Commission has recommended that cer-
 tain fixed public point-to-point radio-
 telegraph circuits within the United

¹ 7 F.R. 3724, 3942, 4410, 4488, 4543, 4660,
 4740.
² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339,
 4487, 4659, 4738.
³ 7 F.R. 4183.

States be exempted from the closure pro-
 visions of Order No. 8;

It is hereby ordered, That the point-
 to-point radio-telegraph circuits de-
 scribed below be, and they are hereby,
 exempted from the closure provisions of
 Order No. 8;

§ 1707.2 Exemptions—(a) R. C. A.
 Communications, inc. (1) Between New
 York, N. Y. and San Francisco, Cali-
 fornia.

(2) Ultra-high frequency control cir-
 cuit between New York, N. Y. and
 New Brunswick, New Jersey;

(b) Mackay Radio and Telegraph
 Companies (California and Delaware).
 (1) Between New York, N. Y. and San
 Francisco, California.

(2) Ultra-high frequency control cir-
 cuit between New York, N. Y. and
 Brentwood, Long Island.

(3) Ultra-high frequency control cir-
 cuit between Brentwood, Long Island
 and Southampton, Long Island.

(4) Ultra-high frequency control cir-
 cuit between Southampton, Long Island
 and Amagansett, Long Island.

(5) Ultra-high frequency control cir-
 cuit between San Francisco, California
 and Palo Alto, California;

(c) Tropical Radio Telegraph Com-
 pany. (1) Between Hingham, Massa-
 chusetts, and Miami, Florida.

(2) Between Miami, Florida and New
 Orleans, Louisiana.

(3) Between Hingham, Massachusetts
 and New Orleans, Louisiana.

Provided, however, That the circuits
 designated in paragraphs (a), (b), and
 (c) shall be operated only for the domes-
 tic portion of the haul of messages of
 foreign origin or destination, or for the
 transmission of service messages under
 such regulations as the Director of Cen-
 sorship may prescribe;

Provided further, That all outbound
 foreign messages, and all service mes-
 sages between domestic points, handled
 over the foregoing circuits shall be sub-
 mitted to censorship at the first point of
 radio transmission within the United
 States, and all transit and inbound for-
 eign messages handled over such circuits
 shall be submitted to censorship at the
 first point of radio reception within the
 United States.

Subject to such further order as the
 Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
 JAMES LAWRENCE FLY, Chairman.

Attest: June 25, 1942.

HERBERT E. GASTON,
 Secretary.

[F. R. Doc. 42-6306; Filed, July 3, 1942;
 10:47 a. m.]

[Order No. 8-B]

**PART 1707—CLOSURE OF DOMESTIC RADIO-
 TELEGRAPH CIRCUITS**

**EXEMPTION FROM CLOSURE OF RADIOTELE-
 GRAPH CIRCUITS OF PRESS WIRELESS, INC.**

Whereas pursuant to Order No. 8¹ of
 the Board of War Communications, the

¹ 7 F.R. 4183.

Federal Communications Commission has recommended that certain circuits operated by Press Wireless, Inc. be exempted from the closure provisions of Order No. 8;

It is hereby ordered, That the point-to-point radiotelegraph circuits described below operated by Press Wireless, Inc., be, and they are hereby, exempted from the closure provisions of Order No. 8;

§ 1707.2 Exemptions. * * *

(d) *Press wireless circuits.* Between New York, N. Y. and Los Angeles, California;

Ultra-high frequency control circuit between:

- (1) New York, N. Y. and Baldwin Harbor, Long Island;
- (2) New York, N. Y. and Hicksville, New York; and
- (3) Los Angeles, California and Rolling Hills, California;

Domestic multiple address press circuits.

Provided, however, That the circuits designated in paragraph (d) shall be operated only for the domestic portion of the haul of Government, press or service messages of foreign origin or destination, or for the transmission of domestic multiple address press or service messages, such service messages to be handled under such regulations as the Director of Censorship may prescribe;

Provided further, That all outbound foreign messages, and all service and multiple address press messages between domestic points, over the foregoing circuits shall be submitted to censorship at the first point of radio transmission within the United States, and all transit and inbound foreign messages handled over such circuits shall be submitted to censorship at the first point of radio reception within the United States.

Subject to such further order as the Board may deem appropriate.

BOARD OF WAR COMMUNICATIONS.
JAMES LAWRENCE FLY, *Chairman.*

Attest: June 25, 1942.

HERBERT E. GASTON,
Secretary.

[F. R. Doc. 42-6307; Filed, July 3, 1942;
10:47 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard

PART 7—ANCHORAGE AND MOVEMENTS OF VESSELS AND THE LADING AND DISCHARGING OF EXPLOSIVE OR INFLAMMABLE MATERIAL, OR OTHER DANGEROUS CARGO

REMOVAL OF VESSELS OR HULKS CONSTITUTING HAZARDS

Pursuant to the authority contained in section 1, Title II of the Act of June 15, 1917, 40 Stat. 220 (50 U.S.C. 191), as amended by the Act of November 15, 1941 (Public Law 292, 77th Congress), and by virtue of the Proclamation and

Executive Order issued June 27, 1940 (5 F.R. 2419) and November 1, 1941 (6 F.R. 5581), respectively, the Rules and Regulations Governing the Anchorage and Movements of Vessels and the Lading and Discharging of Explosive or Inflammable Material, or Other Dangerous Cargo, approved October 29, 1940 (5 F.R. 4401), as amended, are hereby further amended as follows:

§ 7.5 General rules and regulations. * * *

(b) * * *

(14) Whenever the Captain of the Port shall find that any vessel or hulk constitutes a fire hazard, a menace to navigation, a source of danger to other vessels or waterfront facilities, or is otherwise inimical to the maritime interests of the United States or the national war effort, by reason of abandonment, disuse, or neglect, he may compel the owner thereof to shift or remove any such vessel or hulk. If the Captain of the Port is unable to communicate with the owner, or if the owner fails to comply with his instructions for the shifting or removal of such vessel or hulk, the Captain of the Port may, after consultation with the District Engineer, United States Army, shift, remove, or destroy such vessel or hulk and take all other corrective measures which he shall find to be necessary. Prior to such action being taken by the Captain of the Port, notice shall be sent by registered mail to the last recorded owner of such vessel or hulk.

FRANK KNOX,
Secretary of the Navy.

Approved:

FRANKLIN D. ROOSEVELT,
The White House, June 30, 1942.

[F. R. Doc. 42-6289; Filed, July 3, 1942;
10:21 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

CONTRACTS FOR CERTAIN DEHYDRATED FRUITS AND VEGETABLES

EXCEPTION GRANTED

In the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for certain dehydrated fruits and vegetables.

Whereas, the Secretary of War on June 19, 1942, made written findings that the inclusion of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) in contracts awarded on or before December 31, 1942, for dehydrated fresh fruits and vegetables (such products after dehydration not to contain more than 10% moisture) of the varieties hereinafter named will seriously impair the conduct of Government business; and

Whereas, the Secretary of War has requested that an exception be granted under section 6 of the Act to permit the award of contracts during the period until December 31, 1942, for dehydrated fruits and vegetables of the varieties hereinafter named without the inclusion

of the representations and stipulations of section 1 of the Act; and

Whereas, the findings of the Secretary of War are that the processes followed and the labor employed in the dehydration of such fruits and vegetables are, to a great extent, the same as those involved in the canning industry and within the coverage of the exception order dated May 14, 1942; and

Whereas, it appears that justice and public interest will be served by the granting of the exception on the basis of the findings of the Secretary of War,

Now, therefore, I do hereby grant an exception, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U. S. C. 35), permitting the award of contracts during the period from this date to December 31, 1942, without the inclusion of the representations and stipulations of section 1 of the Act, for the following varieties of dehydrated fruits and vegetables:

Apples, dehydrated.
Apple sauce, dehydrated.
Apricots, dehydrated.
Beans, lima, dehydrated.
Beans, string (or snap), dehydrated.
Beets, dehydrated.
Berries (all varieties), dehydrated.
Cabbage, dehydrated.
Carrots, dehydrated.
Catsup, dehydrated.
Corn, dehydrated.
Figs, dehydrated.
Fruit juices (all varieties), dehydrated.
Kraut, dehydrated.
Onions, dehydrated.
Peaches, dehydrated.
Pears, dehydrated.
Peas, dehydrated.
Prunes, fresh, dehydrated.
Pumpkin, dehydrated.
Spinach, dehydrated.
Sweet potatoes, dehydrated.
White potatoes, dehydrated.
Squash, dehydrated.
Tomato juice, dehydrated.
Tomato puree, dehydrated.
Tomato paste, dehydrated.
Tomatoes, dehydrated.

Nothing in this exception shall excuse non-compliance with the provisions of the Fair Labor Standards Act of 1938 or any rules or regulations issued thereunder.

Dated: July 2, 1942.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 42-6314; Filed, July 3, 1942;
11:36 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 42—RULES GOVERNING THE DESTRUCTION OF RECORDS OF TELECOMMUNICATION CARRIERS

The Commission on July 30, 1942, effective immediately, adopted the following amendments:

§ 42.1 *Accounts, records, etc., named in § 42.91.* Immediately after this section, add:

NOTE. The following shall not be considered violations of these rules and regulations:

(a) The furnishing of original filed messages to the United States Government in support of bills. (See notes following items 83 (a) and 84 (d) of § 42.91.)

(b) The transfer of messages or copies thereof pursuant to the Rules and Regulations of the United States Office of Censorship.

(c) The destruction of records when in the judgment of defense commanders or other military or naval authority such destruction is necessary to prevent such records from falling into the hands of an enemy of the United States.

§ 42.91 *Records described; applicability; permanent records.* Item 83. *Telegrams and cablegrams.* Change the title of this item to read "*Telegrams (other than ship messages) and cablegrams.*" Delete the first sentence of paragraph (a) and substitute the following:

(a) All classes of original filed telegraph and cable messages transmitted at public tariff rates. * * *

Item 84. *Radiograms.* Change the title of this item to "*Ship messages.*" Delete paragraph (a) and substitute the following:

(a) All classes of original filed ship messages (meaning messages transmitted by maritime mobile stations), transmitted at public tariff rates; also tissue or carbon copies of such messages made at coast and destination stations—15 months.

(Sec. 4 (i), 48 Stat. 1069; 47 U.S.C. 154 (i))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6293; Filed, July 3, 1942; 10:47 a. m.]

[Order No. 78-C]

PART 42—RULES GOVERNING THE DESTRUCTION OF RECORDS OF TELECOMMUNICATION CARRIERS

RETENTION OF COPIES OF CERTAIN MESSAGES

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of June 1942;

The Commission having under consideration its Rules Governing the Destruction of Records of Telecommunication Carriers, with particular reference to § 42.1 and items numbered 83, 84, and 90 of § 42.91 of these rules and the provisions of Commission Orders Nos. 78, 78-A, and 78-B;

It is ordered, That Commission Orders Nos. 78, 78-A, and 78-B be, and they are hereby, amended and superseded to provide as follows:

It is ordered, That, until further order of the Commission, each common carrier engaged in international telegraph communication by wire or radio shall retain in its files the original of each telegraph

message, or a copy thereof, transmitted by it to any point beyond the continental United States, and a copy of each telegraph message received by it from any point beyond the continental United States;

It is further ordered, That, until further order of the Commission, each coastal station engaged in telegraph communication with maritime mobile stations shall retain in its files the original or a copy of each telegraph message transmitted by it to a maritime mobile station, and a copy of each telegraph message received by it from a maritime mobile station;

It is further ordered, That, until further order of the Commission, each maritime mobile station engaged in telegraph communication shall retain in its files the original or a copy of each telegraph message transmitted by it, and a copy of each telegraph message received by it; and

It is further ordered, That the foregoing provisions shall be construed to require the retention of all such original transmitted messages, or copies thereof, and copies of received messages as were filed at any time after December 31, 1940, with a carrier to whom this order applies;

Provided, however, That the rules Governing the Destruction of Records of Telecommunication Carriers shall remain in full force and effect, and that the provisions of this order shall be construed as imposing requirements additional to said Rules.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-6292; Filed, July 3, 1942; 10:47 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order O. D. T. No. 14]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART J—RACING

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, and in order to assure maximum utilization of existing transportation equipment, materials, and supplies, including rubber; and to conserve and providently utilize such equipment, materials, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war:

It is hereby ordered, That:

Sec.

501.60 Definitions.

501.61 Racing of motor vehicles prohibited.

AUTHORITY: §§ 501.60 and 501.61, issued under E.O. 8989, 6 F.R. 6725, and E.O. 9156, 7 F.R. 3349.

§ 501.60 *Definitions.* As used herein:

(a) The term "person" means any individual.

(b) The term "motor vehicle" means any rubber-tired vehicle propelled or drawn by mechanical power.

(c) The term "race" means any exhibition, contest, or competitive trial of speed, endurance, or performance, and includes contests between persons or against time, distance, or previously established records, but does not include tests conducted for and at the request of the armed forces of the United States.

§ 501.61 *Racing of motor vehicles prohibited.* No person shall drive, or cause to be driven, or participate in driving any motor vehicle in any race.

This subpart shall become effective July 10, 1942, and shall remain in full force and effect until the further order of this Office.

Issued at Washington, D. C. this 3rd day of July 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-6317; Filed, July 3, 1942; 11:58 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-285]

P. S. NICHOL LUMBER CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, registered distributor, Registration No. 6859.

The Bituminous Coal Division (the "Division") finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act"), and the Bituminous Coal Code (the "Code") promulgated thereunder to determine:

A. Whether or not P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, Registered Distributor, Registration No. 6859, (hereinafter sometimes referred to as "Registered Distributor"), whose address is St. Charles, Illinois, has violated any provisions of the Act, the Code, and Orders and Regulations of the Division, including the Marketing Rules and Regulations, Rules for Registration of Distributors, and the Distributor's Agreement (the "Agreement"), dated October 29, 1940, and filed by P. S. Nichol, pursuant to an Order of the Division, dated June 19, 1940, in General Docket No. 12, and particularly whether or not subsequent to November 6, 1940, the effective date of registration, such Registered Distributor:

1. During the period November 19, 1940 to April 10, 1941, both dates inclusive, accepted and retained distributor's discounts in the total amount of \$24.20, from the effective minimum prices established

therefor, on coal purchased by said Registered Distributor from and produced by various code members and resold by said Registered Distributor to various purchasers in St. Charles, Illinois, and Geneva, Illinois, although such coal was

physically handled by said Registered Distributor by delivering from railroad cars to consumers' bins in trucks owned by said Registered Distributor or by unloading from railroad cars into consumers' bins as set forth below:

1937, and No. 313 dated February 24, 1941, and paragraphs (e) and (f) of the Agreement;

B. Whether or not the registration of said P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, should be revoked or suspended or other appropriate orders should be issued.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether or not the aforementioned P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, has committed violations in the respects heretofore described and whether or not the registration of said distributor should be revoked or suspended, or other appropriate penalties be imposed, be held at 10 a. m. on August 5, 1942, at Room 325, New Post Office Building, Chicago, Illinois.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Bituminous Coal Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of the aforementioned P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, with reference to the matters hereinbefore described, must be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division, within twenty (20) days after date of service hereof on P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, and that failure to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by P. S. Nichol, doing business under the name and style of P. S. Nichol Lumber Company, of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

All persons are hereby notified that hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by

Date of shipment	Car No.	Code member	Purchaser	Hauling or unloading charge ¹	Tonnage	Total discount
1940						
Nov. 19	IC 58220.....	Old Ben Coal Co.....	L. Kocheres Hotel.....	0.45	43.95	\$0.88
1941						
Jan. 2	IC 65238.....	West Ky. Coal Co.....	Operadio Co.....	.85	51.25	6.15
Jan. 30	IC 209336.....	West Ky. Coal Co.....	Operadio Co.....	.85	50.70	6.08
Jan. 11	IQ 74772.....	Old Ben Coal Co.....	Stover Water Softener Co.....	1.40	48.45	.97
Jan. 3	MP 59407.....	Old Ben Coal Co.....	Colson's Dept. Store.....	1.95	47.50	.95
Jan. 15	MP 59484.....	Old Ben Coal Co.....	Saered Heart Convent.....	1.65	47.85	.96
Feb. 20	IC 209041.....	Old Ben Coal Co.....	L. Kocheres Hotel.....	.45	47.80	.96
Apr. 10	IC 211862.....	West Ky. Coal Co.....	Operadio Co.....	.85	60.45	7.25

resulting in violations of Paragraph (d) of the Agreement;

2. During the period December 17, 1940, to February 9, 1942, both dates inclusive, prepaid the freight charges on railroad carloads of coal purchased for resale by said Registered Distributor from and produced by various code members and resold by said Registered Distributor to various purchasers, including 21 carloads of coal resold to the Operadio Company, St. Charles, Illinois; 2 carloads of coal resold to the Stover Water Softener Company, St. Charles Illinois; 1 carload of coal resold to Colson's Department Store, St. Charles, Illinois; and 1 carload of

coal resold to Sacred Heart Convent, Geneva, Illinois, resulting in violations of section 4 II (i) 3 and 6 of the Act, Rule 1 (J) of section VII and Rules 3 and 6 of section XIII of the Marketing Rules and Regulations, and paragraphs (c) and (e) of the Agreement;

3. Failed to report to the Statistical Bureau for District No. 10, the reconsignments of the shipments of coal purchased for resale by said Registered Distributor from and produced by Old Ben Coal Company, a code member in District No. 10, and resold by said Registered Distributor as follows:

Date of shipment	Car No.	Original consigned	Reconsigned to	Tonnage
1940				
Nov. 19	IC 58220.....	Operadio Co.....	L. Kocheres Hotel.....	43.95
1941				
Jan. 3	MP 59407.....	Operadio Co.....	Colson's Dept. Store.....	47.50
Jan. 15	MP 59484.....	Operadio Co.....	Saered Heart Convent.....	47.85
Feb. 20	IC 209041.....	Operadio Co.....	L. Kocheres Hotel.....	47.80

resulting in violations of Rule 9 of section XII of the Marketing Rules and Regulations, and paragraphs (e) and (f) of the Agreement;

4. Made an unauthorized allowance of a cash discount of two per cent to the Operadio Company, St. Charles, Illinois, from the sales price of the 21 carloads of coal resold to Operadio Co. and referred to in paragraph 2 hereof, resulting in violations of section 4 II (e) and (i) 6 of the Act, Rule 1 of section III, Rule 1 (F) of section VII, and Rule 6 of section XIII of the Marketing Rules and Regulations, and paragraphs (b), (c) and (e) of the Agreement; and

5. (a) Failed to show on copies of invoices filed with the Statistical Bureau for District No. 10, the trucking charges and the prepayment of freight charges on 12 carloads of coal, purchased for resale by said Registered Distributor from and produced by West Kentucky Coal Company and resold by said Registered Distributor to Operadio Company, St. Charles, Illinois, during the period March 15, 1941 to January 8, 1942, both dates

inclusive; and (b) failed to file with the Division, copies of the invoices issued to said Registered Distributor's customers covering shipments of coal purchased for resale by said Registered Distributor from and produced by West Kentucky Coal Company and resold by said Registered Distributor as follows:

Shipping date	Purchaser	Car No.	Tonnage
1940			
Dec. 17	Operadio Co.....	IC 402692....	61.15
1941			
Jan. 2	Operadio Co.....	IC 65238.....	51.25
Jan. 10	Operadio Co.....	IC 217277....	55.70
Jan. 25	Fox Valley Laundry....	IC 212184....	53.60
Jan. 30	Operadio Co.....	IC 209336....	50.70
Jan. 30	Operadio Co.....	IC 216658....	40.70
1942			
Jan. 28	Fox Valley Laundry....	N&W 28826....	49.85

resulting in violations of Orders of the Division No. 156 dated December 18,

amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: July 2, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6294; Filed, July 3, 1942;
10:57 a. m.]

[Docket Nos. A-1498, A-1498, Part II]

DISTRICT BOARD 2—H. F. WILSON

MEMORANDUM OPINION AND ORDER SEVERING DOCKETS, ORDER GRANTING IN PART TEMPORARY RELIEF, AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines.

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of the Wilson Mine, Mine Index No. 1428, of H. F. Wilson.

The original petition in the above-entitled matters which was filed with this Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requested the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 2.

The petition proposed that price classifications and minimum prices be made effective from two shipping points, Somers on the Pittsburgh and Lake Erie Railroad, and Pricedale on the Monessen Southwestern Railway, for the coals of the Wilson Mine (Mine Index No. 1428) of H. F. Wilson, for all shipments except truck. While it appears that an adequate showing of necessity has been made for the granting of temporary relief by establishing temporary price classifications and minimum prices for the coals of the above-named mine for all shipments except truck from Somers on the Pittsburgh and Lake Erie Railroad, it appears that the original petitioner has not set forth sufficient facts to warrant making such price classifications and minimum prices effective from Pricedale on the Monessen Southwestern Railway for the coals of this mine for all shipments except truck, without a hearing, and for the further reason that the Monessen Southwestern Railway is not listed by the Interstate Commerce Commission as a common carrier.

Now, therefore, it is ordered, That the portion of Docket No. A-1498 relating to the coals of the Wilson Mine (Mine Index No. 1428), of H. F. Wilson, be and it hereby is, severed from the remainder of Docket No. A-1498 and designated as Docket No. A-1498 Part II.

It is further ordered, That a hearing in Docket No. A-1498 Part II under the applicable provisions of said Act and the rules of the Division be held on August

4, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the Division proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 28, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervenors or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of the Wilson Mine (Mine Index No. 1428), of H. F. Wilson, for all shipments except truck for shipment from Pricedale on the Monessen Southwestern Railway and from Somers on the Pittsburgh and Lake Erie Railroad.

It is further ordered, That, pending final disposition of Docket No. A-1498 Part II, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 2 For All Shipments Except Truck, is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Supplement R" annexed hereto and hereby made a part hereof.

Notice is hereby given that applications to stay, terminate or modify the temporary relief granted herein may be filed pursuant to the Rules and Regulations

Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 2, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6297; Filed, July 3, 1942;
10:57 a. m.]

[Docket No. B-268]

GOULD ROAD COAL CO.

ORDER CORRECTING ERRORS IN NOTICE OF AND ORDER FOR HEARING

In the matter of Arthur Pipo, doing business under the name and style of Gould Road Coal Company, Code Member.

It appears that the Notice of and Order for Hearing dated June 20, 1942, in the above-entitled matter was in error by setting forth therein the name of "Arthur Pipo" instead of "Andrew Pipo."

Now, therefore, it is ordered, That wherever the name "Arthur Pipo" appears in the said Notice of and Order for Hearing, the same is deleted and the name "Andrew Pipo" is inserted in lieu thereof.

It is further ordered, That the Notice of and Order for Hearing dated June 20, 1942, entered in the above-entitled matter shall in all other respects remain in full force and effect.

Dated: July 2, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6296; Filed, July 3, 1942;
10:58 a. m.]

REVOCATION OF CERTAIN DISTRIBUTOR REGISTRATIONS

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of Burton Coal Co., (J. Roy Browning, Trustee), Hannan Coal Company, Walter J. Kraft, The Ohio & Pennsylvania Coal Co., C. L. Perkins, (Perkins Coal Co.), The Schafer-Suhr Coal Co., J. A. Vinson, The West Virginia Coal & Coke Corporation.

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part, hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the list of Registered Distributors.

Accordingly, it is so ordered.

Dated: July 2, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

EXHIBIT A

Registration number and name	Address
1296 Burton Coal Co., (J. Roy Browning, Trustee).	332 South Michigan Avenue, Room 2051, Chicago, Ill.
3963 Hannan Coal Co.	9th and Cash Streets, Burlington, Iowa.
5248 Walter J. Kraft	7533 West Morrow Circle, Dearborn, Mich.
6974 The Ohio & Pennsylvania Coal Co.	958 Union Commerce Bldg., Cleveland, Ohio.
7236 C. L. Perkins (Perkins Coal Co.)	1246 Melrose Street, Chicago, Ill.
8056 The Schafer-Suhr Coal Co.	2325 East 105th Street, Cleveland, Ohio.
9283 J. A. Vinson	South Center Street, Goldsboro, N. C.
9603 The West Virginia Coal & Coke Corporation.	P. O. Box 1460, Cincinnati, Ohio.

[F. R. Doc. 42-6298; Filed, July 3, 1942; 10:57 a. m.]

[Docket No. B-284]

HOME FUEL & SUPPLY CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of Home Fuel & Supply Company, a corporation, Code Member.

1. Under provisions of the Bituminous Coal Act of 1937 (the "Act"), District Boards are authorized in appropriate cases to file complaints of violations of the Act, the Bituminous Coal Code, (the "Code") and the rules and regulations of the Bituminous Coal Division (the "Division").

2. The Division, on February 28, 1942, referred to District Board No. 17 information in its possession bearing on whether or not violations of the Act, the Code, orders, rules and regulations thereunder have been committed by the Home Fuel & Supply Company, the Code member above named whose code membership became effective as of June 21, 1937, (hereinafter referred to as "Code member"), operator of the Bowen Mine, Mine Index No. 294, located in Las Animas County, Colorado, Subdistrict No. 7 of District No. 17, in connection with:

(A) Sales subsequent to September 30, 1940, of coal produced at said mine for truck shipment, at prices below the effective minimum f. o. b. mine prices established for said coal, as set forth in the Schedule of Effective Minimum Prices for District No. 17, For All Shipments, including the following transactions:

(a) Approximately 83.95 net tons of $\frac{1}{4}$ " x 0 coal sold to the Trinidad Electric Railway Transmission and Gas Company, Trinidad, Colorado, during the period October 1, 1940 to January 17, 1941, both dates inclusive, and approximately 3.5 net tons of $\frac{1}{4}$ " x 0 coal to L. L. Cunningham, Trinidad, Colorado, on or about November 14, 1940, at \$1.50 per net ton delivered to said purchasers, whereas the size of said coal fell within a size group and classification for which no price was listed for said mine and therefore pursuant to Price Instruction and Exception No. 5 of said Schedule, said coal should have been sold at not less than \$2.25 per net ton f. o. b. said mine, the applicable minimum price established for the next larger size, to wit: Size Group No. 13 for which a price was listed for said mine, thereby resulting in violations of section 4 Part II (e) of the Act and Part II (e) of the Code;

(b) Approximately 156.88 net tons of $\frac{3}{8}$ " x $\frac{1}{4}$ " coal sold to various purchasers during the period October 7, 1940 to November 3, 1941, at \$2.25 per net ton f. o. b. said mine, whereas the size of said coal fell within a size group and classification for which no price was listed for said mine, and therefore pursuant to Price Instruction and Exception No. 5 of said Schedule, said coal should have been sold at not less than \$3.15 per net ton f. o. b. said mine, the applicable minimum price established for the next larger size, to wit: Size Group No. 10, for which a price was listed for said mine, thereby resulting in violations of section 4 Part II (e) of the Act and Part II (e) of the Code; and

(c) Approximately 4.05 net tons of $\frac{1}{4}$ " x 0 coal sold to Frank Inman, Trinidad, Colorado, on or about December 20, 1940, at \$1.50 per net ton f. o. b. said mine, whereas the size of said coal fell within a size group and classification for which no price was listed for said mine, and therefore pursuant to Price Instruction and Exception No. 5 of said Schedule, said coal should have been sold at not less than \$2.25 per net ton f. o. b. said mine, the applicable minimum price established for the next larger size, to wit: Size Group No. 13, for which a price was listed for said mine, thereby resulting in a violation of section 4 Part II (e) of the Act and Part II (e) of the Code.

(B) Sales and delivery, subsequent to September 30, 1940, of coal produced at said mine, for truck shipment, at prices below the effective minimum prices established for said coal, as set forth in the Schedule referred to in Paragraph (A) hereof, to which there should have been added the actual transportation, handling, or incidental charges from the transportation facilities at the mine from the points at which all such charges were assumed and directly paid by the purchasers including the following transactions:

Approximately 105.15 net tons of $\frac{3}{8}$ " x $\frac{1}{4}$ " coal sold and delivered to various purchasers, during the period October 22, 1940 to November 6, 1941, both dates inclusive, at a delivered price of \$3.25 per net ton, whereas the size of said coal fell within a size group and classification for which no price was listed for said mine, and therefore, pursuant to Price Instruction and Exception No. 5 of said Schedule, said coal should have been sold

at not less than \$3.15 per net ton f. o. b. said mine, the applicable minimum price established for the next larger size, to wit: Size Group No. 10, for which a price was listed for said mine, to which applicable minimum price f. o. b. said mine there should have been added the actual transportation, handling or incidental charges from the transportation facilities at the mine to the points from which all such charges were assumed and directly paid by said purchasers, by Price Instruction and Exception No. 14 as amended and contained in Supplement No. 1 of said Schedule, thereby resulting in violations of section 4 Part II (e) and (g) of the Act and Part II (e) and (g) of the Code.

3. By letter dated May 18, 1942, the Division notified said Board that unless it took action in this matter the Division would take such action in lieu of the Board, as it deemed to be appropriate.

4. District Board No. 17 has not taken any action in this matter.

5. Section 6 (a) of the Act provides in part that in the event a District Board shall fail for any reason to take action authorized or required by this section then the Division may take such action in lieu of the District Board.

6. District Board No. 17 having failed to take action as authorized or required by the Act on the matters hereinbefore described, the Division finds it necessary in the proper administration of the Act, to take action thereon in lieu of the Board, as in this Notice of and Order for Hearing provides, pursuant to section 6 (a) and other pertinent provisions of the Act, for the purpose of determining:

(a) Whether or not the Code member has wilfully violated section 4 Part II (e) and (g) of the Act and Part II (e) and (g) of the Code;

(b) Whether or not in the event that the Code member is found to have violated the Act and the Code and the rules and regulations thereunder, an order should be entered revoking the Code membership of the Home Fuel & Supply Company, Code member or directing said Code member to cease and desist from violating the Act, the Code and rules and regulations thereunder.

It is hereby ordered, That a hearing pursuant to sections 4 II (j), 5 (b) and 6 (a) and other pertinent provisions of the Act, be held on August 15, 1942, at 10 a. m. at a hearing room of the Division at the Court House, Trinidad, Colorado, to determine whether or not the aforementioned Code member has committed the violations in the respects heretofore described and whether or not the Code membership of said Code member should be revoked or an order should be entered directing the Code member to cease and desist from violating the Act and the Code and rules and regulations of the Division thereunder.

It is further ordered, That Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby author-

ized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time and to such places as he may direct by announcement at said hearing or any adjourned hearing, or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code member and to all other parties herein and to all persons or entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act may file a petition for intervention not later than five (5) days before the date set for hearing herein.

Notice is hereby given that answer setting forth the position of the Code member with reference to the matters hereinbefore described must be filed with the Division at its Washington Office or with one of the statistical bureaus of the Division within twenty (20) days after the date of service of a copy hereof on the Code member; and that any failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission by the Code member of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern in addition to the charges specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly
Dated: July 2, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-6295; Filed, July 3, 1942;
10:58 a. m.]

General Land Office.

STOCK DRIVEWAY WITHDRAWAL No. 144,
WYOMING No. 18, MODIFIED

Under the authority of section 7 of the act of June 28, 1934, as amended by the act of June 26, 1936, 48 Stat. 1272, 49 Stat. 1976, 43 U.S.C. 315f, the following-described public lands in Wyoming are hereby classified as necessary and suitable for the purpose and, under the provisions of section 10 of the act of December 29, 1916, as amended by the act of January 29, 1929, 39 Stat. 865, 45 Stat. 1144, 43 U.S.C. 300, such lands, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved for the use of the general public as an addition to

No. 131—4

Stock Driveway Withdrawal No. 144, Wyoming No. 18, subject to valid existing rights:

SIXTH PRINCIPAL MERIDIAN

- T. 29 N., R. 79 W.,
Sec. 18, lot 1 and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
- T. 29 N., R. 80 W.,
Sec. 2, SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 12, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 13, E $\frac{1}{2}$ NE $\frac{1}{4}$;
- T. 39 N., R. 80 W.,
Sec. 5, N $\frac{1}{2}$,
Sec. 6, NE $\frac{1}{4}$;
- T. 40 N., R. 80 W.,
Sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$,
Sec. 29, E $\frac{1}{2}$,
Sec. 32, E $\frac{1}{2}$;
- T. 30 N., R. 81 W.,
Sec. 3, lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
- T. 31 N., R. 81 W.,
Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
aggregating 2,318.81 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

And the departmental orders of withdrawal of April 20, 1921, January 20, 1927, and March 28, 1932, for stock driveway purposes are hereby revoked so far as they affect the following-described lands:

- T. 40 N., R. 80 W.,
Sec. 1, W $\frac{1}{2}$,
Sec. 2, E $\frac{1}{2}$,
Sec. 11, E $\frac{1}{2}$,
Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$,
Sec. 14, NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 19, NE $\frac{1}{4}$ and S $\frac{1}{2}$,
Sec. 20, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 30, W $\frac{1}{2}$,
Sec. 31, NE $\frac{1}{4}$, W $\frac{1}{2}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
aggregating 2,883.74 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

JUNE 24, 1942.

[F. R. Doc. 42-6288; Filed, July 3, 1942;
10:05 a. m.]

CIVIL SERVICE COMMISSION.

CONDITION OF THE APPORTIONMENT AT
CLOSE OF BUSINESS TUESDAY, JUNE 30,
1942

Important. The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certifications of eligibles are first made from states which are in arrears.

State	Number of positions to which entitled	Number of positions occupied		
		Perma- nent	War service after 3/15/42	Total
IN ARREARS				
1. Virgin Islands.....	19	0	0	0
2. Puerto Rico.....	1,423	57	1	58
3. Hawaii.....	324	25	0	25
4. Alaska.....	55	14	0	14
5. California.....	5,279	1,629	3	1,632
6. Michigan.....	4,017	1,636	0	1,636
7. Louisiana.....	1,807	738	1	739
8. Arizona.....	382	179	0	179
9. Texas.....	4,902	2,572	3	2,575
10. Kentucky.....	2,175	1,222	1	1,223
11. Georgia.....	2,387	1,374	4	1,378
12. Alabama.....	2,165	1,292	0	1,292
13. South Carolina.....	1,452	888	1	889
14. Ohio.....	5,279	3,266	3	3,269
15. Mississippi.....	1,669	1,086	0	1,086
16. Arkansas.....	1,490	1,010	0	1,010
17. Nevada.....	84	58	0	58
18. North Carolina.....	2,730	1,954	2	1,956
19. New Jersey.....	3,179	2,371	3	2,374
20. Indiana.....	2,620	1,975	0	1,975
21. Oregon.....	833	654	1	655
22. New Mexico.....	466	328	0	328
23. Tennessee.....	2,228	1,803	2	1,805
24. Illinois.....	6,035	4,892	4	4,896
25. Florida.....	1,450	1,216	1	1,217
26. Idaho.....	401	337	0	337
27. Washington.....	1,327	1,130	0	1,130
28. Connecticut.....	1,306	1,123	1	1,124
29. Wisconsin.....	2,398	2,065	2	2,067
30. Delaware.....	204	182	0	182
31. Vermont.....	275	267	0	267
32. Rhode Island.....	545	538	1	539

IN EXCESS

33. Missouri.....	2,892	2,924	0	2,924
34. Utah.....	421	427	0	427
35. Pennsylvania.....	7,566	7,735	10	7,745
36. New Hampshire.....	376	395	0	395
37. West Virginia.....	1,454	1,532	0	1,532
38. Massachusetts.....	3,299	3,513	4	3,517
39. Maine.....	647	711	0	711
40. Oklahoma.....	1,786	2,147	2	2,149
41. Montana.....	428	538	1	539
42. Colorado.....	858	1,094	1	1,095
43. Iowa.....	1,940	2,481	2	2,483
44. Minnesota.....	2,134	2,750	4	2,754
45. Wyoming.....	192	252	0	252
46. New York.....	10,301	14,041	58	14,099
47. Kansas.....	1,376	2,034	1	2,035
48. North Dakota.....	491	739	0	739
49. Virginia.....	2,046	3,378	1	3,379
50. South Dakota.....	491	915	0	915
51. Nebraska.....	1,006	1,983	0	1,983
52. Maryland.....	1,392	3,714	4	3,718
53. District of Columbia.....	507	11,147	1	11,148

Gains..... 3,309
Losses..... 1,366

Total appointments..... 102,454

NOTE: Number of employees occupying apportioned positions who are excluded from the apportionment figures under sec. 3, rule VII, and the Attorney General's Opinion of August 25, 1934, 22,298.

By direction of the Commission.

[SEAL] L. A. MOYER,
Executive Director
and Chief Examiner.

[F. R. Doc. 42-6270; Filed, July 2, 1942;
2:50 p. m.]

INTERSTATE COMMERCE COMMISSION.

[Service Order 79]

VIRGINIAN RAILWAY Co.

REROUTING OF TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of July, A. D. 1942.

It appearing, that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent shortage of railroad equipment and congestion of traffic; and

It further appearing, that congestion of traffic exists at Sewalls Point, Va., and at the railroad yards serving that point: *It is ordered,*

1. That an embargo be, and it is hereby, placed upon cars loaded with coal consigned to South Amboy, N. J., moving on the Virginian Railway Company to Sewalls Point, Va., until the present accumulation of cars loaded with coal at Sewalls Point, or at the railroad yards serving that point, has been reduced to 150 cars.

2. That the Virginian Railway Company is hereby ordered and directed to divert cars loaded with coal consigned to South Amboy, N. J., now at Sewalls Point, or at the railroad yards serving that point, awaiting transfer to Pennsylvania Railroad car ferries for movement to South Amboy over the following route:

Virginian Railway Company to Jarratt, Va.,

Atlantic Coast Line Railroad Company to Richmond, Va.,

Richmond, Fredericksburg and Potomac Railroad Company to Potomac Yards, Va., and The Pennsylvania Railroad Company beyond,

until the number of such cars on hand at Sewalls Point, or at the railroad yards serving that point, is reduced to 150 cars; and thereafter the Virginian Railway Company is ordered and directed to limit the number of such loaded cars in transit to Sewalls Point to 150 cars.

3. That the car hire payments on cars diverted pursuant to this order covering both railroad and privately owned cars shall be on the basis of the handling of cars as originally routed.

4. That in executing the directions of the Commission contained in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; that such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers, and that, 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.

It is further ordered, That this order shall take effect immediately and remain in force until further order of the Commission; that copies of this order and direction be served upon the Virginian Railway Company and upon the Car Service Division, Association of American Railroads, as agent of the 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 of this order in the office of

the Secretary of the Commission at Washington, D. C., and by publication in the FEDERAL REGISTER.

By the Commission, division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 42-6315; Filed, July 3, 1942;
11:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order No. 16]

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

FURTHER AUTHORIZATION OF PAUL M. O'LEARY

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125¹ and by War Production Board Directive No. 1, as supplemented, the following order is prescribed:

The authority conferred upon Paul M. O'Leary, Acting Deputy Administrator in Charge of Rationing, by Administrative Order No. 8 (7 F.R. 4746) shall include and extend to the power and discretion to consider and determine petitions for reconsideration filed by any person against whom any suspension order has heretofore been or may hereafter be issued for violation of the Emergency Gasoline Rationing Regulations—Ration Order No. 5 and to issue any order which may be appropriate in the premises.

Issued and effective this 2nd day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-6282; Filed, July 2, 1942;
5:05 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-413]

PUBLIC SERVICE COMPANY OF OKLAHOMA,
ET AL.

NOTICE REGARDING FILING

In the matter of Public Service Company of Oklahoma, Southwestern Light & Power Company, and Peoples Ice Company.

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 Philadelphia, Pa., on the 30th day of June, A. D. 1942.

Notice is hereby given that a supplemental joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested person may, not later than July 10, 1942, at 4:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the rea-

¹ 7 F.R. 2719.

sons 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 supplemental declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

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

Public Service Company of Oklahoma and Southwestern Light & Power Company are the owners of promissory notes of Peoples Ice Company in the amounts of \$1,462,500 and \$625,500, respectively, bearing no interest and maturing February 15, 1942. It is proposed that such companies enter into an agreement extending the maturity of such notes to December 31, 1943. All of such companies are subsidiaries of The Middle West Corporation holding company system.

The notes proposed to be extended were issued pursuant to an order of the Commission dated December 24, 1941.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-6272; Filed, July 2, 1942;
3:35 p. m.]

LEO G. SIESFELD & CO.

ORDER REVOKING REGISTRATION

In the matter of Leo G. Siesfeld, doing business as Leo G. Siesfeld & Co., Belle Harbor, New York.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2nd day of July, A. D. 1942.

The Commission having instituted proceedings pursuant to section 15 (b) of the Securities Exchange Act of 1934 to determine whether the registration of Leo G. Siesfeld, doing business as Leo G. Siesfeld & Co., as a broker and dealer, should be suspended or revoked, a hearing having been held after due notice, briefs having been filed and oral argument heard, and the Commission being fully advised in the premises and having found that the said Leo G. Siesfeld has been convicted, while registered with the Commission as a broker and dealer, of a felony involving the purchase or sale of securities or arising out of the conduct of the business of a broker and dealer, and having found it in the public interest to revoke his registration without prejudice to a reapplication for registration as more fully set forth in the Findings and Opinion of the Commission herein this day issued;

It is ordered, That the registration of said Leo G. Siesfeld as a broker and dealer be, and the same hereby is, revoked, without prejudice, however, to a reapplication for registration after sixty days from the date hereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6284; Filed, July 3, 1942;
10:04 a. m.]

GENERAL WATER GAS & ELECTRIC CO., ET AL.
[File No. 70-532]

DECLARATIONS EFFECTIVE AND APPLICATIONS
GRANTED

In the matter of General Water Gas & Electric Company, Boise Water Corporation, Natatorium Company, and Kellogg Power and Water Company.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1942.

General Water Gas & Electric Company, a registered holding company, and its subsidiaries, Kellogg Power and Water Company and Boise Water Corporation, together with the latter company's subsidiary, Natatorium Company, having joined in appropriate applications and declarations filed with this Commission, with amendments thereto, under sections 6 (b), 10 and 12 of the Public Utility Holding Company Act of 1935 for approval of (1) the acquisition of the outstanding securities of Kellogg Power and Water Company, consisting of a \$100,000 6% Demand Note and 65,000 shares of common stock (par value \$1.00), by Boise Water Corporation from its parent, General Water Gas & Electric Company, in exchange for 1,650 shares of common stock (par value \$100) to be issued by Boise Water Corporation, (2) the issuance and private sale of \$950,000 principal amount of bonds at a price of 101½ by Boise Water Corporation, (3) the redemption of \$1,000,000 principal amount of bonded debt by Boise Water Corporation from its parent, General Water Gas & Electric Company, in consideration of \$750,000 cash and \$250,000 par value of common stock of Boise Water Corporation, and (4) transactions incident thereto; and

Public hearings having been held on said applications and declarations after appropriate notice, and the Commission having examined the record and made and filed its Findings and Opinion based thereon;

It is ordered, That said applications and declarations, as amended, be, and they hereby are, approved and permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U 24 and to the following further conditions:

1. That \$250,000 par value of common stock of Boise Water Corporation be accepted by General Water Gas & Electric Company in lieu of a 5% Promissory Note, due 1963, in settlement of \$250,000 principal amount of indebtedness of

Boise Water Corporation to General Water Gas & Electric Company.

2. That the net property of Boise Water Company, as reflected on its books as of December 31, 1941, be decreased in the amount of \$386,368.69, as proposed by Boise Water Company.

3. That the foregoing transactions shall be consummated within a reasonable time and prior to the payment of any dividend upon the stock of Boise Water Corporation.

4. That jurisdiction be and is hereby reserved over all accounting entries to be made in connection with the various transactions.

5. That jurisdiction be and is hereby reserved over all legal fees, trustees' fees and all other fees and expenses incurred in connection with the various transactions, except the expense of \$4,752.70 representing the cost of an appraisal of Boise Water Corporation and Natatorium Company and the further expense of \$2,250 incurred for an engineering review of the properties of Boise Water Corporation and Natatorium Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6285; Filed, July 3, 1942;
10:04 a. m.]

[File No. 70-544]

INTERNATIONAL UTILITIES CORPORATION AND
GENERAL WATER GAS & ELECTRIC COM-
PANY

ORDER PERMITTING DECLARATIONS TO BECOME
EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July, A. D. 1942.

International Utilities Corporation and its subsidiary, General Water Gas & Electric Company, both registered holding companies, having filed joint applications and declarations, and an amendment thereto pursuant to sections 6 (a), 7, 10, and 12 (f) of the Public Utility Holding Company Act of 1935 concerning: (1) the proposed issuance and private sale to certain commercial banks by General Water Gas & Electric Company of that company's promissory notes in the aggregate principal amount of \$2,100,000, payable in installments over a period of five years from the date thereof, with interest on the principal amounts remaining from time to time unpaid, at rates ranging from 2½% during the first year to 3½% during the fifth year, the proceeds of such issuance and sale to be used with other funds for the retirement of the outstanding 15-Year 5% First Lien and Collateral Trust Bonds of General Water Gas & Electric Company in the principal amount of \$2,832,000; and (2) the extension of maturity date and subordination of a promissory note of General Water Gas & Electric Company in the principal amount of \$385,700 held by International Utilities Corporation;

A public hearing having been duly held after appropriate notice; the Commission having examined the record in this matter and having entered its findings and opinion herein;

It is ordered, That said applications and declarations, as amended, be and the same are hereby granted and permitted to become effective forthwith, subject, however, to those terms and conditions set forth in Rule U-24 of this Commission, and upon the further condition that no dividend, nor other distribution, by purchase of shares of such stock, or otherwise, shall be paid, or made, upon the common stock of General Water Gas & Electric Company, pending the further order, or orders, of this Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-6286; Filed, July 3, 1942;
10:04 a. m.]

[File No. 54-55; File No. 59-51]

SOUTHERN COLORADO POWER COMPANY AND
SOUTHERN COLORADO POWER COMPANY

FILING NOTICE AND ORDER FOR CONSOLI-
DATED HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of July, A. D. 1942.

I

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder by Southern Colorado Power Company, a public utility company and a direct subsidiary of Standard Gas and Electric Company, a registered holding company. 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:

Southern Colorado Power Company (hereinafter referred to as Colorado) proposes to consummate a plan for its reorganization and recapitalization pursuant to section 11 (e) of said Act for the purpose of enabling it to comply with the provisions of section 11 (b) (2) of said Act. The elements of the proposal are as follows:

(1) Coincident, or substantially coincident, with the consummation of the plan but not necessarily as a part thereof, Colorado proposes the retirement and redemption of the presently outstanding \$6,828,300 First Mortgage 6% Gold Bonds, due July 1, 1947 by the issuance and sale of \$5,500,000 of First Mortgage 3½% Thirty-Year Bonds and \$1,200,000 of Ten-Year 3% Serial Notes and the employment of the proceeds thereof, together with treasury cash in the estimated amount of approximately \$100,000, for that purpose.

(2) By amendment to the Articles of Incorporation of Colorado, the presently

outstanding 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock will be reclassified into 42,516 shares of new 4½% Cumulative Preferred Stock, par value \$50 per share, or a total of \$2,125,800 and 638,942 shares of new common stock, par value \$5 per share, or a total of \$3,194,710, or a new corporation will be formed with authorized capital stock sufficient to meet the requirements of the plan.

(3) The 42,516 shares of new 4½% Cumulative Preferred Stock and 638,942 shares of new common stock, resulting from the reclassification mentioned in paragraph (2) above, will be distributed to the holders of the presently outstanding 7% Cumulative Preferred Stock, Class A Common Stock and Class B Common Stock as follows:

(a) One share of new 4½% Cumulative Preferred Stock and 12 shares of new common stock for each share of 7% Cumulative Preferred Stock and all accumulated and unpaid dividends thereon. The holders of the Cumulative Preferred Stock will thus receive a total of 42,516 shares of the new 4½% Cumulative Preferred Stock and 510,192 shares of the new common stock.

(b) One share of new common stock for each share of Class A Common Stock. The holders of the Class A Common Stock will thus receive 110,000 shares of new common stock.

(c) One-quarter share of new common stock for each share of Class B Common Stock. The holders of the Class B Common Stock will thus receive 18,750 shares of the new common stock.

Under the proposed distribution all of the new 4½% Cumulative Preferred Stock will be allotted to the holders of the old 7% Cumulative Preferred Stock, 79.85% of the new common stock will be distributed to the 7% Preferred stockholders, 17.22% to the Class A common stockholders and 2.93% to the Class B common stockholders.

(4) The capital surplus resulting from the reclassification of the Class A Common Stock and Class B Common Stock together with the earned surplus of Colorado will be employed as follows:

Unamortized debt, discount and expense on first mortgage bonds.....	\$186,172.20
Redemption premium on first mortgage bonds—2½%.....	169,085.00
Duplicate interest on first mortgage bonds for one month.....	33,817.00
Estimated expenses in connection with the consummation of the plan.....	43,870.00
Write-off of portion of railway plant.....	915,313.20
Reserve for adjustment of property.....	1,447,719.22
Total capital surplus resulting from reclassification.....	2,795,976.62

The application states that the plan was filed for the purpose of enabling the applicant and the Standard Gas and Electric Company holding-company system to meet the requirements of section 11 (b) (2) of said Act by simplifying the applicant's corporate structure and

effecting a fair and equitable distribution of voting power among the holders of its securities. The application requests (1) an order approving the plan, and (2) a recital in the order approving the plan that the contemplated distribution of the new preferred stock and/or common stock is necessary and appropriate to the integration or simplification of the Standard Gas and Electric Company holding-company system and the itemization in the order of the new stock to be distributed under the plan (in order that no gain or loss may be recognized as provided in section 371 (b) and section 371 (f) of the Internal Revenue Code).

If this Commission should approve the above plan the company may, but does not obligate itself to, request this Commission to apply to a United States District Court pursuant to sections 11 (e) and 18 (f) of said Act to enforce and carry out the terms and provisions of the plan. Submission of the plan to the company's security holders for their approval or rejection is not contemplated.

II

The reports filed with the Commission by Colorado disclose that:

(1) Colorado is a public utility company organized under the laws of the State of Colorado with its principal offices located in Pueblo, Colorado. The company is engaged in the business of generating, transmitting and distributing electric energy in the State of Colorado and also owns and operates a street railway system in the City of Pueblo.

(2) The capitalization of Colorado as of December 31, 1941 was as follows:

First mortgage 6% gold bonds, due July 1, 1947.....	\$6,763,400.00
7% cumulative preferred stock, 42,516 shares including 360 shares owned by Standard Gas & Electric Co. (par value \$100) ¹	4,251,600.00
Class A common stock, 110,000 shares including 6,247 shares owned by Standard Gas & Electric Co. and 23,570 shares owned by Standard Power & Light Corporation ² (\$25 par value).....	2,750,000.00
Class B common stock, 75,000 shares all owned by Standard Gas & Electric Co. (no par value) stated value \$10.....	750,000.00
Earned surplus since Apr. 30, 1938.....	364,886.62

¹ Accumulated dividend arrearages on the preferred stock amounted to \$29.50 per share aggregating \$1,254,222 as of Mar. 31, 1942.

² A registered holding company and the parent of Standard Gas & Electric Co.

(3) The preferred stock has no voting power unless and until not less than two quarterly dividends have accrued and remain unpaid thereon, in which event and so long as at least two quarterly dividends shall accrue and remain unpaid, the holders of such stock shall be entitled to the same voting powers as the Class B Common Stock which has full voting power. Except as otherwise specifically provided by law Class A Common Stock has no voting power.

(4) The preferred stock presently has full voting rights inasmuch as more than two quarterly dividend payments are in arrears. The annual dividend requirement on the preferred stock is 7% but the dividend paid in each of the last nine years has been only 4¼% or less. As of March 31, 1942 the accumulated dividends on the preferred stock aggregated \$29.50 per share or a total of \$1,254,222. No dividends have been paid on the Class A Common Stock since May, 1932 and no earnings have been available for the payment of such dividends subsequent to 1933. No dividends have ever been paid on the Class B Common Stock.

(5) The preferred stock is entitled in each year to a cumulative preference in dividends over the Class A Common Stock and Class B Common Stock to the extent of 7% of its par value and in case of liquidation, dissolution or winding up, whether voluntary or involuntary, is entitled to a preference in assets to the extent of its par value and all dividends then accumulated. The preferred stock has no further right of participation in dividends or assets. The company may redeem all or any part of the preferred stock at 110% of the par value thereof plus the amount of all accumulated dividends after 60 days' notice by mail to the holders thereof. If there are no preferred stock dividend arrearages the Class A Common Stock is entitled to receive non-cumulative dividends at the rate of \$3 per share before any dividends shall be paid on Class B Common Stock. If there are no preferred stock dividend arrearages and if the Class A Common Stock dividend requirements have been provided for, the Class B Common Stock is entitled to receive in any quarter dividends at the rate of \$2 per share per annum after which the holders of the Class A Common Stock and the holders of the Class B Common Stock share equally in any remaining earnings. In case of liquidation, dissolution or winding up, the Class A Common Stock is entitled to \$27.50 per share after payment to the preferred stock and any remaining assets are to be divided equally between the Class A common stockholders and Class B common stockholders. The company has the right to redeem the Class A Common Stock at \$35 per share after 60 days' notice by mail.

(6) Standard Gas and Electric Company, a registered holding company and the parent of Colorado, owns the following securities of Colorado:

360 shares of 7% Cumulative Preferred Stock.

6,247 shares of Class A Common Stock.

75,000 shares of Class B Common Stock.

The aforementioned shares of the preferred stock and the Class A Common Stock are carried on the books of Standard Gas and Electric Company at \$32,834 and \$140,747.77, respectively, which are likewise the reported costs of these securities to the system company first acquiring them.

Standard Power and Light Corporation, a registered holding company, and the parent of Standard Gas and Electric Company, owns 23,570 shares of Colorado's Class A Common Stock which are

carried on the books of Standard Power and Light Corporation at \$636,390 which is also the reported cost of these securities to the system company first acquiring them.

(7) The net income of Colorado for the twelve months ended December 31, 1940 and December 31, 1941 was reported to be \$244,401.97 and \$260,900.91, respectively. The requirement for dividends on the preferred stock for each of these years was \$297,612. As of March 31, 1942 the dividend arrearages on the 7% Cumulative Preferred Stock amounted to \$29.50 per share aggregating \$1,254,222.

(8) The balance sheet of Colorado contains, among other things:

(a) An excess of book cost over "Original Cost" of Utility Plant as defined in the Uniform System of Accounts prescribed by the Colorado Public Utilities Commission.

(b) Deferred charges being amortized over varying periods.

(c) Railway Plant carried at \$1,412,346.

III

It appearing to the Commission on the basis of allegations contained in the foregoing section II that there are reasonable grounds to believe that:

(1) The voting power is unfairly and inequitably distributed among Colorado's security holders.

(2) The corporate structure of Colorado unduly and unnecessarily complicates the structure of the Standard Gas and Electric Company holding-company system, of which it is a part.

(3) All or part of the items in the balance sheet referred to in paragraph (8) of section II hereof may have to be disposed of by accounting adjustments which may have some effect on future income.

IV

It being the duty of the Commission under section 11 (b) (2) of the Act, to require, by order, after notice and opportunity for hearing, that each registered holding company and each subsidiary company thereof shall take such steps as the Commission shall find necessary to ensure that its corporate structure does not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among security holders of such holding company system; and

It also being appropriate and in the public interest and in the interest of investors and consumers to institute proceedings against Colorado under sections 15 (f) and 20 (a) of the Act directed toward a determination of whether appropriate orders should be entered pursuant to said sections; and

The Commission being required by the provisions of Section 11 (e) of said Act, before approving any plan thereunder, to find, after notice and opportunity for hearing that such plan, as submitted or as modified, is necessary to effectuate the provisions of section 11 (b) and is

fair and equitable to the persons affected by such plan; and

It appearing appropriate that notice be given and hearings held for the purpose of determining what action should be ordered under sections 11 (b) (2), 15 (f) and 20 (a) and with respect to the proposed plan filed under section 11 (e); and

It further appearing to the Commission that said proceedings involve common questions of law and fact and should be consolidated and heard together;

It is hereby ordered, That hearings on (a) the proposed plan for reorganization and recapitalization filed pursuant to section 11 (e), and (b) the proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) herein instituted, be held on the 28th day of July, 1942 at 10:00 o'clock A. M., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing room clerk in Room 318;

It is further ordered, That said proceedings be and the same are hereby consolidated;

It is further ordered, That William W. Swift 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 such hearing is hereby authorized to exercise all the 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 the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order, by registered mail to the above named party, to Standard Gas and Electric Company and Standard Power and Light Corporation, and that notice of said hearing is hereby given to all security holders of Southern Colorado Power Company, to all states, municipalities, or political subdivisions of states or foreign countries in which are located any of the utility assets of the holding-company system of Standard Gas and Electric Company or under the laws of which any of said subsidiary companies are incorporated, to all state commissions, state securities commissions and all agencies, authorities or instrumentalities of one or more states, municipalities, or other political subdivisions having jurisdiction over Southern Colorado Power Company or over any of the business affairs of any of them, and to all other persons, such notice to be given by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER;

It is further ordered, That Southern Colorado Power Company mail a copy of this notice and order at least twenty days prior to July 28, 1942 to each of its stockholders at his last-known address;

It is further ordered, That any person desiring to be heard in connection with these proceedings shall file with the Secretary of the Commission on or before the 18th day of July, 1942, a written statement relative thereto; any person proposing to intervene shall file with the Secretary of the Commission on or before such date his application therefor, as provided by Rule XVII of the Commission's Rules of Practice;

It is further ordered, That without limiting the scope of the issues presented by the pending applications or declarations (or both) or by the proceedings hereby instituted, that evidence having particular bearing on the following matters will be adduced:

(1) Whether the proposed plan filed pursuant to section 11 (e) of the Act is necessary to effectuate the provisions of section 11 (b) of said Act.

(2) Whether the proposed plan is fair and equitable to the persons affected thereby.

(3) Whether the proposed plan is feasible.

(4) Whether the plan should be submitted to the stockholders of Southern Colorado Power Company for their approval or rejection.

(5) Whether the proposed transactions by Southern Colorado Power Company which are incidental to the consummation of the proposed plan comply with all of the requirements of the applicable provisions of the Act and Rules.

(6) Whether the allegations contained in sections II and III hereof are true and correct.

(7) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to require pursuant to sections 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935 and rules thereunder that Southern Colorado Power Company restate its plant and equipment, investment, reserves, surplus, capital or other accounts so as to segregate, eliminate and/or dispose of intangibles in the plant and equipment accounts and investment accounts; set up adequate reserves and make other accounting adjustments.

(8) What orders, if any, should be entered pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of the Act, to require Southern Colorado Power Company to take such steps as the Commission shall find necessary to comply with the provisions of said sections.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved. By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-6287; Filed, July 3, 1942; 10:04 a. m.]