

FEDERAL REGISTER



VOLUME 7

NUMBER 105

Washington, Friday, May 29, 1942

Regulations

TITLE 8—ALIENS AND NATIONALITY Chapter II—Office of the Alien Property Custodian

PART 502—VESTING ORDERS [Vesting Order Number 10]

VESTING OF CAPITAL STOCK OF RARE CHEMICALS, INC. AND BOEHRINGER CORPORATION

§ 502.10 *Vesting Order No. 10.* 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 all of the capital stock of Rare Chemicals, Inc., a New York Corporation, and all of the capital stock of Boehringer Corporation, a New York Corporation, are the property of nationals of a foreign country designated in Executive Order No. 8389, as amended,¹ 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 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 re-

sult 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. (E.O. 9095, 7 F.R. 1971)

This order shall be published in the FEDERAL REGISTER.
Executed at Washington, D. C. on May 26, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-4921; Filed, May 27, 1942;
2:55 p. m.]

PART 502—VESTING ORDERS [Vesting Order Number 11]

VESTING OF CERTAIN PATENTS

§ 502.11 *Vesting Order No. 11.* 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 patents enumerated in Exhibit A attached hereto and made a part hereof and the title of which stands of record in the United States Patent Office in the person whose name appears opposite the number are the property of nationals of a foreign country designated in Executive Order No. 8389, as amended,¹ as defined therein, and that the action herein taken is in the public interest, hereby directs that there shall be, and hereby is, vested in the Alien Property Custodian 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, in the patents enumerated in the aforesaid Exhibit A to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

CONTENTS

REGULATIONS

	Page
ALIEN PROPERTY CUSTODIAN:	
Vesting orders:	
Miscellaneous patents.....	3979
Rare Chemicals, Inc., and Boehringer Corp.....	3979
BITUMINOUS COAL DIVISION:	
Minimum price schedules amended:	
District 3 (2 documents) ..	3981, 3983
District 6.....	3984
District 13 (2 documents) ..	3985, 3987
FEDERAL TRADE COMMISSION:	
Sterling Products, et al., cease and desist order.....	3981
OFFICE OF PRICE ADMINISTRATION:	
Army field jackets, exclusion of certain contracts for fabri- cation.....	3990
Foundry products, nonferrous; price regulation amended..	3990
Fuel, solid; maximum price reg- ulation amended.....	3989
Maximum price regulation, gener- al; excepted commodities (2 documents).....	3990, 3991
National Carbon Co., Inc., max- imum price for flashlight cases.....	3991
Rent regulations, protest and amendment procedure; cor- rection	3991
PUBLIC CONTRACTS DIVISIONS	
Public utility services, adminis- trative exemption.....	3992
WAR DEPARTMENT:	
Danger zone regulations, Dela- ware and New Jersey.....	3991
WAR PRODUCTION BOARD:	
Brandtjen and Kluge, Inc., sus- pension order.....	3989
Feminine outerwear, etc., limi- tation order corrected.....	3989
Fire protective equipment, limi- tation order corrected....	3989
NOTICES	
AGRICULTURAL MARKETING ADMIN- ISTRATION:	
Memphis milk marketing area, hearing on proposed regu- lations	3997

(Continued on next page)

3979

¹ 5 F.R. 1400; 6 F.R. 2897, 3715, 6348, 6785.



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.

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

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

CONTENTS—Continued

	Page
BITUMINOUS COAL DIVISION:	
Applications for registration as distributors	3996
District Board 4, price schedule amended.....	3994
Rose, W., Coal Co., hearing.....	3996
FEDERAL POWER COMMISSION:	
Applications for authorization to continue transportation, or sale for resale, of natural gas in interstate commerce..	4003
Interstate Natural Gas Co., and Louisiana Public Service Commission, hearing.....	4003
FOOD AND DRUG ADMINISTRATION:	
Shrimp, standards of fill of container; hearing postponed..	4011
OFFICE OF PRICE ADMINISTRATION:	
Central Iron and Steel Co., exception modified.....	4011
Cumberland Parker Seam Coal Co., exception granted.....	4011
SECURITIES AND EXCHANGE COMMISSION:	
Associated Electric Co., et al., application granted, etc.....	4012
Associated Utilities Corp. and Associated Corp., filing notice	4013
Diversified Investment Fund, Inc., hearing.....	4012
WAGE AND HOUR DIVISION:	
Placer gold open-cut mining, exemption terminated.....	4002
WAR DEPARTMENT:	
Persons of Japanese ancestry excluded from certain restricted areas (6 documents)	3992-3994

Such property and any or all the proceeds thereof shall be held 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 prop-

erty 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. (E.O. 9095, 7 F.R. 1971)

This order shall be published in the FEDERAL REGISTER.

Executed at Washington, D. C., on May 26, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1,481,782	Mitsubishi Zosen Kabushiki Kaisha.	1,882,327	Tobata Imono Kabushiki Kaisha.
1,483,567	Mitsubishi Kogyo Kabushiki Kaisha.	1,891,831	Zaidan Hojun Rikagaku.
1,533,328	Mitsubishi Zosen Kabushiki Kaisha.	1,893,094	Kabushiki Kaisha Sumitomo Seikoshu.
1,550,385	Dai Nippon Junzohiryu Kabushiki Kaisha.	1,902,385	Zaidan Hojun Rikagaku.
1,630,660	Zaidan Hojun Rikagaku.	1,902,735	Mitsubishi Kogyo Kabushiki Kaisha.
1,674,802	Tei Kawata.	1,910,041	Mitsubishi Zosen Kabushiki Kaisha.
1,682,058	Mitsubishi Kogyo Kabushiki Kaisha.	1,916,931	Kabushiki Kaisha Sumitomo Seikoshu.
1,692,842	Tobata Imono Kabuŝi Kaisha.	1,922,166	Kabushiki Kiasha Sonoike Seisakusho.
1,710,825	Chemische Forschungsgesellschaft.	1,926,923	Zaidan Hojun Rikagaku.
1,720,926	Tei Kawata.	1,933,740	Kabushiki Kaisha Sonoike Seisakusho.
1,724,626	Zaidan Hojun Rikagaku.	1,940,209	Franz Fischer and Helmut Pichler.
1,733,669	Kabushiki Kaisha Nihon Seikasho.	1,971,966	Zaidan Hojun Rikagaku.
1,735,509	Zaidan Hojun Rikagaku.	1,976,222	Asahi Garasu Kabushiki Kaisha (Asahi Glass Co., Ltd.).
1,740,030	Zaidan Hojun Rikagaku.	1,976,230	The Mitsubishi Denki Kabushiki-Kaisha.
1,745,898	Mitsubishi Zosen Kabushiki Kaisha.	1,976,997	Kabushiki Kaisha Suzuki Shoten.
1,745,907	Zaidan Hojun Rikagaku.	1,979,644	Kabushiki Kaisha Sumitomo Seikoshu.
1,760,518	Zaidan Hojun Rikagaku.	1,979,906	Kabushiki Kaisha Sumitomo Seikoshu.
1,770,355	Zaidan Hojun Rikagaku.	1,992,582	Zaidan Hojun Rikagaku.
1,771,451	Zaidan Hojun Rikagaku.	1,995,001	Kabushiki Kaisha Kawasaki Zosensho (Kawasaki Dock-Yard Co., Ltd.).
1,774,066	Kabushiki-Kaisha Hitachi-Seisakusho.	1,997,193	The Mitsubishi Denki Kabushiki-Kaisha.
1,779,822	Mitsubishi Zosen Kabushiki Kaisha.	2,003,660	Zaidan Hojun Rikagaku.
1,782,169	The Asahi Glass Co., Ltd.	2,012,579	Kabushiki-Kaisha Hitachi-Seisakusho.
1,785,464	Zaidan Hojun Rikagaku.	2,018,263	Kabushiki Kaisha Kawasaki Zosensho (Kawasaki Dock-Yard Co., Ltd.).
1,787,633	Kabushiki Kaisha Sonoike Seisakusho.	2,026,290	Kabushiki Kaisha Asahi Koki Seisakusho.
1,798,349	Zaidan Hojun Rikagaku.	2,028,780	Kabushiki Kaisha Kawasaki Zosensho (Kawasaki Dock-Yard Co., Ltd.).
1,801,364	The Asahi Glass Co., Ltd.	2,059,597	Kabushiki Kaisha L. Leybold Shakwan.
1,808,111	Kabushiki Kaisha Azumi Daiyakuho.	2,067,738	Asahi Denka Kogyo Kabushiki Kaisha.
1,849,467	Zaidan Hojun Rikagaku.	2,069,862	Asahi Denka Kogyo Kabushiki Kaisha.
1,851,481	Kabushiki-Kaisha Hitachi-Seisakusho.	2,075,218	Kabushiki Kaisha Okura Denki Kenkyusho.
1,853,097	Mitsui Mining Co., Ltd.	2,085,476	Zaidan Hojun Rikagaku.
1,862,613	Kabushiki Kaisha Yokogawa Denki Seisakusho.	2,092,213	Kabushiki-Kaisha Hitachi-Seisakusho.
1,868,955	Asahi Kenshoku Kabushiki-Kaisha.	2,093,204	Kabushiki Kaisha Okura Denki Kenkyusho.
1,870,732	Mitsubishi Zosen Kabushiki Kaisha.	2,097,036	Kabushiki Kaisha Hokushin Denki Seisakusho.
1,881,280	Kabushiki Kaisha Sonoike Seisakusho.	2,097,226	Kabushiki Kaisha Okura Denki Kenkyusho.
		2,103,126	Mitsubishi Jukogyo Kabushiki Kaisha.
		2,103,134	Zaidan Hojun Rikagaku.
		2,109,762	Kabushiki Kaisha Kaeanishi Kikai Seisakujo.
		2,120,410	Kabushiki Kaisha Makamoto Honpo Eiyo To Ikuji No Kai.
		2,135,357	Zaidan Hojun Rikagaku.
		2,139,981	Mitsubishi Jukogyo Kabushiki Kaisha.
		2,144,983	Kabushiki Kaisha Makamoto Honpo Eiyo To Ikuji No Kai.
		2,168,826	Zaidan Hojun Rikagaku.
		2,177,070	Nihon Koshuha Jukogyo Kabushiki Kaisha.

2,184,720 Kabushiki-Kaisha Takeda
Chober Shoten.
2,213,169 Kabushiki-gaisha Takenaka
Komten.
2,220,551 Zaidan Hojun Rikagaku.
2,236,634 Kabushiki-Kaisha Hitachi-
Seisakusho.
2,257,259 Kabushi Kaisha Sumitomo
Densen Seizoshu.

[F. R. Doc. 42-4922; Filed, May 27, 1942;
2: 55 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4197]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF STERLING PRODUCTS, ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results:* § 3.6 (y 10) *Advertising falsely or misleadingly—Scientific or other relevant facts.* In connection with the offer, etc., of cosmetic creams and oils, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparations, which advertisements represent, directly or through inference, that respondents' cosmetic creams and oils have any added beneficial value upon the skin by reason of their vitamin content; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Sterling Products, et al., Docket 4197, May 25, 1942]

In the Matter of Sterling Products, a Corporation, and Vita-Ray Corporation, a Corporation

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 25th day of May, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, and a stipulation as to the facts entered into between the respondents herein and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon the respondents herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Sterling Products, a corporation, and Vita-Ray Corporation, a corporation, their officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of cosmetic creams and oils do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement (a) by means of the United States mails, or (b) by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisements represent, directly or through inference, that respondents' cosmetic creams and oils have any added beneficial value upon the skin by reason of their vitamin content;

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of said product, which advertisements contain any of the representations prohibited in paragraph 1 hereof.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-4955; Filed, May 28, 1942;
10:51 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Dockets Nos. A-1366, A-1369 and A-1374]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT No. 3

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief and order of consolidation in the matters of the petitions of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3; of Rex Henderson, a code member in District No. 3, for a change in shipping points; and of Grafton Coal Company, a code member in District No. 3, for a change in shipping points.

Original petitions pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, were duly filed with this Division by the above-named parties requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; requesting permission to change the shipping point of Mine Index No. 287 from Chiefton, West Virginia, on the Western Maryland Railroad to Everson, West Virginia, on the Baltimore & Ohio Railroad; and requesting permission to change the shipping point of Mine Index Nos. 397 and 398 of Grafton Coal Company from Webster, West Virginia, to Grafton, West Virginia, on the Baltimore & Ohio Railroad.

A petition of intervention was filed by District Board 7 requesting that no action prejudicial to code members be taken. As the petition of intervention does not

state any specific objection to the proposals made in the original petition, there appears to be no necessity for a hearing at this time. Interested persons having objections to this order may, as hereinafter provided, file pleadings in opposition and applications to stay, terminate or modify the temporary relief herein granted.

It appears that the above-entitled matters raise related and analogous issues, and that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth.

The following action being deemed necessary in order to affectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and they hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, and § 323.8 (*Special prices—(d) By-product, horizontal and vertical retort, or water gas use*) is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

Commencing forthwith, the schedule of effective minimum prices for rail shipments from the Henderson Mine (Mine Index No. 287) of Rex Henderson shall be applicable only for shipments from Everson, West Virginia, on the Baltimore & Ohio Railroad and shall no longer be applicable for shipments from Chiefton, West Virginia, on the Western Maryland Railroad. The adjustments required or permitted mines in Freight Origin Group No. 61 shall be applicable to such shipments from Everson on the Baltimore & Ohio Railroad.

Commencing forthwith the effective minimum prices for rail shipments from the Ridge Nos. 1 and 2 (strip) mines (Mine Index Nos. 397 and 398) of Grafton Coal Company shall be applicable only for shipments from Grafton, West Virginia, on the Baltimore & Ohio Railroad and shall no longer be applicable for shipments from Webster, West Virginia, on the Baltimore & Ohio Railroad. The adjustments required or permitted mines in Freight Origin Group No. 50 shall be applicable to such shipments from Grafton, West Virginia, on the Baltimore & Ohio Railroad.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matters and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, 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.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: April 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

§ 323.8 *Special prices—(d) By-product, horizontal and vertical retort, or water gas use—Supplement R-II*

[Prices in cents per net ton for by-product, horizontal and vertical retort, or water gas use]

To market areas	Freight origin group Nos.	Price classifications	Size group Nos.		
			11	12	13
Tidewater 1-2 (with the following destination exceptions) For delivery in New York harbor for consumption within the harbor, Philadelphia harbor or rail to Philadelphia and Camden.	All except freight origin group No. 10.	A	240	225	215
For delivery to Swedeland, Pennsylvania. Market areas 3-100.	All except freight origin group No. 10.	A	240	225	215

Freight Origin Group No. 10 may reduce all the above prices 13 cents.

Market area 4.	All	A	255	240	230
Market areas 5, 6, 7, 9, 10, 11, 12, 13, 14.	All	A	240	225	215
Market area 8.	All	A	220	205	195
All other market areas.	All	A	225	210	200

[F. R. Doc. 42-4909; Filed, May 27, 1942, 11:03 a. m.]

[Docket No. A-1411]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT No. 3

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the matter hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, 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.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: April 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 3

NOTE: The material contained in this Supplement R is to be read in the light of the classifications, prices, instructions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 323.6 *Alphabetical list of code members—Supplement R*

[Alphabetical listing of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos.														
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
136	Bethlehem Fairmont Coal Company	Scott #2	Pittsburgh	Virona, W. Va.	B&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
537	Campbell, Eugene L.	Campbell	Peerless	Tioga, W. Va.	SC&M	11	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
373	Case, Silas, Sons Coal Company (Silas Case)	Gase Coal Co.	Coalburg	Tioga, W. Va.	SC&M	11	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
38	Consolidated Coal Company	Consel #3	Pittsburgh	Owings, W. Va.	B&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
146	Fairmont & Baltimore Coal & Coke Co.	Willard	Pittsburgh	Beaver Sidling, Cas-	B&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
14	Howard, J. W. / Howard Coal Co.	Beaver	Eagle	Beaver Sidling, Cas-	MF (B&O)	34	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)

*When shown under a Size Group Number, this symbol indicates coals previously classified for this size group.

[Docket No. A-657]

PART 326—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 6

RELIEF GRANTED

Memorandum opinion and order granting relief in the matter of the petition of District Board 6 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 6 not heretofore classified and priced.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division (the "Division") by District Board No. 6, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act"). The petition requested the establishment of price classifications and corresponding minimum prices for the coals produced at two strip mines, Mine Index Nos. 30 and 31, and at one deep mine, Mine Index No. 140, in District 6, not theretofore classified and priced. The petition contained the required data appropriate to petitions of this nature.

On March 17, 1941, 6 F.R. 1653, the Director entered an order temporarily establishing the price classifications and corresponding minimum prices requested by District Board 6, pending final disposition of the petition. The order provided that applications to stay, terminate or modify the same or pleadings in opposition to the final relief requested in said petition may be filed within forty-five (45) days from the date of the order, and further provided that the order and the relief therein granted should become final sixty (60) days from the date of the order unless the Director shall otherwise prescribe. No motions to stay, terminate or modify the order and no pleadings in opposition to the relief requested having been filed, and the Director not having otherwise prescribed, this order, by its express terms, became final on May 17, 1941.

In District 6 coals produced at strip mines are priced generally 10 cents per net ton lower than those produced at deep mines. The order of March 17, 1941 established minimum prices, in conformity with prices for analogous coals in the Price Schedule, for the coals produced at the three mines in question, but, inadvertently applied the strip mine prices to Mine Index 140, the deep mine. In all other respects the order of March 17, 1941, which became final on May 17, 1941, was regular and sufficient to accomplish the desired purposes.

On July 18, 1941, 6 F.R. 3915, two months after the order of March 17, 1941, had become final, and no motions, petitions or pleadings of any character having been filed herein, an order was entered purporting to modify the order of March 17, 1941, for the purpose of correcting the error with respect to the deep mine, Mine Index No. 140, and to accord the deep mine prices to that mine. However, the order went further and withdrew and cancelled the price classifications and corresponding minimum prices which had, in the order of March 17, 1941, been established for the coals produced at Mine Index Nos. 30

and 31, for river and ex-river shipments, and also withdrew such prices from Mine Index No. 140.

On August 25, 1941, District Board 6 filed a motion to amend the order dated July 18, 1941, by restoring the price classifications and corresponding minimum prices for the coals produced at Mine Index Nos. 30 and 31 for river and ex-river shipments which were established in the order dated March 17, 1941, and vacated in the order of July 18, 1941. Upon the filing of this motion and on September 20, 1941, a hearing was ordered to be held upon the issue of whether or not price classifications and minimum prices for river and ex-river shipments from Mine Index No. 31 (the Devenny No. 2 Mine of the Wheeling Valley Coal Corporation) should be established. After the entry of this order a petition of general intervention was filed by District Board 2.

Pursuant to the order of September 20, 1941, a hearing in this matter was held before Joseph A. Huston, a duly designated Examiner of the Division, at Washington, D. C., on October 31, 1941.¹ All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. The petitioner and intervenor appeared.

At the conclusion of the hearing the preparation and filing of the Examiner's report were waived by the parties and the matter was thereupon submitted to the undersigned.

As stated above the coals produced at the strip mines in District 6 were generally priced 10 cents per net ton lower than the coals produced at the deep mines. At the time prices were established, October 1, 1940, there were four such strip mines in District 6, Mine Index Nos. 7, 20, 24 and 26. In providing the 10 cent differential in the Price Schedule, the mechanics employed were to designate the deep mines as "all Mine Index Numbers except 7, 20, 24, and 26," and prescribing uniform prices therefor, and designating the strip mines as "Mine Index Nos. 7, 20, 24, and 26," and fixing the prices applicable thereto.

The original petition requested the establishment of price classifications and minimum prices for Mine Index No. 140, a deep mine, and Mine Index Nos. 30 and 31, strip mines. By inadvertence the order dated March 17, 1941, included the deep mine, Mine Index No. 140, as taking the strip mine prices. The order dated July 18, 1941, indicates that it was designed solely for the purpose of correcting the error with respect to Mine Index No. 140, the deep mine which had been given strip mine prices. However, the order also withdrew river and ex-river prices (shown on pages 12, 13, and 14 of the Schedule of Effective Minimum Prices for District No. 6 For All Shipments Except Truck) from that mine and from the two strip mines, Mine Index Nos. 30 and 31. The net result was to withdraw river

and ex-river prices from all three mines when all other mines in District 6 were given such prices.

In this state of the record, the order dated September 20, 1941, may well be considered as an order reopening the docket for the purpose of conducting a hearing on the merits as to the right of Mine Index Nos. 30 and 31 to the establishment of river and ex-river price classifications and minimum prices for the coals produced at those two mines.

The evidence at the hearing indicates a misunderstanding of the issue involved. In the Schedule of Effective Minimum Prices for District No. 6 For All Shipments Except Truck, pages 12 to 14, prices were established for river and ex-river shipment from all mines in District 6 "having river loading facilities." It appears from the evidence that some of the parties may have had in mind that the issue at the hearing turned upon whether or not the Devenny No. 2 Mine had "river loading facilities." The real issue was whether or not these mines, Mine Index Nos. 30 and 31, which had not theretofore been classified, should receive price classifications and corresponding minimum prices and whether or not the classification and prices submitted by the District Board and data in support thereof comply with the standards of the Act and requirements of the Division orders, particularly Order 303. Whether or not a given mine has "river loading facilities" is a separate question of fact.

The uncontroverted evidence introduced at the hearing shows that the price classifications and corresponding minimum prices proposed for Mine Index Nos. 30 and 31, strip mines, are in terms of the symbols of and in conformity with the effective minimum prices for analogous and comparable coals established by the Director in General Docket No. 15 and conform to the standards of the Act, and, therefore, should be established as the effective price classifications and corresponding minimum prices for the coals produced at said Mine Index Nos. 30 and 31.

Notwithstanding the fact that the question of whether or not the Devenny No. 2 mine has "river loading facilities" is not directly in issue, in view of the fact that some appear to have so considered it, I will consider that question also. The evidence shows that Wheeling Valley Coal Corporation operates the Devenny No. 1 Mine under circumstances substantially similar to those under which it operates the Devenny No. 2 Mine. In the Order of the Acting Director in Docket No. 1540-FD,² it was found that the Wheeling Valley Coal Corporation is closely affiliated with Costanzo Coal Min-

¹The hearing was originally set for October 13, 1941, and, by order dated October 11, 1941, postponed to October 31, 1941.

²Cf. In the Matter of the Costanzo Coal Mining Company, Registered Distributor, Registration No. 1897, Docket No. 1540-FD, Order of the Acting Director dated March 26, 1942, Approving and Adopting with Modifications the Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations of the Examiner, etc., in that part thereof dealing with the so-called "Hitchman" group of truck mines.

It is further ordered, That effective forthwith, § 326.5 (Alphabetical list of code members) and § 326.6 (Numerical list of mines) in the Schedule of Effective Minimum Prices for District 6 For All Shipments Except Truck be, and they hereby are, amended by the establishment of the price classifications set forth in Supplements R-I and R-II attached hereto and made a part hereof.

Dated: May 19, 1942.
 [SEAL] DAN H. WHEELER,
 Acting Director.

I find and conclude not only that the motion of District Board 6 should be sustained, but that the order entered July 18, 1941, should be vacated and set aside and that the prices established in the order dated March 17, 1941, should be reinstated except that the prices for Mine Index No. 140 should be established at prices ten cents per ton higher in order to conform with the prices established for the coals of other deep mines.

It is, therefore, ordered, That the order dated July 18, 1941, be, and the same hereby is, vacated and set aside.

EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 6

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 326, Minimum Price Schedule for District No. 6 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 326.5 Alphabetical list of code members—Supplement R-I

[Alphabetical list of code members having railway loading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Type	Shipping points in W. Va.	Railroad	Freight origin group No.	Price classifications by size group Nos.														
									1	2	3	4	5	6	7	8	9	10	11	12			
130	Hutton, Charles	Hutton		No. 6	Strip	Chester	PRR	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	
140	Lombardi, John (Lombardi Coal Company)	Horvath		Pgh. 8	Deep	Wellsburg	PRR	30	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
31	Wheeling Valley Coal Corporation	Devenney No. 2		Pgh. 8	Strip	Beech Bottom	PRR	30	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E

1 Formerly operated by Matthew Phillips as Phillips No. 2 Mine. 2 Formerly operated by Louis Horvath.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 326.6 Numerical list of mines—Supplement R-II

Refer to § 326.6 in Minimum Price Schedule for District No. 6. Add the following:

Mine index No.	Mine name	Code member	Freight origin group No.	Railroad
30	Hutton, Charles	Hutton, Charles	30	PRR
31	Devenney No. 2	Wheeling Valley Coal Corporation	30	PRR
140	Horvath	Lombardi, John (Lombardi Coal Company)	30	PRR

Prices for all Mine Index Numbers except 7, 20, 24 and 26 shown in § 326.7, § 326.8 (a), (b), (c), (d), (e), and (f) in Minimum Price Schedule of the Schedule of Effective Minimum Prices apply to Mine Index Number 140.

Prices for Mine Index Numbers 7, 20, 24 and 26 shown in § 326.7, § 326.8 (a), (b), (c), (d), (e), (f) in Minimum Price Schedule of the Schedule of Effective Minimum Prices apply to Mine Index Numbers 30 and 31.

[F. R. Doc. 42-4910; Filed, May 27, 1942; 11:03 a. m.]

Headrick, in Size Group 23 for truck shipments.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on February 2, 1942, by District Board No. 13, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

On March 4, 1942, the Acting Director issued an order separating from Docket No. A-1297¹ and designating as Docket No. A-1297 Part II, that portion of the former docket relating to the establishment of price classifications and minimum prices for the coals produced by Connellsville Drift Mine, Mine Index No. 1466, of the Plateau Coal and Coke Company, in Size Group 11, for all shipments except truck; produced by mines having Index Nos. 113, 136, 141, 193, 198, 221, 298, 301, 317, 339, 342, 356, 367, 386, 744, 1059, 1128, 1215, 1271, 1276, 1313, 1360 and 1433, in Size Group 20 for all shipments except truck; and produced by the Jefferson No. 1 Mine, Mine Index No. 1458, of W. P.

¹As to the mines not severed, temporary and conditionally final minimum prices were established.

[Docket No. A-1297 Part II]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

PLATEAU COAL AND COKE CO., AND W. P. HEADRICK

Findings of fact, conclusions of law, memorandum opinion and order in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals produced by the Connellsville Drift Mine, Mine Index No. 1466, of the Plateau Coal and Coke Company, in Size Group 11 for all shipments except truck; produced by mines having Mine Index Nos. 113, 136, 141, 193, 198, 221, 298, 301, 317, 339, 342, 356, 367, 386, 744, 1059, 1128, 1215, 1271, 1276, 1313, 1360 and 1433, in Size Group 20 for all shipments except truck; and produced by the Jefferson No. 1 Mine, Mine Index No. 1458, of W. P.

301, 317, 339, 342, 356, 367, 386, 744, 1059, 1128, 1215, 1271, 1276, 1313, 1360, and 1433 in Size Group 20, for all shipments except truck; and produced by the Jefferson No. 1 Mine, Mine Index No. 1458, of W. P. Headrick, in Size Group 23, for truck shipments.² Temporary price classifications and minimum prices were established for these mines by the order of the Acting Director under date of March 4, 1942, 7 F.R. 1757.

Pursuant to said order of March 4 and after due notice to all interested persons, a hearing was held before Floyd McGown, a duly designated Examiner of the Division at a hearing room thereof in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise to be heard. The petitioner, District Board 13, appeared. Preparation and filing of a report by the Examiner was waived and the record was thereupon submitted to the undersigned.

The testimony of the sole witness, a representative of District Board 13, was divided into three parts, as follows:

I. Connellsville Drift Mine. The Plateau Coal and Coke Company operates the Connellsville Drift Mine, Mine Index No. 1466, located in the southwestern part of Jefferson County, Alabama. The proposed price, approved by the District Board, would constitute this mine as the only mine in District 13 having a minimum price of \$2.90 in Size Group 11, for all shipments except truck.³ The coal produced at this mine is from the Black Creek Seam and is a high-grade steam but low-grade domestic coal. The mine has been operating for several months, but the coal was used primarily for the manufacture of coke. The producer now plans to sell the coal in the commercial market, and it will be sold primarily for steam and possibly for stoker use. The coal is soft and friable and has qualities similar to the highest grade Jefferson County Black Creek Seam coal.

The proposed prices are related to a mine having Mine Index No. 77 which, however, does not have coal priced in Size Group 11. The raw mine run coal, Size Group 13, of the Connellsville Drift Mine is priced at \$2.90 a ton, and it was the opinion of the District Board that Size Group 11 coal should not have a lower price than that, and that the proposed price was properly related to other coals and other sizes. The only coal in Size Group 11 is that from a mine having Mine Index No. 20, and it is priced at \$2.85 a ton. The five cents difference in price between that and the \$2.90 a ton, proposed herein, is justified by the fact that the coal here involved has a higher heating content and is more desirable

² Said Order originally read Mine Index No. 1318, but this was amended during the hearing to read properly Mine Index No. 1313.

³ Prices quoted throughout these findings pertain to shipments to Market Area 147, the home market area of District 13, and proper relationships to other market areas may be assumed to have been made.

for steam and stoker purposes. I find that the prices proposed by the District Board 13 in this respect are proper and should be established.

II. Mines with Index Nos. 113, 136, 141, 193, 198, 221, 298, 301, 317, 339, 342, 356, 367, 386, 744, 1059, 1128, 1215, 1271, 1276, 1313, 1360, and 1433. The coal from these mines is in the Black Creek Seam, located in the southern part of Blount County and the northern part of Jefferson County, Alabama. The coal is in Size Group 20, and is soft and friable.

There is little difference between run of mine coal and this 5" x 0 unwashed, and the proposed price, \$2.80 a ton, was derived from a comparison between them. The coals in question herein are high-grade steam and low-grade domestic coals, as is indicated by the analysis of the ash and B. t. u. content. A comparison with coal of this size from a mine in the Underwood Seam discloses that the difference of five cents in price is justified by the greater amount of B. t. u. content in the coals of these mines. I find that the proposed prices are proper and should be established as the effective minimum prices.

III. Jefferson No. 1 Mine. This mine is operated by W. P. Headrick in the Jefferson Seam, located in the eastern part of Walker County, Alabama. The proposed price of \$2.25 a ton for truck shipments is proposed for the coals of this mine in Size Group 23.

The price for both Jefferson Seam and Black Creek Seam coals was originally \$2.50 per ton. In Docket No. A-504,

prices of the coal in Size Group 23 of the Black Creek Seam were reduced to \$2.25 a ton, but due to the fact that no one was operating any mines in the Jefferson Seam at that time, no reduction in price of this coal was made.

The coals of both seams have similar physical and chemical characteristics and it is often difficult to distinguish between them. In addition, the coals from both seams are priced the same for truck shipment for all other sizes.

From the record, it is clearly established that comparisons of all the coal involved in this proceeding were made with coals of other sizes and qualities and the proposed prices reflect the proper relationships to those other coals, and that fair opportunities to compete would be afforded to the producers.

Upon the basis of the uncontroverted evidence I find that the establishment of effective price classifications and minimum prices requested is proper and will effectuate the purposes of section 4 II (a) and 4 II (b) of the Act and will comply with all the standards thereof.

Now, therefore, it is ordered, That § 333.6 (General prices) is amended by adding thereto Supplement R, and § 333.34 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are herein-after set forth and hereby made a part hereof.

Dated: May 7, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

§ 333.6 General prices—Supplement R

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
BLOUNT COUNTY, ALA.					
1276	Harden & Davis (M. L. Harden).....	Collins ¹	1	Black Creek.....	31
1059	Hart, Onar.....	Hart ¹	1	Black Creek.....	31
1360	Martin, Willie.....	Nyota #9 ¹	1	Black Creek.....	31
1433	Reno & Reno (F. N. Reno).....	Reno & Reno ¹	1	Black Creek.....	31
1215	Skinner & Parker (R. S. Skinner).....	Johnson ¹	1	Black Creek.....	31
JEFFERSON COUNTY, ALA.					
1466	Plateau Coal & Coke Co.....	Connellsville Drift ²	1	Black Creek.....	31
301	Colsmen, W. W.....	Colsmen ¹	1	Black Creek.....	31
113	Crane Bros.....	Crane Bros. ³	1	Black Creek.....	31
317	Dixie Fire Brick Co.....	Black Cat ¹	1	Black Creek.....	31
141	Drake & Cato (C. R. Drake).....	New Mine ¹	1	Black Creek.....	31
367	Ellis, Robert.....	Riverside ¹	1	Black Creek.....	31
1128	Jay, T. F.....	Beltona #6 ¹	1	Black Creek.....	31
339	Knopf, Frank.....	Frank Knopf ¹	1	Black Creek.....	31
744	Layne Coal Co., W. F.....	Mack Hill ¹	1	Black Creek.....	31
342	Layne Coal Co., W. F.....	Big Dirt ¹	1	Black Creek.....	31
136	McCurry, Eugene.....	Butterfly.....	1	Black Creek.....	31
356	Mahaffey, A. Z.....	Utah #2 ¹	1	Black Creek.....	31
221	Mahaffey, J. W.....	Mahaffey's ¹	1	Black Creek.....	31
198	Rock Coal Co., J. D.....	Yarbro #1.....	1	Black Creek.....	31
298	Tidwell & Kemp Coal & Clay Co.....	Castleberry ¹	1	Black Creek.....	31
1271	Tidwell & Whaley (S. I. Tidwell).....	Gurley Creek ¹	1	Black Creek.....	31
386	Trotter, C. W.....	Trotter ¹	1	Black Creek.....	31
1313	Young, Joe.....	Joe Young ¹	1	Black Creek.....	31
193	Young, Robert B.....	Yarbrough #2 ¹	1	Black Creek.....	31

¹ Shipping Point: Warrior, Ala. Railroad: L&N. Each of these mines shall have the same respective prices in size group 20 on all price tables as is established for each of these mines in size group 13.

² Shipping Point: Connellsville, Ala. Railroad: L&N. This mine shall have the same respective prices in size group 11 on all price tables as is established for this mine in size group 13.

³ Shipping Point: Warrior, Ala. Railroad: L&N. Each of these mines shall have the same respective prices in size group 20 on all price tables as is established for each of these mines in size group 13.

FOR TRUCK SHIPMENTS
 § 333.34 General prices in cents per net ton for shipment into all market areas—Supplement T

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump: over 2', egg: 1 1/2' to 2' size over 6'	Fgg: top size 2' and under	Nut: top size 3" and under, bottom size over 1/2"		Chestnut: top size 3" and under, bottom size 1 1/2" and under		Chestnut: top size 1 1/2" and under, bottom size 3/4" and under		Run of mine, modified R/M		Resultants: 3" and under		Screenings: 1 1/2" and under		Industrial coal
							Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw	
ALABAMA—WALKER COUNTY	Jefferson #1	1458	2	Jefferson	1	2	3	6	7	8	9	10	11	13	17	22	18	23	24, 25, 26
Headrick, W. P.																			225

[F. R. Doc. 42-4913; Filed, May 27, 1942; 11:03 a. m.]

[Docket No. A-1429]
 PART 333—MINIMUM PRICE SCHEDULE,
 DISTRICT No. 13

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District 13; and it appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the matter hereinafter set forth; and No petitions of intervention having been filed with the Division in the above-entitled matter; and The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R-I, § 333.7 (*Special prices*)—

(a) *Prices for shipment to all railroads*

No. 105—2

and for exclusive use of railroads) is amended by adding thereto Supplement R-II, § 333.7 (*Special prices*)—(c) *Prices for shipment by railroads, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R-III, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, 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.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: May 16, 1942.

[SEAL]

DAN H. WHEELER,
 Acting Director.

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

§ 333.6 General prices—Supplement R-I

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
1521	Dempsey, Earnest, & Walter Reno	Dempsey #1	1	Black Creek	31
1522	Reed, John	Nyota #10	1	Black Creek	31
1533	Daisy City Coal Company (Damon Negrón)	Daisy City #9	1	Nickle Plate	60
1534	Bethel Coal Company (Rodney R. Parsons)	Bethel #1	1	Milldale	31
1166	Bethel, W. J.	W. J. Bethel #1	1	Milldale	44
1514	Keef, Clabe	Keef #1	1	Jagger	31

¹ Shipping Point: Warrior, Ala. Railroad: L&N. These mines shall have the same respective prices in size group 13 on all price tables as are shown for Mine Index No. 1059 (Onar Hart, Hart mine, Docket No. A-1069).

² Shipping Point: Blossburg, Ala. Railroad: Southern. This mine shall have the same respective prices in size groups 13 and 23 on all price tables as are shown for Mine Index No. 199 (Tombrello Coal Co., Inc., Spreading Hollow mine, Docket No. A-1049).

³ Shipping Point: Abernath, Ala. Railroad: L&N. This mine shall have the same respective prices in size group 13 on all price tables as are shown for Mine Index No. 786 (Walker Coal Company, W. V., Walkers mine, Docket No. A-846).

⁴ Shipping Point: Travilla, Ala. Railroad: L&N. This mine shall have the same respective prices in size group 13 on all price tables as are shown for Mine Index No. 786 (Walker Coal Company, W. V., Walkers mine, Docket No. A-846).

⁵ Shipping Point: Abernath, Ala. Railroad: L&N. This mine shall have the same respective prices in size groups 13 and 23 on all price tables as are shown for Mine Index No. 104 (McCullar & Bunn, McCullar & Bunn mine, Docket No. A-846).

§ 333.43 General prices in cents per net ton for shipment into all market areas—Supplement T-II

Code member index	Mine	Mine Index No.	Subdistrict	Seam	Lump: over 2' and under 2' and under	Egg: top size 5' and bottom size 2' and under	Lump: 2' and under	Nut: top size 2' and under	Stoker: top size 1 1/2' and under	Stoker: top size 1 1/2' and bottom size 1/2' and under	Stoker: top size 3/4' and under, bottom size 3/4' and under	Straight and modified M/R	Resultants: 2' and under	Resultants: 4' and under	Screens: 2' and under	Screens: 1 1/2' and under	Screens: 3/4' and under	Screens: 3/8' and under	Industrial coal		
	Hunt.....	1515	4	No. 12.....	305	305	295	250	240	220	235	7	8	9	10	11	12	13	14	15	250

[F. R. Doc. 42-4912; Filed, May 27, 1942; 11:04 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order No. S-49]

BRANDTJEN AND KLUGE, INC.

Brandtjen and Kluge, Inc. of St. Paul, Minnesota, is a manufacturer of printing presses. Such printing presses are often sold on a chattel mortgage or conditional sale agreement whereby the purchaser is given as long as five years to pay the purchase price. These printing presses are not maintenance, repair and operating supplies as defined in Preference Rating Order P-100, but, nevertheless, the Company urged its customers to apply the preference rating assigned by that order to their purchase orders. Thereafter, the Company extended the rating so assigned to procure material entering into the manufacture of such presses. This constituted a violation of Preference Rating Order P-100. Furthermore, subsequent to January 7, 1942, the Company melted aluminum scrap for use in the manufacture of printing presses although it was neither a producer nor an approved smelter nor had

¹⁶ F. R. 6548; 7 F. R. 925, 1009, 1626, 1794, 2236, 2866.

it been specifically authorized to melt this scrap by the Director of Industry Operations. This constituted a violation of Supplementary Order M-1-d.²

These violations of General Preference Order P-100 and Supplementary Order M-1-d have impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing facts,

It is hereby ordered, That:

§ 1010.49 Suspension Order S-49. (a) Brandtjen and Kluge, Inc., its successors and assigns, shall not deliver any printing or publishing machinery on orders in excess of \$200 except as specifically authorized by the Director of Industry Operations.

(b) Beginning 10 days after the effective date of this order, Brandtjen and Kluge, Inc. shall not manufacture, produce or fabricate any printing or publishing machinery on orders in excess of \$200 except as specifically authorized by the Director of Industry Operations.

(c) The prohibitions and restrictions contained in paragraphs (a) and (b) shall not apply to delivery and production on any order bearing a preference rating of A-1-k or higher.

(d) Nothing contained in this order shall be deemed to relieve Brandtjen and

¹⁷ F. R. 160, 3324.

Kluge, Inc. from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations.

(e) This order shall take effect on May 31, 1942, and shall expire on September 30, 1942, at which time the restrictions contained in this order shall be of no further effect. (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 27th day of May 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-4920; Filed, May 27, 1942; 2:44 p. m.]

PART 1073—FIRE PROTECTIVE EQUIPMENT

[Amendment No. 3 to General Limitation Order L-39]

Correction

In the line in brackets appearing immediately below the caption of the document on page 3807 of the issue for Friday, May 22, 1942, the number of Limitation Order L-39 appears erroneously as "L-30".

PART 1166—FEMINE APPAREL FOR OUTER WEAR AND CERTAIN OTHER GARMENTS

[Amendment 2 to General Limitation Order L-85]

Corrections

In Schedule I on page 3773 of the issue for Thursday, May 21, 1942, the figures for girls' sizes should read "7, 8, 10, 12, 14" instead of "7, 8, 10, 12, 13."

In Schedule J the figures under girls' size 7 for "Evening lengths, all fabrics" and "Evening sweep, all fabrics", respectively, should read "44" and "120" instead of "144" and "20".

Chapter XI—Office of Price Administration

PART 1340—FUEL

[Amendment 1 to Maximum Price Regulation 121]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

Section 1340.248 (a) (2) is amended and a new § 1340.250a is added to read as set forth below:

§ 1340.248 Definitions. (a) When used in this Maximum Price Regulation No. 121, the term:*

* 17 F. R. 3237.

(2) "Miscellaneous solid fuels" or "miscellaneous solid fuel" means anthracite other than that produced in the State of Pennsylvania; semi-anthracite; lignite; all coke, including low temperature coke and petroleum coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

§ 1340.250a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1340.248 (a) (2)) shall become effective May 27, 1942.

(Pub. Law. 421, 77th Cong.)

Issued this 27th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4945; Filed, May, 27, 1942;
5:03 p. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[Amendment 1 to Maximum Price Regulation 125¹]

NONFERROUS FOUNDRY PRODUCTS

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Three new paragraphs (d), (e) and (f) are added to § 1395.2; § 1395.3 is amended; and a new § 1395.10a is added, as set forth below:

§ 1395.2 *Exceptions.* * * *

(d) Permission is hereby granted to George E. Crompton, doing business as New Bedford Brass Foundry, New Bedford, Massachusetts, to sell to the purchasers specified below, the castings described below at the following prices:

Purchaser	Castings	Price
		<i>Cents per pound</i>
Hathaway Mfg. Co., Fairhaven, Mass.	Composition castings.	30
Do.....	Phosphor bronze castings.	38
Do.....	Everdur castings.....	35
D. W. Kelly and Son, Fairhaven, Mass.	Composition castings.	33
Carl Bettie, New Bedford, Mass.	Special castings.....	35

(e) Permission is hereby granted to Millinocket Foundry and Machine Co., Millinocket, Maine, to sell to Great Northern Paper Company, Millinocket, Maine, regular bronze castings at 24½¢ per pound and special bronze castings at 27¼¢ per pound.

(f) Permission is hereby granted to Prairie Brass & Metal Co., Kansas City, Missouri, to sell to the purchasers speci-

¹ 7 F.R. 3202.

fied below, the castings described below at the following prices:

Purchaser	Castings	Price
		<i>Cents per pound</i>
Corn Products Refining Co., Chicago, Ill.	Red brass castings....	22
Do.....	Acid bronze castings.	23
Do.....	Hi speed bronze castings.	27
Standard Oil Co., Sugar Creek, Mo.	Standard bronze castings.	24½
Do.....	Hi speed bronze castings.	27½
Lone Star Cement Corporation, Bonner Springs, Kans.	Standard bronze castings.	24½
Do.....	Hi speed bronze castings.	26½
Gustin-Bacon Mfg. Co., Kansas City, Mo.	All castings.....	28½
The Marley Co., Kansas City, Kans.	S-75 castings.....	28
Do.....	S-76 castings.....	36
Do.....	S-200 castings.....	85
Do.....	D-125 castings.....	59
Do.....	CB-750 castings.....	15

§ 1395.3 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1395.11) may be charged, demanded, paid or offered.

§ 1395.10a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1395.2 (d), (e) and (f); § 1395.3; and § 1395.10a) shall become effective May 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4975; Filed, May 28, 1942;
12:02 p. m.]

PART 1499—COMMODITIES AND SERVICES

[General Maximum Price Regulation—Supplementary Regulation No. 7]

EXCLUSION OF CERTAIN CONTRACTS FOR THE FABRICATION OF ARMY FIELD JACKETS

A statement of the considerations involved in the issuance of this Supplementary Regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in that statement, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and pursuant to § 1499.9 (a) (16), (b) (8) and (b) (9) of the General Maximum Price Regulation, Supplementary Regulation No. 7 is hereby issued:

§ 1499.33 *Exclusion of certain contracts for the fabrication of field jackets for the United States Army.* (a) The General Maximum Price Regulation¹ shall not apply to contracts entered into by the United States Army pursuant to its request for informal bids No. 669-42-

¹ 7 F.R. 3153, 3380, 3666, 3829.

NEG 320 for the fabrication of field jackets to meet Quartermaster Corps Tentative Specification PQD No. 20 (B) March 17, 1942, superseding PQD No. 20 (A), May 6, 1941.

(b) This Supplementary Regulation No. 7 (§ 1499.33) shall become effective May 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4946; Filed, May 27, 1942;
5:19 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 2 to General Maximum Price Regulation¹]

EXCEPTED COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Subparagraph (4) of § 1499.9 (a) is amended to read as set forth below and three new paragraphs (v) (w) and (x) are added to § 1499.20, as set forth below.

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.*

(a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities:

(4) *Flour, cake mixes, and flour mixes, except that packaged cake mixes and flour mixes shall be governed by this General Maximum Price Regulation.*

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(v) "Flour" means the flour produced from wheat (including phosphated and self rising flour), rye, buckwheat, rice, corn, oats, barley, soybeans, and potatoes. Products of wheat, except for whole wheat flour and whole durum flour, whose ash is more than 1/20 of the protein calculated to a moisture free basis plus .35 per cent or, in the case of products of durum wheat, more than 1.5 per cent calculated to a moisture free basis, shall not be considered flour.

(w) "Cake mixes" and "flour mixes" mean combinations of flour or flours with any other ingredients except those used in making selfrising flour or phosphated flour.

(x) "Packaged" as applied to "cake mixes" and "flour mixes" means packaged for sale at retail in a container of any sort holding three pounds or less,

¹ 7 F.R. 3153, 3330, 3666.

where the packaging has been done before arrival at the point of retail sale.

§ 1499.23 (a) *Effective dates of amendments.* * * *

(b) This Amendment 2 (§§ 1499.9 (a) (4), 1499.20 (v) (w) and (x)) to this General Maximum Price Regulation shall become effective May 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4973; Filed, May 28, 1942; 12:03 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 3 to General Maximum Price Regulation¹]

EXCEPTED COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Subparagraph (7) of § 1499.9 (a) is amended to read as set forth below:

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.*

(a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities:

* * * * *

(7) Dried prunes, dry edible beans, leaf tobacco (whether dried or green), nuts (but not peanuts), linseed oil, linseed cake and linseed meal, manure, and mixed feed for animals except that cat and dog foods shall be governed by this General Maximum Price Regulation.

* * * * *

§ 1499.23a *Effective dates of amendments.* * * *

(c) This Amendment No. 3 (§ 1499.9 (a) (7)) to this General Maximum Price Regulation shall become effective May 29, 1942.

(Public Law 421, 77th Cong.)

Issued this 27th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4974; Filed, May 28, 1942; 12:01 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order No. 3]

MAXIMUM PRICES AUTHORIZED UNDER GENERAL MAXIMUM PRICE REGULATION¹

National Carbon Company, Inc. of New York, N. Y. made application prior to the issuance of the General Maximum Price Regulation for approval of proposed maximum prices for certain new models of flashlight cases. Under the General Maximum Price Regulation the applica-

tion is considered as an application under § 1499.3 (b) thereof. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it is ordered:

§ 1499.35 *Approval of maximum prices for new flashlight cases of National Carbon Company, Inc.* (a) On and after May 29, 1942, National Carbon Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver flashlight cases at prices no higher than those hereinafter set forth:

Model:	Price
210 (new) -----	\$0.27
2615 -----	.28
2601 -----	.32
4251 -----	.37
6251 -----	.56
2251 -----	.84
Industrial (new) -----	1.50
Safety (new) -----	2.34

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 3 (1499.35) shall become effective May 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27 day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4976; Filed, May 28, 1942; 12:02 p. m.]

PART 1300—PROCEDURE
[Procedural Regulation 3]

PROTEST AND AMENDMENT OF MAXIMUM RENT REGULATIONS AND ADJUSTMENT UNDER SUCH REGULATIONS

In the fourth line of § 1300.242 appearing on page 3940 of the issue for Wednesday, May 27, 1942, the word "of" should read "or".

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

Pursuant to the provisions of Section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), the following regulations are hereby prescribed to govern the use and navigation of the waters of the Atlantic Ocean, Delaware Bay and Jarvis Sound, comprising aerial gunnery and bombing areas of the United States Naval Air Station, Cape May, New Jersey.

*7 F.R. 971.

§ 204.22 *Waters of the Atlantic Ocean, Delaware Bay, and Jarvis Sound, N. J.; Naval Air Station aerial gunnery and bombing areas, Cape May, N. J.—(a) The danger zones.* The aerial gunnery and bombing areas include the waters within six sectors located as follows:

(1) *Aerial Gunnery Range Atlantic Ocean S-2.* An area 5 miles wide extending 15 miles in a south by east direction normal to a line running 67 degrees from a point 189 degrees, 2.85 miles from Cape May Point Light.

(2) *Aerial Gunnery Range Atlantic Ocean S-3.* An area 5 miles wide adjacent to and on the easterly side of Aerial Gunnery Range S-2 extending 15 miles in a south by east direction from a line running 67 degrees from the north-easterly corner of Aerial Gunnery Range S-2.

(3) *Aerial Gunnery Range Atlantic Ocean S-4.* An area 2 miles wide adjacent to and one the easterly side of Aerial Gunnery Range S-3 extending 15 miles in a south by east direction from a line running 38 degrees from the north-easterly corner of Aerial Gunnery Range S-3.

(4) *Bombing Area Atlantic Ocean S-6.* An area 1/2 mile square, the center of which is 165 degrees, 1.20 miles from the water tank at Cape May Naval Air Station.

(5) *Bombing Area Delaware Bay S-5.* An area 2 miles wide extending 6 miles in a north northeasterly direction normal to a line running 281 degrees from a point 227 degrees, 1.87 miles from Cape May Point Light.

(6) *Bombing Area Jarvis Sound S-1.* An area 1/2 mile square, the center of which is 33 degrees, 1.40 miles from the water tank at Cape May Naval Air Station.

NOTE: The azimuths referred to above are measured from true north and the distances are measured in nautical miles.

(b) *The regulations.* (1) No vessel or other craft shall enter or remain within the areas during their use for target practice and bombing practice, except as provided in paragraph (b) (5).

(2) Since bombing and target practice will take place in the areas at frequent and irregular intervals throughout the year, regardless of season, advance notice shall be given of the date on which the first of such activities will begin. At intervals of not more than 3 months thereafter, notice will be sent out that bombing and target practice is continuing. Such notices will appear in the local newspapers and in the "Notice to Mariners".

(3) Prior to the conducting of each target practice the areas will be patrolled by Navy aircraft to insure that no watercraft are within the dangerous areas and any such watercraft seen in the vicinity will be warned by means of signals that target practice is to take place. The patrol aircraft will employ the method of warning known as "buzzing" which consists of low flight by the airplane and repeated opening and closing of the throttle.

(4) Any such watercraft shall, upon being so warned, immediately vacate the

¹ 7 F.R. 3153, 3330, 3666. See also Amendment 2, *supra*.

² 7 F.R. 3153, 3330, 3666.

areas designated and shall remain outside the areas until the conclusion of the practice.

(5) These regulations shall not deny access to or egress from Cape May Harbor by regular cargo-carrying or fishing vessels, nor shall they deny traverse of portions of the danger areas by regular cargo-carrying vessels proceeding on established steamer lanes. In case of the presence of any such vessel in a danger area, the officer in charge of gunnery operations shall cause the cessation or postponement of fire until the vessel has cleared the area. The vessel shall proceed on its normal course and shall not delay its progress.

(6) These regulations shall be enforced by the Commanding Officer, U. S. Naval Air Station, Cape May, New Jersey, and such agencies as he may designate. (40 Stat. 266; 33 U.S.C. 1) [Regs. May 18, 1942 (CE 7195 (Atlantic Ocean—New Jersey)—5. SPEON)]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-4972; Filed, May 28, 1942; 11:58 a. m.]

Chapter II—Division of Public Contracts

PART 201—PROCEDURE FOR THE STIPULATION OF CONDITIONS IN GOVERNMENT PURCHASE CONTRACTS

By virtue of the authority vested in me by section 4 of the Act approved June 30, 1936, 49 Stat. 2036, 41 U.S.C., secs. 35-45, I hereby amend § 201.603, Regulations No. 504, prescribed by the Secretary of Labor under Public Act No. 846, Seventy-fourth Congress (Series A) by adding at the end of § 201.603 a paragraph (e) so that the section, as amended, will read as follows:

§ 201.603 *Administrative exemptions.* The following classes of contracts have been exempted from the application of § 201.1 pursuant to the procedure required under section 6 of the Act:

(a) Contracts for public utility services including electric light and power, water, steam, and gas;

(b) Contracts which are to be performed outside the geographic limits of the United States, its Territories, and the District of Columbia, except where such performance requires a shipment from within such geographic limits;

(c) Contracts covering purchases against the account of a defaulting contractor where the stipulations required herein were not included in the defaulted contract;

(d) Every "Emergency Plant Facilities Contract" in the form of substantially the form approved by the Advisory Commission to the Council of National Defense and published in the FEDERAL REGISTER on October 19, 1940, 5 F. R. 4147-4151;

(e) Contracts negotiated during the present war with States or Territories of

the United States, or with corporations, commissions or authorities wholly owned and controlled by such States or Territories for the manufacture or furnishing of materials, supplies, articles and equipment necessary for war purposes.

Dated: May 26, 1942.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 42-4967; Filed, May 28, 1942; 11:47 a. m.]

Notices

WAR DEPARTMENT.

[Civilian Exclusion Order No. 82]

HEADQUARTERS WESTERN DEFENSE COMMAND AND FOURTH ARMY, PRESIDIO OF SAN FRANCISCO, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—ALL THE COUNTIES OF DEL NORTE, HUMBOLDT, TRINITY, MENDOCINO, AND LAKE, STATE OF CALIFORNIA

MAY 17, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1¹ and 2,² this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, May 23, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of the Counties of Del Norte, Humboldt, Trinity, Mendocino, and Lake, State of California.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Tuesday, May 19, 1942, to the Civil Control Station located at: Palace Hotel Building, 181 Smith Street, Corner, Main and Smith Streets, Ukiah, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, May 23, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order

¹ 7 F. R. 2320.

² 7 F. R. 2405.

while those persons are in such Assembly Center.

[SEAL]

J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-4949; Filed May 28, 1942; 10:46 a. m.]

[Civilian Exclusion Order No. 83]

HEADQUARTERS WESTERN DEFENSE COMMAND AND FOURTH ARMY, PRESIDIO OF SAN FRANCISCO, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—SAN BERNARDINO AND RIVERSIDE COUNTIES, STATE OF CALIFORNIA

MAY 19, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1¹ and 2,² this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, May 25, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All that portion of the Counties of San Bernardino and Riverside, State of California, south of a line running east and west through the peak of Mount San Antonio (Mount Baldy or Old Baldy) on the Los Angeles-San Bernardino County line, and west of a line running north and south through the peak of Mount San Jacinto, Riverside County, together with all parcels of Riverside County not heretofore covered by Exclusion Orders of this Headquarters.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Wednesday, May 20, 1942, or during the same hours on Thursday, May 21, 1942, to the Civil Control Station located at: 3557 Main Street, Riverside, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, May 25, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order

while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-4950; Filed, May 28, 1942;
10:46 a. m.]

[Civilian Exclusion Order No. 84]

HEADQUARTERS WESTERN DEFENSE COM-
MAND AND FOURTH ARMY, PRESIDIO OF
SAN FRANCISCO, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED
FROM RESTRICTED AREA—COUNTIES OF
KERN, LOS ANGELES, AND SAN BERNARDINO,
CALIFORNIA

MAY 19, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1¹ and 2,² this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, May 25, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All those portions of the Counties of Kern, Los Angeles, and San Bernardino, State of California, within the boundary beginning at the point at which California State Highway No. 166 intersects the San Luis Obispo-Kern County line; thence easterly from said point and following a line passing through Pattiway, Wheeler Ridge, the summit of Tehachapi Pass, to the summit of Walker Pass; thence in a southeasterly direction along California State Highway No. 178 to its intersection with U. S. Highway No. 6 at Freeman (Freeman Junction); thence northerly approximately three miles on said Highway No. 6 to a road running in an easterly direction to Inyokern; thence easterly along said road to its intersection with U. S. Highway No. 395; thence southeasterly along said Highway No. 395 to its intersection with U. S. Highway No. 466; thence easterly along said Highway No. 466 to its intersection with U. S. Highway No. 66, at or near Barstow; thence easterly along said Highway No. 66 to the California-Arizona State line; thence southerly and following said state line to its intersection with the San Bernardino-Riverside County line; thence westerly and following said county line to a point thereon due north of the peak of Mount San Jacinto (Riverside County); thence due north from said point to its intersection with a line running due east from the peak of Mount San Antonio (Mount Baldy or Old Baldy); thence following said line due west to an unimproved road in Los Angeles County running in a northerly direction from California State Highway No. 2 (Angeles Crest Highway) to U. S. Highway No. 6; thence northerly on said unimproved road to the point, at or near Vincent (south of Palmdale), at which said road intersects said Highway No. 6; thence westerly on U. S. Highway No. 6 to the Santa Clara River; thence westerly and following the Santa Clara River to the Los Angeles-Ventura County line; thence northwesterly along said county line to the Kern

County line; thence westerly and northerly, along the Kern County line to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Thursday, May 21, 1942, to either one of the Civil Control Stations located at: 522 Sierra Highway, Palmdale, California, and 719 Front Street, Needles, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, May 25, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-4951; Filed, May 28, 1942;
10:47 a. m.]

[Civilian Exclusion Order No. 85]

HEADQUARTERS WESTERN DEFENSE COM-
MAND AND FOURTH ARMY, PRESIDIO OF
SAN FRANCISCO, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED
FROM RESTRICTED AREA—KERN COUNTY,
CALIFORNIA

MAY 19, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1¹ and 2,² this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, May 25, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All that portion of the County of Kern, State of California, within the boundary beginning at the northwestern corner of Kern County; thence easterly along the northern line of Kern County to a point at which said line intersects a road running southeasterly from Fountain Springs (Tulare County) to Glennville (Kern County); thence following said road southerly to Glennville and thence easterly following an improved road passing Kern County Park, to the intersection of the paved road between Isabella and Kernville; thence following said road southerly to its intersection with California State High-

way No. 178 as Isabella; thence easterly on said Highway No. 178 to the summit of Walker Pass; thence following a line southwesterly through the summit of Tehachapi Pass, Wheeler Ridge, and Pattiway to the point at which California State Highway No. 166 intersects the Kern-San Luis Obispo County Line; thence following northwesterly the Kern-San Luis Obispo County line to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Wednesday, May 20, 1942, or during the same hours on Thursday, May 21, 1942, to the Civil Control Station located at: Kern County Exhibit Building, Kern County Fair Grounds, North Chester Avenue, Bakersfield, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, May 25, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-4952; Filed, May 28, 1942;
10:47 a. m.]

[Civilian Exclusion Order No. 86]

HEADQUARTERS WESTERN DEFENSE COM-
MAND AND FOURTH ARMY, PRESIDIO OF
SAN FRANCISCO, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED
FROM RESTRICTED AREA—LOS ANGELES,
CALIFORNIA

MAY 22, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1¹ and 2,² this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, June 6, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of that portion of the city of Los Angeles, State of California, within that boundary beginning at the point at which the Arroyo Seco Parkway (North Figueroa Street) crosses the Los Angeles River; thence north-easterly and following the Arroyo Seco Parkway to the easterly limits of the City of Los

¹ 7 F.R. 2320.

² 7 F.R. 2405.

Angeles, at or near the junction of Pasadena Avenue with such Arroyo Seco Parkway; thence southerly and following the easterly limits of the City of Los Angeles to the southerly line of Ramona Boulevard; thence southwesterly on Ramona Boulevard to the city limits of Los Angeles, adjacent to Indiana Street; thence southerly along said city limits to Whittier Boulevard; thence westerly on Whittier Boulevard to a line following the middle of the Los Angeles River; thence northerly and following said line to the point of beginning; together with all portions of the County of Los Angeles not heretofore covered by Civilian Exclusion Orders of this Headquarters.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Saturday, May 23, 1942, or during the same hours on Sunday, May 24, 1942, or during the same hours on Monday, May 25, 1942, to the Civil Control Station located at: Japanese Baptist Church, 2923 East Second Street, Los Angeles, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, June 6, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-4953; Filed, May 28, 1942;
10:47 a. m.]

[Civilian Exclusion Order No. 87]

HEADQUARTERS WESTERN DEFENSE COMMAND AND FOURTH ARMY, PRESIDIO OF SAN FRANCISCO, CALIFORNIA

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—COUNTIES OF LANE, DOUGLAS, COOS, CURRY, JOSEPHINE, JACKSON AND KLAMATH, STATE OF OREGON

MAY 23, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1¹ and 2,² this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Wednesday, June 3,

¹ 7 F.R. 2320.

² 7 F.R. 2405.

1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All the Counties of Lane, Douglas, Coos, Curry, Josephine, Jackson and all that portion of the County of Klamath, State of Oregon, lying west of U. S. Highway No. 97.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Wednesday, May 27, 1942, to either one of the Civil Control Stations located at: 45 North Fir Street, Medford, Oregon; 34 West Sixth Avenue, Eugene, Oregon.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Wednesday, June 3, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

4. All persons within the bounds of an established Assembly Center pursuant to instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

[SEAL] J. L. DEWITT,
Lieutenant General, U. S. Army,
Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-4954; Filed, May 28, 1942;
10:48 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1269 Part II]

DESIGNATION OF SHIPPING POINTS FOR CERTAIN MINES IN DISTRICT 4

FINDINGS OF FACT, CONCLUSIONS OF LAW, MEMORANDUM OPINION AND ORDER

In the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of Chilcote's Mine, Mine Index No. 960, of Chilcote Coal Co., Lee Mine, Mine Index No. 2757, of C. M. Farnsworth, Radford Coal Co. Mine, Mine Index No. 1307, of Radford Bros. D. A. Thomas Mine, Mine Index No. 1370 of D. A. Thomas, Fairview Mine, Mine Index No. 1902, of J. E. Witchey (Fairview Coal Co.), Centertown Coal Co. Mine, Mine Index No. 1932, of Centertown Coal Co., Tracy Mine, Mine Index No. 1318, of James E. Tracy, Vitko Bros. Mine, Mine Index No. 2998, of the T. C.

Hutson Coal Co. and Bellaire No. 2 Mine, Mine Index No. 177, of the Bellaire Coal Co., Keystone No. 1 Mine of Lawrence Williams (Keystone Coal Co.), Darwin Coal Co. Mine of Paul Strawser, (Darwin Coal Co.) in District No. 4 pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon a petition filed January 14, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board No. 4, wherein petitioner proposed and sought the establishment of effective minimum prices for certain mines and further proposed additional rail shipping points for certain mines in District No. 4.

Pursuant to an order of the Acting Director dated March 14, 1942, after due notice to all interested persons, a hearing in this matter was held on April 10, 1942, before Charles O. Fowler, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C.

All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise participate fully in the hearing. An appearance was entered in behalf of District Board No. 4.

At the conclusion of the hearing hereof all interested parties waived the preparation and filing of a report by the Examiner and the matter was thereupon submitted to the undersigned.

The petition instituting the proceeding designated Docket No. A-1269 requested the establishment of minimum price classifications and designation of additional rail shipping points for certain mines in District 4. In an order of the Acting Director dated March 14, 1942, 7 F.R. 2137, temporary relief was granted for certain mines, and in the same order, that portion of Docket A-1269 relating to the coals of certain other mines¹ was severed from the remainder of Docket No. A-1269 and designated as Docket No. A-1269, Part II, temporary relief for these mines being granted in part as hereinafter set out.

The original petition, filed by District Board No. 4, proposed, among other things, the establishment of classifications and effective minimum prices for shipment by rail, for dual rail shipping points for the coals of Chilcote's Mine (Chilcote Coal Company), Mine Index No. 960; Lee Mine, Mine Index No. 2757; Radford Coal Co. Mine, Mine Index No. 1307; D. A. Thomas Mine, Mine Index No. 1317; and Fairview Mine, Mine Index No. 1317; and Fairview Mine, Mine Index No.

¹ Chilcote's Mine (Chilcote Coal Company), Mine Index No. 960; Lee Mine (C. M. Farnsworth), Mine Index No. 2757; Radford Coal Co. Mine (Radford Brothers), Mine Index No. 1307; D. A. Thomas Mine (D. A. Thomas), Mine Index No. 1317; Fairview Mine (Fairview Coal Company), Mine Index No. 1902; Centertown Mine (Centertown Coal Co.), Mine Index No. 1932; Tracy Mine (James E. Tracy), Mine Index No. 1318; Vitko Bros. Mine (the T. C. Hutson Coal Company), Mine Index No. 2998; Bellaire No. 2 Mine, Mine Index No. 177, of the Bellaire Coal Co.; Keystone No. 1 Mine of Lawrence Williams; and Darwin Coal Co. Mine of Paul Strawser (Darwin Coal Co.)

1902. Temporary relief establishing price classifications and effective minimum prices for all shipments except truck, for the coals of the above-named mines, was granted by order of the Acting Director, dated March 14, 1942, wherein one shipping point was temporarily granted for each of these mines.

The petition also proposed the establishment of price classifications and effective minimum prices for rail shipments for the coals of Centertown Mine, Mine Index No. 1932, and Tracy Mine, Mine Index No. 1318, for rail shipments from Eastern, Ohio, on the New York Central and from Whiterock (Cars Run), Ohio, on the Chesapeake & Ohio Railroad, respectively. Inasmuch as the records of the Division did not show that there are such rail shipping points in Ohio, or that freight rates have been established for shipments therefrom, temporary relief was denied by Order of the Acting Director, dated March 14, 1942.

The petition also proposed that an additional shipping point of Jewett, Ohio, on the W. & L. E. Railroad, be established for the coals of Bellaire No. 2 Mine, Mine Index No. 177, for rail shipments, and that effective minimum prices also be established for such mine for rail shipment therefrom. Temporary relief for this mine was denied, it not being shown why the additional shipping point was desired.

The petition also proposed the establishment of price classification and effective minimum prices for the coals of Vitko Bros. Mine, Mine Index No. 2998, for rail shipment from Lowellville, Ohio, on the B. & O. Railroad. It appearing, from the records of the Division, that no coal freight rates had been established for shipments from Lowellville, Ohio, temporary relief establishing effective minimum prices for such mine from Lowellville, Ohio, was therefore denied.

Finally, the petition also proposed the establishment of price classification and effective minimum prices for the coals of Keystone No. 1 Mine (Deep), Mine Index No. 2977; Keystone No. 2 (Strip), Mine Index No. 331; and Darwin Coal Co. Mine of Paul Strawser, Mine Index No. 2957 (Deep), Mine Index No. 332 (Strip). It appearing to the Division that relief relating to these mines should not be granted without a hearing, temporary relief as proposed in this petition was denied.³

No one of the above named producers, in whose behalf this petition was filed, appeared at the hearing hereof. Ezra Van Horn, representing District Board No. 4, was the only witness.

1. Witness Van Horn stated that District Board No. 4 addressed a letter to the

³ District Board No. 4, in Docket No. A-1310, proposed effective minimum prices for these mines for shipment by truck. Information required by District Board No. 4 was not received in time to propose rail prices. Therefore, consideration here of prices for the mines of Keystone Coal Co. (Mine Index Nos. 2977 and 331) and Darwin Coal Co. (Mine Index Nos. 2957 and 332) becomes unnecessary.

Chilcote Coal Co., calling the Chilcote Company's attention to the hearing and requesting them to advise the District Board as to which shipping point would be preferable, provided the Division granted only one shipping point. In answer thereto, the Chilcote Coal Co. advised District Board No. 4 that if only one shipping point should be granted, East Fultonham on the New York Central Railroad would be preferable. In view of these communications, District Board No. 4 recommended the establishment of price classifications and effective minimum prices and shipping point, namely; East Fultonham, Ohio, on the New York Central Railroad. I find that the loading point should be established at Fultonham, Ohio.²

2. District Board No. 4 proposed two shipping points: namely, Kenwood, Ohio, on the W. & L. E. Railroad and Short Creek on the W. & L. E. Railroad, for the coals produced at the Lee Mine, Mine Index No. 2757. In the order of March 14, 1942, granting temporary relief, Kenwood on the W. & L. E. Railroad was established as the shipping point for this mine. District Board No. 4, in a letter to C. M. Farnsworth, operator of the Lee Mine, requested Farnsworth to advise the board as to which of the two shipping points would be preferable in the event only one shipping point was established by the Division. No reply was received from Farnsworth, and District Board No. 4 therefore recommended that Kenwood, Ohio, on W. & L. E., be permanently established as the shipping point for the coals of this mine and I find that this should be done.

3. District Board No. 4, in its petition, proposed two shipping points: namely, Pomeroy, Ohio, on the C&O Railroad and Lambert Siding near Middleport, Ohio, on the NYC, for the coals produced at

² The Division in its Supplement R, Docket A-1269, Part II in the Order dated March 14, 1942, named East Fultonham, Ohio, Pennsylvania Railroad as the temporary shipping point for the coals of this mine.

From the records of the Division it is noted that the New York Central Railroad does not get into East Fultonham. In an attempt to clarify the record with reference to the shipping points for the coals of Chilcote's Mine, District Board No. 4 was requested to secure additional information with reference to loading facilities, etc., at East Fultonham. The record contains a letter dated April 14, 1942, which is subsequent to the hearing hereof, marked Exhibit No. 2, wherein the Bituminous Coal Division was advised as follows: (1) coals from the Chilcote Coal Co. to be loaded in railroad cars over the ramp of C. Leroy Holbein on the NYC Railroad, East Fultonham, Ohio. (2) The coal of the Chilcote Coal Co. to be billed from Fultonham, Ohio, this being the billing point for the coals loaded at East Fultonham, NYC was desired as loading point by Chilcote Coal Co. (3) And advising the Division that East Fultonham, NYC was desired as loading point by Chilcote Coal Co.

As shown by the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck, as amended by Docket No. A-936, C. Leroy Holbein, Mine Index No. 66, has loading facilities at Fultonham. Therefore, the request of East Fultonham as the shipping point for the coals of Chilcote Coal Company is inconsistent with the records of the Division.

Radford Coal Co. Mine, Mine Index No. 1307. In the temporary relief order, dated March 14, 1942, Pomeroy, Ohio, on the C&O Railroad was named as the shipping point for this mine. District Board No. 4, in a letter to Radford Bros. requested Radford Brothers to advise the District Board as to which of the two shipping points would be preferable in the event the Division named only one shipping point for their mine. James Radford replied by postcard and stated that of the two shipping points requested, Pomeroy, Ohio, on the C&O Railroad, would be preferable and in accordance therewith, District Board No. 4 recommended, and I find that Pomeroy on the C&O Railroad should be established as the shipping point for the Radford Coal Co. Mine, Mine Index No. 1307.

4. District Board No. 4 proposed two shipping points: namely, Pomeroy, Ohio, on the C&O Railroad and Hobson, Ohio, on the NYC Railroad for the coals produced at the mine of D. A. Thomas, Mine Index No. 1317. Pomeroy, Ohio, on the C&O Railroad was temporarily established as the shipping point for the coals of this mine by Order dated March 14, 1942. Thomas did not reply to the District Board's letter asking him to indicate his preference. District Board No. 4 recommended, therefore, and I find that Pomeroy, Ohio, on the C&O Railroad be permanently established as the shipping point for the coals of Thomas Mine, Mine Index No. 1317.

5. Petition proposed two shipping points for J. E. Witchey (Fairview Coal Co.), Mine Index No. 1902: namely, Georgetown, Ohio, on the W & L E Railroad and Cadiz, Ohio on the Pennsylvania Railroad. District Board No. 4 inquired of J. E. Witchey, as to which of the two shipping points would be preferable to him, provided the Division established only one shipping point for the coals produced at his mine. Witchey advised that he preferred Georgetown on the W & L E Railroad, it being nearer his mine. In accordance with his request, District Board No. 4 recommended that Georgetown (Adena), Ohio, on the W & L E Railroad be permanently established as the shipping point for the coals produced at this mine.⁴ I find that this shipping point should be established.

6. The petition proposed Eastern, Ohio, on the N. Y. C. Railroad as the shipping point for coals produced at Centertown Coal Company's Mine, Mine Index No. 1932. By order dated March 14, 1942, temporary relief was denied.⁵ In a letter received from the Centertown Coal Co. dated April 6, 1942, District Board No. 4 was advised that the shipping point desired for the coals produced at Centertown Mine was Phillips Siding (Bergholz)⁶ Wolf Run Branch, Ohio, on

⁴ According to the records of the Division, Georgetown is not shown as a station on the W & L E Railroad. It appears that Georgetown is a loading point on the W & L E Railroad, and the billing point is Adena.

⁵ It appears from the records that the request of Eastern, Ohio, as a shipping point for the coals produced at Centertown Coal Company's Mine, was in error.

⁶ According to the records of the Division, the coal is billed from Bergholz, Ohio.

the New York Central Railroad and in view of such request such shipping point for this mine is recommended by District Board No. 4 and I find that it should be established.

7. Petitioner proposed Whiterock, (Cars Run), Ohio, on the C. & O. Railroad as the shipping point for the coals produced at Tracy Mine, Mine Index No. 1318. By order dated March 14, 1942, the undersigned refused to establish Whiterock, Ohio, as the shipping point for the coals produced at his mine, due to the fact that the Division could not locate a shipping point by that name. On March 30, 1942, District Board No. 4 requested James E. Tracy, operator of Mine Index No. 1318, to furnish further information as to their request for this shipping point. No reply was received from Tracy, and as a result of Tracy's failure to appear at the hearing hereof, or to furnish District Board No. 4 with this information, District Board No. 4 moved that the petition, so far as it relates to proposals in behalf of Tracy Mine, Mine Index No. 1318, be dismissed.

8. Petitioner proposed Lowellville, Ohio, on the B. & O. Railroad as shipping point for coals produced at the Vitko Bros. Mine, Mine Index No. 2998. The undersigned by Order dated March 14, 1942, refused to name Lowellville, Ohio, as the shipping point for this mine, due to the fact that no coal freight rate had been established for shipments therefrom, and for the further reason that Lowellville is located a considerable distance from the mine.⁷ In accordance with the information at hand, District Board No. 4 moved to dismiss that part of this petition relating to the establishment of a shipping point for this mine, with a view of later proposing a shipping point when requested by T. C. Hutson Coal Company.

9. The petition finally proposed an additional shipping point, to wit: Jewett, Ohio, on the W & L E Railroad for the coals produced at Bellaire No. 2 Mine, Mine Index No. 177.⁸ District Board No. 4 wrote Bellaire Coal Company, by registered mail, calling attention to the hearing hereof and requesting information as to why the additional shipping point was desired and further inquired of Bellaire Coal Company as to which of the two shipping points would be preferable, providing the Division established only one shipping point for the coals produced at their mine. In reply thereto, the Bellaire Coal Company advised that of the two shipping points it preferred Cadiz, Ohio, on the Pennsylvania Railroad. In accordance therewith, District

⁷ In a letter from the T. C. Hutson Coal Company dated April 3, 1942, they requested that the hearing be postponed for about 20 days as they were attempting to arrange for a loading point that would be nearer their mine, stating further that they would not have coal for sale for six or eight weeks.

⁸ Cadiz, Ohio, on the Pennsylvania Railroad had been previously established as the shipping point for the coals produced at this mine. (Schedule of Effective Minimum Prices for District No. 4, for All Shipments Except Truck as amended by Docket A-119)

Board No. 4 recommended that Cadiz, Ohio, on the Pennsylvania Railroad, remain as the shipping point for the coals produced at Bellaire Coal Company's Mine, Mine Index No. 177.

The witness testified that he believed one shipping point, as recommended by District Board No. 4, would be sufficient for each of these mines.

Because no one of the producers, in whose behalf the petition was filed, appeared at the hearing hereof and because the district board did not support their desire to have two loading points, there is nothing in this record which justifies the granting of dual shipping points for these mines. There is no indication of whether the granting of dual loading points would prejudice other producers or what, if any, affect it would have. Under the circumstances, dual loading points for these producers cannot be granted.

Now, therefore, it is ordered, That commencing fifteen (15) days from the date of this order the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck be and it is hereby amended as follows:

(1) That Fultonham, Ohio, on the NYC Railroad, be permanently established as a loading point for the coals produced at Chilcote Coal Co. Mine, Mine Index No. 960; (2) that Pomeroy, Ohio, be established as the permanent loading point for the coals produced at Radford Mine, Mine Index No. 1307; (3) that Pomeroy, Ohio, on the C&O, be permanently established as a shipping point for the coals of D. A. Thomas Mine, Mine Index No. 1317; (4) Georgetown (Adena), Ohio, on the W & L E Railroad be permanently established as a shipping point for the coals produced at the J. E. Witchey (Fairview Coal Co.) Mine, Mine Index No. 1902; (5) that Phillips Siding (Bergholz) Ohio, on the NYC Railroad be permanently established as a loading point for the coals produced at Centertown Coal Co. Mine, Mine Index No. 1932; (6) and that Kenwood, Ohio, on the W & L E Railroad be established as the shipping point for the coals of the Lee Mine, Mine Index 2757, as set forth in Supplement "R" attached hereto and made a part hereof.

It is further ordered, That the petition, in so far as it relates to Tracy Mine, Mine Index No. 1318; and Vitko Bros. Mine, Mine Index No. 2998, be and same is hereby dismissed.

Dated: May 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-4957; Filed, May 28, 1942;
11:25 a. m.]

[No. 37]

APPLICATION FOR REGISTRATION AS
DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Acting Director:

Name and address	Date application filed
Arden Coal Sales, Inc., Flemington, W. Va.	May 7, 1942
Dexter-Matlack Corp., 30 Broad Street, New York, N. Y.	May 15, 1942
Edwards Coal Co., 2312 Lincoln Way, Ames, Iowa	May 7, 1942
Rice Miller Coal Corp., Hillsboro, Ill.	May 13, 1942
Puritan Coal & Ice Co. (S. G. Stein), 205 Green St., Muscatine, Iowa	May 11, 1942
Wholesale Coal Co., 2123 North Broad St., Philadelphia, Pa.	May 7, 1942

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before June 22, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street NW., Washington, D. C.

Dated: May 27, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-4958; Filed, May 28, 1942;
11:26 a. m.]

[Docket No. B-262]

G. W. ROSE COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of G. W. Rose, doing business under the name and style of G. W. Rose Coal Company, Code Member.

A complaint dated May 13, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on May 14, 1942, by the Bituminous Coal Producers Board for District No. 8, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by G. W. Rose, doing business under the name and style of G. W. Rose Coal Company, code member (the "Code member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on July 1, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the United States District Courtroom, Federal Building, Bluefield, West Virginia.

It is further ordered, That Travis Williams 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, subpoena witnesses, compel their attendance, 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 ad-

journe 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 and 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 herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code member in the Code or directing the Code member to cease and desist from violating the Code and regulations made thereunder.

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

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging wilful violations by the above named Code member as follows:

That said Code member whose address is Virginia City, Virginia, and whose code membership became effective as of August 7, 1939, operator of the G. W. Rose Mine, (Mine Index No. 2358) located in Wise County, Virginia, District No. 8;

During the period October 2, 1940 to August 23, 1941, both dates inclusive, sold approximately 104 tons of 1/4" x 2" nut coal, Size Group No. 5, produced at the above-named mine, to various purchasers at a price of \$1.55 per net ton f. o. b. the mine for truck shipment, whereas the effective minimum price for said coal was \$2.25 per net ton f. o. b. the mine for truck shipment as set forth in Price Schedule No. 1 of the Schedule of Effective Minimum Prices for District No.

8 For Truck Shipment, resulting in violation of section 4 II (e) of the Act, and Part II (e) of the Code.

Dated May 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-4959; Filed, May 28, 1942;
11:26 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration.

[Docket No. AO 168]

MEMPHIS MARKETING AREA

NOTICE OF HEARING WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER REGULATING THE HANDLING OF MILK

Notice is hereby given of a hearing to be held at the Gayoso Hotel, Memphis, Tennessee, beginning at 10:00 a. m., c. w. t., June 17, 1942, with respect to a proposed marketing agreement and a proposed order regulating the handling of milk in the Memphis, Tennessee, marketing area.

This notice is given pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the General Regulations of the Agricultural Marketing Administration, United States Department of Agriculture, as amended (6 F.R. 6570; 7 F.R. 3350).

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order submitted by the Mid-South Milk Producers' Association, the provisions of which are hereinafter set forth in detail. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order. The provisions of the proposed marketing agreement and order are as follows:

SECTION 1. Definitions—(a) Terms. As used herein the following terms shall have the following meanings:

(1) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937.

(2) The term "Secretary" means the Secretary of Agriculture of the United States.

(3) The term "Memphis, Tennessee, marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of the city of Memphis in the State of Tennessee.

(4) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(5) The term "producer" means any person, irrespective of whether any such

person is also a handler, who produces, in conformity with the applicable health regulations, milk which is received at a plant from which milk is disposed of in the marketing area. This definition shall be deemed to include any person who produces, in conformity with such health regulations, milk caused to be delivered by a cooperative association which is a handler to a plant from which no milk is disposed of in the marketing area.

(6) The term "handler" means any person who, on his own behalf or on behalf of others purchases or receives milk from producers, associations of producers, or other handlers, all or a portion of which milk is disposed of as milk, cream, or skim milk in the marketing area, and who on his own behalf, or on behalf of others, engages in such handling of milk as is in the current of interstate or foreign commerce or which directly burdens, obstructs, or affects interstate or foreign commerce in milk and its products. This definition shall be deemed to include any cooperative association with respect to the milk of any producer which it causes to be delivered to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association and for which such cooperative association collects payment: *Provided*, That such milk is handled on a basis which will permit the market administrator to verify the utilization of such milk in the plant at which such milk is received. This definition shall not be deemed to include any person from whom emergency milk is received.

(7) The term "market administrator" means the person designated pursuant to section 2 as the agency for the administration hereof.

(8) The term "cooperative association" means any cooperative association of producers which the Secretary determines (a) to have its entire activities under the control of its members, and (b) to have full authority in the sale of milk of its members.

(9) The term "delivery period" means any calendar month.

(10) The term "base" means the quantity of milk calculated for each producer pursuant to section 8.

SEC. 2. Market administrator—(a) Designation. The agency for the administration hereof shall be a market administrator, who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall have power:

(1) To administer the terms and provisions hereof; and

(2) To receive, investigate, and report to the Secretary complaints of violation of the terms and provisions hereof.

(c) *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(1) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(2) Submit his books and records to examination by the Secretary at any and all times;

(3) Furnish such information and such verified reports as the Secretary may request;

(4) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(5) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (a) made reports pursuant to section 5 or (b) made payments pursuant to section 9;

(6) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(7) Pay, out of the funds provided by section 11, (a) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, (b) his own compensation, and (c) all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties; and

(8) Promptly verify the information contained in the reports submitted by handlers.

SEC. 3. Classification of milk—(a) Milk to be classified. Milk of a producer caused to be delivered by a cooperative association which is a handler to a plant from which no milk is disposed of in the marketing area and all milk received by each handler, including milk produced by him, if any, at plants from which milk is disposed of in the marketing area, shall be classified by the market administrator in the classes set forth in paragraph (b) of this section, subject to the provisions of paragraphs (c), (d), and (e) of this section. In the classification of milk as required in paragraph (b) of this section the responsibility of each handler shall be as follows:

(1) In establishing the classification of any milk received by a handler, the burden rests upon the handler to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(2) With respect to milk, skimmed milk, or cream disposed of to another handler, the burden rests upon the handler who first received the milk to account for the milk, skimmed milk, or cream and to prove to the market administrator that such milk, skimmed milk, or cream should not be classified as Class I milk.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk and skim milk disposed of as milk, butter-milk, and milk drinks, whether plain or flavored, all milk disposed of as cream (for consumption as cream) and as creamed cottage cheese, and all milk not specifically accounted for as Class II milk.

(2) Class II milk shall be all milk accounted for (a) as used to produce a milk product other than those specified in Class I milk and (b) as actual plant shrinkage, not to exceed 2.0 percent of the total receipts of milk from producers including the handler's own production.

(c) *Transfers of milk and cream.* (1) Milk, skim milk, or cream received at a handler's plant from another handler's plant, at both of which milk is received from producers shall be allocated to Class I: *Provided*, That if a different allocation is agreed upon in writing between such receiving handler and such selling handler or cooperative association and is submitted to the market administrator, on or before the 5th day after the end of the delivery period, then the milk, skim milk, and cream shall be allocated according to such written agreement: *And provided further*, That the amount so allocated to any class shall not be greater than the amount used in that class by the receiving handler after deduction of any milk pursuant to subparagraph (2) of this paragraph.

(2) Milk, skim milk, and cream received at a plant at which milk is received from producers from a plant at which no milk is received from producers shall be allocated to Class II, except that any of this milk, skim milk, and cream in excess of the amount of Class II milk used by the receiving handler shall be allocated to Class I.

(d) *Computation of milk in each class.* For each delivery period the market administrator shall compute for each handler the pounds of milk in each class as defined in paragraph (b) of this section, as follows:

(1) Determine the total pounds of milk received as follows: Add into one sum (a) the pounds of milk received from producers; (b) the pounds of milk, skim milk, and cream (4.0 percent milk equivalent of cream) received from other handlers, if any; (c) the pounds of milk, skim milk, and cream (4.0 percent milk equivalent of cream) produced by such handler, if any; and (d) the pounds of milk, skim milk, and cream (4.0 percent equivalent of cream) received from any other source, if any.

(2) Determine the total pounds of butterfat received as follows: (a) multiply the weight of the milk received from producers by its average butterfat test; (b) multiply the weight of the milk produced by him, if any, by its average butterfat test; (c) multiply the weight of the milk or cream received from other handlers, if any, by its average butterfat test; (d) multiply the weight of the milk or cream received from other sources, if any, by its average butterfat test; and (e) add together the resulting amounts.

(3) Determine the total pounds of Class I milk as follows: (a) convert to quarts the quantity of milk and skim milk disposed of in the form of milk, butter-milk, and milk drinks, whether plain or flavored, and multiply by 2.15; (b) multiply the actual weight of each of the products disposed of as cream (for consumption as cream), and as creamed cottage cheese by its average butterfat test and add together the resulting amounts, and divide the result obtained by 4.0 percent; (c) determine the total pounds of butterfat in the products disposed of under (a) and (b) herein and if the quantity of butterfat so computed, when added to the pounds of butterfat in Class II milk, is less than the total pounds of butterfat received, an amount equal to the difference shall be divided by 4.0 percent and added to the quantity of milk determined pursuant to (a) and (b) of this subparagraph.

(4) Determine the total pounds of Class II milk as follows: (a) multiply the actual weight of each of the several products of Class II milk by its average butterfat test; (b) add together the resulting amounts; (c) subtract the total pounds of butterfat in Class I milk computed pursuant to subparagraph (3) (c) of this paragraph and the total pounds of butterfat in Class II milk computed pursuant to (b) of this subparagraph from the total pounds of butterfat computed pursuant to subparagraph (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purpose of this paragraph (but in no event shall such plant's shrinkage exceed 2.0 percent of the total receipts of butterfat from producers by the handler), and shall be added to the result obtained in (b) of this subparagraph; and (d) divide the result obtained in (b) of this subparagraph by 4.0 percent.

(5) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the total pounds of milk, skim milk, and cream (4.0 percent milk equivalent of cream) which were received from other handlers and used in such class.

(ii) Subtract from the total pounds of Class II milk the total pounds of milk, skim milk, and cream (4.0 percent equivalent of cream) received from sources other than producers and handlers: *Provided*, That if the quantity of such milk, skim milk, and cream (4.0 percent equivalent of cream) received from sources other than producers and handlers is greater than the quantity of milk used in Class II an amount equal to such difference shall be subtracted from the total pounds of Class I milk.

(iii) Subtract pro rata out of the remaining milk in each class the quantity of milk of the handler's own production.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* (1) If the total utilization of all milk for any handler, as computed pursuant to paragraph (d) of this section, is less than the receipts of milk from producers, the market administra-

tor shall increase the total pounds of milk in Class II for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class II for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

SEC. 4. Minimum prices—(a) Class prices. Each handler shall pay producers at the time and in the manner set forth in section 9 not less than the following prices for the respective quantities of milk in each class computed pursuant to section 3:

(1) Class I milk. The price per hundred pounds for Class I milk shall be as follows:

Delivery period:	Amount dollars per hundred pounds
July through April.....	\$3.50
May and June.....	3.25

(2) Class II milk. The price per hundred pounds for Class II milk shall be the price determined as follows: multiply by 4 the average price of 92-score butter as established in the Chicago wholesale market as reported by the United States Department of Agriculture for the delivery period during which such milk was received plus 20 percent, plus an amount per hundred pounds computed as follows: add $3\frac{1}{2}$ cents per hundred pounds for each full one-half cent that the price of dry skim milk for human consumption is above $5\frac{1}{2}$ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture for a Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, shall be used. In the latter event the adjustment shall be computed as follows: add $3\frac{1}{2}$ cents per hundred pounds for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above $7\frac{1}{2}$ cents per pound.

(b) *Price of Class I milk for relief distribution.* For Class I milk disposed of by such handler under a program approved by the Secretary for the sale or distribution of milk to low-income

consumers, including persons on relief, the price shall be the Class I price for such delivery period less 46 cents.

(c) *Sales outside the marketing area.* The price to be paid by a handler for Class I milk disposed of outside the marketing area shall be the price for Class I milk as specified in paragraph (a) of this section.

(d) *Butterfat differential to handlers.* If any handler has purchased or received milk from producers containing more or less than 4.0 percent butterfat, such handler shall add or deduct, per hundredweight of milk in each class, for each one-tenth of 1 percent butterfat above or below 4.0 percent, an amount computed as follows: to the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, add 20 percent and divide the result obtained by 10.

SEC. 5. Reports of handlers—(a) Periodic reports. On or before the 5th day after the end of each delivery period, each handler who purchased or received milk from producers shall with respect to milk, skim milk, or cream which was purchased, received, or produced by such handler during such delivery period, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(1) The receipts of milk from each producer, including receipts from such handler's own production, the butterfat content and the number of days on which milk was received from each producer.

(2) The quantity of base milk received from each producer and the quantity of milk received from each producer in excess of his respective base.

(3) The receipts of milk, skim milk, and cream from handlers who purchase or receive milk from producers and the butterfat content thereof.

(4) The receipts of milk, skim milk, and cream from any other source including receipts of milk, skim milk, and cream completely processed and packaged for distribution to consumers from handlers who purchase or receive no milk from producers and the butterfat content thereof.

(5) The respective quantities of milk which were sold, distributed, or used, including sales to other handlers for the purpose of classification pursuant to section 3.

(6) The name and address of each producer from whom milk had not been received during the previous delivery period.

(7) Such other information with respect to the above as the market administrator may request.

(b) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, upon the request of the market administrator, each handler who purchased or received milk from producers shall submit to the market administrator his producer pay roll for such delivery period, which shall

show for each producer: (1) The total pounds of milk delivered and the average butterfat content thereof, and (2) the net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

(c) *Reports of handlers who receive no milk from producers.* Handlers who purchase or receive no milk from producers shall report to the market administrator at such time and in such manner as the market administrator may require.

(d) *Verification of reports.* Each handler shall make available to the market administrator or his agent (1) all reports and facilities necessary for the verification of the information contained in the report submitted and in the accounting for the usage of all receipts in accordance with the classification of milk as set forth in section 3, and (2) those facilities which are necessary for weighing, sampling, and testing of the milk of each producer.

If, in the verification of the reports of any handler made pursuant to paragraph (a) of this section, it is necessary for the market administrator to examine the records of milk, skim milk, and cream handled in a plant of the handler from which no milk is disposed of in the marketing area, such handler shall make such records available to the market administrator. If, in the verification of the reports of any handler made pursuant to paragraph (a) of this section, the market administrator finds that, subsequent to the delivery period for which the verification is being made, any milk, skim milk, or cream received during such delivery period was used in a class other than that in which it was first disposed of, such milk, skim milk, or cream shall be reclassified accordingly and the adjustments necessary to reflect the reclassified value of such milk, skim milk, or cream shall be made in the value of milk computed for such handler for the delivery period following such reclassification of milk.

SEC. 6. Handlers who are also producers. (a) No provision hereof shall apply to a handler who is also a producer and who purchases or receives no milk from producers and who sells or delivers no milk in bulk to other handlers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request and shall permit the market administrator to verify such reports.

(b) All milk, skim milk, or cream sold or disposed of completely processed and packaged for distribution to consumers by a handler who purchases or receives no milk from producers to another handler who purchases or receives milk from producers shall be classified as Class I milk up to the amount of such milk, skim milk, or cream actually sold in the original package by the purchasing handler as bottled Class I milk.

SEC. 7. Determination of uniform prices to producers—(a) Computation of value of milk for each handler. For each delivery period the market administrator shall compute, subject to the provisions of section 6, the value of milk of pro-

ducers disposed of by each handler who purchased or received milk from producers by (1) multiplying the quantity of such milk in each class computed pursuant to section 3 (d) and (e) by the price applicable pursuant to section 4 and (2) adding together the resulting value of each class, and (3) deducting, if the average butterfat content of all milk received from producers is in excess of 4.0 percent, or adding, if the average butterfat content of all milk received from producers is less than 4.0 percent, the total value of the butterfat differential applicable pursuant to section 9 (f).

(b) *Computation and announcement of uniform prices.* For each delivery period the market administrator shall compute and announce the uniform price per hundred pounds of milk in accordance with whichever of the following procedures is applicable:

(1) If for such delivery period the delivered bases of all producers, as described in section 8, are in excess of the Class I sales as determined under section 3 (d) and (e), the respective values of milk in all classes for each handler computed pursuant to paragraph (a) of this section shall be combined into one total; and an amount equal to the value of the Class II sales to be paid pursuant to section 9 (a) (2) shall be subtracted; and the amount of cash balance in the producer-settlement fund, less the amount due handlers pursuant to section 9 (e) shall be added; and the resulting amount shall be paid to producers on a uniform percentage of base: *Provided*, That such percentage reduction shall not apply in the case of producers whose deliveries during such delivery period are not in excess of such uniform percentage of their established bases.

(2) If the Class I sales of all handlers are in excess of the total delivered bases of producers, the total respective values of milk in all classes for each handler computed pursuant to paragraph (a) of this section shall be combined into one total; and an amount resulting from the total pounds of Class I sales in excess of producers' delivered bases multiplied by the applicable Class I price shall be deducted; and an amount resulting from the total pounds of Class II milk multiplied by the applicable Class II price shall be deducted; and the amount of cash balance in the producer-settlement fund, less the amount due handlers pursuant to section 9 (e) shall be added, and the resulting amount shall be paid to producers for their total delivered bases. The pounds of milk delivered by producers in excess of their delivered bases, and determined under this subparagraph shall be paid in accordance with the provisions contained in subparagraph (5) of this section.

(3) *Provided*, That there shall be subtracted from the figure computed pursuant to subparagraphs (1) or (2) of this section, as the case may be, not less than 4 cents nor more than 5 cents per hundred pounds on all milk received from producers for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in re-

ports and payments, or delinquencies in payments by handlers.

(4) The result of the calculations pursuant to subparagraphs (1) or (2) and (3) of this section shall be known as the uniform price for such delivery period for base milk (or a percentage of base milk) of producers containing 4 percent butterfat.

(5) The price for surplus milk, when computed under subparagraph (1) of this section, shall be equal to the Class II price, and the price for surplus milk, when computed under subparagraph (2) of this section, shall be a price determined as follows:

Multiply the pounds of Class I milk in excess of the total delivered bases of producers by the applicable Class I price; multiply the pounds of Class II milk by the applicable Class II price; then add into one sum the respective values and divide the resulting amount of the sum of the pounds of Class I in excess of the delivered bases of producers and the pounds of Class II milk; the result obtained shall be the price to be paid for surplus milk for such delivery period.

(6) On or before the 10th day after the end of each delivery period the market administrator shall notify each handler and publicly announce the uniform price per hundred pounds of base milk (or a percentage of base milk) of the surplus price and the butterfat differential provided by section 9 (f).

SEC. 8. Base ratings—(a) *Determination of base.* For each delivery period the base of each producer shall be a quantity of milk calculated by the market administrator in the following manner: multiply the applicable figure computed pursuant to paragraph (b) of this section adjusted by paragraph (c) of this section by the number of days during such delivery period on which milk was received from such producer.

(b) *Determination of daily base.* (1) For delivery periods from the effective date hereof to and including December 31, 1942, the daily base of each producer shall be computed by the market administrator from reports submitted by the handlers pursuant to section 5 or from the best information available in the following manner:

(i) For the first delivery period next following the effective date of this order, the aggregate of the daily bases recognized by each handler for the respective producers in accordance with the customary payment plan of such handler with respect to each producer shall be compared with the daily average Class I sales of the handler during such delivery period and the recognized daily base of each producer shall be adjusted by multiplying his recognized daily base by the percentage which the daily Class I sales of the handler bears to the total recognized daily bases of his producers.

(ii) If the customary plan of payment to producers by any handler does not provide for payments based upon recognized daily bases for producers, a daily base for each producer shall be determined by multiplying the daily average

pounds of each producer's milk delivered, during the first delivery period next following the effective date of this order, by the percentage which the daily average Class I sales of the handler during such delivery period bear to his total daily average receipts from producers.

(2) Effective for the delivery periods for each calendar year beginning January 1, 1943, the daily base of each producer shall be computed by the market administrator from reports submitted by the handlers pursuant to section 5 in the following manner:

(i) Determine from reports filed pursuant to Sec. 5 by handlers, who purchased or received milk from producers, the three delivery periods in the immediate preceding calendar year for which the sales of Class I milk were nearest the total receipts of milk from producers. Such delivery periods shall be known as the base period;

(ii) Determine for each producer who was regularly delivering milk to a handler on the first day of December of the immediately preceding calendar year, the average daily deliveries of milk to such handler during the base period;

(iii) Add together in one sum all the daily average amounts computed pursuant to subdivision (ii) of this subparagraph;

(iv) Determine from reports filed pursuant to Sec. 5 by handlers, who purchased or received milk from producers, the average daily Class I milk received from such producers during the base period;

(v) Divide the amount determined pursuant to subdivision (iv) of this subparagraph by the sum determined pursuant to subdivision (iii) of this subparagraph; and

(vi) Multiply the daily average amount for each producer determined in subdivision (ii) of this paragraph by the percentage figure computed pursuant to subdivision (v) of this subparagraph. This result shall be known as the producer's daily base for the next succeeding calendar year.

(3) In case a producer is prevented by an applicable health authority, through quarantine or degrading, from delivering milk, and such producer furnishes a written statement to that effect from such applicable health authority to the market administrator, the market administrator shall deduct the number of days (but not more than 30 days in any one base period) involved by such ruling of the applicable health authority from the figure representing the number of days in the base period in the determination of such producer's daily base.

(4) In case a producer, as the result of official testing for tuberculosis or Bang's disease or testing for mastitis by a recognized veterinarian, loses 20 percent or more of the cows in his herd and furnishes the market administrator with satisfactory documentary evidence of such loss, such producer shall be permitted 3 months in which to replace such cows lost through such testing and the market administrator shall credit such

producer with the delivery of his established base in the determination of such producer's daily base.

(5) In case a handler who distributes within the marketing area milk of his own production disposes of all or a part of his delivery routes to a handler who purchases or receives milk from producers and who becomes a producer, the daily base of such producer shall be computed by the market administrator in the following manner: determine the average daily Class I milk produced and disposed of, during the three months next preceding the date of the disposal of such delivery routes, on such delivery routes of such handler, which purchasing and selling handler jointly report as involved in the deal, subject to verification by the market administrator. This figure shall be known as the producer's daily base and shall be effective from the date of the first delivery of milk of his own production in bulk to a handler by such producer through the remaining calendar year and thereafter shall be superseded by a daily base determined pursuant to subparagraph (2) of this paragraph.

(c) *Base rules.* (1) Any producer who ceases to deliver milk to a handler for a period of more than 30 consecutive days shall forfeit his base.

(2) In case a producer sells or delivers to a handler milk not of his own production as being milk of his own production, the base of such producer shall be forfeited at the beginning of the delivery period during which such milk was delivered and all milk sold or delivered to a handler by such producer during such delivery period shall be considered as excess over base.

(3) If, on or before the 5th day after the transfer of a herd producing base milk, there is recorded with the market administrator an affidavit stating that such herd has been transferred listing the ear tag numbers of the animals so transferred and specifying the date of such transfer, signed jointly before a notary public by the seller and the purchaser of such herd and if, within 10 days after such affidavit is recorded with the market administrator, no written protest containing information that such transfer was contrary to the terms of this subparagraph is filed with the market administrator, the base of such producer may be transferred but only as one unit to the purchaser of such herd; if, upon investigation, the market administrator finds the terms of this subparagraph have been violated, the base of such producer shall be forfeited. No base, once transferred, shall be again transferred within 6 months of the date of the prior transfer except in case of the death of a producer.

(4) A landlord who rents on a crop-share basis shall be entitled to the entire daily base to the exclusion of the tenant if the landlord owns the entire herd. Likewise, the tenant who rents on a crop-share basis shall be entitled to the entire daily base to the exclusion of the landlord if the tenant owns the entire herd. If the cattle are jointly owned by tenant and landlord, the daily base shall be divided between the joint owners ac-

ording to the ownership of the cattle, if and when such joint owners terminate the tenant and landlord relationship.

(5) A producer, whether landlord or tenant of a farm, may retain his base when moving his entire herd of cows from one farm to another farm: *Provided*, That, at the beginning of a tenant and landlord relationship, the allotted base of each tenant and landlord shall be a combined base and may be divided only if such relationship is terminated.

SEC. 9. Payments for milk—(a) Time and method of payment. On or before the 12th day after the end of each delivery period, each handler shall make payment, after deducting the amount of the payment made pursuant to paragraph (g) of this section, for not less than the total value of milk of producers received by each handler during such delivery period, subject to the butterfat differential set forth in paragraph (f) of this section and the minimum prices as follows:

(1) To producers at a uniform price per hundred pounds computed pursuant to section 7 (b) (1) or 7 (b) (2), as the case may be, and subject to the provisions of section 7 (b) (3), for that quantity of milk received from producers not in excess of their respective delivered bases, or percentage of bases, as the case may be;

(2) To producers for that quantity of milk received in excess of their respective delivered bases, if computed in accordance with section 7 (b) (1), at the Class II price, as provided in section 4; or

To producers for that quantity of milk received in excess of their respective delivered bases, and disposed of as Class I milk, and for that quantity of milk disposed of as Class II milk, if computed in accordance with section 7 (b) (2), at a blend of the Class I and Class II prices provided in section 4 and computed in accordance with section 7 (b) (5); and

(3) Any handler may make payments to producers in addition to the minimum payments required by this paragraph: *Provided*, That such additional payments are made to all producers supplying such handler with milk of the same quality and grade.

(b) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to paragraphs (c) and (e) of this section, and out of which he shall make all payments to handlers pursuant to paragraphs (d) and (e) of this section.

(c) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund the amount by which the total utilization value of the milk of producers received by such handlers during the delivery period is greater than the sum obtained by multiplying the pounds of such milk of producers by the appropriate prices required to be paid producers by han-

dlers pursuant to subparagraphs (1) and (2) of paragraph (a) of this section and adding together the resulting amounts.

(d) *Payments out of the producer-settlement fund.* On or before the 15th day after the end of each delivery period, the market administrator shall pay to each handler, for payments to producers, the amount, if any, by which the total utilization value of the milk received from producers by such handler during the delivery period is less than the sum obtained by multiplying the hundred pounds of such milk of producers by the appropriate prices required to be paid producers by handlers pursuant to subparagraphs (1) and (2) of paragraph (a) of this section, and adding together the resulting amounts. If, at such time, the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 15th day after the end of each delivery period, has not received the balance of such reduced payment due him from the market administrator shall be deemed to be in violation of paragraph (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(e) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to the producer-settlement fund pursuant to paragraph (c) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to paragraph (d) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer for milk received by such handler discloses payment of less than is required by this section, the handler shall make up such payment not later than the time of making payment to producers next following such disclosure.

(f) *Butterfat differential.* In making payments to each producer, pursuant to paragraph (a) of this section, each handler shall add to the uniform price per hundred pounds not less than, or subtract from the uniform price per hundred pounds not more than, as the case may be, for each one-tenth of 1 percent of butterfat content, which is above or below 4.0 percent in milk received from such producer, the amount as shown in the schedule below for the butter price range in which falls the average wholesale price of 92-score butter in the Chicago market, as reported by the United States Department of Agriculture, for the delivery period during which such milk was received.

Butter price range		Butterfat differential	
17.50-22.499¢ per lb.	-----	2.5¢	per one-tenth of 1 percent.
22.50-27.499¢ per lb.	-----	3.0¢	per one-tenth of 1 percent.
27.50-32.499¢ per lb.	-----	3.5¢	per one-tenth of 1 percent.
32.50-37.499¢ per lb.	-----	4.0¢	per one-tenth of 1 percent.
37.50-42.499¢ per lb.	-----	4.5¢	per one-tenth of 1 percent.
42.50-47.499¢ per lb.	-----	5.0¢	per one-tenth of 1 percent.
47.50-52.499¢ per lb.	-----	5.5¢	per one-tenth of 1 percent.
52.50-57.499¢ per lb.	-----	6.0¢	per one-tenth of 1 percent.
57.50-62.499¢ per lb.	-----	6.5¢	per one-tenth of 1 percent.

(g) *Half-delivery period payments.* On or before the 25th day of each delivery period, each handler shall make payment to each producer for the approximate value of the milk of such producer which, during the first 15 days of such delivery period, was received by such handler.

SEC. 10. Marketing services—(a) Deductions for marketing services. Except as set forth in paragraph (b) of this section, each handler shall deduct 5 cents per hundred pounds from the payments made to each producer pursuant to Sec. 9, with respect to all milk received by such handler from producers during each delivery period, and shall pay such deductions to the market administrator on or before the 12th day after the end of such delivery period. Such moneys shall be expended by the market administrator for verification of weights, sampling, and testing of milk received by handlers from producers during the delivery period and to provide such producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative association.* In the case of producers for whom a cooperative association, which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made directly to such producers pursuant to section 9, as are authorized by such producers, and, on or before the 12th day after the end of each delivery period, pay over such deductions to the association rendering such services.

SEC. 11. Expense of administration—(a) Payments by handlers. As his prorata share of the expense of the administration hereof, each handler, on or before the 12th day after the end of each delivery period, shall pay to the market administrator, with respect to all milk received by him from producers or produced by him, during such delivery period, an amount not exceeding 3 cents per hundredweight, the exact amount to be determined by the market administrator, subject to review by the Secretary. Each cooperative association which is a handler shall pay such prorata share of expense on only that milk of producers caused to be delivered by it to the plants from which no milk is disposed of in the marketing area.

(b) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expense set forth in this section.

(The following provisions would apply only to the proposed marketing agreement.)

SEC. 12. Effective time, suspension, and termination—(a) Effective time. The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension and termination.* Any or all provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handlers, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

The market administrator, or such other person as the Secretary may designate (1) shall continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct; and (3) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with

claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 13. Liability—(a) Liability of handlers. The liability of the handlers hereunder is several and not joint, and no handler shall be liable for the default of any other handler.

SEC. 14. Counterparts and additional parties—(a) Counterparts of marketing agreement. This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties to marketing agreement.* After this agreement first takes effect, any handler may become a party to this agreement if a counterpart thereof is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

Copies of the proposed marketing agreement and order may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 0312 South Building, Washington, D. C., or may be there inspected.

[SEAL]

THOMAS J. FLAVIN,
Assistant to the
Secretary of Agriculture.¹

MAY 27, 1942.

[F. R. Doc. 42-4956; Filed, May 28, 1942;
11:02 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

PLACER GOLD OPEN-CUT MINING

APPLICATION FOR QUALIFICATION OF EXEMPTION FROM MAXIMUM HOURS REQUIREMENTS

In the matter of the application for qualification of the exemption that has been granted to the open-cut mining of placer gold from the maximum hours provisions of the Fair Labor Standards Act of 1938 as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder.

Whereas on January 3, 1940, an exemption was made effective by the Administrator for the open-cut mining of placer gold in the States of Idaho, Montana, Nevada, Oregon, South Dakota,

¹ Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

Utah, Washington, Wyoming, and the Territory of Alaska as a branch of an industry of a seasonal nature, pursuant to section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526 of the regulations issued thereunder; and

Whereas on April 30, 1940, this exemption was extended to include the open-cut mining of placer gold in the State of Colorado; and

Whereas the International Union of Operating Engineers and sundry other parties have applied for the exclusion of open-cut mining of placer gold by means of power machinery from the exemption that had previously been granted; and

Whereas in view of these objections and as a result of information obtained from other sources, it was deemed advisable to hold a public hearing at Butte, Montana, on May 21, 1941, before Harold Stein, an authorized representative of the Administrator, who took testimony, heard oral argument, and received written statements for the purpose of determining whether the mining of placer gold from surface or open-cuts by means of bucket dredges, draglines and other methods employing power machinery in the States of Colorado, Idaho, Montana, Nevada, Oregon, South Dakota, Utah, Washington, Wyoming, and the Territory of Alaska:

(1) Was properly included within the seasonal exemption granted to the placer gold mining industry in the above defined area and,

(2) If not, whether it is a separable branch of the placer gold mining industry and of a seasonal nature within the meaning of Part 526 of the regulations; and

Whereas following such hearing the said representative made and duly filed with the Administrator the following findings of fact and determination:

1. There exist separable branches of the placer gold mining industry which are identified by the various methods used to excavate and move the gravel.

2. Placer gold mines employing power machinery to mechanically excavate and move the gravel, within the Territory of Alaska, generally cease operations completely during regularly, recurring times of the year for periods of six months or more, because, due to climatic or other natural conditions, the gravels handled by the industry are not available in the form in which they are normally handled.

3. The open-cut mining of placer gold by means of power machinery in the Territory of Alaska is a branch of an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act and Part 526, as amended, of the regulations issued thereunder, and was properly included in the exemption granted on January 3, 1940.

4. About ninety percent of all the placer gold produced by open-cut placer gold mines employing power machinery to excavate and move the gravel within the States of Colorado, Idaho, Montana,

Nevada, Oregon, South Dakota, Utah, Washington and Wyoming, is produced by those placer mines which, through the use of power machinery, are able to overcome climatic and other natural conditions. These mines, employing power methods, generally operate in excess of six months during each calendar year and maintain an operating season which has no reasonable relation to the 14-week exemption provided in section 7 (b) (3) of the Fair Labor Standards Act.

5. The open-cut mining of placer gold by means of power machinery within the States of Colorado, Idaho, Montana, Nevada, Oregon, South Dakota, Utah, Washington, and Wyoming is a branch of an industry, but is not of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act and Part 526, as amended, of the regulations issued thereunder, and should not have been included in the seasonal exemption granted to the open-cut mining of placer gold in the above-mentioned States; and

Whereas on December 30, 1941, the Administrator caused to be published in the FEDERAL REGISTER a Notice of Opportunity, pursuant to the provisions of § 526.7 of the aforesaid regulations, for any person aggrieved by said determination to file a petition with the Administrator requesting a review of the findings and determination of the said representative upon the record of the hearing before such representative; and

Whereas a petition for review of the presiding officer's findings and determination qualifying the exemption granted the open-cut mining of placer gold was filed by the Northwest Mining Association; and

Whereas I have duly considered the issues raised by the petition; and

Whereas the findings and determination of the Administrator's representative have been found to be supported by the record of the proceeding in this case;

Now, therefore, the petition for review is denied and notice is hereby given that:

(1) The open-cut mining of placer gold by means of power machinery within the States of Colorado, Idaho, Montana, Nevada, Oregon, South Dakota, Utah, Washington, and Wyoming is a branch of an industry but is not of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the regulations issued thereunder and should not be included in the seasonal exemption for the open-cut mining of placer gold in the above-mentioned States;

(2) The exemption heretofore granted to the above-mentioned area will cease to become effective on the date this notice appears in the FEDERAL REGISTER.

The notice in the matter of the open-cut mining of placer gold published in the FEDERAL REGISTER on May 1, 1942, (vol. 7, p. 3252) is hereby revoked.

Signed at New York this 25th day of May 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-4948; Filed, May 28, 1942;
9:55 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-149, G-132]

INTERSTATE NATURAL GAS COMPANY, INC.,
AND LOUISIANA PUBLIC SERVICE COMMISSION

ORDER CHANGING DATE AND PLACE OF HEARING

MAY 26, 1942.

In the Matter of Interstate Natural Gas Company, Incorporated; Louisiana Public Service Commission, Complainant, v. Interstate Natural Gas Company, Incorporated, Defendant.

It appearing to the Commission that:

(a) By its order dated May 12, 1942, the Commission ordered that a public hearing in the above-entitled matters be held commencing on June 15, 1942, at 9:45 o'clock a. m., in the Courtroom, Federal Building, Baton Rouge, Louisiana;

(b) It has been found necessary to change the date and place of the said hearing, as hereinafter provided;

The Commission orders that: The public hearing in the above-entitled proceedings now set to begin on June 15, 1942, at 9:45 o'clock a. m., in the Courtroom, Federal Building, Baton Rouge, Louisiana, be held, instead, commencing on June 17, 1942, at 9:45 o'clock a. m. in the Hotel Roosevelt, New Orleans, Louisiana.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-4947; Filed, May 28, 1942;
9:55 a. m.]

APPLICATIONS FOR AUTHORIZATION TO CONTINUE TRANSPORTATION, OR SALE FOR RE-SALE, OF NATURAL GAS IN INTERSTATE COMMERCE

NOTICE OF OPPORTUNITY TO PROTEST

MAY 26, 1942.

Applications under section 7 (c) of Natural Gas Act as amended for certificates for continued operation based on *bona fide* operation on February 7, 1942 (under "grandfather" clause).

Applications have been filed by the persons and corporations hereinafter named with the Federal Power Commission for "grandfather" clause certificates under section 7 (c) of the Natural Gas Act as amended February 7, 1942 for authorization to continue the transportation of natural gas in interstate commerce or the sale of natural gas in interstate commerce for resale.

Notice is hereby given that any person, firm, corporation, association, State or State commission, municipality, or other interested party or parties desiring to protest, or to be heard, in reference to any of said applications, should, on or before the 30th day of June, 1942 file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

The following is a list of the persons or corporations which have filed "grandfather" clause applications with the

Commission, with the communities stated by the applications to be affected:

Name of Company and Docket Number

ALLEGANY GAS COMPANY, Port Allegany, Pennsylvania; G-333.

New York: (Wholesale) Addison, Big Flats, Corning, Elmira, Elmira Heights, Erwin, Horseheads, Painted Post, Riverside, South Corning, Southport. (Retail) Addison, Cation, Corning, South Corning, Southport, Tuscarora.

Pennsylvania: (Retail) Alba, Blossburg, Canton, Covington, Mainsburg, Sylvania, Troy.

ALUM ROCK GAS COMPANY, Port Allegany, Pennsylvania; G-334.

Pennsylvania: (Retail) Callensburg.

APEX GAS COMPANY, INC., 706 Ardis Building, Shreveport, Louisiana; G-293.

Louisiana: (Wholesale) Conti. Coshatta, Natchitoches.

ARKANSAS LOUISIANA GAS COMPANY, Slattery Building, Shreveport, Louisiana; G-252.

Arkansas: (Wholesale) Clarksville, Fayetteville, Hot Springs. (Retail) Arkadelphia, Ashdown, Atkins, Bauxite, Bearden, Benton, Biene, Boughton, Bryant, Buckner, Camden, Carlisle, Conway, Dardanelle, Doddridge, Donaldson, El Dorado, Emmett, England, Fordyce, Fouke, Garland City, Gum Springs, Gurdon, Hamburg, Haskell, Hope, Junction City, Levy, Lewisville, Little Rock, Lonoke, Louann, Mablevale, Magnolia, Malvern, McNeil, Mineral Springs, Monticello, Morrilton, Nashville, Norphlet, North Little Rock, Perla, Pine Bluff, Plummerville, Pottsville, Prescott, Ravanna, Russellville, Sheridan, Smackover, Springhill, Stamps, Star City, Stephens, Strong, Stuttgart, Texarkana, Waldo, Warren, Washington, Wilmar.

Louisiana: (Wholesale) Minden. (Retail) Belcher, Bernice, Bethany, Blanchard, Bossier City, Dubach, East Point, Gilliam, Greenwood, Hosston, Ida, Junction City, Marion, Mooringsport, Naborton, Oil City, Plain Dealing, Ringgold, Rodessa, Shreveport, Vivian.

Texas: (Retail) Atlanta, Avinger, Bethany, Bloomburg, Cass, Daingerfield, Gilmer, Hughes Springs, Jefferson, Linden, Mt. Pleasant, Mt. Vernon, Naples, Omaha, Pittsburg, Queen City, Talco, Texarkana, Winnsboro.

ARKANSAS OKLAHOMA GAS COMPANY, Fort Smith, Arkansas; G-308.

Arkansas: (Wholesale) Barling, Greenwood, Lavaca.

Oklahoma: (Wholesale) Arkoma, Moffett, Muldrow, Roland, Sallisaw.

ARKANSAS POWER & LIGHT COMPANY, Pine Bluff, Arkansas; G-292.

Arkansas: (Retail) Alicia, Bald Knob, Batesville, Dermott, Eudora, Hoxie, Jonesboro, Judsonia, Kensett, Lake Village, McGehee, Newark, Newport, Searcy, Swifton, Tackerman, Walnut Ridge, Wilmot.

ATLANTIC SEABOARD CORPORATION, Quartier and Dunbar Streets, Charleston, West Virginia; G-284.

District of Columbia: (Wholesale) Washington.

Maryland: (Wholesale) Montgomery County and rural.

Virginia: (Wholesale) Alexandria.

West Virginia:

BALTIC OPERATING COMPANY, Bartlesville, Oklahoma; G-261.

Kansas: (Wholesale) Baxter Springs, Kiowa, Treece.

BILLINGS GAS COMPANY, Billings, Montana; G-279.

Montana: (Retail) Billings, Bridger, Edgar, Fromberg, Joliet, Laurel, Park City, Slesia.

BUCKEYE GAS SERVICE COMPANY, DESTOR, CLINTON M. HARRISON, TRUSTEE OF; 1409 Winchester Avenue, Ashland, Kentucky; G-382.

Ohio: (Retail) Coal Grove, Ironton.

CABOT GAS CORPORATION, 160 South Main Street, Wellsville, New York; G-360.

New York: (Retail) Fillmore, Hume, Rosburg.

CANADIAN RIVER GAS COMPANY, AMARILLO, Texas; G-332.

Texas: (Wholesale) Amahillo, Channing, Dalhart, Hartley, Texline.

New Mexico: (Wholesale) Clayton.

CARBONS CONSOLIDATED, INC., Ouachita National Bank Building, Monroe, Louisiana; G-355.

Louisiana:

CARNEGIE NATURAL GAS COMPANY, 1014 Frick Building, Pittsburgh, Pennsylvania; G-263.

Pennsylvania: (Retail) Munhall, Pittsburgh.

CENTRAL GAS UTILITIES COMPANY, THE, 300 North Cedar Street, Abilene, Kansas; G-276.

Colorado: (Retail) Bristol, Granada, Hartman, Holly Kornman, Lamar, Springfield, Vilas, Walsh, Wiley.

Kansas: (Retail) Ellis, Hays, Manter, Ogalah, Syracuse, Ulysses, Wakeeney.

CENTRAL KENTUCKY NATURAL GAS COMPANY, Quarrier and Dunbar Streets, Charleston, West Virginia; G-338.

Kentucky: (Wholesale) Frankfort, Midway, North Middletown, Paris, Versailles. (Retail) Cynthia, Georgetown, Irvine, Lexington, Mt. Sterling, Ravenna, Winchester.

CENTRAL NATURAL GAS CORPORATION, 300 East Main Street, Muncie, Indiana; G-264.

Indiana: (Wholesale) Selma.

CHICAGO DISTRICT PIPELINE COMPANY, ROOM 503 Joliet Building, Joliet, Illinois; G-289.

Illinois: (Wholesale) Addison, Algonquin, Alsip, Antioch, Arlington Heights, Aurora, Barrington, Bartlett, Batavia, Bedford Park, Bellwood, Belmont, Bensenville, Berkeley, Berwyn, Bloomingdale, Blue Island, Bourbonnais, Bradley, Bristol, Broadview, Brookfield, Burnham, Calumet City, Calumet Park, Carpentersville, Gary, Chicago, Chicago Heights, Chicago Ridge, Cicero, Clarendon Hills, Crete, Crystal Lake, Des Plaines, Dixmoor, Dolton, Downers Grove, East Dundee, East Hazelcrest, Elgin, Elmhurst, Elmwood Park, Evanston, Evergreen Park, Fairview, Flossmoor, Forest Park, Forest View, Fox Lake, Fox River Grove, Frankford, Franklin Park, Geneva, Genoa, Gilberts, Glen Ellyn, Glenview, Glenwood, Golf, Hampshire, Harvard, Harvey, Hazelcrest, Highland Lake, Hillside, Hinsdale, Hodgkins, Holbrook, Homewood, Huntley, Ivanhoe, Itasca, Joliet, Johnsbury, Justice, Kankakee, Kenilworth, La Grange, La Grange Park, Lakewood, Lansing, Lake Villa, Lake Zurich, Lemont, Lincolnwood, Lisle, Lockport, Lombard, Lyons, Long Lake, Marengo, Markham, Marseilles, Matteson, Maywood, McCook, McHenry, Melrose Park, Midlothian, Mokena, Mokena, Momence, Montgomery, Morris, Mooseheart, Morton Grove, Mount Prospect, Naperville, New Lenox, Niles, North Aurora, Northbrook, Northfield, North Riverside, Oak Forest, Oak Lawn, Oak Park, Olympia Field, Ontariville, Orlando Park, Oswego, Ottawa, Palatine, Palos Park, Park Ridge, Phoenix, Pontiac, Pistakee Bay, Plainfield, Plano, Prospect Heights, Posen, Ridgefield, River Forest, River Grove, Riverdale, Riverside, Rockdale, Romeoville, Roselle, Round Lake, Sandwich, Schiller Park, Seneca, Skokie, Streator, South Chicago Heights, South Elgin, South Holland, St. Anne, St. Charles, Steger, Stickner, Stone Park, Summit, Techy, Thornton, Tinely Park, Union, Villa Park, Volo, Warrenville, Wauconda, Wayne,

Westchester, West Chicago, West Dundee, West Kankakee, Westmont, Western Springs, Wheaton, Wheeling, Willow Springs, Wilmette, Winfield, Wooster Lake, Woodstock, Worth, Yorkville.

Indiana: (Wholesale) Ainsworth, Ardmore, Argos, Bremen, Chesterton, Crown Point, Deep River, Duneland Beach, East Chicago, East Gary, Elkhart, Flint Lake, Goshen, Hammond, Highland, Hobart, Hudson Lake, Independence Hill, Long Beach, Lakeville, Lydick, Lapaz, Logansport, Merrillville, Munster, Michigan City, Mishawaka, New Carlisle, New Chicago, Nappanee, Ogden Dunes, Osceola, Peru, Plymouth, Porter, Pottawattamie Park, Rexville, Roseland, South Bend, Trail Creek, Valparaiso, Wabash, Wahob Lake, Warsaw, Winamac, Winona Lake, Whiting, Woodville, Also Townships (Lake County) Calumet; (St. Joseph County) German, Olive, Portage, Warren.

CIMARRON UTILITIES COMPANY, P. O. Box 631, Borger, Texas; G-322.

Oklahoma: (Retail) Goodwell, Texhoma.

CINCINNATI GAS & ELECTRIC COMPANY, THE, Fourth and Main Streets, Cincinnati, Ohio; G-348.

Ohio: (Wholesale) Hamilton. (Retail) Amberley Village, Arlington Heights, Cheviot, Cincinnati, Deer Park, Elmwood Place, Franklin, Glendale, Lockland, Mariemont, Middletown, Monroe, Mount Healthy, New Miami, North College Hill, Norwood, Reading, St. Bernard, Sharonville, Silverton, Woodlawn, Wyoming.

CINCINNATI GAS TRANSPORTATION COMPANY, Quarrier & Dunbar Streets, Charleston, West Virginia; G-339.

Kentucky: (Wholesale) Alexandria, Bellevue, Covington, Dayton, Maysville, Newport.

Ohio: (Wholesale) Cincinnati.

CITIES SERVICE GAS COMPANY, Bartlesville, Oklahoma; G-298.

Kansas: (Wholesale) Anthony, Arkansas City, Atchison, Atchison Tap, Atlanta, Augusta, Baldwin City, Bales Dunigan Tap, Barnard, Bassett, Baxter Springs, Belle Plaine, Beloit, Bentley, Benton, Bonner Springs, Burden, Burr Oak, Burrton, Cambridge, Cawker City, Carlyle Tap, Cedarville, Chanute, Chase, Chautauqua, Cherokee, Cherryvale, Clearwater, Coleman Tap, Colony, Columbus, Conway Springs, Crestline, Crestline Gardens Tap, Culver Aircraft Tap, Dennis, Derby, Dexter, Douglass, Downs, Edgerton, Eldorado, Elgin, Ellsworth, Emporia, Esbon, Eureka, Everest, Fairview, Fall River, Florence, Formosa, Fort Scott, 47th Street Tap, Frederick, Galena, Gardner, Garnett, Geneseo, Girard, Glavin Tap, Glenn Elder, Granthurst, Grantville, Grenola, Halstead, Hamlin, Hardtner, Harper, Haven, Hewins, Hiawatha, Holton, Horton, Howard, Huron, Hutchinson, Interstate Devel. Tap, Iola, Jewell, Kanopolis, Kansas City, Kans. Voc. School Tap, Kickapoo Tap, Kiowa, Lawrence, Leavenworth, Lebanon, Lebo, Lecompton, Leloup, Lenexa, Lincoln, Lowell, Lucas, Luray, Lyndon, Madison, Mankato, Marion, Melvern, Merriam, Minneapolis, Mission Tap, Monticello, Montrose, Morrill, Mount Hope, Mulvane, Myers Tap, Neal, New Salem, Newton, Norwood Tap, Olathe, Olpe, Osborne, Oska-loosa, Oswego, Ottawa, Overland Park Tap, Oxford, Ozawkie, Parsons, Peabody, Perry, Peru, Petrolia, Pittsburg, Pomona, Princeton, Quenemo, Reserve, Richmond, Riverton, Riverton-Empire Tap, Rosedale View Tap, Rose Hill, Sabetha, Savonburg, Scammon, Scipio, Sedan, Sedgwick, Shawnee, Shawnee Place, Smith Center, South Hutchinson, South Mound, South Ridge Tap, Stull Tap, Sylvan Grove, Thayer, Tonganoxie, Topeka, Toronto, Towanda, Treece, Turner, Udall, Valley Center, Valley Falls, Vesper, Weir, Weida, Wellington, Wellsville, Whiting, Wichita, Zarah.

Missouri: (Wholesale) Alba, Alma, Aurora, Billings, Blackburn, Carl Junction, Carrollton, Carterville, Carthage, Concordia, Duneweg, Emma, Higginsville, Independence, Joplin, Galloway Tap, Holden, Kansas City, Kingsville, Knobnoster, Lakeside, LaMonte, Lexington, Marionville, Marshall, Monett, Neck City, Neosho, Nevada, Norborne, North Kansas City, Oronogo, Pierce City, Platte City, Pleasant Hill, Pleasant Valley, Purcell, Reddings, Mill Tap, Republic, St. Joseph, Saginaw Tap, Sedalia, Smithfield, Springfield, Stones Corner Tap, Sweet Springs, Tracy, Warrensburg, Waverly, Webb City, Weston.

Nebraska: (Wholesale) Falls City, Superior.

Oklahoma: (Wholesale) Alva, Arnett, Avar, Bartlesville, Barnsdall, Blue Jacket, Capron, Cardin, Century, Cherokee, Cleveland, Commerce, Delaware, Dewey, Drumright, Guthrie, Hockerville, Miami, Mooreland, Mulhall, Nelogoney, North Miami, Nowata, Oilton, Orlando, Paden, Pawhuska, Picher, Pershing, Quapaw, Quinlan, Shidler, Stillwater, Vinita, Wann, Waynoka, Welch, Woodward, Wynona.

COLORADO INTERSTATE GAS COMPANY, Colorado Springs, Colorado; G-294.

Colorado: (Wholesale) Arvada, Aurora, Bellevue, Berthoud, Boulder, Brighton, Cherry Hills, Colorado Springs, Denver, Englewood, Fitzsimons, Fort Collins, Fort Logan, Fort Lupton, Fort Lyon Gate, Fowler, Golden, Greeley, Johnstown, Las Animas, La Junta, Littleton, Longmont, Loveland, Manzanola, Ordway, Rocky Ford, Sullivan, Swink, U. S. Army Air School, West Denver Fringe.

Wyoming: (Wholesale) Cheyenne, Fort Warren.

COLORADO-WYOMING GAS COMPANY, Denver, Colorado; G-285.

Colorado: (Wholesale) Arvada, Berthoud, Boulder, Brighton, Ft. Collins, Ft. Lupton, Golden, Greeley, Johnstown, Longmont, Loveland, Loveland, Rural District west of, West Denver Fringe Territory, Wheatridge. (Retail) Federal Correctional Institution, Fort Logan, Fort Logan (Army Post).

Wyoming: (Wholesale) Cheyenne. (Retail) Ft. Warren (Army Post).

COMMERCIAL GAS PIPELINE COMPANY, THE, 23½ South Main Street, Fort Scott, Kansas; G-309.

Kansas: (Wholesale) Blue Mound, Bronson, Fort Scott, Kincaid, Mildred, Moran, Pleasanton, Redfield.

Missouri: (Wholesale) Adrian, Butler.

CONSOLIDATED GAS UTILITIES CORPORATION, Braniff Building, Oklahoma City, Oklahoma; G-365.

Kansas: (Wholesale) Andale, Ashton, Caldwell, Chanute, Colwich, Humboldt, Hunnewell, Maize, Neodesha, South Haven, Winfield. (Retail) Geuda Springs, Hutchinson, Lyons, Nickerson, Sterling, Wichita.

Oklahoma: (Wholesale) Altus, Blair, Berlin, Cheyenne, Comanche, Deer Creek, Duncan, Enid, Fort Sill, Granite, Hunter, Hydro, Lamont, Lawton, Mangum, Marlow, Nardin, Pond Creek, Southard, Sweetwater, Willow. (Retail) Apache, Blackwell, Braman, Brinkman, Butler, Canton, Cushing, Custer City, Drummond, Duke, Elgin, Farview, Fay, Fletcher, Garber, Hammon, Hitchcock, Hominy, Martha, Medford, Okeene, Olustee, Sayre, Sterling, Thomas, Tonkawa, Watonga, Weatherford.

CONSUMERS GAS UTILITY COMPANY, Pennsboro, West Virginia; G-343.

West Virginia: (Wholesale) Ellenboro. (Retail) Cairo, Pennsboro.

CUMBERLAND AND ALLEGHENY GAS COMPANY, 800 Union Trust Building, Pittsburgh, Pennsylvania; G-387.

Maryland: (Retail) Allegany County, Barton, Bloomington, Cumberland, Deer Park, Dodson, Eckhart, Frostburg, Garrett County, Gorman, Grantsville, Hutton, Kempton, Kitzmillersville, Loch Lynn, Lonaconing, Luke, McCoolle, Midland, Mt. Lake Park, Mt. Savage, Oakland, Shaft, Westernport.

West Virginia: (Retail) Albright, Bayard, Belington, Berlin, Beryl, Beverly, Braxton County, Buckhannon, Butchersville, Corinth, Davis, Douglas, Elk Garden, Elkins, Gorman, Hall, Hambleton, Hendricks, Hodgesville, Huttonsville, Jane Lew, Junior, Kempton, Keyser, Kingwood, Lightburn, Manheim, Mill Creek, Mineral County, Montrose, Parsons, Phillippi, Piedmont, Pierce, Preston County, Randolph County, Ridgely, Roslesburg, St. George, Shadybrook, Terra Alta, Thomas, Tucker County, Tunnelton, Valley Bend, Volga, Wiley Ford.

DEMPSEYTOWN GAS COMPANY, Fort Allegany, Pennsylvania; G-336.

Pennsylvania.

DURANGO NATURAL GAS COMPANY, Durango, Colorado; G-354.

Colorado: (Retail) Animas City, Durango.

EASTERN KANSAS PIPE LINE COMPANY, THE, Moran, Kansas; G-369.

Kansas: (Retail) Bronson, Moran.

EASTERN PIPE LINE COMPANY, 267 Court Street, Binghamton, New York; G-349.

New Jersey.

EAST OHIO GAS COMPANY, THE, 1405 East 6th Street, Cleveland, Ohio; G-266.

Ohio: (Retail) Akron, Barberton, Beachwood, Bedford, Bratenahl, Brook Park, Brooklyn Heights, Brooklyn Village, Campbell, Canal Fulton, Canton, Cleveland, Cleveland Heights, Cuyahoga Falls, Cuyahoga Heights, Danville, Dennison, Dover, Doylestown, East Cleveland, East Palestine, Euclid, Fairview, Gann, Garfield Heights, Girard, Hills and Dales, Hubbard, Independence, Kent, Lake Cable, Lakewood, Linndale, Loudonville, Louisville, Lowellville, Lyndhurst, Maple Heights, Massillon, Mayfield Heights, McDonald, Newburgh Heights, New Middletown, New Philadelphia, Niles, North Canton, North Olmsted, North Randall, Orrville, Parkview Heights, Petersburg, Poland, Ravenna, Rocky River, Shaker Heights, Shreve, Silver Lake, South Euclid, Struthers, Uhrichsville, University Heights, Wadsworth, Warren, Warrensville, Warrensville Heights, Weilersville, Wooster, Youngstown.

ELDORADO GAS COMPANY, Eldorado, Oklahoma; G-347.

Oklahoma: (Retail) Eldorado, Texola.

EL PASO GAS TRANSPORTATION CORPORATION, Tenth Floor Bassett Tower, El Paso, Texas; G-287.

New Mexico, Texas.

EL PASO NATURAL GAS COMPANY, Tenth Floor Bassett Tower, El Paso, Texas; G-288.

Arizona: (Wholesale) Ajo, Alhambra, Benson, Bisbee, Casa Grande, Chandler, Claypool, Clifton, Coolidge, Douglas, Duncan, Florence, Fort Huachuca, Fort Thomas, Geronimo, Glendale, Globe, Litchfield, Lowell, Mesa, Miami, Morenci, Phoenix, Pima, Safford, Solomonville, Stargo, Superior, Tempe, Thatcher, Tombstone, Tucson, Warren.

New Mexico: (Wholesale) Anthony, Artesia, Bayard Station, Carlsbad, Central, Deming, Dexter, Fort Bayard, Hagerman, Jal, Lake

Arthur, Las Cruces, Lordsburg, Loving, Lovington, Mesilla Park, North Hurley, Rodeo, Roswell, Silver City.

Texas: (wholesale) Clint, El Paso, Fabens, Fort Bliss, LaTuna, Ysleta.

EMPIRE GAS AND FUEL COMPANY, 80 North Main Street, Wellsville, New York; G-300. **New York, Pennsylvania.**

EMPIRE GAS AND FUEL COMPANY, LIMITED, 80 North Main Street, Wellsville, New York; G-302.

New York: (Retail) Alfred, Alfred Station, Alma, Allentown, Almond, Andover, Boilvar, Canisteo, Cuba, Greenwood, Hallsport, Hornell, Little Genesee, North Hornell, Scio, Shongo, Wellsville, West Clarksville, Whitesville.

EMPIRE PRODUCING CORPORATION, 80 North Main Street, Wellsville, New York; G-301. **New York.**

EQUITABLE GAS COMPANY, 435 Sixth Avenue, Pittsburgh, Pa.; G-275.

Pennsylvania: (Retail) Aspinwall, Atwood, Avalon, Bellevue, Ben Avon Heights, Bentleyville, Blawnox, Brackenridge, Braddock, Brentwood, Bridgeville, Carnegie, Centerville, Cheswick, Clarksville, Cokeburg, Crafton, Deemston, Dormont, Dravesburg, Duquesne, East McKeesport, East Pittsburgh, Edgewood, Elderton, Ellsworth, Etna, Finleyville, Fox Chapel, Greentree, Heidelberg, Homestead, Ingram, Jefferson, Liberty, McKeesport, McKees Rocks, Millvale, Mt. Oliver, Munhall, New Kensington, North Braddock, Oakmont, Pitcairn, Pittsburgh, Port Vue, Rankin, Rosslyn Farms, Sharpsburg, Springdale, Swissvale, Tarentum, Thornburg, Trafford, Turtle Creek, Verona, Versailles, Wall, West Homestead, West View, Whitaker, Wilkinsburg, Wilmerding. Also Townships (Allegheny County) Baldwin, Bethel, Braddock, Collier, East Deer, Forward, Franklin, Frazer, Hampton, Harmar, Harrison, Indiana, Jefferson, Kennedy, Killbuck, Marshall, McCandless, Mifflin, Mt. Lebanon, North Versailles, O'Hara, Ohio, Patton, Penn, Plum, Reserve, Robinson, Ross, Scott, Shaler, Snowden, South Fayette, Springdale, Stowe, Upper St. Clair, Versailles: (Armstrong County) Bethel, Boggs, Burrell, Cowanshannock, Kiskiminetas, Kitanning, Manor, Parks, Plumcreek, South Bend, South Buffalo, Vailey; (Greene County) Center, Cumberland, Franklin, Freeport, Gilmore, Greene, Jackson, Jefferson, Morgan, Perry, Springhill, Washington, Wayne, Whitely; (Washington County) Amwell, Carroll, Cecil, Chartiers, East Bethlehem, East Pike Run, Fallowfield, Mt. Pleasant, North Bethlehem, North Strabana, Nottingham, Peters, Somerset, Union, West Bethlehem, West Pike Run; (Westmoreland County), Franklin, Lower Burrell.

FAYETTE COUNTY GAS COMPANY, 800 Union Trust Building, Pittsburgh, Pennsylvania; G-390.

Pennsylvania: (Retail) Averton, Connellsville, Dawson, Mount Pleasant, New Stanton, Ruffsdale, Scottsdale, Tarr, Uniontown, Vanderbilt, Youngwood. Also Townships (Fayette County) Dunbar, Georges, German, Menallen, North Union, Redstone, South Union; (Greene County) Dunkard, Monongahela.

WALTER SCOTT FEES, Iola, Kansas; G-305.

Kansas.

FIN-KER OIL & GAS PRODUCTION COMPANY, THE (Of Kansas) G-352 Holcolmb, Kansas.

Kansas.

FORT HUACHUCA GAS COMPANY, 1010 Bassett Tower, El Paso, Texas; G-286.

Arizona: Fort Huachuca Military Reservation.

GAS TRANSPORT, INC., 109 North Broad Street, Lancaster, Ohio; G-258.
Ohio, West Virginia.

GODFREY L. CABOT, INC., 77 Franklin Street, Boston, Massachusetts; G-361.

New York: (Wholesale) Bath, Olean.

GREENSBORO GAS COMPANY, 800 Union Trust Building, Pittsburgh, Pennsylvania; G-391.

Pennsylvania: (Retail) Allentown, Brownsville, California, Carmichael, Centerville, Charleroi, Coal Center, Deemston, Donora, Dunlevy, Elco, Ellsworth, Fairchance, Fellsburg, Greensboro, Irwin, Jeannette, Madison, Masontown, Monessen, North Charleroi, Penn. Point Marion, Rices Landing, Rilliton, Roscoe, Smithfield, Smithton, Speers, Stockdale, Suterville, Twilight, Victory Hill, West Brownsville, West Newton. Also Townships (Allegheny County) Elizabeth, Forward; (Fayette County) Brownsville, Franklin, Georges, German, Jefferson, Luzerne, Menallen, Nicholson, Perry, Redstone, Spring Hill; (Greene County) Cumberland, Dunkard, Greene, Monongahela; (Washington County) Carroll, East Bethlehem, East Pike Run, Fallowfield, North Bethlehem, Somerset, West Pike Run; (Westmoreland County) Hempfield, North Huntingdon, Penn. Rostraver, Sewickley, South Huntingdon.

GUYMON GAS COMPANY, P. O. Box 631, Borger, Texas; G-323.

Oklahoma: (Retail) Guymon.

HANLEY AND BIRD, 28 Kennedy Street, Bradford, Pennsylvania; G-316.

New York, Pennsylvania.

HOME GAS COMPANY, 267 Court Street, Binghamton, New York; G-345.

New York: (Wholesale) Allegany, Binghamton, Ceres, Chenango, Conklin, Clarkstown, Deer Park, Deposit, Dix, Dundee, Endicott, Fenton, Goshen, Grand View, Hancock, Haverstraw, Hillburn, Johnson City, Middletown, Minisink, Montour Falls, Nyack, Olean, Orangetown, Owego, Piermont, Port Dickinson, Port Jervis, Ramapo, Reading, South Nyack, Spring Valley, Stony Point, Suffern, Union, Upper Nyack, Vestal, Walkkill, Walton, Watkins Glen, Wawayanda, West Haverstraw.
Pennsylvania: (Wholesale) Ceres.

HOPE NATURAL GAS COMPANY, 445 West Main Street, Clarksburg, West Virginia; G-290.

West Virginia: (Retail) Adrian, Annabelle, Belmont, Bridgeport, Bristol, Brown, Burnsville, Clarksburg, Comfort, Dry Branch, Fairview, Fenwick, Flatwoods, Folsom, Gassaway, Glenville, Grant Town, Hastings, Jacksonburg, Layopolis, Littleton, Lost Creek, Mannington, McWhorter, Meadowbrook, Mt. Clare, Nutterfort, Ocean Mine, Paden City, Parkersburg, Pine Grove, Prenter, Reynoldsville, Richwood, Rock Cave, St. Marys, Salem, Seth, Sistersville, Smithfield, Smithville, Sutton, Walkersville, Wallace, Waverly, Weston, West Milford, Williamstown, Wolf Summit, Whitesville.

HUNTINGTON DEVELOPMENT & GAS COMPANY, Quarrier and Dunbar Streets, Charleston, West Virginia; G-340.

Ohio: (Wholesale) Bradrick, Burlington, Chesapeake, Coal Grove, Corryville, Egbert, Hanging Rock, Ironton, New Boston, Proctorville, South Point, Wheelersburg.
Pennsylvania.

West Virginia: (Wholesale) Aracoma, Barbourville, Big Sandy, Branchland, Ceredo, Charleston, Chelyan, Cherry Tree Bottom, Clendenin, Coalburg, Culloden, Dunbar, East Bank, East Henlawson, Elkview, Farmdale,

Fort Gay, Griffithsville, Hamlin, Henlawson, Huntington, Hurricane, Institute, Kenova, Kermit, Lock Seven-Sattes, Logan, McConnell, Nitro, North Charleston, Peach Creek, Pea Ridge, Poca, Ravenswood, Reedy, Ripley, Shamrock-Cora, Sissonville, South Charleston, Spencer, Spring Hill, St. Albans, Stollings, Verdunville, Walton, West Hamlin, West Logan, Williamston.

INDEPENDENT NATURAL GAS COMPANY, Phillips Building, Bartlesville, Oklahoma; G-379.

Texas.

INDIANA UTILITIES CORPORATION, Corydon, Indiana; G-377.

Indiana: (Wholesale) New Middletown. (Retail) Corydon, Laconia.

INLAND GAS CORPORATION, BEN WILLIAMSON, JR., TRUSTEE, Ashland, Kentucky; G-385.

Kentucky: (Wholesale) Blain. (Retail) Ashland, Hayward, Hitchens, Olive Hill.

Ohio: (Wholesale) Ironton, Coal Grove. West Virginia: (Wholesale) Ceredo, Huntington, Kenova.

INLAND GAS DISTRIBUTING COMPANY, DEBTOR, CLINTON M. HAREISON, TRUSTEE OF, 1409 Winchester Avenue, Ashland, Kentucky; G-383.

West Virginia: (Wholesale) Huntington. (Retail) Ceredo, Huntington, Kenova.

INTERSTATE GAS COMPANY, Harrisonville, Missouri; G-363.

Missouri: (Retail) Drexel, Freeman, Harrisonville, Holden, Kingsville, Lone Jack, Pleasant Hill.

INTERSTATE NATURAL GAS COMPANY, INCORPORATED, Monroe, Louisiana; G-310.

Louisiana: (Wholesale) Baton Rouge, Destrehan, Ferriday, Gilber, Gonzales, Goodhope, Goodwood Section, Gramercy, Inniswood Plantation, Jackson, LaPlace, Lutchter, New Sarpy, Norco, Paulina, Peck, Reserve, St. Francisville, Scotland, Sicily Island, Vidalia, Wisner, Zachary.

Mississippi: (Wholesale) Buffalo Creek, Centerville, Natchez, Woodville.

INTERSTATE PIPE LINE COMPANY, Harrisonville, Missouri; G-364.

Kansas.

IOWA-ILLINOIS GAS & ELECTRIC COMPANY, 320 18th Street, Rock Island, Illinois; G-303.

Illinois: (Retail) East Moline, Moline, Rock Island, Silvis.

Iowa: (Retail) Cedar Rapids, Coralville, Davenport, Fort Dodge, Iowa City, Manson, Marion, Ottumwa, University Heights.

IROQUOIS GAS CORPORATION, Oil City, Pennsylvania; G-384.

New York: (Wholesale) Dansville, Dunkirk, Eden, Evans, Hamburg. (Retail) (Erie County) Amherst, Angola, Aurora, Blasdell, Boston, Brant, Buffalo, Cheektowaga, Colden, Collins, Concord, Depew, East Aurora, Eden, Elma, Evans, Gowanda, Hamburg, Holland, Lackawanna, Lancaster, Marilla, North Collins, Orchard Park, Sardinia, Sloan, Springville, Wales, West Seneca, Williamsville; (Cattaraugus County) Ashford, Cattaraugus, Delevan, Ellicottville, Franklinville, Gowanda, Great Valley, Little Valley, Machias, New Albion, Otto, Persia, Perrysburg, Salamanca, Yorkshire; (Livingston County) Nunda, Portage, West Sparta; (Wyoming County) Arcade, Bennington, Castile, Eagle, Gainesville, Genesee Falls, Silver Springs.

KANSAS-NEBRASKA NATURAL GAS COMPANY, Inc., Phillipsburg, Kansas; G-259.

Kansas: (Wholesale) Alexander, Bazine, McCracken, Ness City. (Retail) Agra, Almena, Atwood, Bird City, Colby, Gem, Glade, Herndon, Kensington, Logan, McDonald, Norcat, Norton, Oakley, Oberlin, Phillipsburg,

Plainville, Rush Center, Speed, St. Francis, Stockton.

Nebraska: (Wholesale) Alma, Arapahoe, Aurora, Bartley, Beaver City, Bertrand, Bloomington, Blue Hill, Bradshaw, Brady, Cambridge, Cozad, Edison, Elm Creek, Exeter, Fairmont, Franklin, Geneva, Gothenburg, Grafton, Grand Island, Hampton, Hastings, Hershey, Holbrook, Inavale, Indianola, Kearney, Lawrence, Lexington, Loomis, Maxwell, McCook, Naponee, Nelson, North Platte, Odessa, Ogallala, Orleans, Overton, Oxford, Paxton, Ragan, Red Cloud, Republican, Riverton, Roscoe, Rosemont, Stamford, Sutherland, Willow Island, York. (Retail) Axtell, Clay Center, Chester, Davenport, Deshler, Edgar, Funk, Gibbon, Giltner, Harvard, Heartwell, Hebron, Holdrege, Kenesaw, Minden, Sheldon, Sutton, Trumbull, Wood River.

KANSAS POWER AND LIGHT COMPANY, THE, 808 Kansas Avenue, Topeka, Kansas; G-324.

Kansas: (Wholesale) Camp Funston, Ft. Riley, Herington, Hillsboro, Lincolnville, Lost Springs, Marion, Pilsen, Ramona, Solomon, Tampa. (Retail) Abilene, Ashland, Assaria, Atchison, Axtell, Baileyville, Barnes, Beattie, Belleville, Belpre, Belvue, Beverly, Bison, Blaine, Blue Rapids, Buhler, Bushton, Canton, Chapman, Clafin, Clay Center, Clifton, Clyde, Coldwater, Concordia, Cuba, Cullison, Cunningham, Delphos, Ellinwood, Englewood, Enterprise, Frankfort, Galva, Garfield, Gorham, Great Bend, Greenleaf, Greensburg, Gypsum, Haddam, Hanover, Haviland, Holingsworth, Holyrood, Home, Hope, Industry, Inman, Irving, Junction City, Kingman, Kinsley, LaCrosse, Larned, Lewis, Lindsborg, Linn, Loretto, Lorraine, McPherson, Macksville, Mahaska, Manhattan, Marquette, Marysville, Medicine Lodge, Mentor, Miltonvale, Morganville, Morrowville, Munden, Narka, Odgen, Olinz, Onaga, Otis, Pfeifer, Pratt, Pretty Prairie, Protection, Rossville, Russell, St. John, St. George, St. Marys, Salina, Scandia, Seneca, Silver Lake, Stafford, Tescott, Timken, Victoria, Vining, Walker, Wamego, Washington, Waterville, Westmoreland, Wheaton.

KENOVA GAS AND OIL COMPANY, P. O. Box 404, Charleston, West Virginia; G-356.

Ohio.

KENTUCKY NATURAL GAS CORPORATION, 423 West Third Street, Owensboro, Kentucky, G-376.

Illinois: (Wholesale) Ashmore, Bridgeport, Charleston, Effingham, Kansas, Lawrenceville, Mattoon, Neoga, Oblong, Olney, Paris, Robinson, Sigel, Sumner.

Indiana: (Wholesale) Bedford, Bloomington, Boonville, Cannelton, Columbus, Edinburg, Evansville, Franklin, Greencastle, Linton, Martinsville, Mitchell, Newburgh, Princeton, Riley, Seymour, Stratford Hills, Tell City, Troy, Vincennes, Washington.

Kentucky: (Wholesale) Auburn, Bowling Green, Cave City, Cloverport, Crofton, Day Dream, Franklin, Glasgow, Glen Lily, Hanson, Hawesville, Henderson, Henderson Ext., Hiseville, Hopkinsville, Horse Cave, Livermore, Lost River, Madisonville, Munfordville, Niagara, Oakland, Owensboro, Park City, Petros, Princeton, Robards, Rocky Hill, Rowletts, Russellville, Scottsville, Sebree, Slaughters, Smith Grove, Utica, Whitesville, Woodburn, Woodsonville.

KENTUCKY PIPE LINE COMPANY, 201 East Main Street, Madison, Indiana; G-350.

Indiana: (Wholesale) Corydon.

Kentucky: (Wholesale) Louisville.

KENTUCKY WEST VIRGINIA GAS COMPANY, Second National Bank Building, Ashland, Kentucky; G-272.

Kentucky: (Wholesale) Maytown, Paintsville, Prestonsburg, Wheelwright.

KEUKA CONSTRUCTION CORPORATION, 545 William Penn Way, Pittsburgh, Pa.; G-311.

New York: (Wholesale) Auburn, Geneva, Penn Yan.

LEFLORE COUNTY GAS & ELECTRIC COMPANY, Poteau, Oklahoma; G-304.

Arkansas: (Wholesale) Fort Smith.

Oklahoma: (Wholesale) Arkoma, Cameron, Heavener, Howe, Poteau, Red Oak, Spiro, Wister.

LONE STAR GAS COMPANY, 1915 Wood Street, Dallas, Texas; G-278.

Oklahoma: (Wholesale) Achille, Arthur City, Caddo, Davidson, Davis, Dixie, Durant, Elmore City, Frederick, Grant, Hastings, Hollis, Hugo, Loco, Manitou, Marietta, Maysville, Mountain Park, Paoli, Pauls Valley, Purcell, Rush Springs, Ryan, Snyder, Sulphur, Tipton, Walters, Waurika, Wayne, Wynnewood.

Texas: (Wholesale) Abbott, Abilene, Abilene North Park, Albany, Allen, Alvarado, Alvord, Angus, Anna, Anson, Arlington, Athens, Aubrey, Avoca, Bagwell, Baird, Ballinger, Bangs, Bardwell, Barry, Bartlett, Bellevue, Bells, Bell Meade, Belton, Benjamin, Birdville, Blooming Grove, Blossom, Bonham, Bowie, Breckenridge, Bremond, Bridgeport, Britton, Brookston, Brownwood, Bryan, Buckholtz, Buckners Orphan Home, Buffalo Gap, Burleson, Byers, Caddo Mills, Calvert, Cameron, Campbell, Carlsbad, Carrollton, Cedar Hill, Celeste, Celina, Centerville, Chico, Chillicothe, Chilton, Cisco, Clarksville, Cleburne, Clifton, Clyde, College Station, Collinsville, Colorado, Commerce, Coolidge, Cooper, Corsicana, Covington, Crandall, Crystall Falls, Cumby, Dallas, Dalworth Park, Dawson, Decatur, Denison, Denton, Deport, Detroit, Dodd City, Dothan, Duncanville, Dunn, Eastland, East Side Acres, Ector, Eddy, Electra, Elm Mott, Emhouse, Enloe, Ennis, Eustace, Everman, Fairlie, Farmers Valley, Farmersville, Fate, Ferris, Ferry, Forney, Forrest Hills, Forreton, Frankell, Frisco, Frost, Fruitdale, Fulbright, Gainesville, Garland, Gatesville, Georgetown, Gilliland, Glen Rose, Godley, Gordon, Goree, Granbury, Grand Prairie, Grandview, Granger, Grapevine, Greenville, Groesbeck, Hamilton, Hamlin, Handley, Harrold, Haskell, Hearne, Henrietta, Hewitt, Hico, Hillsboro, High, Hill Top, Holland, Honey Grove, Howe, Hubbard, Hutchins, Hutto, Iowa Park, Iowa Park Road, Iredell, Irving, Italy, Itasca, Josephine, Joshua, Kaufman, Keene, Kerens, Kemp, Knox City, Ladonia, Lake Dallas, Lancaster, Lawn, Leona, Leonard, Lewis Poultry Colony, Lewisville, Lillian, Lindsey, Lipen Little River, Lockett, Loraine, Lorena, Lott, Lueders, Madisonville, Malakoff, Mabank, Malone, Mansfield, Margaret, Marlin, Mart, Maypearl, McCauley, McGregor, McKinney, Medicine Mound, Melissa, Meridian, Merkel, Mesquite, Mexia, Midlothian, Miles, Milford, Minerva, Mingus, Moody, Moran, Morgan, Muenster, Munday, Munger, Myra, Nash, Nevada, Newark, Normangee, Oak Lawn, O'Brien, Odell, Oglesby, O. K. Cattle Company, Oklaunion, Olden, Osceola, Ovalo, Palmer, Paris, Parsley Hill, Pecan Gap, Penelope, Peniel, Perry, Petrolia, Petty, Pilot Point, Plano, Plasteroo, Pleasant Grove, Powell, Prosper, Putnam, Ranger, Ravenna, Rayland, Reagan, Red Springs, Riesel, Rhineland, Rhome, Richardson, Richland, Roby, Rochester, Rockdale, Rockwall, Rogers, Roscoe, Rosebud, Rosemont, Ross, Rotan, Round Rock, Rowena, Rowlett, Roxton, Roysse City, Royston, Rule, Saginaw, San Angelo, Saint Jo, Sanger, Savoy, Scurry, Seagoville, Sedwick, Seymour, Shamrock, Sherman, Snyder, Stamford, Strawn, Streetman, Sulphur Springs, Sunset, Sweetwater, Sylvester, Talpa, Taylor, Teague, Tehuacana, Temple, Terrell, Thurber, Tioga, Tolbert, Travis, Trent, Trenton, Troy, Trumbull, Truscott, Tuscola, Tuxedo, Tye, Urbandale, Valera, Valley Mills, Valley View, Van Alstyne, Venus, Vera, Vernon, Waco, Walnut Springs, Wax-

hatchie, Wayland, Wehnert, West, West Vernon, Westminster, Whitesboro, Whitewright, Whitney, Wichita Falls, Wilmer, Windom, Winters, Wolfe City, Wortham, Wylie. (Retail) Fort Worth.

LOUISIANA-NEVADA TRANSIT COMPANY, Hope, Arkansas; G-246.

Arkansas: (Retail) Bradley, Fulton, McNab, Saratoga, Taylor.

LOUISIANA POWER & LIGHT COMPANY, New Orleans, Louisiana; G-299.

Louisiana: (Retail) Amite, Arabi, Archibald, Avondale, Baskin, Bastrop, Bonita, Bridge-dale, Colliston, Covington, Delhi, Epps, Ferriday, Gallini, Gilbert, Gretna, Hammond, Harahan, Harvey, Hodge, Independence, Jonesboro, Kerner, Lake Providence, Mandeville, Mangham, Marrero, Metairie, Mitchinur, Oak Grove, Ponchatoula, Rayville, Slidell, Southport, Tallulah, Tendam, Waverly, Westwego, Winnsboro, Wisner.

LOUISVILLE GAS & ELECTRIC COMPANY, 311 W. Chestnut Street, Louisville, Kentucky; G-351.

Indiana: (Wholesale) Jeffersonville, New Albany.

Kentucky: (Wholesale) West Liberty. (Retail) Audubon Park, Belmar, Brandenburg, Camp Taylor, Hardin County, Jefferson County, Kingsley, Kosmosdale, Louisville, Meade County, Military Reservation—Fort Knox, Mockingbird Valley, Muldraugh, North Audubon, Parkway Village, St. Matthews, Seneca Gardens, Shively, Strathmoor, Strathmoor Manor, Strathmoor Village, Valley, West Point.

MANUFACTURERS GAS COMPANY, 800 Union Trust Building, Pittsburgh, Pennsylvania; G-386.

New York: (Retail) Carrollton, Limestone.

Pennsylvania: (Retail), Bradford, Ormsby, Russell City, Summerville, Warren. Also Townships (Clarion County) Red Bank; (Elk County) Highland, Jones, Spring Creek; (Jefferson County) Beaver, Clover, Knox, Pine Creek, Polk, Ringgold, Rose, Warsaw, Winslow; (McKean County) Bradford, Foster, Lafayette, Otto; (Warren County) Cone-wang, Glade, Mead, Pleasant, Sheffield.

MANUFACTURERS LIGHT AND HEAT COMPANY, THE, 800 Union Trust Building, Pittsburgh, Pennsylvania; G-392.

Ohio: (Retail) Bellaire, Bridgeport, Brilliant, Brookside, Clarington, Costonia, East Liverpool, Empire, Hannibal, Hopedale, Kingsdale, Knoxville, Lansing, Martins Ferry, Mingo Junction, New Alexandria, Rayland, Richmond, Sardis, Shadyside, Steubenville, Stratton, Tiltonville, Toronto, Unionport, Wells-ville, Yorkville (Belmont Co.), Yorkville (Jefferson Co.). Also Townships (Belmont County) Colerain, Mead, Pease, Pultney; (Columbiana County) Liverpool, Madison, St. Clair, Yellow Creek; (Harrison County) Green; (Jefferson County) Cross Creek, Island Creek, Knox, Salem, Saline, Steubenville, Warren, Wells; (Monroe County) Lee, Ohio, Salem.

Pennsylvania: (Retail) Ambridge, Amwell, Avalon, Avela, Baden, Beallsville, Beaver, Beaver Falls, Bellevue, Ben Avon, Ben Avon Heights, Brentwood, Berlin, Bridgeville, Bulger, Cannonsburg, Coraopolis, Castle Shannon, Conway, Clairton, Darlington, Dormont, Deamston, East Rochester, Eastvale, East Washington, Eau Claire, Edgeworth, Ellport, Ellwood City, Emsworth, Fallston, Freedom, Georgetown, Glasgow, Borough, Glenfield, Greentree, Haysville, Harrisville Borough, Heidelberg, Hickory, Houston, Kirby, Koppel, Laboratory, Leetsdale, Liberty, Marianna, McDonald, McKees Rocks, Meadowlands, Meyersdale, Midway, Monaca, Mt. Oliver, New Brighton, New Castle, New Galilee, North Side—Pittsburgh, Oakdale Borough, Osborne, Pittsburgh, Paris, Patterson Heights,

Portersville, Racine, Rochester Borough, Salisbury, Sewickley Borough, Somerset, South New Castle, Sturgen, Wampum, Warrendale, Washington, Waynesburg, West Alliquippa, West Bridgewater, West Liberty, West Mayfield, West Middletown, Wolfdale. Also Townships (Allegheny County) Aleppo, Baldwin, Bethel, Collier, Findley, Franklin, Jefferson, Kennedy, Kilbuck, Leet, Marshall, McCandless, Mifflin, Moon, Mt. Lebanon, Neville, North Fayette, Ohio, Pine, Robinson, Ross, Scott, Sewickley, Snowden, South Fayette, Stowe, Upper St. Clair; (Beaver County) Big Beaver, Borough, Brighton, Center, Chippewa, Darlington, Dougherty, Economy, Franklin, Hanover, Harmony, Hopewell, New Sewickley, North Sewickley, Ohio, Patterson, Potter, Pulaski, Rochester, South Beaver, White; (Bedford County) Cumberland Valley, Londonderry; (Butler County) Allegheny, Brady, Center, Cherry, Clay, Concord, Cranberry, Fairview, Franklin, Marion, Mercer, Muddy Creek, Slippery Rock, Venango, Worth; (Clarion County) Toby; (Fayette County) Henry Clay, Wharton; (Green County) Aleppo, Center, Franklin, Gilmore, Greene, Jackson, Monongahela, Morgan, Morris, Richhill, Springhill, Washington, Wayne, Whitely; (Lawrence County) Big Beaver, Hickory, Little Beaver, Neshannock, North Beaver, Perry, Scott, Shenango, Slippery Rock, Taylor, Union, Wayne; (Mercer County) Liberty; (Somerset County) Addison, Brothers Valley, Elk Lick, Somerset, South Hampton, Summit; (Venango County) Irwin, Scrubgrass; (Washington County) Buffalo, Canton, Cecil, Chartiers, Cross Creek, Donegal, East Finley, Hanover, Hopewell, Independence, Morris, Mt. Pleasant, North Bethlehem, North Franklin, North Strabane, Peters, Robinson, Smith, Somerset, South Franklin, South Strabane, Union, West Bethlehem, West Finley, West Pike Run.

West Virginia: (Retail) Beech Bottom, Benwood, Bethany, Cameron, Chester, Follansbee, Glendale, Hollidays Cove, Marland Heights, McMechen, Middlebourne, Moundsville, New Cumberland, Newell, New Martinsville, Richland, Triadelphia, Warwood (Part of Wheeling), West Liberty, Weirton, Weirton Heights, Wellsburg. Also Districts (Brooke County) Buffalo, Cross Creek; (Calhoun County) Sheridan; (Doddridge County) Central, Grant, Greenbrier, McClellan, New Milton, West Union; (Gilmer County) Glenville; (Hancock County) Butler, Clay, Grant; (Harrison County) Sardis; (Marion County) Mannington; (Marshall County) Cameron, Clay, Franklin, Liberty, Meade, Sand Hill, Union, Washington, Webster; (Monongalia County) Battelle, Clay, Morgan, Union; (Ohio County) Washington District (Part of Wheeling); (Ritchie County) Murphy, Union; (Tyler County) Ellsworth, McElroy; (Wetzel County) Center, Church, Clay, Grant, Green, Magnolia, Proctor.

MCKEAN NATURAL GAS COMPANY, 101 N. Union Street, Olean, New York; G-320.

Pennsylvania: (Wholesale) Shinglehouse.

MEMPHIS NATURAL GAS COMPANY, 931 Sterick Building, Memphis, Tennessee; G-315.

Arkansas: (Wholesale) Dermott, Dermott Rural, Eudora, Lake Village No. 1, Lake Village No. 2, Lake Village No. 3, Lake Village Rural, McGehee, McGehee Rural, Wilmot.

Louisiana: (Wholesale) Bastrop Rural, Bonita, Bonita Rural, Callion, Jones Rural.

Mississippi: (Wholesale) Buckeye—Greenwood, Clarksdale, Cleveland, Greenville, Greenville Air Base, Greenville Rural, Greenwood, Greenwood Rural, Indianola, Indianola Rural, Lake Cormorant, Lake Cormorant Rural, Leland, Lula, Lula Rural, Lyons, Lyons Rural, Merigold, Moorhead, North Greenwood, Paducah, Robinsonville, Shelby, Tunica, U. S. Gypsum, Walls.

Tennessee: (Wholesale) Bartlette, Bolton, Brooks Avenue, Brownsville, Brownsville Rural, Central Laboratories, Collierville, Coving-

ton, Covington Rural, Covington Compress, Ellendale, Henning, Hollyford Road, Humboldt, Jackson, Mitchell Avenue, Nonconnah, Oakville, Ridgeway, Ripley, Ripley Rural, Shelby County Farm, Shelby County Penal Farm, Westover, Whitehaven, Whitehaven Capleville Road, Whitten Road.

MICHIGAN CONSOLIDATED GAS COMPANY, 415 Clifford Street, Detroit, Michigan; G-353.

Michigan: (Retail) Ann Harbor, Chelsea, Dexter. Also Townships (Monroe County) Exeter; (Washtenaw County) Ann Harbor, Lima, Pittsfield, Scio, York, Ypsilanti; (Wayne County) Sumpter.

MISSISSIPPI POWER & LIGHT COMPANY, Jackson, Mississippi; G-329.

Mississippi: (Retail) Boyle, Clarksdale, Cleveland, Clinton, Durant, Goodman, Greenville, Greenwood, Indianola, Jackson, Kosciusko, Lake Cormorant, Leland, Lula, Lyon, Merigold, Moorhead, Natchez, Pickens, Raymond, Robinsonville, Shelby, Tunica, Walls, Yazoo City.

MISSISSIPPI RIVER FUEL CORPORATION, 407 North Eighth Street, St. Louis, Missouri; G-291.

Arkansas: (Wholesale) Alicia, Bald Knob, Batesville, Carlisle, England, Hamburg, Hoxie, Jonesboro, Judsonia, Kensett, Lonoke, Monticello, Newark, Newport, Pine Bluff, Searcy, Star City, Stuttgart, Swifton, Tuckerman, Walnut Ridge, Warren, Wilmar.

Illinois: (Wholesale) Alton, Benld, Belleville, Brooklyn, Carlinville, Caseyville, Collinsville, East Alton, East St. Louis, Edwardsville, Fairmont City, Gillespie, Glen Carbon, Granite City, Hartford, Hillsboro, Litchfield, Madison, Monsanto, Mt. Olive, Nameoki, National City, Roxana, Schram City, Staunton, Swanson, Venice, Washington Park, Wood River.

Missouri: (Wholesale) Bonne Terre, Crystal City, Desloge, Elvins, Farmington, Festus, Flat River, Fredericktown, Poplar Bluff, St. Louis, St. Louis County.

MISSOURI PUBLIC SERVICE CORPORATION, Warrensburg, Missouri; G-368.

Missouri: (Retail) Nevada.

MISSOURI WESTERN GAS COMPANY, Butler, Missouri; G-372.

Missouri: (Retail) Adrian, Amoret, Butler, Passic.

MONONGAHELA WEST PENN PUBLIC SERVICE COMPANY, Watson Building, Fairmont, West Virginia; G-366.

Pennsylvania: (Wholesale) Nilan, Port Marion, Taylortown.

West Virginia: (Retail) Barrackville, Bethlehem #41, Carolina, Evansdale, Fairmont, Farmington, Granville, Ida May, Jamison #8, Jamison #9, Madsville, Monongah, Morgantown, Riverside, Rivesville, Sabraton, Scott's Run, Star City, Suncrest, Westover, Wyatt.

MONTANA-DAKOTA UTILITIES COMPANY, 831 Second Avenue South, Minneapolis, Minnesota; G-282.

Montana: (Wholesale) Fort Keogh, Fort Meade, Fort Peck, Fort Peck Indian Agency, Great Falls. (Retail) Baker, Carlyle, Chino, Choteau, Conrad, Fairview, Frazer, Gallup City, Glasgow, Glendive, Harlem, Havre, Hinsdale, Ismay, Malta, Miles City, Nashua, Poplar, Richey, Saco, Savage, Sidney, Terry, Valer, Wibaux, Wolf Point.

North Dakota: (Retail) Beach, Belfield, Bismarck, Bowman, Dickinson, Gladstone, Glen Ullin, Golva, Hebron, Mandan, Marmarth, New Salem, Rhame, Richardton, Sentinel Butte, Taylor, Williston.

South Dakota: (Retail) Belle Fourche, Camp Crook, Central City, Deadwood, Lead, Rapid City, Spearfish, St. Onge, Sturgis, Terreville, Whitewood.

Wyoming: (Retail) Buffalo, Kaycee, Sheridan.

MOUNTAIN FUEL SUPPLY COMPANY, 36 South State Street, Salt Lake City, Utah; G-313.

Utah: (Retail) American Forks, Bountiful, Centerville, Clearfield, Farmington, Kaysville, Layton, Lehi, Midvale, Morgan, Murray, Ogden, Pleasant Grove, Salt Lake City, Sandy, Sunset, Tocele.

Wyoming: (Retail) Evanston, Green River, Lyman.

NATURAL GAS COMPANY OF WEST VIRGINIA, 800 Union Trust Building, Pittsburgh, Pennsylvania; G-389.

Ohio: (Retail) Alliance, Amsterdam, Beach City, Beloit, Bergholz, Bolivar, Brewster, Cadiz, Canfield, Carrollton, Columbiana, East Sparta, Flushing, Hanoverton, Jewett, Leontonia, Lisbon, Magnolia, Malvern, Mechanics-town, Minerva, Navarro, New Athens, New Waterford, Salem, Salineville, Scio, Sebring, Strasburg, Washingtonville, Waynesburg, Wilmot. Also Townships (Belmont County) Flushing, Mead, Pease, Pultney, Richland, Smith, Washington, Wheeling; (Carroll County) Brown, Center, Lee, Loudon; (Columbiana County) Butler, Center, Elk Run, Fairfield, Franklin, Hanover, Knox, Madison, Middleton, Perry, St. Clair, Salem, Unity, Wayne, West; (Harrison County) Archer, Athens, Cadiz, North Nottingham, Rumley, Short Creek; (Jefferson County) Springfield; (Mahoning County) Beaver, Canfield, Ensworth, Goshen, Green, Smith, Springfield; (Monroe County), Salem, Switzerland; (Stark County) Bethlehem, Lexington, Paris, Perry, Pike, Sandy, Sugar Creek, Washington; (Tuscarawas County) Franklin, Lawrence, Sandy.

Pennsylvania: (Retail) Graysville, West Alexander also Townships (Greene County) Center, Morris, Richhill; (Washington County) Donegal, East Finley, West Finley.

West Virginia: (Retail) Benwood, Triadelphia, Wheeling. Also Districts (Marshall County) Sand Hill, Union; (Ohio County) Liberty, Ritchie, Triadelphia.

NATURAL GAS PIPE LINE COMPANY OF AMERICA, AND TEXOMA NATURAL GAS COMPANY, 20 North Wacker Drive, Chicago, Illinois; G-235.

Illinois: (Wholesale) Aurora, Chicago, Dixon, East Moline, Elgin, Galva, Geneseo, Joliet, Kankakee, Kewanee, Marseilles, Moline, Morris, Morrison, Mt. Morris, Oregon, Ottawa, Polo, Pontiac, Princeton, Rock Falls, Rock Island, Silvis, Sterling, Streator.

Iowa: (Wholesale) Cedar Rapids, Coralville, Davenport, Fontanelle, Greenfield, Indianola, Iowa City, Knoxville, Muscatine, Oskaloosa, Ottumwa, Pella, Red Oak, Shenandoah, Winterset.

Kansas: (Wholesale) Glasco.

Nebraska: (Wholesale) Nebraska City.

NEW MEXICO EASTERN GAS COMPANY, Santa Fe, New Mexico; G-321.

New Mexico: (Wholesale) Roswell. (Retail) Artesia, Carlsbad, Clovis, Dexter, Hagerman, Lake Arthur, Loving, Lovington, Portales, Texico, Tucumcari.

Texas: (Retail) Farwell.

NEW ORLEANS PUBLIC SERVICE, INC., New Orleans, Louisiana; G-256.

Louisiana: (Wholesale) St. Bernard Parish, Jefferson Parish. (Retail) New Orleans.

NEW PENN DEVELOPMENT CORPORATION, Port Allegany, Pennsylvania; G-337.

Pennsylvania.

NEW YORK STATE NATURAL GAS CORPORATION, 545 William Penn Way, Pittsburgh, Pa.; G-312.

New York: (Wholesale) Auburn, Cortland, Geneva, Ithaca, Penn Yan.

NORTH CENTRAL GAS COMPANY, Casper, Wyoming; G-380.

Nebraska: (Retail) Bayard, Bridgeport, Broadwater, Gering, Henry, Lewellen, Lisco,

Minatare, Mitchell, Morrill, Northport, Oshkosh, Scottsbluff.

Wyoming: (Retail) Douglas, Ft. Laramie, Guernsey, Lingle, Wheatland, Torrington.

NORTHERN INDIANA PUBLIC SERVICE COMPANY, 5265 Hohman Avenue, Hohman, Indiana; G-271.

Indiana: (Wholesale) Delphi, Huntington, Rochester. (Retail) Ardmore, Argos, Bluffton, Bremen, Chesterton, Columbia City, Crown Point, Decatur, Deep River, Duneland Beach, East Chicago, East Gary, Elkhart, Flint Lake, Fort Wayne, Gary, Goshen, Hammond, Highland, Hobart, Hudson Lake, Independence Hill, Lakeville, Lapaz, Logansport, Long Beach, Lydick, Merrillville, Michigan City, Mishawaka, Munster, Nappanee, New Carlisle, New Chicago, New Haven, Ogden, Dunes, Osceola, Ossian, Peru, Plymouth, Porter, Pottawattami Park, Preble, Rexville, Roanoke, Roseland, South Bend, South Whitley, Tocsin, Trail Creek, Valparaiso, Wabash, Wahob Lake, Warsaw, Whiting, Winamac, Winona Lake, Woodville.

Michigan: (Wholesale) Buchanan, Dawaglac, Niles.

NORTHERN NATURAL GAS COMPANY, Aquila Court Building, Omaha, Nebraska; G-220.

Nebraska: (Wholesale) Adams, Arlington, Ashland, Auburn, Bancroft, Beatrice, Bee, Blair, Blue Springs, Clatonia, Columbus, Cortland, Craig, Crete, Dakota City, David City, DeWitt, Dorchester, Elkhorn, Elmwood, Emerson, Fairbury, Fort Crook, Fremont, Friend, Hallam, Homer, Hooper, Humboldt, Johnson, Lincoln, Louisville, Lyons, Manly, Milford, Oakland, Omaha, Osceola, Palmyra, Papillion, Pawnee City, Pender, Plattsmouth, Plymouth, Ponca, Relston, Rising City, Rosalie, Schuyler, Scribner, Seward, Shelby, Stapelhurst, Sterling, Stromsburg, Table Rock, Tecumseh, Tekamah, Thurston, Uehling, Ulysses, Valley, Wahoo, Wakefield, Walthill, Waterloo, Wayne, Weeping Water, West Point, Wilber, Winnebago, Wymore.

Iowa: (Wholesale) Akron, Ames, Atlantic, Audubon, Avoca, Belmont, Boone, Boxholm, Britt, Carson, Cherokee, Clarion, Clear Lake, Council Bluffs, Dayton, Des Moines, Eagle Grove, Easterville, Everly, Exira, Farnhamville, Forest City, Fort Dodge, Garner, Glenwood, Grand Junction, Griswold, Gowrio, Hamlin, Harcourt, Hartley, Hawarden, Jefferson, Joice, Kensett, Kingsley, Lake City, Lake Mills, Lehigh, LeMars, Lohrville, Manly, Marcus, Mason, Mason City, Milford, Nevada, Northwood, Oakland, Ogden, Paullina, Perry, Pilot Mound, Rippey, Rockwell City, Sergeant Bluff, Spencer, Spirit Lake, Sioux City, Sutherland, Ventura, Walnut, Woodward.

Minnesota: (Wholesale) Albert Lea, Alden, Austin, Byron, Chaska, Cleveland, Claremont, Dodge Center, Dundas, Fairmont, Farmington, Faribault, Hastings, Inver Grove, Jackson, Kasson, Lake Crystal, Lakefield, Lakeville, Le Center, Le Sueur, Mankato, Mantorville, Minneapolis, Montgomery, New Prague, New Richland, New Ulm, Northfield, North Mankato, Owatonna, Rochester, Rosemount, St. Peter, Shakopee, Sherburn, Streverling Woods, Truman, Waseca, Welcome, Wells, Worthington.

South Dakota: (Wholesale) Alcester, Beresford, Canton, Elk Point, Gayville, Sioux Falls, Vermillion, Yankton.

NORTHERN UTILITIES COMPANY, Casper, Wyoming; G-381.

Wyoming: (Retail) Casper, Ft. Washakie, Ethete, Evansville, Glenrock, Hudson, Lander, Mills, Mt. View, Powder River, Riverton, Rock Springs.

NORTH PENN GAS COMPANY, Port Allegany, Pennsylvania; G-335.

Pennsylvania: (Wholesale) Coleville, Farmers Valley, Hazelhurst, Kane, Mt. Jewett. (Retail) Academy Corners, Austin, Coryville, Costello, Coudersport, Cowanesque, Eldred,

Elkland, Elmer, Gaines, Galetton, Genesee, Germania, Harrison Valley, Hickox, Keating Summit, Knoxville, Lawrenceville, Mansfield, Mills, Neilson, Nelson Corners, Osceola, Oswayo, Port Allegany, Potter Brook, Roulette, Sharon Center, Shinglehouse, Tioga, Turtle Point, Ulysses, West Bingham, Westfield, Wellsboro.

OHIO FUEL GAS COMPANY, THE, 99 North Front Street, Columbus, Ohio; G-371.

Ohio: (Wholesale) Albany, Arcadia, Arlington, Bellbrook, Bloomingburg, Bluffton; Bradford, Brookville, Castine, Cedarville, Celina, Centerville, Columbus Grove, Covington, Cridersville, Cygnet, Dayton, Delaware, Delphos, Eaton, Eldorado, Englewood, Euphemia, Fairfield, Ft. Loramie, Germantown, Greenfield, Greenville, Jamestown, Jeffersonville, Kenton, Kirby, Lakeside Park, Leipsic, Lewisburg, Lima, Miamisburg, Minster, Mt. Blanchard, New Bremen, New Carlisle, New Knoxville, New Madison, North Hampton, Osborne, Ottawa, Phillipsburg, Pliska, Pleasant Hill, Portage, Sabina, St. Marys, Sidney, South Charleston, South Solon, Tarlton, Tipp City, Troy, Valley City, Van Buren, Vendalla, Venlue, Versailles, Wapakoneta, Washington, C. H., West Alexandria, West Carrollton, West Manchester, West Milton, Williamsport, Wilmington, Xenia, Yellow Springs. (Retail) Academia, Ada, Adelphi, Alexandria, Alger, Aliensville, Amanda, Amherst, Appieton, Ashland, Ashley, Ashville, Athens, Attica, Avon, Avon Lake Village, Baltimore, Bangs, Barnesville, Bartlett, Basil, Bay Village, Beatty, Beem City, Belle Center, Belle Valley, Bellevue, Belleville, Belmont, Berea, Berlin Heights, Bethesda, Beverly, Bexley, Big Prairie, Birmingham, Bladensburg, Bloomdale, Bloomville, Bowling Green, Bradner, Brandon, Bremen, Briarwood, Brice, Brook Park, Brunswick, Buckeye Lake, Buckingham, Bucyrus, Buffalo, Burbank, Butler, Byesville, Caldwell, Caledonia, Cambridge, Canal Winchester, Carbon Hill, Cardington, Carey, Carroll, Centerburg, Chatham, Chauncey, Chester, Chillicothe, Chippewa Lake Park, Chippewa Lake Village, Chippewa-on-the-Lake, Circleville, Claysville, Clyde, Coal Ridge, Coal Run, Coaiton, Columbus, Coolridge Heights, Corning, Coshocton, Coshocton Lake Park, Crestline, Creston, Crooksville, Cutler, Dalton, Derwent, Donnelsville, Drakes, Dresden, East Fultonham, East Greenville, East Richland, Edison, Elmore, Elyria, Enterprise, Etna, Findlay, Five Points, Florence (Erie County), Florence (Nobel County), Fostoria, Frazeyburg, Frederickburg, Fredericktown, Fremont, Frost, Fultonham, Gahanna, Galena, Gallon, Gallipolis, Gambler, Garden Acres, Genoa, Gibsonburg, Glenroy, Gloria Glens, Glouster, Gnadenhutten, Goldsboro, Grafton, Grandview Heights, Granville, Green Camp, Green Spring, Greenwich, Grove City, Groveport, Guysville, Hallsville, Hamden, Hanford, Hanover, Harpster, Hartford, Hayesville, Hebron, Helena, Hemlock, Henrietta Hill, Hilliards, Hollister, Holmesville, Homer, Howard, Huron, Indian Lake Resort, Jackson, Jacksontown, Jacksonsville, Jelioway, Jeromeville, Johnstown, Junction City, Kingston, Kirkersville, Kirkpatrick, Lafayette, Lakeville, LaPorte, Latasburg, Laurelville, Lawrenceville, Leesville, Leroy, Lexington, Lime City, Lincoln Heights, Litchfield, Little Sandusky, Lock, Lodi, Logan, London, Lorain, Lore City, Lowell, Lower Salem, Lucas, Luckey, Ludington, Magnetic Springs, Malta, Mansfield, Maumee, Maple Heights, Marble Cliff, Marion, Martinsburg, Marysville, McArthur, McConnellsville, McGuffey, Medina, Mermill, Middleburg Heights, Middleport, Mifflin, Milan, Millersport, Millertown, Millwood, Miltonsburg, Moline, Monroeville, Morral, Morristown, Mt. Eaton, Mt. Gilead, Mt. Liberty, Mt. Sterling, Mt. Vernon, Mt. Victory, Murray City, Nashport, Neilsonville, Nevada, New

Albany, Newark, Newcomerstown, New Concord, New Lexington, New London, New Pittsburgh, New Riegel, New Rome, New Straitsville, New Washington, North Baltimore, Norwalk, Norwich, Oak Harbor, Oak Hill, Oberlin, Obetz, Old Washington, Olmsted Falls, Ottawa Hills, Outville, Parma, Parma Heights, Pataskala, Pavaonia, Pemberville, Penfield, Perrysburg, Perrysville, Parisburg, Pickerington, Pleasant City, Pleasant Home, Pleasantville, Plymouth, Polk, Pomeroy, Port Clinton, Prospect, Quaker City, Redhaw, Reedsburg, Renchville, Rendville, Republic, Reynoldsburg, Richwood, Rldgeville, Ridgeway, Rising Sun, Rittman, Riverlea, Rix Mills, Rockbridge, Roseland, Roseville, Rossford, Roundhead, Rowsburg, Rudolph, Rushville, Sandusky, San Margherita, Sarahsville, Seima, Senecaville, Seville, Shawnee, Sheffield Lake, Shelby, Shiloh, Somerset, South Amherst, South Boulevards, South Zanesville, Spencer, Spencer's Station, Springfield, St. Clairsville, St. Louisville, St. Patricks, Sterling, Stewart, Stony Ridge, Stoutsville, Strongsville, Sugar Grove, Sugar Grove Hill, Summit Station, Sunbury, Sycamore, Sylvania, The Plains, Thornville, Thurston, Tiffin, Tiro, Toledo, Tremont, Trimble, Trinway, Union Furnace, Upper Arlington, Upper Sandusky, Urbana, Utica, Vermillion, Vincent, Walbridge, Waldo, Warner, Warsaw, Waterford, Waterloo, Watertown, Wayne, Wellington, Wellston, West Bedford, Westerville, West Jefferson, West Lafayette, Westlake, West Rushville, West Salem, West View, Wharton, Whipple, White Cottage, Willard, Windsor, Woodville, Worthington, Wyandotte, Zanesville.

PANHANDLE EASTERN PIPE LINE COMPANY AND SUBSIDIARIES, 1221 Baltimore Avenue, Kansas City, Mo.; G-254.

Panhandle Eastern Pipe Line Company

Indiana: (Wholesale) Greenfield, Richmond.

Kansas: (Wholesale) Arlington, Bloom, Bucklin, Burns, Cimarron, Copeland, Dodge City, Elbing, Elkhart, Ensign, Fowler, Garden City, Greeley, Hartford, Hugoton, Iuka, Kingsdown, Kismet, Lane, Langdon, Louisburg, Meade, Mineola, Montezuma, Moscow, Muilinville, Osawatomie, Paola, Plains, Preston, Rantoul, Rolls, Satanta, Sublette, Turon, Waverly, Whitewater, Williamsburg.

Michigan: (Wholesale) Allen Park, Ann Arbor, Belleville, Berlin, Brownstown, Canton, Carleton, Dearborn, Detroit, Dundee, Ecorse, Flat Rock, Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Shores, Grosse Pointe Woods, Hamtramck, Highland Park, Inkster, Lincoln Park, Maybee, Melvindale, Monroe, Newport, Redford, River Rouge, Riverview, Rockwood, Romulus, Taylor, Trenton, Van Buren, Wyandotte.

Missouri: (Wholesale) Avondale, Belton, Blue Springs, Boonville, Bowling Green, Centerville, Centralia, Clarksburg, Columbia, Excelsior Springs, Farber, Fayette, Freeman, Fulton, Grandview, Hallsville, Hannibal, Harrisonville, Hickman Mills, Houstonia, Jefferson City, Kansas City, Laddonia, Lee's Summit, Liberty, Louisiana, Martin City, Martinsburg, Mexico, Moberly, New Franklin, New London, Palmyra, Pilot Grove, Raytown, Sturgeon, Smithville, Tipton, Vandalla, Wellsville, Windsor.

Ohio: (Wholesale) Archbold, Bryan, Defiance, Delta, Edgerton, Glen Karn, Hollandsburg, Montpelier, Napoleon, New Paris, Paulding, Pettisville, Stryker, Wauseon.

Illinois Natural Gas Company

Illinois: (Wholesale) Arthur, Atwood, Bartonville, Canton, Champaign, Chrisman, Clinton, Creve Coeur, Cuba, Danville, Decatur, E. Peoria, Havana, Hoppeston, Jacksonville, Lewistown, Lincoln, Macomb, Morton, Newman, Owaneco, Pana, Pekin, Peoria, Pittsfield, Quincy, Roodhouse, Shelbyville, Spring-

field, Taylorville, Tower Hill, Tuscola, Urbana, Villa Grove, Washington, White Hall.

Michigan Gas Transmission Corporation

Indiana: (Wholesale) Albany, Alexandria, Anderson, Antloch, Atlanta, Attica, Bluffton, Brownsburg, Carmel, Chesterfield, Cicero, Columbia City, Crawfordsville, Dana, Danville, Decatur, Deerfield, Dunkirk, Eaton, Elston Elwood, Fairmont, Farmland, Fort Wayne, Frankfort, Frankton, Gas City, Gaston, Hartford City, Huntington, Huntsville, Jonesboro, Kingsland Kokomo, Lafayette, Lapel, Lebanon, Linden, Lynn, Marion, Mechanicsburg, Middletown, Montezuma, Muncie, New Castle, New Haven, Noblesville, North Salem, Ossian, Parker, Pendleton, Pittsboro, Portland, Preble, Redkey, Roachdale, Roanoke, Rockville, Romney, Selma, South Whitley, Summitville, Tipton, Tocsin, Ulen, Union City (Indiana & Ohio), Upland, West Lafayette, Williamsport, Winchester, Yoder, Yorktown, Zionsville.

PANHANDLE POWER & LIGHT COMPANY, P. O. Box 631, Borger, Texas; G-319.

Texas: (Wholesale) Dumas. (Retail) Stratford, Texhoma.

PAVILION NATURAL GAS COMPANY, Genesee, New York; G-374.

New York: (Wholesale) Bergen. (Retail) Avon, Genesee, LeRoy, Mt. Morris, Pavillon, Perry, Warsaw.

PENNSYLVANIA FUEL SUPPLY COMPANY, 800 Union Trust Building, Pittsburgh, Pennsylvania; G-388.

Pennsylvania: (Retail) Baldwin, Bruin, Caltensburg, Clintonville, Emlenton, Fairmount City, Foxburg, Hawthorn, Knox, Lamartime, Mayport, New Bethlehem, North Washington, Oakland, Oak Ridge, Parkers Landing, Richland Township—Clarion County, Rimersburg, St. Petersburg, Salem, South Bethlehem, West Freedom, West Monterey.

PENNSYLVANIA GAS COMPANY, 213 Second Avenue, Warren, Pennsylvania; G-370.

New York: (Retail) Busti, Carroll, Celoron, Ellicott, Falconer, Jamestown, Klantone, Lakewood.

Pennsylvania: (Retail) Clarendon, Corry, Erie, Warren, Wesleyville. Also Townships (Erie County) Harbor Creek, Lawrence Park, Mill Creek, North East, Venango; (Forest County) Howe; (Warren County) Conewango, Mead, Pine Grove, Sheffield.

PENN-YORK NATURAL GAS CORPORATION, Morris Building, 1421 Chestnut Street, Philadelphia, Pennsylvania; G-260.

New York, Pennsylvania.

PEOPLES' GAS & ELECTRIC COMPANY, Wilmington, Delaware; G-346.

Iowa: (Retail) Clear Lake, Kensett, Manly, Mason City, Northwood, Ventura.

PEOPLES NATURAL GAS COMPANY, 545 William Penn Way, Pittsburgh, Pennsylvania; G-362.

Pennsylvania: (Retail) Adamsburg, Alkensburg, Aieppo, Aliquippa, Allison Park, Altoona, Apollo, Applewold, Arlington Plan, Arnold, Avonmore, Bagdad, Bardona Heights, Baurstown, Baum Station, Bell Bridge, Bellwood, Belle Vernon, Blairsville, Bolivar, Boston, Bocket, Bower Hill, Brackenridge, Brave, Bristoria, Brockerville, Brookview, Buena Vista, Bull Creek, Burkettstown, Callery, Campbell Station, Candor, Carbon, Carnot, Center, Cherry City (Etna), Cherry Lane, Clairton, Clarksburg, Coal Valley, Colona, Colvinville, Creekside, Cresson, Culmerville, Curtsville, Dayton, Deep Valley, Delmont, Derry, Dorseyville, Downleville, Duncan, East Kittanning, Each McKeesport, East Vandergrift, Ebensburg, Echo, Edgewood (Allegheny County), Edgewood (Armstrong County), Eidenau, Eldersville, Eldora, Elinwild, Elizabeth, Enon Valley, Evans City, Evergreen, Ewing, Export,

Fair Hope, Fayette City, Florence, Ford City, Ford Cliff, Ford View, Forest Hills, Fox Chapel, Garfield, Garrett's Run, Gaysport, Gibsonia, Girty Station, Glassport, Glendale, Glenshaw, Glenwillard, Gosser Hill, Graff, Grapeville, Greenock, Greensburg, Harmony, Harmony Junction, Harpers Corners, Harrison City, Hebron, Heidelberg, Hellmantown, Hershey, Higbee, Hillsville, Hoguetown, Hollidaysburg, Homer City, Hunker, Hyde Park, Indiana, Industry, Imperial, Jeannette, Jefferson, Juniata, Kingsville, Kittanning, Lakemont Terrace, Langloeth Larimer, Latrobe, Laughlinton, Leechburg, Ligonier, Livermore, Llysven, Logans Ferry, Lookabaugh, Loretta, Manor, Manorville, Mayville, McAbee Station, McGrann, McKinstry Hill, Middle Lancaster, Middle Road, Midland, Milltown, Monaca, Monaca Heights, Monessen, Monroeville, Montgomeryville, Mount Royal, Mt. Vernon, Murrysburg, Myoma, Naoma, Natrona, New Florence, New Kensington, New Sheffield, Newlinsburg, North Bessemer, North Irwin, North Vandergrift, North Washington, Oakford Pump Station, Oaklahoma, Orchard Plan, Pattonville, Paulton, Pew Station, Pine Run, Pittsburgh, Pleasant View Plan, Portage, Portersville, Prospect, Rankin Right, River-view, Rodi, Rosedale, Rossford, Rosston, Rural Valley, Salina, Saltsburg, Sankertown, Santlago, Schenley, Schenley Road, Scott Haven, Shamrock, Shannopin Heights, Sheareburg, Sheffield Terrace, Shirey Plan, Slovan, South Altoona, South Greensburg, South Heights, South Lakemont, South Wilmerding, Southwest Greensburg, Stoops Ferry Road, Sylvan Hills, Stringtown, Sunnyside, Swissvale, Talley Cavey, Tarrtown, Temple Hill, Temple Hollow, Toad Hollow, Turtle Creek, Troy Hill, Tyrone, Undercliff, Unity, Universal, Valencia, Valley Station, Vandergrift, Vanport, Webster, Weinel's Cross Roads, West Elizabeth, West Hoffman, West Leechburg, West Rittanning, Westmoreland City, Whitestown, Wickboro, Wildwood, Willett, Wilkinsburg, Wireton, Wittmer, Yatesboro, Youngstown, Zelenople. Also Townships (Allegheny County), Bethel Township, Collier Township, Crescent Township, Findley Township, Lincoln Township, Moon Township, Mt. Lebanon Township, North Fayette Township, Scott Township, South Fayette Township, Upper St. Clair Township; (Blair County) Antis Township, Logan Township, Snyder Township.

Pennsylvania: (Wholesale) Borough of Mount Morris, Johnstown, Washington.

PHEBUS, RAY, 227 South Maple Street, Centralia, Illinois; G-317.

Indiana: (Wholesale) Vincennes.

PHILADELPHIA OIL COMPANY, 435 Sixth Avenue, Pittsburgh, Pa.; G-274.

West Virginia: (Wholesale) Rosedale.

PIKE COUNTY LIGHT & POWER COMPANY, 219½ Broad Street, Milford, Pennsylvania; G-270.

Pennsylvania: (Retail) Borough of Matamoras.

PITTSBURGH AND WEST VIRGINIA GAS COMPANY, 435 6th Avenue, Pittsburgh, Pennsylvania; G-273.

West Virginia: (Retail) Burnsville, Flemington, Grafton, Shinnston, West Union, Worthington.

PRINCE GEORGE'S GAS CORPORATION, Chillum, Maryland; G-248.

Maryland.

PRODUCERS GAS COMPANY, 301 First National Bank Building, 101 North Union Street, Olean, New York; G-373.

New York: (Retail) Angelica, Belfast, Belmont, Bolivar, Friendship, Olean City, Portville, Westons Mills.

PUBLIC SERVICE CORPORATION OF TEXAS, 902 Burk Burnett Building, Fort Worth, Texas; G-344.

Oklahoma: (Wholesale) Supply. (Retail) Gage, Fargo, Shattuck.

Texas: (Wholesale) Miami, Spearman. (Retail) Booker, Canadian, Glazier, Higgins, Mobeetle, Perryton.

RED RIVER GAS COMPANY, P. O. Box 151, Amarillo, Texas; G-331.

Texas.

REPUBLIC LIGHT, HEAT AND POWER COMPANY, INC., 518 Jackson Building, Buffalo, New York; G-265.

New York: (Retail) Akron, Alden, Alexander, Attica, Batavia, Brockton, Cassadaga, Clarence, Clarence Center, Corfu, Dunkirk, E. Pembroke, Farnham, Forestville, Fredonia, Holcomb, Honeoye Falls, Irving, Laona, Lily Dale, Lima, Mayville, Oakfield, Portland, Silver Creek, Stockton, Townline, Westfield, Wyoming.

RIVER GAS COMPANY, THE, 445 West Main Street, Clarksburg, West Virginia; G-295.

Ohio: (Retail) Amesville, Antioch, Beallsville, Bells Run, Belpre, Bevan, Briggs, Brownsville, Chesterhill, Evergreen, Fly, Grandview, Graysville, Jerusalem, Joy, Laings, Lathrop, Malaga, Marietta, Miltonsburg, Monroe County (Outside Municipalities), Newells Run, New Matamoras, Newport, Ozark, Pennsville, Porterfield, Reno, Rockland, Sharpsburg, Stockport, Strecher, Sycamore Valley, Todd, Unionville, Woodsfield.

ROCKLAND LIGHT AND POWER COMPANY, 12 North Broadway, Nyack, New York; G-269.

New York: (Wholesale) Goshen. (Retail) Clarkstown, Deepark, Grand View on Hudson, Middletown, Minisink, Orangetown, Piermont, Port Jervis, South Nyack, Upper Nyack, Walkill, Wawayanda.

Pennsylvania: (Wholesale) Matamoras.

SIoux CITY GAS AND ELECTRIC COMPANY, Sioux City, Iowa; G-314.

Nebraska: (Wholesale) South Sioux City. *South Dakota:* (Wholesale) Stevens.

Iowa: (Retail) Sioux City.

SOUTHERN NATURAL GAS COMPANY, Watts Building, Birmingham, Alabama; G-296.

Alabama: (Wholesale) Anniston, Auburn, Bessemer, Ensley, Gadsden, Heflin, Leeds, Montgomery, North Birmingham, Opelika, Pell City, Phenix, Reform, Selma, Talladega, Tuscaloosa, Tuskegee, Wetumpka.

Georgia: (Wholesale) Atlanta, Barnesville, Calhoun, Carrollton, Catersville, Cedartown, Columbus, Dry Branch, Forsyth, Ft. Benning, Gordon, Griffin, Macon, McIntyre, Milledgeville, Newnan, Redwine, Rockmart, Rome, Thomaston.

Mississippi: (Wholesale) Aberdeen, Amory, Brooksville, Columbus, Durant, Goodman, Kosciusko, Louisville, Macon, Meridian, Nettleton, Pickens, Starkville, Tupelo, Vicksburg, West Point, Yazoo City.

SOUTH PENN NATURAL GAS COMPANY, Parkersburg, West Virginia; G-281.

West Virginia: (Wholesale) Liverpool. (Retail) Alice, Belle, Chesapeake, Cox Mills, Diamond, Dry Branch, Emmons, Falling Rock, Henshaw, Hudnall (Holly Grove), Ivydale (Otter), Jeffrey, Madison, Malden, Marmet, McCorkle, Owens, Plus (Levi), Ramage, Reed, Ronda, Sharon, Troy, Winifrede Junction, Witchers.

SOUTHWEST GAS PRODUCING COMPANY, INC., Ouachita National Bank Building, Monroe, Louisiana; G-357.

Louisiana.

STANDARD GAS COMPANY, Hacker's Creek District, Lewis County, West Virginia; G-378.

West Virginia: (Retail) Jane Lew.

STATE LINE GAS COMPANY, Watson Building, Fairmont, West Virginia; G-367.

Pennsylvania: (Retail) Nilan, Point, Marion, Taylortown.

SYLVANIA CORPORATION, THE, 308 Seneca Street, Oil City, Pennsylvania; G-327. *Pennsylvania.*

TEXAS GAS UTILITIES COMPANY, P. O. Box 1092, Del Rio, Texas; G-358.

Ohio, Texas.

TRI-COUNTY GAS COMPANY, THE (of Kansas), Holcomb, Kansas; G-325.

Kansas: (Retail) Deerfield, Dighton, Holcomb, Lakin, Scott City.

TWIN CITY PIPE LINE COMPANY, Fort Smith, Arkansas; G-307.

Arkansas: (Wholesale) Alma, Fort Smith, South Fort Smith, Van Buren.

UNION GAS SYSTEM, INC., INDEPENDENCE, KANSAS; G-268.

Kansas: (Retail) Altoona, Buffalo, Burlington, Caney, Coffeyville, Elk City, Elk Falls, Fredonia, Independence, LaFontaine, LeRoy, Liberty, Moline, Neodesha (Coopertown), Olathe, Savonburg, Spring Hill, Sycamore, Tyro, Yates Center.

UNITED FUEL GAS COMPANY, QUARRIER AND DUNBAR STREETS, CHARLESTON, WEST VIRGINIA; G-341.

Kentucky: (Wholesale) Alexandria, Bellevue, Covington, Dayton, Louisville, Maysville, Newport.

Ohio: (Wholesale) Cincinnati, Portsmouth. *Pennsylvania:* (Wholesale) Pittsburgh.

West Virginia: (Wholesale) Huntington, Point Pleasant.

UNITED GAS PIPE LINE COMPANY, 1525 FAIRFIELD AVENUE, SHREVEPORT, LOUISIANA; G-232.

Alabama: (Wholesale) Mobile.

Florida: (Wholesale) Pensacola.

Louisiana: (Wholesale) Abbeville, Amite, Arabi, Archibald, Baldwin, Baskin, Bastrop, Belcher, Benton, Bethany, Breaux Bridge, Bogalusa, Broussard, Bunkie, Cheneyville, Cheniere, Church Point, Collinston, Cottonport, Covington, Crowley, Delcambre, Delhi, DeQuincy, DeRidder, Dixie, Elton, Epps, Erath, Estherwood, Franklin, Gretna, Haile, Harvey, Hammond, Hessmer, Hodge, Independence, Iowa, Jeanerette, Jennings, Jonesboro, Kaplan, Kenner, Kinder, Lafayette, Lake Charles, Lake Providence, Lecompte, Leesville, Lisbon, Mandeville, Mangham, Mansura, Marksville, Marrero, Metairie, Merryville, Milton, Monroe, Mounds, New Iberia, New Orleans, Oakdale, Oak Grove, Oberlin, Opelousas, Ouachita City, Parks, Ponchatoula, Rayne, Rayville, Rosepine, St. Martinville, St. Rose, Scott, Shelton, Shreveport, Sldell, Sterlington, Sulphur, Sunset, Tallulah, Vinton, Welsh, West Lake, West Monroe, Westwego, Winnswego, Winnboro, Youngsville.

Mississippi: (Wholesale) Alta Woods (Subdivision of Jackson), Bay St. Louis, Benton, Brookhaven, Columbia, Crystal, Springs, Ellisville, Harvey, Hazelhurst, Jackston, Laurel, Magnolia, McComb, Pascagoula, Petal, Pica-yune, Raymond, Summit, Terry, Wesson.

Texas: (Wholesale) Acme, Agatite, Aguilares, Amelia, Aransas Pass, Archer City, Arp, Austin, Bastrop, Beaumont, Big Sandy, Bruni, Buda, Buna, Burkburnett, Campbellton, Cragin-Parkhill Subdivision (near Huston, Texas), Carlisle, Carthage, Center, Cestahowa, Childress, Chillicothe, Cibolo, Clarendon, Cleveland, Converse, Corrigan, Crockett, Crosby, D'Hanis, Dayton, Dittlinger, Dodsonville, East Moreland Heights (Near Longview, Tex.), Edgewood, Elgin, Elkhart, Elysian Fields, Fairview Addition (Near Henderson, Texas), Falls City, Floresville, Garrison, Gladewater, Goodrich, Grand Saline, Grape-land, Greens Bayou Park, Greggton, Gregory, Groveton, Hallettsville, Hallsville, Hebronville, Hedley, Henderson, Holiday, Hondo, Humble, Humble Addition (Near Longview, Texas), Huntsville, Ingleside, Iowa Park, Jacksonville, Jasper, Jean, Joinerville, Jonesville, Karnes City, Kenedy, Kilgore, Kirbyville,

Kirkland, Kyle, LaCoste, LaGrange, Laird Hill, Laredo, Lelia Lake, Liberty, Lindale, Livingston, Loco, Longview, Lovelady, Lufkin, Lutie, Marshall, Mathis, McQueeney, Magargel, Memphis, Mineola, Mirando City, Mont Belvieu, Moonshine Hill, Nacogdoches, New Braunfels, New Castle, New London, Nira Park, Nordheim, Oilton, Ojuelos, Olney, Orange, Orange Grove, Overton, Palestine, Pleasanton, Portland, Poth, Primrose, Quanah, Riverside, Roma, Runge, Rusk, San Antonio, San Augustine, San Marcos, Saratoga, Schertz, Schulenburg, Scottsville, Seguin, Selman City, Sexton City, Shepherd, Smithville, Sour Lake, Springhill, Swan, Taft, Tenaha, Timpson, Trinity, Troup, Turner Town, Tyler, Universal City, Van, Vernon, Waskom, Weimar, Wellington, West Mineola, Wichita Falls, Wills Point, Yorktown.

UNITED NATURAL GAS COMPANY, 308 Seneca Street, Oil City, Pennsylvania; G-328.

New York: (Wholesale) Buffalo.

Ohio: (Wholesale) Andover.

Pennsylvania: (Wholesale) Grove City, Jamestown, Mercer, Sandy Lake, Stoneboro, Sykesville. (Retail) Bradford, Brookville, Clarion, Clarksville, Cochranton, Coppers-town, DuBois, Falls Creek, Farrell, Franklin, Greenville, Hydettown, Jackson Center, Meadville, Oil City, Petrolia, Pleasantville, Polk, Reynoldsville, Rouseville, Sharpville, Sharon, Strattanville, Tidioute, Titusville, Utica, West Middlesex, Wheatland, Youngsville.

UNIVERSAL GAS COMPANY, 423 West Third Street, Owensboro, Kentucky; G-375.

Illinois: (Wholesale) Ashmore, Charleston, Effingham, Kansas, Mattoon, Neoga, Paris, Sigle.

Indiana: (Wholesale) Bedford, Bloomington, Columbus, Edinburg, Franklin, Greencastle, Martinsville, Mitchell, Seymour.

VIRGINIA GAS TRANSMISSION CORPORATION, Quarrier and Dunbar Streets, Charleston, West Virginia. G-283.

Virginia: (Wholesale) Bueno Vista, Clifton Forge, Covington, Culpeper, Dumfries, Herndon, Lexington, Manassas, Quantico, Standardsville, Staunton, Stuarts Draft, Warrenton, Waynesboro.

WALNUT VALLEY PIPELINE COMPANY, THE, Arkansas City, Kansas; G-318.

Kansas.

WARFIELD NATURAL GAS COMPANY, Quarrier and Dunbar Streets, Charleston, West Virginia; G-342.

Kentucky.

Ohio: (Wholesale) Cincinnati.

West Virginia.

WASHINGTON GAS LIGHT COMPANY, 411 10th Street NW., Washington, D. C.; G-249.

Maryland: (Wholesale) Alta Vista, Bethesda, Berwyn, Bladensburg, Boulevard Heights, Brentwood, Chevy Chase, Capital Heights, Colmar Manor, Cottage City, Edgemoor, Fairmont Heights, Forest Glen, Friendship Heights, Garrett Park, Hyattsville, Kensington, Mount Rainier, Riverdale, Rockville, Silver Spring, Somerset, Seat Pleasant, Takoma Park.

Virginia: (Wholesale) Alexandria, Falls Church.

District of Columbia: (Retail).

WESTERN OKLAHOMA GAS COMPANY, Fort Smith, Arkansas; G-306.

Arkansas, Oklahoma.

WEST TEXAS GAS COMPANY, Lubbock National Building, Lubbock, Texas; G-330.

Texas: (Retail) Abernathy, Amherst, Anton, Bovina, Brownfield, Canyon, Crosbyton, Dimmitt, Floydada, Friona, Hale Center,

Happy, Hereford, Idalou, Kress, Lamesa, Levelland, Littlefield, Lockney, Lorenzo, Lubbock, Meadow, Midland, Muleshoe, Odessa, O'Donnell, Petersburg, Plainview, Post, Quitaque, Ralls, Ropesville, Seagraves, Seminole, Shallowater, Slaton, Silverton, Southland, Stanton, Sudan, Tahoka, Tulia, Turkey, Wilson.

WEST VIRGINIA GAS CORPORATION, 401 Union Building, Charleston, West Virginia; G-359. West Virginia.

YORK COUNTY GAS COMPANY, 127 West Market Street, York, Pennsylvania; G-326.

Pennsylvania: (Wholesale) Dallastown, Dover, Emigsville, Glen Rock, Hellam, Jacobus, Loganville, Manchester, Mount Wolf, New Freedom, Pleasantville, Red Lion, Shrewsbury, Windsor, Wrightsville, Yoe.

ZENITH GAS SYSTEM, INC., Alva, Oklahoma; G-393.

Kansas: (Retail) Hardtner.

Oklahoma: (Retail) Alva, Avar, Cherokee, Mooreland, Quinlan, Waynoka, Woodward.

As the time for making applications for certificates of public convenience and necessity under the "grandfather" clause contained in section 7 (c) of the Natural Gas Act, as amended, expired May 8, 1942, it is illegal for any person or corporation who has not filed such application to engage, or continue to engage in the transportation of natural gas in interstate commerce or the sale of natural gas in interstate commerce for resale without first having procured a certificate of public convenience and necessity in accordance with the provisions of the second paragraph of section 7 (c) of the Natural Gas Act, as amended.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-4968; Filed, May 28, 1942; 11:53 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

[Docket No. FDC-37]

STANDARDS OF FILL OF CONTAINER FOR CANNED WET PACK SHRIMP AND CANNED DRY PACK SHRIMP, IN NONTRANSPARENT CONTAINERS

POSTPONEMENT OF HEARING

It is ordered that the public hearing announced for the purpose of receiving evidence upon the basis of which regulations may be promulgated fixing and establishing standards of fill of container for canned wet pack shrimp and canned dry pack shrimp, in nontransparent containers, scheduled to commence on June 3, 1942 (7 F.R. 3273), be postponed so that the hearing will be held commencing at 10 o'clock in the morning of June 10, 1942, in Room 1039, South Building, Independence Avenue between 12th and 14th Streets SW., Washington, D. C.

JOSEPH L. MAGUIRE,
Presiding Officer.

MAY 28, 1942.

[F. R. Doc. 42-4966; Filed, May 28, 1942; 11:45 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 1120-2-P]

CUMBERLAND PARKER SEAM COAL CORPORATION

ORDER GRANTING EXEMPTION

Order No. 5 under Maximum Price Regulation No. 120¹—Bituminous Coal Delivered from Mine or Preparation Plant.

On May 4, 1942 Cumberland Parker Seam Coal Corporation, 743 Washington Street, Cumberland, Maryland, filed a document purporting to protest the maximum prices provided in Maximum Price Regulation No. 120, but which in essence constitutes a petition for an adjustment or exception, pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120.¹ Due consideration has been given to the petition, and an opinion in support of this Order No. 5 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it is hereby ordered:

(a) Cumberland Parker Seam Coal Corporation may sell and deliver, agree, offer, solicit and attempt to sell and deliver, the kinds and grades of bituminous coal set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, agree, offer, solicit and attempt to buy and receive, such kinds and grades of bituminous coal at such prices from Cumberland Parker Seam Coal Corporation;

(b) Mine run coal produced at the Parker No. 1 Mine (Mine Index No. 358), located at Barrelesville, Maryland in District No. 1, may be sold at not more than \$3.90 per net ton, f. o. b. the mine, for shipment by truck or wagon.

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 5 shall become effective May 27, 1942.

Issued this 27th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4944; Filed, May 27, 1942; 5:04 p. m.]

CENTRAL IRON AND STEEL COMPANY

ORDER MODIFYING EXCEPTION

Order 11 under Revised Price Schedule 6³—Iron and Steel Products.

¹ 7 F.R. 3168, 3447, 3901.

² 7 F.R. 971.

³ 7 F.R. 1215, 1836, 2132, 2153, 2298, 2299, 2351, 3115.

On May 22, 1942 Central Iron and Steel Company, Harrisburg, Pennsylvania, was granted permission to charge a maximum price for steel plates, base grade, at established basing points, of \$2.35 per hundred pounds. This permission was expressly made subject to revision on subsequent investigation. Such subsequent investigation was made and on May 23, 1942, Order No. 9 under Revised Price Schedule No. 6 revoking the exception previously granted to Central Iron and Steel Company was made effective. Through clerical error, the exception previously granted was entirely revoked rather than modified downward. Due consideration has been given to this matter and an opinion in support of this Order No. 11 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) That the Central Iron and Steel Company, Harrisburg, Pennsylvania, may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds and grades of steel set forth in paragraph (b), at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit and attempt to buy and receive, such kinds of steel at such maximum prices from the Central Iron and Steel Company.

(b) Plain plates, base grade, at a maximum price of \$2.20 per hundred pounds, f. o. b. established basing point system.

(c) The Central Iron and Steel Company is to submit monthly data covering cost of production of carbon steel forging quality billets, and is to submit monthly profit and loss data covering general operations.

(d) All provisions of Order No. 9 under Revised Price Schedule No. 6 which are inconsistent herewith are hereby revoked and superseded.

(e) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 11 shall become effective May 30, 1942.

Issued this 27th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4943; Filed, May 27, 1942;
5:03 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-550]

ASSOCIATED ELECTRIC COMPANY, KENTUCKY-TENNESSEE LIGHT AND POWER COMPANY AND TRI-CITY UTILITIES COMPANY

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

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

office in the City of Philadelphia, Pa., on the 26th day of May, A. D. 1942.

Associated Electric Company (hereinafter referred to as Associated), a registered holding company, and its subsidiaries, Kentucky-Tennessee Light and Power Company (hereinafter referred to as K-T) and Tri-City Utilities Company (hereinafter referred to as Tri-City), having filed declarations and applications pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b), 10, and 12 thereof and Rules U-42, U-43, and U-45 thereunder, with respect to the following transactions:

In order to dispose of certain physical assets of K-T prior to the sale of Associated's interest in K-T to the Tennessee Valley Authority, a new corporation, will be formed by Associated and K-T will transfer such of its properties to the new corporation as K-T has not, prior to June 1, 1942, sold and conveyed to other purchasers. The parties hereto, therefore, propose to take the following steps:

Associated will surrender to K-T, for cancellation, all the presently outstanding bonds of K-T (consisting of \$5,519,400 First and Refunding Mortgage 5% Bonds, due 1954) in consideration of the credit by K-T to Associated, an open account to bear interest at the rate of 5% per annum, of an amount equal to the principal amount of said bonds, plus accrued interest thereon to the date of surrender.

Tri-City Utilities Company, the new corporation, proposes to acquire, prior to May 31, 1942, all the properties and other assets and to assume all the liabilities of K-T, except the southwestern electric properties and liabilities applicable thereto, which have not theretofore been sold or disposed by K-T. In consideration of such transfer to Tri-City by K-T of one or more of said properties, Tri-City will issue and deliver to Associated and Associated will purchase such number of shares of common stock of Tri-City, having a par value of \$1.00 per share, as will equal the aggregate purchase price to be paid for such properties by Tri-City. Concurrently, with the receipt of said common stock Associated will credit the open account owing by K-T to Associated in an amount equal to the par value of the stock of Tri-City thus purchased by Associated.

In order to provide Tri-City with cash working capital, Associated proposes to subscribe to and purchase from Tri-City, for cash, \$100,000 par value of common stock.

Associated will, in accordance with the terms and provisions of the agreement between Associated and Tennessee Valley Authority, thereafter sell and transfer to the Authority all the common stock of K-T and the balance of the open account indebtedness then owing to Associated from K-T.

It is stated that it is not the purpose or the intention of the parties hereto to create a corporation which shall continue as such. The acquisition of properties by

Tri-City is designed merely to facilitate the consummation of the agreement between Associated and Tennessee Valley Authority. It is further stated that it is the intention of Associated to cause Tri-City to dispose of all its properties at the earliest possible date.

Said declarations and applications having been filed on May 18, 1942, certain amendments having been filed thereto, the last of said amendments having been filed on May 23, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declarations and applications within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The above named parties having requested that said declarations and applications, as amended, become effective or be granted prior to the time set forth in Rule U-23; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declarations pursuant to Rules U-42, U-43, and U-45 to become effective, and finding with respect to said application under section 6 (b) of said Act that the requirements of section 6 (b) of said Act are satisfied, and with respect to said applications under section 10 of said Act that no adverse findings are necessary under section 10 (b) and section 10 (c) (1) of said Act and that the transactions involved have the tendency required by section 10 (c) (2) of said Act, and being satisfied that the effective date of such declarations, as amended, and the date of granting such applications, as amended, should be advanced.

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declarations, as amended, be and hereby are permitted to become effective forthwith and that the aforesaid applications, as amended, be and hereby are granted forthwith, subject to the following additional conditions:

That jurisdiction is hereby reserved over all accounting entries with respect to the above transactions, on the books of Associated Electric Company, Kentucky-Tennessee Light and Power Company and Tri-City Utilities Company.

By the Commission, Commissioner Healy dissenting for reasons set forth in his memorandum of April 1, 1940.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-4969; Filed, May 28, 1942;
11:55 a. m.]

[File No. 812-268]

DIVERSIFIED INVESTMENT FUND, INC.

NOTICE OF AND ORDER FOR HEARING

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

office in the City of Philadelphia, Pennsylvania, on the 27th day of May, A. D. 1942.

An application having been filed by the above named applicant for an order of exemption from the provisions of sections 8 (b), 30 (a) and 30 (d) of the Investment Company Act of 1940 pursuant to the provisions of section 6 (c) of that Act,

It is ordered, That a hearing on the aforesaid application be held on June 5, 1942 at 10:00 o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise interested parties where such hearing will be held;

It is further ordered, That Charles S. Lobingier, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside on such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4970; Filed, May 28, 1942; 11:55 a. m.]

[File No. 70-548]

ASSOCIATED UTILITIES CORPORATION AND THE ASSOCIATED CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 27th day of May, A. D. 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Utilities Corporation, and The Associated Corporation, subsidiaries of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; and

Notice is further given that any interested person may, not later than June 11, 1942 at 5:30 p. m. E. S. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration 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, Pa.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission,

for a statement of the transaction therein proposed, which is summarized below:

The transaction proposed herein covers the purchase by Associated Utilities Corporation from The Associated Corporation, an associate company, of the following securities at the prices stated in the following table:

	Principal amount	Price ¹ (flat)	Total cost
Associated Gas & Electric Corporation:			
3¾% income debentures, due 1978.....	\$359,200	10½	\$37,716
4½% income debentures, due 1978.....	948,400	10¾	101,953
Subtotal.....			139,669
Associated Gas & Electric Co.:			
5% sinking fund income debentures due 1986....	420,000	5	21,000
Total.....			160,669

¹ Bid prices as of the close of business May 7, 1942.

The proceeds to be received by the Associated Corporation through the consummation of the transaction proposed herein are to be used by said Corporation in settlement of federal income taxes (including interest) for the years 1934 to 1939, inclusive, and sundry current obligations. The amount to be paid for federal income taxes as of May 15, 1942 (including interest to said date) will be \$147,665.06.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4971; Filed, May 28, 1942; 11:55 a. m.]