



# FEDERAL REGISTER

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## The President

### EXECUTIVE ORDER

**PRESCRIBING REGULATIONS PERTAINING TO THE ENTRY OF COFFEE INTO THE UNITED STATES FROM COUNTRIES SIGNATORIES OF THE INTER-AMERICAN COFFEE AGREEMENT**

By virtue of the authority vested in me by section 2 of the joint resolution of Congress approved April 11, 1941 (Public Law 33, 77th Cong., 1st sess.) it is hereby ordered as follows:

1. No invoice of coffee produced in a country which is a signatory of the Inter-American Coffee Agreement shall be certified hereafter by a United States consular officer unless there shall be produced to the certifying officer an official document, required by Article VI of the Agreement, showing that the coffee is within the producing country's quota for exportation to United States customs territory.

2. Beginning October 1, 1941, coffee produced in a country which is a signatory of the Inter-American Coffee Agreement shall not be admitted to entry for consumption in the customs territory of the United States unless there shall be produced for each shipment of such coffee an invoice bearing a certificate of a United States consular officer that there has been presented to him an official document required by Article VI of the Agreement showing that such shipment is within the producing country's quota for exportation to United States customs territory; except that any such shipment may be so entered without the production of such an invoice if the shipment is valued at less than \$100, or if there is given a bond conditioned for the production of such an invoice within six months from the date of entry, or if the coffee was shipped from the producing country under a through bill of lading

to the United States prior to the date of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
September 17, 1941.

[No. 8902]

[F. R. Doc. 41-7001; Filed, September 18, 1941; 2:18 p. m.]

## Rules, Regulations, Orders

### TITLE 7—AGRICULTURE

#### CHAPTER VII—AGRICULTURAL ADJUSTMENT ADMINISTRATION

##### PART 721—CORN

BY THE SECRETARY OF AGRICULTURE, A PROCLAMATION

Whereas, the Agricultural Adjustment Act of 1938, as amended, provides:

Sec. 322. (a) Whenever in any calendar year the Secretary determines from available statistics of the Department, including the August production estimate officially published by the Division of Crop and Livestock Estimates of the Bureau of Agricultural Economics of the Department, that the total supply of corn as of October 1 will exceed the normal supply thereof by more than 10 per centum, marketing quotas shall be in effect in the commercial corn-producing area for the crop of corn grown in such area in such calendar year, and shall remain in effect until terminated in accordance with the provisions of this title.

(b) The Secretary shall determine, on the basis of the estimated average yield of corn in such area for such crop, the acreage in such area which the Secretary determines would make available for the marketing year beginning October 1 a supply of corn (together with the estimated production of corn in the United States outside such area) equal to the normal supply. The percentage which the number of acres so determined is of the total number of acres of the acreage allotment under Section 328 shall be proclaimed by the Secretary. Such percentage is referred to herein as the "marketing percentage."

(c) The Secretary shall proclaim his determinations of facts under subsection (a) and his determination of the marketing per-

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centage under subsection (b) not later than August 15. (52 Stat. 49, 7 U.S.C. 1322)

And, whereas, Public Resolution No. 34 (H. J. Res. 342, 76th Congress, First Session), approved July 26, 1939, provides:

... that notwithstanding the provisions of section 322 of the Agricultural Adjustment Act of 1938, as amended, the determinations under subsection (c) may be proclaimed at any time prior to September 15, \* \* \*. (53 Stat. 1125, 7 U.S.C. Supp. V, 1322a)

And, whereas, the Agricultural Adjustment Act of 1938, as amended, con-

tains in section 301 (b) thereof, the following definitions of terms here pertinent:

"Marketing year" means, in the case of the following commodities, the period beginning on the first and ending with the second date specified below:

Corn, October 1—September 30

"Total supply" of corn \* \* \* for any marketing year shall be the carry-over of the commodity for such marketing year plus the estimated production of the commodity in the United States during the calendar year in which such marketing year begins.

"Normal supply," in the case of corn \* \* \* shall be a normal year's domestic consumption and exports of the commodity, plus 7 per centum in the case of corn, \* \* \* of a normal year's domestic consumption and exports, as an allowance for a normal carry-over.

"Reserve supply level," in the case of corn, shall be a normal year's domestic consumption and exports of corn, plus 10 per centum of a normal year's domestic consumption and exports, to insure a supply adequate to meet domestic consumption and export needs in years of drought, flood, or other adverse conditions, as well as in years of plenty. (52 Stat. 38, 7 U.S.C. 1301)

And, whereas, said act further provides:

Sec. 304. The powers conferred under this Act shall not be used to discourage the production of supplies of foods and fibers sufficient to maintain normal domestic human consumption as determined by the Secretary from the records of domestic human consumption in the years 1920 to 1929, inclusive, taking into consideration increased population, quantities of any commodity that were forced into domestic consumption by decline in exports during such period, current trends in domestic consumption and exports of particular commodities, and the quantities of substitutes available for domestic consumption within any general class of food commodities. In carrying out the purposes of this Act it shall be the duty of the Secretary to give due regard to the maintenance of a continuous and stable supply of agricultural commodities from domestic production adequate to meet consumer demand at prices fair to both producers and consumers. (52 Stat. 45, 7 U.S.C. 1304)

And, whereas, said Act provides in section 301 (c), that the latest available statistics of the Federal Government shall be used by the Secretary of Agriculture in making the determinations required to be made by the Secretary under said act (52 Stat. 38, 7 U.S.C. 1301)

And, whereas, said act further provides:

Sec. 371 (b). If the Secretary has reason to believe that, because of a national emergency or because of a material increase in export demand, any national marketing quota for corn, wheat, cotton, rice, or tobacco should be increased or terminated, he shall cause an immediate investigation to be made to determine whether the increase or termination is necessary in order to effectuate the declared policy of this Act or to meet such emergency or increase in export demand. If, on the basis of such investigation, the Secretary finds that such increase or termination is necessary, he shall immediately proclaim such finding (and if he finds an increase is necessary, the amount of the increase found by him to be necessary) and thereupon such quota shall be increased, or shall terminate, as the case may be.

And, whereas, by proclamation, dated December 7, 1940, issued by Claude R. Wickard, Secretary of Agriculture, pur-

suant to section 327 of said act, the commercial corn-producing area for the calendar year 1941 was ascertained and proclaimed; and

Whereas by proclamation, dated December 7, 1940, issued by Claude R. Wickard, Secretary of Agriculture, pursuant to section 322 of said act, the acreage allotment of corn for the commercial corn-producing area for the calendar year 1941 was ascertained and proclaimed to be 37,300,000 acres.

Now, therefore, be it known that I, Grover B. Hill, Acting Secretary of Agriculture of the United States of America, acting under and pursuant to, and by virtue of, the authority vested in me by the Act of Congress, known as the Agricultural Adjustment Act of 1938, as amended, upon the basis of the latest available statistics of the Federal Government, do hereby determine and proclaim, under section 322 of said Act, as amended by said Public Resolution No. 34, approved July 26, 1939.

§ 721.305 *Determinations relating to corn marketing quotas for 1941.*

(a) That the total supply of corn for the marketing year commencing October 1, 1941, is 3,174,000,000 bushels.

(b) That the normal supply of corn for the marketing year commencing October 1, 1941, is 2,792,000,000 bushels.

(c) That the reserve supply level of corn for the marketing year commencing October 1, 1941, is 2,870,000,000 bushels.

(d) That the total supply of corn, as of October 1, 1941, will exceed the normal supply thereof by more than 10 per centum. However, in view of the existing national emergency and the provisions of section 371 (b) of said act, marketing quotas will not be in effect with respect to the 1941 crop of corn.

Done at Washington, D. C., this 18th day of September 1941. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 41-7036; Filed, September 19, 1941;  
11:18 a. m.]

PART 721—CORN

PROCLAMATION OF COMMERCIAL CORN-PRODUCING AREA FOR THE YEAR 1942

Whereas section 327 of the Agricultural Adjustment Act of 1938, as amended, provides in part as follows:

Not later than February 1, the Secretary shall ascertain and proclaim the commercial corn-producing area.

And, whereas subsection (b) of section 301 of said Act provides in part as follows:

(4) (A) "Commercial corn-producing area" shall include all counties in which the average production of corn (excluding corn used as silage) during the ten calendar years immediately preceding the calendar year for which such area is determined, after adjustments for abnormal weather conditions, is four hundred and fifty bushels or more

per farm and four bushels or more for each acre of farm land in the county.

(B) Whenever prior to February 1 of any calendar year the Secretary has reason to believe that any county which is not included in the commercial corn-producing area determined pursuant to the provisions of subparagraph (A), but which borders upon one of the counties in such area, or that any minor civil division in a county bordering on such area, is producing (excluding corn used for silage) an average of at least four hundred and fifty bushels of corn per farm and an average of at least four bushels for each acre of farm land in the county or in the minor civil division, as the case may be, he shall cause immediate investigation to be made to determine such fact. If, upon the basis of such investigation the Secretary finds that such county or minor civil division is likely to produce corn in such average amounts during such calendar year, he shall proclaim such determination, and, commencing with such calendar year, such county shall be included in the commercial corn-producing area.

And, whereas subsection (c) of section 301 of said Act provides:

The latest available statistics of the Federal Government shall be used by the Secretary in making the determinations required to be made by the Secretary under this Act.

And, whereas the Secretary of Agriculture, having had reason to believe that certain counties bordering on the commercial corn-producing area as determined under subparagraph (A) of section 301 (b) (4) of said Act, and that certain minor civil divisions in certain counties bordering on such area are producing (excluding corn used for silage) an average of at least 450 bushels of corn per farm and an average of at least 4 bushels for each acre of farm land in the county or in the minor civil division, as the case may be, has caused reasonable investigation to be made to determine such facts with respect to such counties and minor civil divisions and to determine which, if any, of such counties or minor civil divisions are likely to produce corn in such average amounts during the calendar year 1941;

Now, Therefore, be it known that I, Grover B. Hill, Acting Secretary of Agriculture of the United States of America, acting under and pursuant to, and by virtue of, the authority vested in me by the Act of Congress known as the Agricultural Adjustment Act of 1938, as amended, upon the basis of such investigation and the latest available statistics of the Federal Government, do hereby ascertain, determine, and proclaim under sections 301 and 327 of said Act:

§ 721.401 *Commercial corn-producing Area for the Year 1942.* That the commercial corn-producing area for the year 1942 embraces the following counties of the States specified pursuant to section 301 (b) (4) of said Act:<sup>1</sup>

*Counties Included in 1942 Commercial Corn-Producing Area*

*Illinois:* Adams, Alexander, Bond, Boone, Brown, Bureau, Calhoun, Carroll, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Cook, Crawford, Cumber-

<sup>1</sup> Agricultural Adjustment Act of 1938, as amended.

land, De Kalb, De Witt, Douglas, Du Page, Edgar, Edwards, Effingham, Fayette, Ford, Fulton, Gallatin, Greene, Grundy, Hamilton, Hancock, Hardin, Henderson, Henry, Iroquois, Jackson, Jasper, Jersey, Jo Daviess, Johnson, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lawrence, Lee, Livingston, Logan, McDonough, McHenry, McLean, Macon, Macoupin, Madison, Marion, Marshall, Mason, Massac, Menard, Mercer, Monroe, Montgomery, Morgan, Moultrie, Ogle, Peoria, Perry, Piatt, Pike, Pope, Pulaski, Putnam, Randolph, Richland, Rock Island, Saint Clair, Saline, Sangamon, Schuyler, Scott, Shelby, Stark, Stephenson, Tazewell, Union, Vermillion, Wabash, Warren, Washington, Wayne, Whiteside, Will, Winnebago, White, Woodford.

*Indiana:* Adams, Allen, Bartholomew, Benton, Blackford, Boone, Carroll, Cass, Clay, Clinton, Daviess, Dearborn, Decatur, De Kalb, Delaware, Duboise, Elkhart, Fayette, Fountain, Franklin, Fulton, Gibson, Grant, Greene, Hamilton, Hancock, Hendricks, Henry, Howard, Huntington, Jackson, Jasper, Jay, Jennings, Johnson, Knox, Kosciusko, Lagrange, Lake, La Porte, Lawrence, Madison, Marshall, Marion, Martin, Miami, Monroe, Montgomery, Morgan, Newton, Noble, Orange, Owen, Parke, Pike, Porter, Posey, Pulaski, Putnam, Randolph, Ripley, Rush, Saint Joseph, Scott, Shelby, Spencer, Starke, Steuben, Sullivan, Tippecanoe, Tipton, Union, Vanderburgh, Vermillion, Vigo, Wabash, Warren, Warrick, Washington, Wayne, Wells, White, Whitley.

*Iowa:* Adair, Adams, Allamakee, Appanoose, Audubon, Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Cass, Carroll, Cedar, Cerro Gordo, Cherokee, Chickasaw, Clarke, Clay, Clayton, Clinton, Crawford, Dallas, Davis, Decatur, Delaware, Dickinson, Des Moines, Dubuque, Emmet, Fayette, Floyd, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Howard, Henry, Humboldt, Ida, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk, Kossuth, Lee, Linn, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Marshall, Mills, Mitchell, Monona, Monroe, Montgomery, Muscatine, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawattamie, Poweshiek, Ringgold, Sac, Scott, Shelby, Sioux, Story, Tama, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, Winnebago, Woodbury, Worth, Winneshiek, Wright.

*Michigan:* Berrien, Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, Saint Joseph, Washtenaw, Wayne.

*Minnesota:* Big Stone, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Grant, Hennepin, Houston, Jackson, Kandiyohi, Lac Qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Pope, Redwood, Renville, Rice, Rock, Scott, Sibley,

Stearns, Steele, Stevens, Swift, Traverse, Wabasha, Waseca, Washington, Watonwan, Winona, Wright, Yellow Medicine.

*Missouri:* Adair, Andrew, Atchison, Audrain, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cooper, Daviess, De Kalb, Dunklin, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Marion, Mercer, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Pemiscot, Perry, Pettis, Pike, Platte, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Vernon, Worth.

*Nebraska:* Adams, Antelope, Boone, Buffalo, Burt, Butler, Cass, Cedar, Chase, Clay, Colfax, Cuming, Custer, Dakota, Dawson, Dixon, Dodge, Douglas, Fillmore, Franklin, Frontier, Furnas, Gage, Gosper, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Howard, Jefferson, Johnson, Kearney, Knox, Lancaster, Lincoln, Madison, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Perkins, Phelps, Pierce, Platte, Polk, Redwillow, Richardson, Saline, Sarpy, Saunders, Seward, Sherman, Stanton, Thayer, Thurston, Valley, Washington, Wayne, Webster, York.

*Ohio:* Adams, Allen, Ashland, Auglaize, Brown, Butler, Champaign, Clark, Clermont, Clinton, Coshocton, Crawford, Darke, Defiance, Delaware, Erie, Fairfield, Fayette, Franklin, Fulton, Greene, Hamilton, Hancock, Hardin, Henry, Highland, Holmes, Huron, Jackson, Knox, Licking, Logan, Lorain, Lucas, Madison, Marion, Medina, Mercer, Miami, Montgomery, Morrow, Muskingum, Ottawa, Paulding, Perry, Pickaway, Pike, Preble, Putnam, Richland, Ross, Sandusky, Scioto, Seneca, Shelby, Stark, Union, Van Wert, Warren, Wayne, Williams, Wood, Wyandot.

*South Dakota:* Bon Homme, Brookings, Clay, Deuel, Grant, Hamlin, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Minnehaha, Moody, Roberts, Turner, Union, Yankton.

*Wisconsin:* Columbia, Crawford, Dane, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk, Walworth.

*Delaware:* Kent, New Castle.

*Kansas:* Anderson, Atchison, Brown, Coffey, Doniphan, Douglas, Franklin, Jackson, Jefferson, Jewell, Johnson, Leavenworth, Linn, Marshall, Miami, Nemaha, Norton, Osage, Phillips, Pottawatomie, Republic, Riley, Shawnee, Smith, Washington.

*Kentucky:* Ballard, Carlisle, Crittendon, Daviess, Fulton, Hancock, Henderson, Hickman, Livingston, McLean, Union, Webster.

*Maryland:* Baltimore, Caroline, Carroll, Cecil, Frederick, Harford, Howard, Kent, Montgomery, Queen Annes, Washington.

*Pennsylvania:* Adams, Berks, Chester, Cumberland, Dauphin, Franklin, Fulton, Lancaster, Lebanon, Perry, York.

(52 Stat. 31)

Done at Washington, D. C., this 18th day of September 1941. Witness my hand and seal of the Department of Agriculture.

[SEAL]

GROVER B. HILL,  
Acting Secretary of Agriculture.

[F. R. Doc. 41-7038; Filed, September 19, 1941; 11:18 a. m.]

#### PART 721—CORN

BY THE SECRETARY OF AGRICULTURE, A  
PROCLAMATION

Whereas section 328 of the Agricultural Adjustment Act of 1938, as amended, provides in part as follows:

The acreage allotment of corn for any calendar year shall be that acreage in the commercial corn-producing area, which, on the basis of the average yield for corn in such area during the ten calendar years immediately preceding such calendar year, adjusted for abnormal weather conditions and trends in yield, will produce an amount of corn in such area which the Secretary determines will, together with corn produced in the United States outside the commercial corn-producing area, make available a supply for the marketing year beginning in such calendar year, equal to the reserve supply level. The Secretary shall proclaim such acreage allotment not later than February 1 of the calendar year for which such acreage allotment was determined. \* \* \*

And, whereas subsection (c) of section 301 of said Act provides as follows:

The latest available statistics of the Federal Government shall be used by the Secretary in making the determinations required to be made by the Secretary under this Act.

Now, therefore, be it known that I, Grover B. Hill, Acting Secretary of Agriculture of the United States of America, acting under and pursuant to, and by virtue of, the authority vested in me by the Act of Congress known as the Agricultural Adjustment Act of 1938, as amended, upon the basis of the latest available statistics of the Federal Government, do hereby ascertain, determine, and proclaim under section 328 of said Act:

§ 721.402 *Corn acreage allotment for the commercial corn-producing area for 1942.* That the acreage allotment of corn for the commercial corn-producing area for the calendar year 1942 shall be 37,580,000 acres. (52 Stat. 52.202)

Done at Washington, D. C., this 18th day of September 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

GROVER B. HILL,  
Acting Secretary of Agriculture.

[F. R. Doc. 41-7037; Filed, September 19, 1941; 11:18 a. m.]

#### TITLE 10—ARMY: WAR DEPARTMENT

##### CHAPTER I—AID OF CIVIL AUTHORITIES AND PUBLIC RELATIONS

###### PART 7—MANUFACTURE OF DECORATIONS<sup>1</sup>

§ 7.3 *Medals, etc.* (a) Authority may be granted to sell or to manufacture:

(1) Good conduct and service medals,  
(2) Good conduct and service ribbons or extra ribbons pertaining to the good conduct and service medals and to the several War Department decorations.

(3) Authorized miniature replicas of the War Department decorations, miniature oak leaf clusters, service medals, and suspension ribbons of decorations and good conduct and service medals.

(4) Lapel buttons pertaining to the Good Conduct Medal and lapel buttons and lapel ribbons pertaining to the several decorations and service medals.

(6) Clasps pertinent to the Good Conduct Medal and clasps and bronze stars pertinent to the Victory Medal. (42 Stat. 1286 as amended by 45 Stat. 437; 10 U.S.C. 1425; 47 Stat. 342 as amended by 53 Stat. 752; 18 U.S.C. 76a, 76b.) [Par. 4a, AR 600-90, Dec. 31, 1940, as amended by Cir. 188, W.D., Sept. 5, 1941]

§ 7.7 *Sales, to whom authorized—(a) Individuals.*

(2) Sales of good conduct and service medals, War Department General Staff identification, aviation badges, badges for marksmanship, gunnery, bombing, etc., will be made only to persons exhibiting some official paper or document, such as discharge certificate or true copy thereof, a letter from an officer of the War Department, or other official document, containing definite proof of service or authority to wear. (42 Stat. 1286 as amended by 45 Stat. 437; 10 U.S.C. 1425; 47 Stat. 342 as amended by 53 Stat. 752; 18 U.S.C. 76a, 76b.) [Par. 8a, AR 600-90, Dec. 31, 1940, as amended by Cir. 188, W.D., Sept. 5, 1941]

[SEAL]

E. S. ADAMS,  
The Adjutant General,  
Major General,

[F. R. Doc. 41-7028; Filed, September 19, 1941; 10:27 a. m.]

##### CHAPTER VIII—PERSONNEL

###### PART 78—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES<sup>2</sup>

###### GOOD CONDUCT MEDAL

§ 78.33 *Good Conduct Medal; how earned—(a) General.* Good Conduct Medals and clasps may be awarded only

<sup>1</sup> § 7.3 (a) (1) (2) (3) (4) and (6) and § 7.7 (a) (2) are amended.

<sup>2</sup> §§ 78.33 to 78.37 are added.

to enlisted men recommended therefor by their immediate commanding officers for exemplary behavior, efficiency, and fidelity.

(b) *Service required.* A 3-year period of continuous active Federal enlisted service with character excellent terminating on or after June 28, 1941.

(c) *Organizations in which service required.* (1) Good Conduct Medals and clasps are awarded for rendition of the prescribed service in any one or more of the following only:

(i) Regular Army, including the Philippine Scouts and the Regular Army Reserve while serving on active duty.

(ii) Volunteer forces duly mustered into the Federal service.

(iii) National Guard called or ordered into the Federal service.

(iv) Organized Reserves, including the Enlisted Reserve Corps, while serving on active duty to which ordered or on which placed by the President.

(2) A Good Conduct Medal or clasp will not be awarded by the War Department for service in any one or more of the following:

(i) United States Navy.

(ii) United States Marine Corps.

(iii) United States Coast Guard.

(iv) National Guard not called or ordered into Federal service.

(v) Philippine Constabulary.

(vi) Home - defense organizations.\*† [Pars. 2, 3, and 4]

\*§§ 78.33 to 78.37 issued under authority contained in 45 Stat. 500, 47 Stat. 158; 10 U.S.C. 1415a, 1415b.

†The regulations in §§ 78.33 to 78.37 are also contained in Cir. 188, W. D., Sept. 5, 1941. The particular paragraphs are shown in brackets at the end of sections.

§ 78.34 *Award of medals*—(a) *Limitation on number.* Not more than one Good Conduct Medal will be issued to any one enlisted man; but an enlisted man recommended for award of a Good Conduct Medal upon completion of any subsequent additional 3-year period of active Federal service will be awarded a clasp in lieu thereof.

(b) *Original supply.* Original issue of Good Conduct Medals, accompanying ribbons, lapel buttons, and clasps will be made gratuitously.

(c) *To whom furnished.* Good Conduct Medals and clasps are furnished only to—

(1) Enlisted men who have rendered the required service and are recommended therefor, or

(2) The next of kin of those deceased who shall have rendered the required service and have been recommended therefor. By next of kin is meant the first of the following who are living: Widow (if not remarried), eldest son, eldest daughter, father, mother, eldest brother, eldest sister, eldest grandchild.

(d) *By whom furnished, method of delivery.* (1) Conduct Medals and clasps are furnished by the quartermaster of the nearest military post or station upon application therefor submitted by the

enlisted man's immediate commanding officer on W.D., A.G.O. Form No. 0713:

(i) *For persons in service.* To the company or similar unit commander for distribution to those under his command or control.

(ii) *For persons not in service.* Direct to them.

(2) In case an individual dies before delivery has been made to him of a Good Conduct Medal or clasp for which he has been recommended, the medal or clasp will be returned to the issuing quartermaster for cancelation or delivery to the next of kin as the case may be.\*† [Pars. 5, 6, 7, 8]

§ 78.35 *Action to be taken in case of loss.* In case of loss of a Good Conduct Medal or clasp, the loser will at once make all reasonable efforts to recover it. If in the service he will also inform his immediate commanding officer, who will cause an investigation to be made with a view to determining the circumstances of loss and with a view to recovering the medal or clasp.\*† [Par. 11]

§ 78.36 *Duplicates*—(a) *When furnished.* Under authority contained in the act of May 12, 1928 (45 Stat. 500; 10 U.S.C. 1415b), a duplicate of a Good Conduct Medal or clasp will be furnished in case the original has been lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom originally presented.

(1) *By gratuitous issue.* To persons in the military service.

(2) *By sale.* To all others.

(b) *How obtained*—(1) *Application for, when made.* In the cases of persons in the military service, and in other cases when the loss is the result of fire, tornado, earthquake, shipwreck, or similar catastrophe, application may be made immediately; otherwise, the application should not be made until after the lapse of 3 months.

(2) *To whom application addressed.* Applications should be addressed to The Adjutant General.

(3) *Form of application.* (i) If from a person in the military service, the application will be in the form of a letter.

(ii) If from a person not in the military service, it will be on a blank form furnished by The Adjutant General.

(4) *Matter to accompany application.* In any case the application will be supported by proof in the form of an affidavit setting forth the circumstances attending the loss or destruction, showing that such loss or destruction was without fault or neglect on the part of the applicant, and what efforts, if any, were made toward recovery.

(5) *How application forwarded.* (1) If the application is from a person in the military service, it will be forwarded through military channels to The Adjutant General together with recommendations as to issue of a duplicate.

(ii) If from a person not in the military service, it will be forwarded direct to The Adjutant General.

(c) *Purchase from authorized dealers.* If the applicant so desires, he may purchase a duplicate Good Conduct Medal or clasp from any of the individuals, firms, or corporations authorized under the provisions of §§ 7.1 to 7.9 of this title to sell or manufacture and sell service medals, etc., by exhibiting some official paper or document, such as a discharge certificate or true copy thereof, a letter from an officer of the War Department, or other official document, containing a definite proof of his authority to wear the Good Conduct Medal.\*† [Pars. 12 and 13]

§ 78.37 *Exhibition purposes.* Upon approval by the Secretary of War, samples of Good Conduct Medals awarded by the War Department will be furnished at cost prices, plus transportation and packing charges (except to the War Department or a governmental agency), to museums, libraries, historical, numismatic, and military societies, or institutions of such a public nature as will insure an opportunity to the public to view the exhibits. Except for a War Department or a governmental agency exhibit, all sample Good Conduct Medals so furnished will be engraved at the expense of the purchaser with the words "For exhibition purposes only."\*† [Par. 14]

[SEAL]

E. S. ADAMS,  
Major General,  
The Adjutant General.

[F. R. Doc. 41-7029; Filed, September 19, 1941; 10:27 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 4421]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF OZON CHEMICAL COMPANY, INC., ETC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* In connection with offer, etc., of respondent's medicinal preparation designated "Duncan's Ozon", or any other substantially similar preparation, 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 product, which advertisements represent, directly or through inference, (1) that said preparation constitutes a cure or remedy for, or possesses any therapeutic value in the treatment of, sore throat, poison ivy, or athlete's foot; (2) that said preparation constitutes a cure or remedy for colds or coughs, or that it possesses any therapeutic value in the treatment of coughs in excess of such comfort as it may afford by reason of its expectorant properties; and (3) that said preparation is an effective preventive of sore throat or

coughs; 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, Ozon Chemical Company, Inc., etc., Docket 4421, September 5, 1941]

*In the Matter of Ozon Chemical Company, Inc., a Corporation, Also Trading as Duncan Chemical Co.*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of September, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission (no answer having been filed by respondent), testimony and other evidence taken before Robert S. Hall, trial examiner of the Commission theretofore duly designated by it, in support of and in opposition to the allegations of the complaint, report of the trial examiner upon the evidence, and brief in support of complaint (respondent not having filed brief and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

*It is ordered*, That the respondent, Ozon Chemical Company, Inc., a corporation, also trading as Duncan Chemical Co., and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of its medicinal preparation designated "Duncan's Ozon", or any preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference:

(a) That said preparation constitutes a cure or remedy for, or possesses any therapeutic value in the treatment of, sore throat, poison ivy, or athlete's foot;

(b) That said preparation constitutes a cure or remedy for colds or coughs, or that it possesses any therapeutic value in the treatment of coughs in excess of such comfort as it may afford by reason of its expectorant properties;

(c) That said preparation is an effective preventive of sore throat or coughs.

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 prepara-

tion, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

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

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-7031; Filed, September 19, 1941; 11:10 a. m.]

[Docket No. 4472]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF W. HILLYER RAGSDALE, ETC.

§ 3.6 (f) *Advertising falsely or misleadingly—Demand or business opportunities*: § 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product*: § 3.6 (x) *Advertising falsely or misleadingly—Results*. In connection with offer, etc., in commerce, of courses of instruction for making candy or of supplies or materials intended for use in making candy, and among other things as in order set forth, representing that men and women who purchase respondents' outfits and instructions are afforded thereby an opportunity to enter the business of making and selling home-made candies, or will be enabled thereby and by respondents' help, to set themselves up in a profitable business; or that, through said method of making and selling candy, such business can be operated successfully from or in the home; or that by the use of such method, or by reason of such outfits or instructions, or by the assistance given to purchasers by mail, or by the tools or equipment or supplies or raw materials furnished by respondents with their instructions, such purchasers will or should be successful in the candy business or will or should receive therefrom a steady income and profits; 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, W. Hillyer Ragsdale, etc., Docket 4472, September 5, 1941]

§ 3.6 (y10) *Advertising falsely or misleadingly—Scientific or other relevant facts*: § 3.6 (ff5) *Advertising falsely or misleadingly—Undertakings, in general*: § 3.72 (p) *Offering deceptive inducements to purchase—Undertakings, in general*. In connection with offer, etc., in commerce, of courses of instruction for making candy or of supplies or materials intended for use in making candy, and among other things, as in order set forth, representing that the tools, equipment, supplies and materials furnished by the respondents include all the confectioners' tools, equipment, supplies and materials, except certain minor inexpensive items, that are used in modern home-made candy kitchens or that

they are all that are required in the making of home-made candy and in the preparing of it for sale, except minor inexpensive items; or that respondents furnish sufficient tools, supplies and raw materials, except for minor inexpensive items, to make over \$40 worth of candy, or enough candy to give the purchaser a good start in the candy business; 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, W. Hillyer Ragsdale, etc., Docket 4472, September 5, 1941]

§ 3.6 (dd10) *Advertising falsely or misleadingly—Success, use or standing*. In connection with offer, etc., in commerce, of courses of instruction for making candy or of supplies or materials intended for use in making candy, and among other things, as in order set forth, representing that a large number of men and women who have purchased respondents' courses of instruction, tools and equipment have, by following their method of making and selling candy, achieved success in the candy business and made a steady income and profits making and selling candy either as a part-time or as a full-time business, 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, W. Hillyer Ragsdale, etc., Docket 4472, September 5, 1941]

*In the Matter of W. Hillyer Ragsdale, Annie M. Ragsdale, Marshall D. Ragsdale, and Ida J. Ragsdale, Individually and Doing Business Under the Names and Styles of W. Hillyer Ragsdale, W. Hillyer Ragsdale, Inc., and Ragsdale Candies*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of September, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents and a stipulation entered into by and between counsel for the Commission and the respondents, wherein it was stipulated and agreed that a statement of facts thereupon read into and made a part of the record in this proceeding may be taken as the facts in this proceeding and in lieu of testimony in support of the charges stated in the complaint, or in opposition thereto, and that the Commission may proceed upon such statement of facts to make its report, stating its findings as to the facts and its conclusion based thereon and enter its order disposing of the proceeding without the presentation of argument or the filing of briefs or of a report upon the evidence by the Trial Examiner, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

<sup>1</sup> 6 F.R. 1110.

<sup>1</sup> 6 F.R. 2670.

It is ordered, That the respondents, W. Hillyer Ragsdale, Annie M. Ragsdale, Marshall D. Ragsdale, and Ida J. Ragsdale, individually and doing business under the names and styles of W. Hillyer Ragsdale, W. Hillyer Ragsdale, Inc., and Ragsdale Candies, or under any other trade name, their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of courses of instruction for making candy or of supplies or materials intended for use in making candy, in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist:

1. Representing that men and women who purchase respondents' outfits and instructions are afforded thereby an opportunity to enter the business of making and selling home-made candies; or that they will be enabled thereby and by respondents' help, to set themselves up in a profitable business; or that, through respondents' method of making and selling candy, such business can be operated successfully from or in the home; or that by the use of such method, or by reason of such outfits or instructions, or by the assistance given to purchasers by mail, or by the tools or equipment or supplies or raw materials furnished by respondents with their instructions, such purchasers will or should be successful in the candy business or will or should receive therefrom a steady income and profits.

2. Representing that the tools, equipment, supplies and materials furnished by the respondents include all the confectioners' tools, equipment, supplies and materials, except certain minor inexpensive items, that are used in modern home-made candy kitchens or that they are all that are required in the making of home-made candy and in the preparing of it for sale, except minor inexpensive items; or that respondents furnish sufficient tools, supplies and raw materials, except for minor inexpensive items, to make over \$40 worth of candy, or enough candy to give the purchaser a good start in the candy business.

3. Representing that a large number of men and women who have purchased respondents' courses of instruction, tools and equipment have, by following their method of making and selling candy, achieved success in the candy business and made a steady income and profits making and selling candy either as a part-time or as a full-time business.

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. 41-7032; Filed, September 19, 1941;  
11:10 a. m.]

[Docket No. 4385]

PART 3—DIGEST OF CEASE AND DESIST  
ORDERS

IN THE MATTER OF SCHULER CHOCOLATES,  
INC., ETC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy or any other merchandise, (1) selling, etc., any merchandise so packed or assembled that sales thereof to the public are to be, or may be, made by means of a game of chance, gift enterprise, or lottery scheme; (2) supplying, etc., others with punchboards, push or pull cards, pull tabs, or other lottery devices, either with assortments of merchandise or separately, which said punchboards, push or pull cards, pull tabs, or other lottery devices are to be, or may be, used in selling or distributing said merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise, or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Schuler Chocolates, Inc., etc., Docket 4385, September 5, 1941]

*In the Matter of Schuler Chocolates, Inc., a Corporation, Doing Business Under That Name and as Schuler Candy Company*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of September, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, certain facts stipulated in the record and other evidence, and brief in support of the complaint (respondent not having filed brief and oral argument not having been requested), 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 respondent Schuler Chocolates, Inc., a corporation, also trading as Schuler Candy Company, or under any other name, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of candy or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing any merchandise so packed or assembled that sales of such merchandise to the public are to be made, or may be made, by means of a game of chance, gift enterprise, or lottery scheme;

(2) Supplying to or placing in the hands of others punchboards, push or pull cards, pull tabs, or other lottery devices, either with assortments of mer-

chandise or separately, which said punchboards, push or pull cards, pull tabs, or other lottery devices are to be used, or may be used, in selling or distributing said merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-7033; Filed, September 19, 1941;  
11:11 a. m.]

[Docket No. 4462]

PART 3—DIGEST OF CEASE AND DESIST  
ORDERS

IN THE MATTER OF CONTINENTAL PREMIUM  
MART

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of novelty jewelry, fountain pens, bill folds, knives, wearing apparel, carnival supplies, lamps, premium novelties or any other merchandise, (1) selling, etc., any merchandise so packed and assembled that sales thereof are to be, or may be, made by means of a lottery, gaming device or gift enterprise; (2) supplying, etc., others with assortments of any merchandise, together with push or pull cards or any other device, which said push or pull cards or other device are to be, or may be, used in selling or distributing said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme; (3) supplying, etc., others with push or pull cards or other devices either with assortments of merchandise or separately, which said push or pull cards or other devices are to be, or may be, used in selling or distributing such merchandise to the public by means of a game of chance, gift enterprise or lottery scheme; and (4) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Continental Premium Mart, Docket 4462, September 5, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of September, A. D. 1941.

This proceeding having been heard<sup>1</sup> by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, a stipulation as to the facts entered into by and between counsel for the Commission and counsel for the respondent and certain testimony

introduced by respondent, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

*It is ordered,* That the respondent, Continental Premium Mart, a corporation, its officers, representatives, agents and employees directly or through any corporate or other device in connection with the offering for sale, sale and distribution of novelty jewelry, fountain pens, bill folds, knives, wearing apparel, carnival supplies, lamps, premium novelties or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing any merchandise so packed and assembled that sales thereof are to be made or may be made by means of a lottery, gaming device or gift enterprise;

(2) Supplying to or placing in the hands of others, assortments of any merchandise, together with push or pull cards or any other device, which said push or pull cards or other device are to be used or may be used in selling or distributing said merchandise to the public by means of a game of chance, gift enterprise or lottery scheme;

(3) Supplying to or placing in the hands of others push or pull cards or other devices either with assortments of merchandise or separately which said push or pull cards or other devices are to be used or may be used in selling or distributing such merchandise to the public by means of a game of chance, gift enterprise or lottery scheme;

(4) Selling or otherwise distributing any merchandise by means of a game of chance, gift enterprise or lottery scheme.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-7034; Filed, September 19, 1941; 11:11 a. m.]

**TITLE 17—COMMODITY AND SECURITIES EXCHANGES**

**CHAPTER II—SECURITIES AND EXCHANGE COMMISSION**

**PART 239—FORMS, SECURITIES ACT OF 1933  
RESCISSION OF FORM A-R**

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly sections 7, 10 and 19 (a) thereof, and deeming such

action necessary and appropriate in the public interest and for the protection of investors, and necessary to carry out the provisions of the Act, hereby rescinds Form A-R for Corporate Bonds Secured by Mortgage Insured by Federal Housing Administration, together with the Instruction Book therefor.

Effective September 18, 1941.  
By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-7044; Filed, September 19, 1941; 11:25 a. m.]

**TITLE 30—MINERAL RESOURCES  
CHAPTER III—BITUMINOUS COAL  
DIVISION**

[Docket No. A-1023]

**PART 327—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 7**

**ORDER GRANTING TEMPORARY RELIEF AND  
CONDITIONALLY PROVIDING FOR FINAL  
RELIEF IN THE MATTER OF THE PETITION OF  
BITUMINOUS COAL PRODUCERS BOARD FOR  
DISTRICT NO. 7 FOR THE ESTABLISHMENT  
OF PRICE CLASSIFICATIONS AND MINIMUM  
PRICES FOR THE COALS OF CERTAIN MINES  
IN DISTRICT NO. 7 FOR ALL SHIPMENTS**

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 all shipments for the coals produced at the mines of certain code members in District No. 7; and

The Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

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

The Director deeming his action necessary in order to effectuate the purposes of the Act;

*Now, therefore, it is ordered,* That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, 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 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 the Director shall otherwise order.

Dated: September 3, 1941.

[SEAL] H. A. GRAY,  
Director.

**TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7**

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 327, Minimum Price Schedule 1 for District No. 7 and supplements thereto.

**FOR ALL SHIPMENTS EXCEPT TRUCK**

**§ 327.11 Low volatile coals: Alphabetical list of code members—Supplement R**

Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown<sup>1</sup>

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Freight origin group No.	Price classifications by size group Nos.									
						1	2	3	4	5	6	7	8	9	10
236	Coleway Coal Company, Inc., c/o O. P. Callaway.	Fayette.....	2	Sewell.....	10	A	(1)	(1)	(1)	(1)	A	A	B	B	B
237	Darr Smokeless Coal Company, c/o R. E. Brockman.	Spice Creek.....	4	Davy-Sewell..	30	D	D	C	A	A	B	B	D	D	D
233	Evans, D. D. (Shan Pocahontas Coal Co.).	Shan.....	4	Bradshaw.....	30	(1)	(1)	(1)	(1)	(1)	A	A	(1)	(1)	(1)
543	Garten, C. V.	Copeland.....	2	Sewell.....	10	A	(1)	(1)	(1)	(1)	A	A	B	B	B
549	Griffith Coal Co. c/o Robert Griffith.	Griffith.....	2	Beckley.....	10	(1)	(1)	(1)	(1)	(1)	A	A	(1)	(1)	(1)
238	Koppers Coal Co., The.....	Helen #1.....	5	Poca. 4.....	14	D	D	C	A	A	B	B	B	B	B
609	Mack Coal Company.....	Stover #1.....	2	Fire Creek.....	10	A	(1)	(1)	(1)	(1)	A	A	B	B	B
603	Skaggs, Henry (Holliday Branch Fuel Co.)	Holliday Branch.....	2	Sewell.....	10	A	(1)	(1)	(1)	(1)	A	A	B	B	B
606	Spade, W. L.....	Spade.....	2	Beckley.....	10	(1)	(1)	(1)	(1)	(1)	B	B	(1)	(1)	(1)
684	Treadway, G. C.....	Dimmock #2.....	2	Fire Creek.....	10	A	(1)	(1)	(1)	(1)	A	A	B	B	B

<sup>1</sup> Indicates no classifications effective for these size groups.



tions filed herein are hereby granted to the extent set forth above, and in all other respects denied.  
 Dated: September 6, 1941.  
 H. A. GRAY,  
 Director.

**EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 18**

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 338, Minimum Price Schedule for District No. 18 and supplements thereto.

**FOR ALL SHIPMENTS**

The following changes shall be made in Price Schedule No. 1 for District No. 18:  
 § 338.2 Code member price index—Supplement R-I. The following shall be listed in proper alphabetical order:

Producer	Mine	Mine index No.	County	Subdistrict price group	Price per ton truck
Canonica Coal Company	Canonica	137	Bernalillo	9	8
Ferro, Chas. J. & M. P. Trosselo	Ferro	139	Bernalillo	9	8
Firesteel Lumber Company (Robert Anderson, Jr.)	Diamond	138	Bernalillo	9	8

§ 338.3 Identification and description of subdistricts—Supplement R-II. Insert the following:

Subdistrict No. 9, Rio Puerco. Description: All Mines west of Rio Grande in Bernalillo County, New Mexico.

§ 338.21 General prices in cents per net ton for shipment into all market areas—Supplement T. Insert Subdistrict No. 9 in proper numerical order and include the following Code member names, mine names, counties and prices:

Code member	Mine	County	Size groups					
			2	8	9	H	12	13
Canonica Coal Company Ferro, Chas. J. & M. P. Trosselo Firesteel Lumber Company (Robert Anderson, Jr.)	Canonica	Bernalillo	400	300	215	190	170	125
	Ferro	Bernalillo	400	300	215	190	170	125
	Diamond	Bernalillo	400	300	215	190	170	125

[F. R. Doc. 41-6990; Filed, September 18, 1941; 10:51 a. m.]

**FOR TRUCK SHIPMENTS**  
 § 327.34 General prices in cents per net ton for shipment into any market area—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump 3/4" or larger, all egg or and stove	1 1/4" top size or smaller	Screamed M/R	Straight mine run	1 1/4" Screenings	3/4" Screenings
Coleway Coal Company, Inc. (C. P. Callaway)	236	Fayette	2	Fayette	Sewell	330	---	280	215	105	190
Darr Smokeless Coal Company, R. E. Brockman	237	Spice Creek	4	McDowell	Davy-Sewell	290	250	280	215	185	180
Evans, J. D. (Shan Focas)	233	Shan	4	McDowell	Bradshaw	---	---	280	215	---	---
Koppers Coal Co., The	238	Helen #11	5	Raleigh	Foca 4	290	250	280	215	195	190
Lane & Lilly (Orlando Lane)	234	Lane & Lilly	2	Raleigh	Beckley	---	---	280	215	---	---

[F. R. Doc. 41-6989; Filed, September 18, 1941; 10:51 a. m.]

[Docket No. A-347]  
**PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18**

ORDER GRANTING RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 18 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES NOT HERETOFORE CLASSIFIED AND PRICED

A petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been filed with the Bituminous Coal Division by District Board 18, seeking the establishment of price classifications and minimum prices for the coals of certain mines in District 18 not theretofore classified and priced;

Temporary relief having been granted by Order of the Director;

A hearing having been held before a duly designated Examiner of the Division,

at a hearing room of the Division in Denver, Colorado, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The parties to this proceeding having waived the preparation and filing of a report by the Examiner, and the record thereupon having been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith;

Now, therefore, it is ordered, That § 338.2 (Code member price index) is amended by adding thereto Supplement R-I, § 338.3 (Identification and description of subdistricts) is amended by adding thereto Supplement R-II, and § 338.21 (General prices in cents per net ton for shipment into all market areas)

**TITLE 31—MONEY AND FINANCE:  
TREASURY**

**CHAPTER I—MONETARY OFFICES**

**PART 130—REGULATIONS RELATING TO  
TRANSACTIONS IN FOREIGN EXCHANGE,  
TRANSFERS OF CREDIT, PAYMENTS, AND  
THE EXPORT AND WITHDRAWAL OF COIN,  
BULLION AND CURRENCY; AND TO REPORTS  
OF FOREIGN PROPERTY INTERESTS IN THE  
UNITED STATES**

**AMENDMENT OF PUBLIC CIRCULAR NO. 1 UNDER  
EXECUTIVE ORDER NO. 8389, APRIL 10, 1940,  
AS AMENDED, AND REGULATIONS ISSUED  
PURSUANT THERETO, RELATING TO TRANS-  
ACTIONS IN FOREIGN EXCHANGE, ETC.<sup>1</sup>**

SEPTEMBER, 18, 1941.

APPENDIX: Public Circular No. 1 is amended to read as follows:

Reference is made to § 130.4<sup>2</sup> of the Regulations providing that reports on Form TFR-300 shall be filed on or before July 14, 1941.

The time within which such reports on Form TFR-300 shall be filed is hereby extended to October 31, 1941.

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

[F. R. Doc. 41-7006; Filed, September 18, 1941;  
3:59 p. m.]

**TITLE 32—NATIONAL DEFENSE**

**CHAPTER VI—SELECTIVE SERVICE  
SYSTEM**

**ORDER AUTHORIZING THE STATE DIRECTOR  
OF SELECTIVE SERVICE OF WISCONSIN TO  
ORDER ADDITIONAL OR ALTERNATIVE  
PHYSICAL EXAMINATIONS**

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of Section XLVIII of the Selective Service Regulations, I hereby authorize the State Director of Selective Service of Wisconsin to direct any local board in the State of Wisconsin to order registrants to appear for and submit to a physical examination by an Examining Board of the armed forces, either in addition to or in lieu of the physical examination provided for in Volume Three, "Classification and Selection."

In proceeding under this authorization, the State Director of Selective Service of Wisconsin will be guided by the provisions of Section XLVIII of the Selective Service Regulations. The right of all registrants to an appeal shall be preserved and no registrant shall be ordered to report

<sup>1</sup> Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, and E.O. 8832, July 26, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941.

<sup>2</sup> Section 130.4 appears at 6 F.R. 2906. See amendment affecting this section, 6 F.R. 3722.

for induction on less than 10 days' notice, as provided in Paragraph 415 of the Selective Service Regulations, as amended.

The State Director of Selective Service of Wisconsin shall submit to the Director of Selective Service copies of plans, forms, and directives prescribed for use by him in carrying out this authorization.

LEWIS B. HERSHEY,  
Director.

SEPTEMBER 18, 1941.

[F. R. Doc. 41-7046; Filed, September 19, 1941;  
11:29 a. m.]

**ORDER AUTHORIZING THE STATE DIRECTOR  
OF SELECTIVE SERVICE OF MICHIGAN TO  
ORDER ADDITIONAL OR ALTERNATIVE  
PHYSICAL EXAMINATIONS**

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of Section XLVIII of the Selective Service Regulations, I hereby authorize the State Director of Selective Service of Michigan to direct any local board in the State of Michigan to order registrants to appear for and submit to a physical examination by an Examining Board of the armed forces, either in addition to or in lieu of the physical examination provided for in Volume Three, "Classification and Selection."

In proceeding under this authorization, the State Director of Selective Service of Michigan will be guided by the provisions of Section XLVIII of the Selective Service Regulations. The right of all registrants to an appeal shall be preserved and no registrant shall be ordered to report for induction on less than 10 days' notice, as provided in Paragraph 415 of the Selective Service Regulations, as amended.

The State Director of Selective Service of Michigan shall submit to the Director of Selective Service copies of plans, forms, and directives prescribed for use by him in carrying out this authorization.

LEWIS B. HERSHEY,  
Director.

SEPTEMBER 18, 1941.

[F. R. Doc. 41-7047; Filed, September 19, 1941;  
11:29 a. m.]

**CHAPTER VIII—EXPORT CONTROL<sup>1</sup>**

**SUBCHAPTER C—ECONOMIC DEFENSE BOARD**

[Administrative Order No. 1]

**DELEGATION OF AUTHORITY AND  
DUTIES, ETC.**

1. All licenses heretofore issued by the Secretary of State and the Administrator of Export Control under the authority of Section 6 of the Act of July 2, 1940, entitled "An Act to expedite the strength-

<sup>1</sup> Formerly Subchapter C—Administrator of Export Control.

ening of the national defense" (Public No. 703, 76th Congress, 3d Session), as extended by Joint Resolution of May 28, 1941 (Public No. 75, 77th Congress, 1st Session), are hereby continued in full force and effect.

2. All delegations of authority and duties in effect on September 15, 1941, pursuant to Section 6 of the Act of July 2, 1940, entitled "An Act to expedite the strengthening of the national defense" (Public No. 703, 76th Congress, 3d Session), as extended by Joint Resolution of May 28, 1941 (Public No. 75, 77th Congress, 1st Session), or pursuant to the Act of October 10, 1940, entitled "An Act to authorize the President to requisition certain articles and materials for the use of the United States, and for other purposes" (Public No. 829, 76th Congress, 3d Session), are hereby continued in effect, to be hereafter exercised on behalf of the Economic Defense Board, subject to further order, and all action taken pursuant to such delegations, whether or not purporting to be on behalf of the Board, shall be deemed to have been exercised in its behalf.

September 15, 1941.

MILO PERKINS,  
Executive Director.

[F. R. Doc. 41-7003; Filed, September 18, 1941;  
2:53 p. m.]

**CHAPTER IX—OFFICE OF PRODUCTION  
MANAGEMENT**

**SUBCHAPTER B—PRIORITIES DIVISION**

**PART 983—MATERIAL ENTERING INTO THE  
PRODUCTION OF REPLACEMENT PARTS FOR  
PASSENGER AUTOMOBILES AND LIGHT  
TRUCKS**

*Limitation Order L-4 To Restrict the  
Production of Replacement Parts Used  
in the Repair of Passenger Automobiles  
and Light Trucks*

Whereas the manufacture of replacement parts used in the repair of passenger automobiles and light trucks requires the utilization of large quantities of aluminum, chromium, copper, nickel, nickel steel, rubber, steel, tin, tungsten and other critical materials, and the national defense requirements have created a shortage of these materials for the combined needs of defense, private account and export; action has already been taken to conserve the supply and direct the distribution of such materials to insure deliveries for defense and for essential civilian requirements; and the present supply of these materials will be insufficient for defense and essential civilian requirements unless the manufacture of such replacement parts is curtailed and the use of critical materials for such manufacture thereby reduced; Now, therefore, it is hereby ordered, That:

§ 983.1 *General limitation order L-4—(a) Definitions.* For the purposes of this order:

(1) "Passenger Automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by internal combustion engine, having a seating capacity of less than 15 persons.

(2) "Light Trucks" means a motor truck or truck tractor of rated capacity (as advertised by the producer prior to August 1, 1941) of less than 1½ tons.

(3) "Replacement Parts" means only the following functional parts (including components entering into such parts) used for the repair of light motor trucks or passenger automobiles: engine, clutch, transmission, propeller shaft, axles, brakes, wheels, hubs, drums, starting apparatus, spring suspension, brackets and shackles; also the exhaust, cooling, fuel and electrical systems, including generators, lights, reflectors and batteries; also gauges, speedometers, motors, fuses, flares, directional signals, rear-view mirrors, windshield wipers, control mechanisms, steering apparatus, driving gears. Replacement parts do not include parts entering into the production or assembly of new light motor trucks or passenger automobiles.

(4) "Producer" means any individual, partnership, association, corporation or other form of business enterprise, engaged in the manufacture of replacement parts (as herein defined) used in the repair of passenger automobiles or light trucks.

(b) *General restrictions.* During the period commencing September 15, 1941, and ending December 31, 1941:

(1) A Producer shall not manufacture more than 60% of that number of replacement parts (as herein defined) sold by him for replacement purposes during the period from January 1, 1941, to June 30, 1941.

(2) The determination of the number of replacement parts sold from January 1, 1941, to June 30, 1941, shall exclude, and the foregoing limitation upon the number of replacement parts which may be produced by any producer during the period September 15, 1941, to December 31, 1941, shall not apply to any such replacement parts produced under contracts or orders for delivery to or for the account of:

(i) The Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development;

(ii) The government of any of the following countries: the United Kingdom, Canada, and other Dominions, Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia and Yugoslavia;

(iii) Any agency of the United States Government for material or equipment to be delivered to, or for the account of, the government of any country listed

above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(3) Each Producer must comply with such directions and instructions as may be issued from time to time by the Director of Priorities of the Office of Production Management with respect to the reduction or elimination of scarce materials in the production of replacement parts (as herein defined) used in the repair of passenger automobiles or light trucks.

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

(d) *Audit and inspection.* All records required to be kept by this Order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Office of Production Management.

(e) *Reports.* All persons affected by this Order shall execute and file with the Office of Production Management such reports and questionnaires as said Office shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the Office of Production Management.

(f) *Violations or false statements.* Any person who violates this Order, or who wilfully falsifies any records which he is required to keep by the terms of this Order, or by the Director of Priorities, or otherwise wilfully furnishes false information to the Director of Priorities or to the Office of Production Management may be deprived of priorities assistance or may be prohibited by the Director of Priorities from obtaining any further deliveries of materials subject to allocation. The Director of Priorities may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

(g) *Appeal.* Any person affected by this Order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the Division of Priorities by addressing a letter to the Automotive Branch of the Division of Civilian Supply, Office of Production Management, Washington, D. C., setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director of Priorities may thereupon take such action as he deems appropriate.

(h) *Effective date.* This Order shall take effect upon the date of the issuance thereof and shall continue in effect until revoked by the Director of Priorities, subject to such amendments or supplements thereto as may be issued from time to time by the Director of Priorities. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489;

OPM Reg. 3, March 8, 1941, 6 F.R. 1596; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 18th day of September 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-7010; Filed, September 19, 1941; 9:24 a. m.]

PART 983—MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS

Limited Preference Rating Order No. P-57 on Material Entering Into the Production of Replacement Parts for Passenger Automobiles and Light Trucks

§ 983.2 *Limited preference rating order P-57.* For the purpose of facilitating the acquisition of material for the production of replacement parts to be used in the repair of passenger automobiles and light trucks, a preference rating is hereby assigned to deliveries for such purposes upon the following terms:

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

(1) "Passenger Automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by internal combustion engine, having a seating capacity of less than 15 persons.

(2) "Light Trucks" means a motor truck or truck tractor of rated capacity (as advertised by the producer prior to August 1, 1941) of less than 1½ tons.

(3) "Replacement Parts" means only the following functional parts (including components entering into such parts) used for the repair of light motor trucks or passenger automobiles: engine, clutch, transmission, propeller shaft, axles, brakes, wheels, hubs, drums, starting apparatus, spring suspension, brackets and shackles; also the exhaust, cooling, fuel and electrical systems, including generators, lights, reflectors and batteries; also gauges, speedometers, motors, fuses, flares, directional signals, rear-view mirrors, windshield wipers, control mechanisms, steering apparatus, driving gears. Replacement parts do not include parts entering into the production or assembly of new light motor trucks or passenger automobiles.

(4) "Producer" means any individual, partnership, association, corporation or other form of business enterprise, engaged in the manufacture of replacement parts (as herein defined) used in the repair of passenger automobiles or light trucks.

(5) "Supplier" means any person with whom a contract or purchase order has been placed for delivery, to the Producer or to another Supplier, of material which

will be physically incorporated into the replacement parts.

(6) "Material" means any commodity, equipment, accessories, parts, assemblies or products of any kind.

(b) *Assignment of preference rating.* Subject to the terms of this Order, preference rating A-10 is hereby assigned:

(1) To deliveries to a Producer by his suppliers of materials required for the production by him of replacement parts: *Provided, however,* That no materials shall be obtained in quantity greater than required for his production as limited by Limitation Order No. L-4 or by any other order or direction of the Director of Priorities.

(2) To deliveries to any Supplier of material which he requires to make his rated deliveries to the Producer or to another Supplier: *Provided,* Such material will be physically incorporated in the replacement parts produced by the Producer.

(c) *Persons entitled to apply preference rating.* The Preference Rating hereby assigned may be applied by:

(1) A Producer;

(2) A Supplier, provided that he requires the material so purchased in order to make deliveries which have been duly rated in the manner specified in paragraph (d).

(d) *Application of preference rating.*

(1) A Producer in order to apply the preference rating to a delivery of material to him must endorse the following statement on the original and all copies of the purchase order or contract for such material, signed by a responsible official duly designated for such purpose by such Producer:

**CERTIFICATE OF PRODUCER APPLYING RATING**

An A-10 preference rating is assigned to this purchase order pursuant to Limited Preference Rating Order P-57. This application of the rating is made by the Producer upon the conditions set forth in said Order, with which we are familiar.

-----  
Authorized signature for producer

Such endorsement shall constitute a certification to the Office of Production Management that such material is required to the extent ordered in order to produce the number of replacement parts within the limits authorized.

(2) A Supplier in order to apply the preference rating to a delivery of material to him must endorse the following statement on the original and all copies of the purchase order or contract for such material signed by a responsible official duly designated for such purpose by such Supplier:

**CERTIFICATE OF SUPPLIER APPLYING RATING**

An A-10 preference rating is assigned to this purchase order pursuant to Limited Preference Rating Order P-57. This application of the rating is made by the Supplier upon the conditions set forth in said Order, with which we are familiar.

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Authorized signature for supplier

Such endorsement shall constitute a certification to the Office of Production Management that such material is required to the extent ordered in order to fill a purchase order placed by a Producer or Supplier duly rated in accordance herewith. Any such Supplier's purchase order or contract shall be restricted to material the delivery of which is rated in accordance herewith.

(3) A Producer or Supplier placing any such rated purchase orders or contracts and the supplier selling the material covered thereby, must each retain endorsed copies of such purchase orders or contracts segregated from all other purchase orders or contracts for a period of two years from the date thereof for inspection by authorized representatives of the Office of Production Management.

(e) *Restrictions on application of rating.* The preference rating hereby assigned shall not be applied:

(1) *By a producer* to obtain deliveries of materials in excess of the amount needed for the production of the replacement parts, taking into consideration existing inventories of the Producer, and subject to any limitation contained in Limitation Order L-4 or in any other Order or direction issued by the Director of Priorities. If a Producer has sufficient material to produce the authorized number of replacement parts and still have a practicable minimum working inventory, he shall not make use of the rating to obtain delivery of such material.

(2) *By a supplier* to obtain material in excess of the amount necessary to make rated deliveries, taking into consideration existing inventories of the Supplier. If a Supplier has sufficient material to enable him to make his rated deliveries and still have a practicable minimum working inventory, he shall not make use of the rating to obtain delivery of such materials.

(3) *By a producer or a supplier.*

(i) Unless the material to be delivered cannot be obtained when required without such rating.

(ii) To obtain deliveries earlier than required.

(iii) To deliveries of materials on purchase orders placed after December 1, 1941.

(iv) To deliveries of materials on purchase orders calling for delivery after December 31, 1941.

(f) *False statements and penalties.* Any person who applies the preference rating hereby assigned in wilful violation of the terms and provisions of this Order, or wilfully falsifies records required to be kept or information to be furnished pursuant to this Order, or who obtains a delivery of material by means of a material and wilful misstatement will be prohibited from obtaining further deliveries of material under allocation and be deprived of any other priorities assistance. The Director of Priorities may also take any other action deemed

appropriate, including the making of a recommendation for prosecution under Section 35A of the Criminal Code (18 U.S.C. 80).

(g) *Reports.* Each Producer and Supplier who in any month applies the preference rating in the manner herein provided to any deliveries to him, shall, not later than the 15th day of the following month, file with the Automotive Branch, Civilian Supply Division, Office of Production Management, Washington, D. C., a report on form to be prescribed by the Director of Priorities, setting forth the number of items or amount of materials to which the preference rating has been assigned in the preceding month, the stock of such items and amount of such materials on hand, and the number or amount used in production by him during the period from January 1 through June 30, 1941; and such other reports as the Director of Priorities may require.

(h) *Revocation or modification.* This Order may be revoked or amended by the Director of Priorities at any time in whole or in part or in its application to any Producer or any Supplier. In the event of revocation, or upon expiration of this Order, deliveries already rated pursuant to this Order shall be completed in accordance with said rating, unless the rating has been specifically revoked. No additional applications of this rating to any other deliveries shall thereafter be made by any Producer or Supplier affected by said revocation or expiration.

(i) *Effective date.* This Order shall take effect on the 18th day of September, 1941, and unless sooner revoked shall expire on the 31st day of December 1941. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; OPM Reg. 3, March 8, 1941, 6 F.R. 1596; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 18th day of September 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-7011; Filed September 19, 1941; 9:24 a. m.]

**CHAPTER XI—OFFICE OF PRICE ADMINISTRATION**

**PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS**

Price Schedule No. 9<sup>1</sup>—Hides, Kips and Calfskins—is hereby amended, effective September 18, 1941, by amending §§ 1314.11 (b) and 1314.12 (b) to read as follows:

§ 1314.11 *Appendix A, maximum prices for domestic hides.*

(b) *Hides other than packer classifications sold on an unselected basis.*

<sup>1</sup> 6 F.R. 2909, 4736.

	Price per lb., f. o. b. Chicago, freight equalized <sup>1</sup>	
	Trimmed	Untrimmed
Free of brand steers and cows.....	\$0.15	\$0.14½
Branded steers and cows.....	.14	.13½
Free of brand bulls.....	.11½	.11
Branded bulls.....	.10½	.10

<sup>1</sup>The term "F. O. B. Chicago, Freight Equalized" used in this Schedule has the meaning generally accepted in the industry, to wit: The maximum price F. O. B. Chicago, Freight Equalized, which a purchaser may pay under this Schedule shall not exceed the maximum price set forth above plus either (a) freight from Chicago to destination or (b) freight from shipping point to destination, whichever is less; except that on shipments by sellers from points located east of Chicago, Illinois, the maximum price is F. O. B. shipping point.

**PREMIUM FOR HIDES OTHER THAN PACKER CLASSIFICATIONS SOLD ON A SELECTED BASIS**

A seller who does not grade his hides according to packer specifications but allows a one cent per pound discount for No. 2's may charge a premium of one-half cent per pound over the maximum prices set forth above for hides other than packer classifications.

**Tare allowance.** A tare allowance of not less than 2% shall be allowed on all sales of hides other than packer classifications. (Executive Order No. 8734, 6 F.R. 1917)

§ 1314.12 Appendix B, maximum prices for domestic kips and calfskins.

(b) Country calf and kip skins.

	Price per lb., flat for No. 1's and No. 2's, f. o. b. shipping point
Country calf (10 lb. and down).....	\$0.16
Country calf (10 to 15 lb.).....	.18
Country kips (15 to 30 lb.).....	.16

(Executive Order No. 8734, 6 F.R. 1917)  
Issued this 18th day of September 1941.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 41-7008; Filed, September 18, 1941; 4:26 p. m.]

**PART 1333—TIN**

**AMENDMENT TO PRICE SCHEDULE NO. 17—PIG TIN**

Section 1333.10 of Price Schedule No. 17<sup>1</sup> is hereby amended to read as follows:

§ 1333.10 Appendix A, maximum prices for pig tin—(a) Maximum prices for standard grades of pig tin.

Grade	Maximum price (per pound)
A. 99.80% or higher percentage of purity, meeting specifications set forth in "Specifications and Proposals for Supplies, No. S-14", issued December 15, 1939, by the U. S. Treasury Department, Procurement Division, except that pig tin of this grade need not be free of scrap and remelted metal.	\$0.52

<sup>1</sup>6 F.R. 4076.

Grade	Maximum price (per pound)
B. 99.75% to 99.79% pure, inclusive; and 99.80% or higher percentage of purity which does not otherwise meet the specifications of Grade A.....	.51625
C. Cornish Refined.....	.51625
D. 99.00% to 99.74% pure, inclusive.....	.51125
E. Below 99% pure.....	.51

<sup>1</sup>For tin content.

(b) **Differentials for freight rates.** The above maximum prices are, in the case of foreign pig tin, ex dock or store, Port of New York, and, in the case of domestic pig tin, ex producer's plant. The maximum prices of foreign pig tin which is imported through ports of entry other than the Port of New York shall be ex dock or store at the actual port of entry and shall be as much more or as much less than the above prices as the ocean freight from the point of shipment to the actual port of entry exceeds or is less than the ocean freight from such point of shipment to the port of New York. Foreign pig tin which is physically present at or is sold for shipment from a point other than the port at which it was entered, and domestic pig tin which is physically present at or is sold for shipment from a point other than the producer's plant, may be sold at prices, f. o. b. such point of physical presence or of shipment, which exceed the above maximum prices by no more than the domestic shipping charges which have actually been paid or must be paid in order to transport such pig tin to such point of physical presence or of shipment.

(c) **Differentials for sales in lots of less than five gross tons.**

For sales of pig tin in lots of:	There may be added to the maximum price (cents per pound)
2,240 to 11,199 pounds, inclusive.....	1
1,000 to 2,239 pounds, inclusive.....	1½
500 to 999 pounds, inclusive.....	2½
Under 500 pounds.....	3

(This amendment is issued pursuant to the authority contained in Executive Order 8734.)

Issued and effective this 19th day of September 1941.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 41-7040; Filed September 19, 1941; 11:24 a. m.]

**PART 1340—FUEL**

**PRICE SCHEDULE NO. 27—ANTHRACITE**

**Order of Revocation**

A Price Schedule fixing maximum prices for anthracite coal f. o. b. mine was issued September 11, 1941,<sup>1</sup> because the necessary data to justify a proposed increase to take effect on September 15, 1941, had not been presented to the Office of Price Administration. The information previously withheld has now been submitted.

<sup>1</sup>6 F.R. 4710.

Accordingly, under the authority vested in me by Executive Order 8734, it is directed that:

Price Schedule No. 27 (§§ 1340.71 to 1340.79, inclusive) is hereby revoked.

Issued this 18th day of September 1941.

This order of revocation is effective September 18, 1941.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 41-7039; Filed, September 19, 1941; 11:24 a. m.]

**PART 1345—COKE**

**PRICE SCHEDULE NO. 29—BY-PRODUCT FOUNDRY AND BY-PRODUCT BLAST FURNACE COKE**

By-product foundry and by-product blast furnace coke are important elements in the manufacture of iron and steel. Maximum prices have been established for pig iron and iron and steel scrap, other important elements of iron and steel costs.

Prices of by-product foundry and by-product blast furnace coke are now from \$1.00 to \$1.25 per ton higher than a year ago. A further upward movement of coke prices would exert pressure upon the prices of iron and steel. The stabilization of present coke prices is important in the prevention of inflation.

After full investigation and conferences with representatives of the coke industry, it has been determined that the establishment of maximum prices for by-product foundry and blast furnace coke is essential and is in the interest of national defense and the public welfare.

Accordingly, under the authority vested in me by Executive Order 8734,<sup>1</sup> it is hereby directed that:

§ 1345.1 **Maximum prices for by-product foundry and by-product blast furnace coke.** On and after October 1, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer, by-product foundry or by-product blast furnace coke, and no person shall buy, offer to buy, or accept delivery of by-product foundry or by-product blast furnace coke at prices higher than the maximum prices set forth in Appendices A and B, incorporated herein as §§ 1345.9 and 1345.10 respectively.\*

\* §§ 1345.1 to 1345.10, inclusive, issued pursuant to the authority contained in Executive Order 8734.

§ 1345.2 **Less than maximum prices.** Lower prices than those set forth in Appendices A and B may be charged, demanded, paid or offered.\*

1345.3 **Evasion.** The price limitations set forth in this Schedule shall not be evaded either by direct or indirect methods in connection with a purchase, sale, delivery or transfer of by-product

<sup>1</sup>6 F.R. 1917.

foundry or by-product blast furnace coke, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement or other trade understanding, or otherwise.\*

§ 1345.4 *Records and reports.* Every person making purchases or sales of by-product foundry or by-product blast furnace coke after October 1, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of (a) each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, and the quantity of each kind or grade purchased or sold, and (b) the quantity (1) on hand, and (2) on order, as of the close of each calendar month.

Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may from time to time require.\*

§ 1345.5 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule; the Office of Price Administration will make every effort to assure (a) that the Congress and the public are fully informed thereof, and (b) that the powers of the Government are fully exerted in order to protect the public interest and interests of those persons who comply with this Schedule. Persons who have evidence of any offer, receipt, demand or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of by-product foundry or by-product blast furnace coke, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.\*

§ 1345.6 *Modification of the schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom.\*

§ 1345.7 *Definition.* When used in this Schedule, the term "person" means an individual, partnership, association, corporation or other business entity.\*

§ 1345.8 *Effective date of the schedule.* This Schedule shall become effective October 1, 1941.\*

§ 1345.9 *Appendix A, Maximum prices for by-product foundry coke per net ton (2,000 lbs.)—(a) General provision.* The maximum delivered price for by-product foundry coke shall be the price F. O. B. cars at the governing oven plant, plus rail transportation and switching charges from that oven plant to the place of delivery. The term "governing oven plant" means that oven plant, the price at which, together with transportation

charges, results in the lowest price at the place of delivery.

F. o. b. oven plant in cars	
Location of oven plant:	(per net ton)
Alabama	\$8.50
Chicago, Illinois	11.50
Ashland, Kentucky	10.00
Detroit, Michigan	11.75
Kearny, New Jersey	12.15
Buffalo, New York	11.75
Ironton, Ohio	10.00
Painesville, Ohio	11.25
Portsmouth, Ohio	10.00
Erie, Pennsylvania	11.75
Philadelphia, Pennsylvania	11.75
Chattanooga, Tennessee	9.00
Fairmont, West Virginia	10.00
Milwaukee, Wisconsin	12.25

(b) *Exceptions—(1) New England area.* The maximum delivered price in the states of Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and in the adjoining areas of New York State which have customarily been included within the New England shipping area, shall be \$13.75 per net ton, less \$0.15 per net ton discount for cash ten days.

(2) The maximum delivered prices within the following switching districts are:

District	Delivered price
Chicago, Illinois	\$12.25
St. Louis, Mo., & East St. Louis, Ill.	12.02
Indianapolis, Indiana	12.00
Terre Haute, Indiana	12.00
Detroit, Michigan	12.25
Buffalo, New York	12.50
Cincinnati, Ohio	11.75
Cleveland, Ohio	12.30
Erie, Pennsylvania	12.25
Philadelphia, Pennsylvania	12.38
St. Paul and Minneapolis, Minnesota	14.00

(3) *Exception for certain existing relationships.* Whenever shipment is made from an oven plant other than the governing oven plant and the seller customarily during the six months preceding September 15, 1941, has received from a purchaser a price in excess of the maximum delivered price otherwise established by this Schedule, such higher price may continue to be charged such purchaser. Each person using this exception (3) shall file with the Office of Price Administration, on or before September 27, 1941, a list of purchasers to whom this exception (3) applies and all prices received from such customer during such period. Sales or shipments to customers may not be made under this exception (3) after October 1, 1941, without the filing of such list of purchasers and prices.

(4) *Shipments to West Coast.* On shipments to the states of California, Oregon and Washington, the governing oven plant may be Chicago, Illinois; *Provided*, That, when shipment is from the oven plants listed in paragraph (a) of this Appendix, the maximum delivered price may not exceed the F. O. B. oven plant price at such oven plants plus transportation charges.

(5) *Shipments from Swedeland, Pennsylvania.* Whenever shipment is from Swedeland, Pennsylvania, the maximum delivered price shall be the price provided in paragraph (a) of this Appendix

or the price provided in this exception (5), whichever is lower, except when exceptions (1), (2), (3) or (4) are applicable the prices provided in such exceptions may be charged.

When the railroad freight rate for by-product foundry coke from Swedeland, Pennsylvania to the place of delivery, including switching charges, is:

Freight rate per net ton	The maximum price per net ton shall be
\$0.68 and less	<sup>1</sup> \$12.38
\$0.69 to \$0.96 inclusive	12.40
\$0.97 to \$1.66 inclusive	12.45
\$1.67 to \$2.24 inclusive	12.70
\$2.25 to \$2.50 inclusive	12.80
\$2.51 to \$2.85 inclusive	12.95
\$2.86 and over	<sup>2</sup> 10.35

<sup>1</sup> Delivered.

<sup>2</sup> F. o. b. oven plant, except that on deliveries to be made in the Cumberland Valley and Central Pennsylvania, the price shall be \$10.00 per net ton, f. o. b. oven plant.

(6) *Delivery other than by railroad.* When delivery is by means other than railroad, the maximum delivered price shall be the price as computed in this Appendix but adjusted to provide the customary differential or charge in effect on September 18, 1941, for such means of delivery.\*

§ 1345.10 *Appendix B, maximum prices for by-product blast furnace coke per net ton (2,000 lbs.)* The maximum price f. o. b. oven plant on by-product blast furnace coke which may be charged by any person at each oven plant, shall be \$0.75 per net ton above the weighted average price f. o. b. oven plant of such coke delivered by such person from each oven plant during the first quarter of 1941; *Provided*, That this Appendix B shall not apply to sales or shipments made after the issuance of this Schedule at less than \$6.00 per net ton f. o. b. oven plant. The weighted average price means the average of the prices for which such coke was sold during such period weighted by the tons of such coke sold at each price.

Every person who produces and sells by-product furnace coke shall file prices at which such coke was delivered, and the quantity delivered at each price during the first quarter of 1941. Such information shall be filed with the Office of Price Administration, Washington, D. C. on or before September 27, 1941.\*

Issued this 18th day of September 1941.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 41-7007; Filed, September 18, 1941; 4:26 p. m.]

PART 1347—PAPER AND PAPER PRODUCTS  
PRICE SCHEDULE NO. 30—WASTE PAPER SOLD  
EAST OF THE ROCKY MOUNTAINS

The Office of Price Administration, being charged with the maintenance of price stability and the prevention of undue price rises and economic dislocations, has determined after an exhaustive investigation and after numerous conferences with representatives of all

branches of the trade, that the establishment of maximum prices for wastepaper is essential in order to accomplish these purposes and is in the interest of national defense and national welfare, and that the maximum prices set forth herein are fair and reasonable.

The defense effort has placed an increasing burden upon the wastepaper supply since it is a basic raw material in the manufacture of containers for food and manufactured products. Additional demands upon the wastepaper supply are made by manufactures of almost all types of paper, the channels of trade through which wood pulp was imported having been shut off by the war. Inflationary price rises threaten, and immediate action to prevent disastrous price spiraling is essential.

For several months this Office has attempted to prevent unwarranted price increases through the medium of individual voluntary price agreements. The more responsible dealers and mills have evidenced a willingness to cooperate. This segment of the industry has been unable to keep prices within those established by the agreements, however, because of certain operators who have put high prices before national welfare, and have attempted to circumvent the price agreements.

This schedule is at present limited to sales and purchases of wastepaper East of the Rocky Mountains, since no inflationary price increases threaten the West Coast area.

Accordingly, under the authority vested in me by Executive Order No. 8734,<sup>1</sup> it is hereby directed that:

§ 1347.1 *Maximum prices for waste paper.* On and after October 1, 1941, regardless of the terms of any contract of sale or purchase or other commitment, in the area East of the Rocky Mountains no person shall sell, offer to sell, deliver or transfer any grade of waste paper, and no person shall buy, offer to buy, or accept delivery of any grade of waste paper at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1347.10.\*

\* §§ 1347.1 to 1347.10, inclusive, issued pursuant to the authority contained in Executive Order No. 8734.

§ 1347.2 *Less than maximum prices.* Lower prices than those set forth in Appendix A may, however, be charged, demanded, paid or offered.\*

§ 1347.3 *Evasion.* The price limitations set forth in this Schedule shall not be evaded by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of waste paper, alone or in conjunction with any other material, or by way of any commission, service, transportation or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.\*

§ 1347.4 *Records.* Every person making purchases or sales aggregating ten short tons or more of any or all grades of waste paper in any one month shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each purchase or sale of waste paper made during such month and each month thereafter, showing the date thereof, the name of the buyer or of the seller, the prices paid or received, and the quantity and grade or grades so purchased or sold. Such records shall set forth separately the f. o. b. point of shipment price and the transportation charge.\*

§ 1347.5 *Affirmation of compliance.* All persons who are required by § 1347.4 to keep records, shall transmit, on or before November 10, 1941, and on or before the tenth day of each month thereafter, an affirmation of compliance on Form 130:1 containing a sworn statement that during the month for which the record is kept all purchases and sales were made at prices in compliance with this Schedule or with any exception or modification thereof. Copies of Form 130:1 can be procured from the Office of Price Administration or, provided no change is made in the style and content of it and that it is reproduced on 8" x 10½" paper, may be prepared by persons required to submit affirmation of compliance hereunder.\*

§ 1347.6 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record requirements, or other provisions contained in this Schedule, the Office of Price Administration will make every effort to assure (a) that the Congress and the public are fully informed thereof, (b) that the powers of Government, both state and federal, are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule, (c) that full advantage will be taken of the cooperation of the various political subdivisions of state, county, and local governments through calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits; and (d) that the procurement services of the Government are requested to refrain from selling to or purchasing from those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation or manipulation of prices of any or all of the grades of waste paper or of the hoarding or accumulation of unnecessary inventories thereof, are urged and requested to communicate with the Office of Price Administration.\*

§ 1347.7 *Modification of the price schedule.* Persons complaining of hardship or inequity in the operation of this

Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom.\*

§ 1347.8 *Definitions.* When used in this Schedule, or any modifications or exceptions thereto, the term:

(a) "Person" includes an individual, partnership, association, corporation, or other business entity.

(b) "Wastepaper" includes all kinds, and grades and types of wastepaper.

(c) "Consumer" means a purchaser, for its own consumption, of wastepaper, i. e. paper mill, paperboard mill, roofing mill, etc.

(d) "Producer" means any person who produces, collects, sorts, packs, offers for sale, sells, or exchanges any wastepaper.\*

§ 1347.9 *Effective date.* This Schedule shall become effective on October 1, 1941.\*

§ 1347.10 *Appendix A, maximum prices for waste paper.* All prices given below are per short ton, f. o. b. point of shipment.<sup>1</sup>

Grades	Maximum prices <sup>2</sup>
No. 1 Mixed Paper <sup>3</sup> .....	\$13.00
Super-Mixed Paper <sup>4</sup> .....	14.00
No. 1 Baled News <sup>5</sup> .....	15.00
Overissue News <sup>6</sup> .....	17.00
Old Corrugated Containers <sup>7</sup> .....	16.50
Old Kraft Corrugated Containers <sup>8</sup> .....	27.00
New Corrugated Cuttings <sup>9</sup> .....	18.00
Box Board Cuttings <sup>10</sup> .....	14.50
White Blank News <sup>11</sup> .....	33.00
Extra Manilas <sup>12</sup> .....	37.00
New Manila Envelope Cuttings <sup>13</sup> .....	54.00
No. 1 Hard White Shavings <sup>14</sup> .....	50.00
Hard White Envelope Cuttings <sup>15</sup> .....	60.00
No. 1 Soft White Shavings <sup>16</sup> .....	43.00
Fly Leaf Shavings <sup>17</sup> .....	33.50
No. 1 Heavy Books and Magazines <sup>18</sup> .....	31.50
Mixed Books <sup>19</sup> .....	20.50
Overissue Magazines <sup>20</sup> .....	33.50
No. 1 Mixed Ledger (Colored Ledger) <sup>21</sup> .....	38.50
No. 1 White Ledger <sup>22</sup> .....	42.50
No. 1 Assorted Kraft (Old Kraft) <sup>23</sup> .....	30.00
New 100% Kraft Cuttings <sup>24</sup> .....	52.00
New 100% Kraft Corrugated Cuttings <sup>25</sup> .....	49.00

<sup>1</sup> All prices established by this Schedule shall be for waste paper loaded on freight cars, trucks or other means of conveyance at the point of shipment. The point of shipment is the point from which the waste paper is to be shipped to the consumer.

<sup>2</sup> All prices listed represent the maximum prices for the respective grades of waste paper, the highest qualities of which are defined in the footnotes below. Other qualities of waste paper of the grades defined must be sold at or below the maximum prices established.

The prices established in this Schedule are the maximum prices to be charged or paid, and no differentials or service charges are to be added. In the event that hardship will be inflicted on any person by virtue of the removal of differentials that were in effect prior to January 1, 1941, application for exception should be made in accordance with § 1347.7 hereof.

<sup>3</sup> "No. 1 Mixed Paper" shall consist of clean dry waste paper, free from objectionable papers and foreign materials; and packed in large machine compressed bales weighing 650 pounds or more.

<sup>4</sup> "Super-Mixed Paper" shall consist of No. 1 mixed paper which has been screened and dusted, and is composed of hard, bright stock. The process of screening and dusting shall be performed mechanically by a "tumbler" or similar device. Must be packed in large ma-

chine compressed bales weighing 650 pounds or more.

<sup>5</sup> "No. 1 Baled News" shall consist of clean, dry, sorted and repacked newspapers free from foreign materials, objectionable and mixed papers and packed in large machine compressed bales weighing 650 pounds or more.

<sup>6</sup> "Overissue News" shall consist of all-white, large size, over-run newspapers from a newspaper office (not over 60 days old) and may be packed in securely tied bundles, small or large bales.

<sup>7</sup> "Old Corrugated Containers" shall consist of used corrugated or solid fibre containers free from foreign materials, mixed and objectionable papers and packed in large machine compressed bales weighing 650 pounds or more.

<sup>8</sup> "Old Kraft Corrugated Containers" shall consist of used containers of 90% to 100% kraft content, clean and dry, free from foreign materials, objectionable and mixed paper and packed in large machine compressed bales weighing 650 pounds or more. If kraft content is less than 90%, the packing shall be designated "Old Corrugated Containers".

<sup>9</sup> "New Corrugated Cuttings" shall consist of new corrugated cuttings of jute and/or kraft from a corrugating plant, or solid fibre or corrugated container converting plant, and shall be free from foreign materials, mixed and objectionable papers. May be packed in small or large bales.

<sup>10</sup> "Boxboard Cuttings" shall consist of clean, dry cuttings from paperboard converting plants or other users of paperboard, free from objectionable and mixed papers and foreign materials, packed in large machine compressed bales weighing 650 pounds or more.

<sup>11</sup> "White Blank News" shall consist of clean, dry, and white news cuttings or sheets, free from mixed and objectionable papers and foreign materials, and packed in large machine compressed bales weighing 650 pounds or more.

<sup>12</sup> "Extra Manillas" shall consist of clean, dry, unprinted manilla paper of uniform natural manilla color, free from yellow news blanks, paper towels, canary colored blanks, goldenrod and bogus stock, as well as mixed and objectionable papers and foreign materials, and packed in large machine compressed bales weighing 650 pounds or more.

<sup>13</sup> "New Manila Envelope Cuttings" shall consist of clean, dry, new manilla cuttings or sheets from envelope factories free from printed stock of any kind, mixed or objectionable papers and foreign materials, and may be packed in small or large bales.

<sup>14</sup> "No. 1 Hard White Shavings" shall consist of clean, dry, bond or writing paper shavings, free from colors and tints, parchment and groundwood, and from mixed or objectionable papers and foreign materials. Must be packed in large machine compressed bales weighing 650 pounds or more.

<sup>15</sup> "Hard White Envelope Cuttings" shall consist of clean, dry, bond or writing paper shavings, free from all colors and tints, parchment and groundwood and from mixed or objectionable papers and foreign materials. May be packed in small or large bales or in securely tied packages.

<sup>16</sup> "No. 1 Soft White Shavings" shall consist of clean, dry, unprinted, all-white book-paper shavings, free from all colors and tints, parchment, and groundwood as well as mixed and objectionable papers, and foreign materials, and containing not more than 20% coated white paper stock. Must be packed in large machine compressed bales weighing 650 pounds or more.

<sup>17</sup> "Fly Leaf Shavings" shall consist of the trim of books containing some printed material, free from groundwood, mixed and objectionable papers and foreign materials. Must be packed in large machine compressed bales weighing 650 pounds or more.

<sup>18</sup> "No. 1 Heavy Books and Magazines" shall consist of dry, clean books and magazines containing not over 2 percent groundwood papers and 2 percent packing outthrow (including outside wrappers, wrapping wires and twine), entirely free from shavings and crumpled stock, heavily-inked, deeply-colored, gilt, aluminum and varnished cover

stock, lithographed, parchment, groundwood, rotogravure and cover papers, as well as mixed and objectionable papers and foreign materials. Must be packed in large machine compressed bales weighing 650 pounds or more.

<sup>19</sup> "Mixed Books" shall consist of dry, clean books and magazines containing not over 25 percent total outthrow, including kraft, groundwood and outside packing, and shall be free from mixed and objectionable papers and foreign materials. May be packed in small or large bales.

<sup>20</sup> "Overissue Magazines" shall consist of clean, dry, fresh, overrun and misprint unsold magazines and books. May be packed in small or large bales or securely tied packages.

<sup>21</sup> "No. 1 Mixed Ledger (Colored Ledger)" shall consist of white and light-colored ledger and writing waste containing not more than 2 percent groundwood papers and 2 percent packing outthrow, free from mixed and objectionable papers, and foreign materials. Must be packed in large machine compressed bales weighing 650 pounds or more.

<sup>22</sup> "No. 1 White Ledger" shall consist of white ledger and writing waste containing not more than 2 percent groundwood papers and 2 percent packing outthrow, free from mixed and objectionable papers and foreign materials. Must be packed in large machine compressed bales weighing 650 pounds or more.

<sup>23</sup> "No. 1 Assorted Kraft (Old Kraft)" shall consist of brown kraft waste free from corrugated waste of any kind, mixed and objectionable papers and foreign materials. Must be packed in large machine compressed bales weighing 650 pounds or more.

<sup>24</sup> "New 100% Kraft Cuttings" shall consist of 100 percent kraft trimmings, cuttings or shavings from strictly new kraft paper stock, and must be free of fibre papers, screening pulp and colored paper of any kind, objectionable and mixed papers and foreign materials. May be packed in small or large bales.

<sup>25</sup> "New 100% Kraft Corrugated Cuttings" shall consist of cuttings, trimmings or shavings from new 100 percent kraft corrugated stock, and must be free of fibre papers, screening pulp, and colored paper of any kind, objectionable and mixed papers, and foreign materials. Must be packed in small or large bales.

When used in these definitions: "Objectionable papers" include carbon, waxed, paraffined, oil-treated, greased, glazed, parchment, asphalt, tar, wall, friction board, book-covers, cloth-bound, heavy cores, tympan, pressboard, used billboard stock, paper-wrapped excelsior, felt furniture pads, paper twine, uncut printers' rolls, and paper strings; and

"Foreign materials" include every non-paper substance that cannot be manufactured into paper, including, but in no way limiting the generality of the above: cellophane, rags, rubbers, strings, vulcanized fibre, metals, and rubbish of all kinds.\*

Issued this 18 day of September 1941.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 41-7009; Filed, September 18, 1941;  
4:26 p. m.]

### TITLE 33—NAVIGATION AND NAVIGABLE WATERS

#### CHAPTER II—CORPS OF ENGINEERS, WAR DEPARTMENT

##### PART 203—BRIDGE REGULATIONS<sup>1</sup>

§ 203.173 *Reynolds Channel (Wreck Lead-Long Beach Channel); Highway Bridge between Island Park and Long*

<sup>1</sup> § 203.173 is added.

*Beach, Nassau County, New York.* (a) The owner, or the agency controlling the drawbridge, shall provide the appliances and the personnel necessary for the safe, prompt and efficient operation of the draw.

(b) Except as provided in paragraph (c) of this section, the draw shall be opened promptly when the signal hereinafter prescribed for the opening of the draw is received from an approaching vessel or other water craft which cannot pass under the closed draw.

(c) On Saturdays and Sundays from May 15, to September 30, inclusive, and on Memorial Day, Independence Day, and Labor Day, of each year, between the hours of 3:01 p. m. and 7:59 p. m. openings of the draw will be made, only if necessary, every half-hour on the hour and on the half-hour: *Provided*, That the draw shall be opened promptly at all times to vessels owned, controlled, or employed by the United States Government. The time specified is E. D. S. T. or E. S. T. whichever is in force.

(d) *Signals.*

(1) *Call signals for opening of draw.*

(i) *Sound signal.*

(a) *United States Government.* Four distinct blasts of a whistle, horn or megaphone, or four loud and distinct strokes of a bell.

(b) *For all other vessels.* Three distinct blasts of a whistle, horn or megaphone, or three loud and distinct strokes of a bell sounded within a reasonable hearing distance of the bridge.

(ii) *Visual signal.* To be used in conjunction with sound signals when conditions are such that sound signals may not be heard.

A white flag by day, a white light by night, swung in full circles at arm's length in full sight of the bridge and facing the draw.

(2) *Acknowledging signals.*

(i) *By bridge operator.*

(a) *Sound signals.* Draw to be opened immediately: Same as call signal.

Draw cannot be opened immediately, or if open must be closed immediately: Two long distinct blasts of a whistle, horn or megaphone or by two loud and distinct strokes of a bell, to be repeated at regular intervals until acknowledged by the vessel.

(b) *Visual signals.* Draw to be opened immediately: A white flag by day or a green light at night swung up and down vertically a number of times in full sight of the vessel.

Draw cannot be opened immediately or if open must be closed immediately: A red flag by day, a red light by night swung to and fro horizontally in full sight of the vessel, to be repeated until acknowledged by the vessel.

(ii) *By the vessel.* Vessels or other water craft having signaled for the opening of the draw and having received a signal that the draw cannot be opened



immediately, or if open must be closed immediately, will acknowledge said signal by one long blast followed by a short blast, or by swinging to and fro horizontally a red flag by day or a red light by night.

(e) Automobiles, trucks, vehicles, vessels or other water craft shall not be stopped or manipulated in a manner hindering or delaying the operation of the draw, but all passage over the drawspan or through the draw opening shall be in a manner so as to expedite both land and water traffic.

(f) The owner of, or agency controlling, this bridge shall provide and keep in good legible condition two board gauges painted white, with black figures not less than 8 inches high, to indicate the headroom clearance under the closed drawspan at all stages of the tide. The gauges shall be so placed on the bridge that they will be plainly visible to the operator of the vessel approaching the bridge either up or downstream.

(g) This drawbridge shall not be required to open for craft carrying appurtenances unessential for navigation which extend above the normal superstructure. Military masts shall be considered as part of the normal superstructure.

NOTE: Upon request, the district engineer in charge of the locality will cause inspection to be made of the superstructure and appurtenances of any craft habitually frequenting these waterways, with a view to adjusting any difference of opinion in this matter between the vessel owner and the bridge owner.

(h) Copies of these regulations shall be conspicuously posted on both the upstream and downstream sides of the bridge in such manner as to permit their being easily read at any time. (Sec. 5, River and Harbor Act, Aug. 18, 1894, 28 Stat. 362; 33 U.S.C. 499) [Regs. Aug. 28, 1941 (E.D. 6371 (Nassau Co. (N. Y.)—Wreck Lead (Long Beach Channel)—6/7)]

[SEAL]

E. S. ADAMS,  
Major General,  
The Adjutant General.

[F. R. Doc. 41-7030; Filed, September 19, 1941; 10:28 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[Docket No. A-1036]

#### PETITION OF DISTRICT BOARD NO. 3 FOR PERMISSION TO USE ADDITIONAL LOADING POINTS FOR RAIL SHIPMENTS FROM CERTAIN MINES IN DISTRICT NO. 3

##### NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered*, That a hearing in the above-entitled matter under the appli-

cable provisions of said Act and the rules of the Division be held on October 21, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered*, That W. A. Shipman or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before October 16, 1941.

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

The matter concerned herewith is in regard to the establishment of additional shipping or loading points for the following mines for all shipments except truck: Vivian Mine (Mine Index No. 188) of the Albright Coal Co.; Arnold Mine (Mine Index No. 639) of E. C. Arnold; Hunt Bros. Mine (Mine Index No. 213) of E. C. Arnold; Riley #2 Mine (Mine Index No. 206) of E. C. Arnold; Blaser Mine (Mine Index No. 198) of Blaser Fuel Co.; Liston Mine (Mine Index No. 190) of Brock, Mitchell and Reed; Cook Mine (Mine Index No. 558) of the Cook & Zinn Coal Co. (Donald Zinn); Delphi Mine (Mine Index No. 937) of T. L. Cordray; E-Z #2 Mine (Mine Index No. 192) of the E-Z Fuel Co.; Coombs Mine (Mine Index No. 614) of the Hall Coal Co.; Blackburn #2

Mine of Guy A. Hardesty; Morgan & Henderson Mine (Mine Index No. 687) of Henderson, Morgan & Haught; Henderson Mine of Rex Henderson; Beech Hill Mine (Mine Index No. 941) of O. W. Stevens & Son; Davis Fork Mine (Mine Index No. 928) of Mike Triplett; Saltwell Mine (Mine Index No. 185) of Carmer R. Warnick; and Winchester Mine (Mine Index No. 164) of the Winchester Coal Co.

Dated: September 18, 1941.

[SEAL]

H. A. GRAY,  
Director.

[F. R. Doc. 41-7014; Filed, September 19, 1941; 10:20 a. m.]

[Docket No. A-1016]

#### PETITION OF DISTRICT BOARD NO. 1 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES, FOR ALL SHIPMENTS EXCEPT TRUCK, FOR A MIXTURE OF THE COALS OF THE CADOGAN MINE (MINE INDEX NO. 76) OF THE ALLEGHENY RIVER MINING COMPANY WITH THE COALS OF CERTAIN OTHER MINES IN DISTRICT NO. 1

##### NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

*It is ordered*, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on October 16, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

*It is further ordered*, That Joseph D. Dermody or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the

facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before October 11, 1941.

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

The matter concerned herewith is in regard to the establishment, for all shipments except truck, of price classification "H" for Size Groups 1, 2 and 3 and "J" for Size Groups 4 and 5 for coals of the following mines when mixed with coals produced at the Cadogan Mine (Mine Index No. 76) of the Allegheny River Mining Company and loaded over the Cadogan tippel: Freebrook No. 7 Mine (Mine Index No. 664) of the Freebrook Corp.; Loyal T. Henderson Mine (Mine Index No. 1491) of Loyal T. Henderson; Orpha Mine (Mine Index No. 353) of the James Coal Mng. Co.; Mohawk Mine (Mine Index No. 326) of the Mohawk Mng. Co.; and the Radaker Mine (Mine Index No. 1921) of C. C. Radaker.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7015; Filed, September 19, 1941;  
10:21 a. m.]

[Docket No. 1736-FD]

IN THE MATTER OF NORRIS COAL COMPANY,  
DEFENDANT

ORDER POSTPONING HEARING AND DESIGNATING EXAMINER

The above-entitled matter having been heretofore scheduled for hearing at 10 o'clock in the forenoon of September 18, 1941, at a hearing room of the Bituminous Coal Division at the Circuit Court Room, County Court House, Marion, Illinois; and

It appearing to the Director that it is advisable to postpone said hearing;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and the same is hereby postponed from 10 o'clock in the forenoon of September 18, 1941, to 10 o'clock in the forenoon of October 6, 1941, at a hearing room of the Division at the Circuit Court Room, County Court House, Marion, Illinois.

It is further ordered, That W. A. Shipman, or any other officers of the Bituminous Coal Division designated by the Director thereof for that purpose, shall preside at the hearing in the above-entitled matter, vice Charles S. Mitchell.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7016; Filed, September 19, 1941;  
10:21 a. m.]

[Docket No. 1623-FD]

IN THE MATTER OF POWER FUEL COMPANY,  
INC., REGISTRATION No. 7427, DEFENDANT

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing on September 23, 1941, at 2 p. m. at a hearing room of the Bituminous Coal Division to be designated by an appropriate order of the Director; and

It appearing to the Director that it is advisable to postpone said hearing;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and the same is hereby postponed until 10 o'clock in the forenoon of October 14, 1941 at a hearing room and place to be hereafter designated by an appropriate order of the Director.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7017; Filed, September 19, 1941;  
10:21 a. m.]

[Docket No. 1624-FD]

IN THE MATTER OF COAL HILL MINING  
COMPANY, REGISTRATION No. 1675, DEFENDANT

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing on September 23, 1941, at 10 a. m. at a hearing room of the Bituminous Coal Division to be designated by an appropriate order of the Director; and

It appearing to the Director that it is advisable to postpone said hearing;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and the same is hereby postponed until 2 o'clock in the afternoon of October 14, 1941, at a hearing room and place to be hereafter designated by an appropriate order of the Director.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7018; Filed, September 19, 1941;  
10:21 a. m.]

[Docket No. A-941]

PETITION OF DISTRICT BOARD No. 11 FOR THE ESTABLISHMENT OF MINIMUM PRICES FOR RAW OR WASHED COALS WHICH ARE CRUSHED, PULVERIZED OR REDUCED BY ANY METHOD DOWN TO THE SIZE DIMENSIONS PRESCRIBED FOR SIZE GROUPS 13 AND 16, INCLUSIVE, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER GRANTING POSTPONEMENT

The original petitioner having moved that the hearing in the above-entitled matter, heretofore scheduled for September 18, 1941, should be postponed until on or about October 9, and having shown good cause why its motion should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from September 18, 1941, until 10 o'clock in the forenoon of October 9, 1941, at the place heretofore designated and before the officers previously designated to preside at said hearing.

The time for filing petitions of intervention in the above-entitled matter is hereby extended until October 4, 1941.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7019; Filed, September 19, 1941; 10:22 a. m.]

[Docket No. A-920]

PETITION OF DOMESTIC COAL COMPANY, A CODE MEMBER IN DISTRICT No. 15, FOR MODIFICATION OF THE EFFECTIVE MINIMUM PRICES FOR THE COALS IN SIZE GROUPS 1 AND 2 PRODUCED AT MINE INDEX No. 62 IN THAT DISTRICT FOR SHIPMENT BY RAIL INTO CERTAIN MARKET AREAS, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER DISMISSING PETITION

The original petitioner having moved that the proceedings in the above-entitled matter be dismissed without prejudice, and there having been no opposition thereto;

Now, therefore, it is ordered, That the original petition in the above-entitled matter be dismissed without prejudice.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7020; Filed, September 19, 1941;  
10:22 a. m.]

[Docket No. A-863]

PETITION OF LEO PILATI, ET AL., CODE MEMBERS IN DISTRICT No. 22, FOR MODIFICATION OF THE EFFECTIVE MINIMUM PRICES FOR CERTAIN COALS PRODUCED AT THEIR MINES IN THAT DISTRICT

ORDER DISMISSING PETITION

An original petition was filed with this Division by Leo Pilati and other code members in District No. 22, requesting modification of the minimum prices for certain coals produced by them, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. District Boards Nos. 19 and 22 filed intervening petitions in opposition to the relief requested.

Neither the original petitioners nor the intervening petitioners appeared at the hearing duly scheduled in the matter for June 12, 1941, at Washington, D. C. However, pursuant to a motion filed by District Board No. 22 on June 11, 1941, the Acting Director by his Order dated July 23, 1941, reset the hearing for August 18, 1941, at a hearing room of the Division at Billings, Montana.

The original petitioners again failed to appear or offer evidence in support of their petition when the hearing convened at Billings, Montana. Thereupon,

District Board No. 22 moved that the original petition be dismissed, with prejudice. The hearing was thereupon concluded, and the motion was referred by the trial examiner to the Director for determination.

Good cause therefor having been shown, and no objection thereto appearing,

*It is hereby ordered,* That the original petition filed in the above-entitled matter be, and it hereby is, dismissed, without prejudice.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7021; Filed, September 19, 1941; 10:23 a. m.]

[Docket No. A-730]

PETITION OF LEWIS BROS. COAL CO., A CODE MEMBER IN DISTRICT NO. 14, FOR MODIFICATION OF THE EFFECTIVE MINIMUM PRICES FOR CERTAIN COALS PRODUCED AT MINE INDEX NO. 63 IN THAT DISTRICT, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER DISMISSING PETITION

Pursuant to due notice given, a formal hearing on the original petition filed in the above-entitled matter convened on August 6, 1941, at a hearing room of the Bituminous Coal Division in Fort Smith, Arkansas.

The original petitioner failed to appear or offer evidence at that hearing in support of its petition. District Board No. 14 which had filed an intervening petition in the matter in opposition to the relief requested in the original petition thereupon moved that the original petition be dismissed.

Good cause therefor having been shown, and no opposition thereto appearing,

*It is hereby ordered,* That the original petition filed in the above-entitled matter be and it hereby is, dismissed without prejudice.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7022; Filed, September 19, 1941; 10:23 a. m.]

[Docket No. A-137, Part III]

PETITION OF DISTRICT BOARD NO. 14 FOR THE REVISION OF THE PRICE CLASSIFICATIONS AND MINIMUM PRICES HERETOFORE ESTABLISHED FOR CERTAIN COALS OF HARPER & THORNTON COAL CO., MINE INDEX NO. 195, IN DISTRICT NO. 14

[Docket No. A-760]

PETITION OF HARPER & THORNTON COAL CO., A CODE MEMBER IN DISTRICT NO. 14, FOR REVISION OF THE PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR CERTAIN COALS PRODUCED AT MINE INDEX NO. 195 IN THAT DISTRICT; PURSUANT TO SECTION 4

II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER DISMISSING PETITIONS

The original petitioners having moved that the proceedings in the above-entitled matter be dismissed without prejudice, and there having been no opposition thereto;

*Now, therefore, it is ordered,* That the original petitions in the above-entitled matter be dismissed without prejudice.

Dated: September 18, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7023; Filed, September 19, 1941; 10:23 a. m.]

[Docket No. 1702-FD, District No. 4]

IN THE MATTER OF DUNDEE COAL COMPANY, DEFENDANT

ORDER EXTENDING TIME TO FILE ANSWER

Dundee Coal Company, defendant, having requested an extension of the time within which to file its answer herein, and having shown good cause why said extension should be granted,

*Now, therefore, it is ordered,* That the time within which the defendant may file its answer in the above-entitled proceeding be, and the same hereby is extended to September 25, 1941.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7024; Filed, September 19, 1941; 10:23 a. m.]

[Docket No. 1778-FD, District No. 4]

IN THE MATTER OF MT. PERRY COAL COMPANY, DEFENDANT

ORDER EXTENDING TIME TO FILE ANSWER

Mt. Perry Coal Company, defendant, having requested an extension of the time within which to file its answer herein, and having shown good cause why said extension should be granted,

*Now, therefore, it is ordered,* That the time within which the defendant may file its answer in the above-entitled proceeding be, and the same hereby is, extended to October 1, 1941.

Dated: September 17, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7025; Filed, September 19, 1941; 10:24 a. m.]

[Docket No. 1832-FD]

IN THE MATTER OF SOUTHERN COAL COMPANY, INC., REGISTERED DISTRIBUTOR, REGISTRATION No. 8561, RESPONDENT

ORDER EXTENDING TIME TO FILE ANSWER AND CHANGING PLACE OF HEARING

The above-entitled matter having been scheduled for hearing at 10:00 o'clock

a. m., October 21, 1941, in a hearing room of the Bituminous Coal Division at the Washington Hotel, Washington, D. C.; and

Notice of and Order for Hearing having been served on Southern Coal Company, Inc., the respondent in the above-entitled matter on August 23, 1941; and

The respondent having filed a motion to extend the time within which to file its answer to said Notice of and Order for Hearing, and to change the place of hearing from Washington, D. C., to Memphis, Tennessee, or such other place as the Director may select; and

Respondent having shown good cause why said extension of time to file its answer be granted, and said place of hearing changed; and

The Director deeming it advisable to grant such extension and change said place of hearing;

*Now, therefore, it is ordered,* That the time within which the respondent may file its answer herein with the Division be, and the same hereby is, extended to and including October 8, 1941; and

*It is further ordered,* That the hearing in the above-entitled matter be changed from the hearing room in the Washington Hotel at Washington, D. C., to Rm. 245, U. S. Courthouse, Nashville, Tennessee, at the time heretofore designated and before the officers previously designated to preside at said hearing.

Dated: September 18, 1941.

[SEAL] H. A. GRAY,  
Director.

[F. R. Doc. 41-7026; Filed, September 19, 1941; 10:24 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF CANCELLATION OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS IN THE APPAREL AND TEXTILE INDUSTRIES

Notice is hereby given that four special certificates, each authorizing the employment of twenty learners thereunder, issued to Royal Chenille Products Company, Inc., and its successor company, Royal Chenille Manufacturing Company, Inc., have been ordered cancelled as of their effective dates because of misrepresentations in obtaining the certificates and violations of the certificates and/or the regulations under which they were issued.

The order of cancellation shall not become effective and enforceable until after the expiration of a fifteen-day period following the date on which this Notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any aggrieved and directly interested party under § 522.13 of the Regulations. If a petition is properly filed, the effective date of the order of cancellation shall

be postponed until final action is taken on the petition.

Signed at Washington, D. C., this 17th day of September 1941.

ALEX G. NORDHOLM,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 41-7048; Filed, September 19, 1941;  
11:40 a. m.]

#### CIVIL AERONAUTICS BOARD.

[Docket Nos. 445, 594, 444, 388, 570, 592, 417,  
549, 653, 435]

IN THE MATTER OF THE APPLICATIONS OF  
CANADIAN COLONIAL AIRWAYS, INC.,  
EASTERN AIR LINES, INC., NATIONAL AIR-  
LINES, INC., PENNSYLVANIA-CENTRAL AIR-  
LINES CORPORATION, SEABOARD AIRWAYS,  
INC., FOR CERTIFICATES OF PUBLIC CON-  
VENIENCE AND NECESSITY AND AMEND-  
MENTS OF CERTIFICATES, UNDER SECTION  
401 OF THE CIVIL AERONAUTICS ACT OF  
1938, AS AMENDED

#### NOTICE OF POSTPONEMENT OF HEARING

Hearing in the above-entitled proceed-  
ing, being the applications of Canadian  
Colonial Airways, Inc., Eastern Air Lines,  
Inc., National Airlines, Inc., Pennsylv-  
ania-Central Airlines Corporation, and  
Seaboard Airways, Inc., for certificates  
and amendments of certificates of public  
convenience and necessity authorizing air  
transportation between New York-Flor-  
ida-Nassau, via certain designated inter-  
mediate points, and between New York  
and New Orleans, La., via certain desig-  
nated intermediate points, now assigned  
for October 13, 1941, is hereby postponed  
to October 27, 1941, 10 o'clock a. m. (East-  
ern Standard Time) in Conference Room  
B, Departmental Auditorium, Constitu-  
tion Avenue between 12th and 14th  
Streets NW., Washington, D. C., before  
Examiners Francis W. Brown and Law-  
rence J. Koters.

Dated Washington, D. C., September  
19, 1941.

By the Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 41-7049; Filed, September 19, 1941;  
12:06 p. m.]

[Docket No. 617]

IN THE MATTER OF THE APPLICATION OF  
INTER-ISLAND AIRWAYS, LTD., FOR AP-  
PROVAL OF INTERLOCKING RELATIONSHIPS,  
UNDER SECTION 409 OF THE CIVIL AERO-  
NAUTICS ACT OF 1938, AS AMENDED

#### NOTICE OF HEARING

The above entitled proceeding, being  
the application of Inter-Island Airways,  
Ltd., and Ernest W. Greene, et al., for  
approval of certain interlocking relation-  
ships, is hereby assigned for public hear-  
ing on October 3, 1941, at 10 o'clock a. m.  
(Eastern Standard Time) in Conference  
Room B, Departmental Auditorium, Con-

stitution Avenue between 12th and 14th  
Streets NW., Washington, D. C., before an  
Examiner of the Board.

Dated Washington, D. C., September  
18, 1941.

By the Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 41-7050; Filed, September 19, 1941;  
12:06 p. m.]

#### ECONOMIC DEFENSE BOARD.

[Order No. 1]

#### DELEGATION OF POWERS AND FUNCTIONS

Pursuant to the provisions of the Ex-  
ecutive Order of September 15, 1941,<sup>1</sup>  
amending the Executive Order establish-  
ing the Economic Defense Board (E.O.  
No. 8839 of July 30, 1941), the Executive  
Director of said Board is hereby author-  
ized and directed to exercise the powers  
and functions therein conferred, subject  
to my general supervision and direction.  
In exercising such powers and functions,  
the Executive Director shall be author-  
ized to issue such rules and regulations,  
and to delegate, and provide for the  
redelegation of, such of said powers and  
functions as may from time to time be  
required.

H. A. WALLACE,  
Chairman.

Dated: September 15, 1941.

[F. R. Doc. 41-7002; Filed, September 18, 1941;  
2:53 p. m.]

#### FEDERAL COMMUNICATIONS COM- MISSION.

[Docket No. 6173]

#### NOTICE RELATIVE TO RADIOMARINE CORPO- RATION OF AMERICA (WGK)

Application dated April 3, 1940, for  
construction permit; class of service,  
public coastal; class of station, coastal  
harbor; location, St. Louis, Missouri; op-  
erating assignment specified: Frequen-  
cies, 2,782, 4,162.5, 6,240, 6,455, 8,840, 11,-  
090 kcs.; power, 100 watts; emission, A2,  
A3; pts. of comm.: Radiotelephone  
equipped ships operating within commu-  
nicating range of station WGK on the  
Mississippi River and its tributaries.

You are hereby notified that the Com-  
mission has examined the above-de-  
scribed application and has designated  
the matter for a consolidated hearing  
with the application of Spencer A. and  
Lela C. Merrell, d/b as Waterways Radio  
Co. Docket No. 6174, to be held on Sep-  
tember 29, 1941, at the hour of 10:00  
a. m., E. S. T., at the offices of the Com-  
mission, Washington, D. C., for the fol-  
lowing reasons:

1. To determine the nature and extent  
of the service proposed.

<sup>1</sup> See The President, *supra*.

2. To determine the need, if any, for  
the proposed service.

3. To determine the classes of service  
to be rendered and the approximate  
charges to be made for same.

4. To determine whether or not the  
frequencies requested are available for  
assignment as requested.

5. To determine whether or not inter-  
ference would result to existing stations  
from use of the requested frequencies  
at the location proposed, and the effect  
thereof.

6. To determine whether or not the  
granting of the application would serve  
public interest, convenience, or necessity.

The application involved herein will  
not be granted by the Commission unless  
the issues listed above are determined in  
favor of the applicant on the basis of  
a record duly and properly made by  
means of a formal hearing.

The applicant is hereby given the op-  
portunity to obtain a hearing on such  
issues by filing a written appearance in  
accordance with the provisions of § 1.382  
(b) of the Commission's Rules of Prac-  
tice and Procedure. Persons other than  
the applicant who desire to be heard  
must file a petition to intervene in ac-  
cordance with the provisions of § 1.102  
of the Commission's Rules of Practice  
and Procedure.

The applicant's address is as follows:

Radiomarine Corporation of America,  
%RCA Frequency Bureau, 30 Rockefeller  
Plaza, New York, New York

Dated at Washington, D. C., Septem-  
ber 17, 1941.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 41-7012; Filed, September 19, 1941;  
10:07 a. m.]

[Docket No. 6174]

#### NOTICE RELATIVE TO SPENCER A. AND LELA C. MERRELL D/B AS WATERWAYS RADIO CO. (NEW)

Application dated February 5, 1940,  
for construction permit; class of service,  
public coastal; class of station, coastal  
harbor; location, St. Louis, Missouri; op-  
erating assignment specified: Frequen-  
cies, 2,782, 4,162.5 kcs. (Unlimited), 6,455,  
8,840, 11,090 kcs. (Day Only); power, 100  
watts; emission, A3; pts. of comm.: With  
boats on Mississippi River and tributaries.

You are hereby notified that the Com-  
mission has examined the above-de-  
scribed application and has designated  
the matter for a consolidated hearing  
with the application of Radiomarine Cor-  
poration of America, Docket No. 6173,  
to be held on September 29, 1941, at the hour  
of 10:00 a. m., E. S. T., at the offices of  
the Commission, Washington, D. C., for  
the following reasons:

1. To determine the legal, technical  
and financial qualifications of the ap-  
plicant.

2. To determine the nature and extent of the service proposed.
3. To determine the need, if any, for the proposed service.
4. To determine the classes of service to be rendered and the approximate charges to be made for same.
5. To determine whether or not the frequencies requested are available for assignment as requested.
6. To determine whether or not interference would result to existing stations from use of the requested frequencies at the location proposed, and the effect thereof.
7. To determine whether or not the granting of the application would serve public interest, convenience, or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicants who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicants' address is as follows:

Spencer A. and Lela C. Merrell, d/b as Waterways Radio Co., Railway Exchange Bldg., 611 Olive Street, St. Louis, Missouri.

Dated at Washington, D. C., September 17, 1941.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 41-7013; Filed, September 19, 1941; 10:07 a. m.]

FEDERAL POWER COMMISSION.

[Project No. 1503]

IN THE MATTER OF STATE OF ARIZONA

ORDER POSTPONING DATE OF HEARING

SEPTEMBER 16, 1941.

It appearing to the Commission that:

(a) By order dated July 30, 1941, the Commission directed that public hearing on the application for license for Project No. 1503 and matters referred to in said order be held on September 22, 1941, at 9:45 o'clock a. m. in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue N.W., Washington, D. C.;

(b) On August 16, 1941, the Comprehensive Development Committee of Fourteen of the Upper Basin, through its Chairman, filed a petition requesting that the date for said public hearing be continued until November 30, 1941, or if such postponement could not be granted,

the date for said public hearing be continued until October 30, 1941;

The Commission orders that: The date of the public hearing on the matters set forth in its order of July 30, 1941, be and it is hereby postponed until December 1, 1941, on which date said hearing shall commence at 9:45 o'clock a. m. in the Hearing Room, Arizona Corporation Commission, Phoenix, Arizona.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 41-7005; Filed, September 18, 1941; 3:47 p. m.]

[Docket No. G-214]

IN THE MATTER OF UNITED GAS PIPE LINE COMPANY

ORDER FIXING DATE OF HEARING

SEPTEMBER 16, 1941.

It appearing to the Commission that:

(a) On September 13, 1941, the United Gas Pipe Line Company, a Delaware corporation having its principal office in Shreveport, Louisiana, filed an application under oath for permission to remove and relocate a certain section of its main transmission pipe line known as the "Gulfport Lateral Line" consisting of approximately 63 miles of 12 inch pipe extending from a point on applicant's Benton-Mobile line near the intersection of said line with the common boundary line, between the counties of Greene and Perry, Mississippi, and ending at a point near the City of Gulfport, Mississippi, as fully described on a map attached to said application;

(b) Applicant states that the said Gulfport Lateral Line, which was constructed in the year 1930, is presently utilized by applicant solely for the purpose of transporting natural gas to two points located near the City of Gulfport, Mississippi, where it sells such gas to distributing companies for resale in Gulfport, Mississippi City, Biloxi, Pass Christian, Long Beach, Handsboro and Bay St. Louis in the State of Mississippi; and applicant states that at no time since the construction of the said Gulfport Lateral Line has gas been sold or delivered in the area traversed by the 60 mile portion of the said line proposed to be removed and relocated; and further, that "the area surrounding the location of said line, which applicant desires to remove and relocate, is sparsely settled farming and timber country," "and applicant knows of no prospective demand for natural gas service therefrom."

(c) Applicant proposes to continue supplying the said cities and towns (enumerated in paragraph (b)) with natural gas, without interruption of service, through a new section of transmission pipe line (varying in sizes from 12 inches to 16 inches in diameter) presently under construction and extending

from a gas producing field at Lirette, Terrebonne Parish, Louisiana, in an easterly direction approximately 200 miles to a point near Mobile, Alabama, which will connect with the present Gulfport Lateral Line at a point approximately 2½ miles north of the City of Gulfport, Mississippi;

(d) Applicant states that the said new section of transmission pipe line is being constructed for the purpose of augmenting its present insufficient pipe line facilities for supplying fuel requirements to defense industries situated at and near Mobile, Alabama, and Pensacola, Florida; that, if construction of the said pipe line is not completed by the latter part of October 1941, defense industries that are to be served "may be curtailed as to their fuel requirements"; that applicant requires the pipe which it desires to remove from the said Gulfport Lateral Line for the completion of this new line, since it believes that even with a priority rating from the Office of Production Management it will be extremely difficult to get delivery of sufficient pipe to complete the project within the time limit above stated;

(e) Applicant prays that it be granted permission to remove and relocate approximately 60 miles of the said Gulfport Lateral Pipe Line and facilities, as above described, and that such removal and relocation be not held to be an abandonment of facilities within the meaning of section 7 (b) of the Natural Gas Act; or, in the alternative, applicant prays that this matter be set down for hearing at an early date;

(f) The said application and attached exhibits indicate that the proposed removal and relocation of said portion of the Gulfport Lateral Line may affect the supplying of fuel requirements to defense industries, and that a hearing in the matter should, therefore, be set at an early date;

The Commission orders that: A public hearing on said application be held on September 23, 1941, at 9:45 o'clock a. m., in the hearing room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue N.W., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 41-7004; Filed, September 18, 1941; 3:46 p. m.]

[Docket No. G-215]

IN THE MATTER OF PANHANDLE EASTERN PIPE LINE COMPANY

ORDER FIXING DATE OF HEARING

SEPTEMBER 16, 1941.

The Panhandle Eastern Pipe Line Company (hereinafter referred to as "Applicant") by application filed September 15, 1941, applied for an order pursuant to section 7 (b) of the Natural Gas Act for authority to abandon certain

natural gas facilities subject to the jurisdiction of the Commission.

It appearing to the Commission from the averments of the application that:

(a) In the year 1930 or 1931 Applicant constructed an 8-inch gas pipe line from its existing main transmission line a distance of approximately 32 miles to a point at or near Mildred, Kansas, for the original sole purpose of supplying the fuel requirements of the Consolidated Cement Corporation's cement plant located near Mildred, Kansas;

(b) Upon completion of Applicant's said pipe line a contract dated March 5, 1931, and to remain in effect until August 26, 1941, was entered into between Applicant and John J. Griffin, a distributor of natural gas, to supply natural gas for resale in the community of Mildred, Kansas, and the town of Kincaid, Kansas;

(c) On March 25, 1931, John J. Griffin assigned to the Kansas Gas & Fuel Company all of his right, title and interest in and to the aforementioned contract;

(d) On May 1, 1940, Kansas Gas & Fuel Company applied to Applicant for service under its Therm Rate Schedules on file with this Commission, which application was accepted by the Applicant on May 18, 1940. The said Therm Rate Schedules superseded the contract of March 5, 1931, for the unexpired term thereof and provided that unless terminated at the end of said term they should extend for successive annual periods thereafter until terminated by notice of Kansas Gas & Fuel Company to the Applicant;

(e) Under the terms and conditions of the contract between the Applicant and the Consolidated Cement Corporation, the latter company purchased natural gas for its fuel requirements from Applicant for a period of approximately three weeks, at which time it permanently discontinued the operations of its plant and ceased taking gas under said contract. Subsequently the cement plant was dismantled and removed from the vicinity of Mildred, Kansas. Since the discontinuance of the cement plant the aforementioned 8-inch pipe line has not been used or useful except for the incidental supply of gas to the communities of Mildred and Kincaid, Kansas, as aforesaid;

(f) In June or July 1941, Kansas Gas & Fuel Company entered into a contractual arrangement for the supply of natural gas from The Commercial Gas Pipe Line Company, which produces natural gas in the State of Kansas and owns a system of natural gas pipe lines for the purpose of serving various communities in the general area of Kincaid and Mildred, Kansas;

(g) A 4-inch branch pipe line of The Commercial Gas Pipe Line Company is located at a distance approximately two miles northeast of the town of Kincaid, Kansas. Subsequent to the date upon which the arrangements aforesaid were entered into between Kansas Gas & Fuel

Company and The Commercial Gas Pipe Line Company, a 2-inch connecting gas pipe line was constructed from a point on the said 4-inch branch line of The Commercial Gas Pipe Line Company to the town of Kincaid, Kansas;

(h) On or about September 1, 1941, the Kansas Gas & Fuel Company commenced to receive all of its gas requirements for resale in Kincaid and Mildred from The Commercial Gas Pipe Line Company and at the same time ceased taking any gas from the Applicant;

(i) Since on or about September 1, 1941, Applicant's aforementioned 8-inch gas pipe line from its main transmission line to a point just west of Kincaid, Kansas, has been disconnected and no person, firm, or corporation is now receiving natural gas from said line;

(j) Applicant desires to reclaim its said 8-inch gas pipe line, and upon reclamation thereof to transfer the pipe to its wholly owned subsidiary Illinois Natural Gas Company for use in the construction of a pipe line in the vicinity of Galesburg, Illinois, for the service of approximately 9,000 consumers;

The Commission orders:

That a public hearing be held in the Police Courtroom, Civic Auditorium, Emporia, Kansas, on September 24, 1941, at 9:45 a. m., for the purpose of determining whether or not the present or future public convenience or necessity will permit such abandonment.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 41-7045; Filed, September 19, 1941;  
11:27 a. m.]

#### FEDERAL TRADE COMMISSION.

[Docket No. 4589]

IN THE MATTER OF C. H. ROBINSON COMPANY, A CORPORATION, AND NASH-FINCH COMPANY, A CORPORATION; RESPONDENTS  
COMPLAINT

The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof and hereinafter more particularly designated and described, since June 19, 1936, have violated and are now violating the provisions of sub-section (c) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent, C. H. Robinson Company, is a corporation, organized and existing under and by virtue of the laws of the State of North Dakota, with its executive offices and principal place of business located at 430 Oak Grove Avenue, Minneapolis, Minnesota. This respondent engages in the produce brokerage business, acting as an intermediary in transactions of sale and purchase of

fruits and vegetables, between numerous sellers and buyers. In the course of its business which extends throughout the United States, respondent maintains approximately twenty-seven branch offices.

PAR. 2. Respondent, Nash-Finch Company, is a corporation organized and existing under and by virtue of the laws of the state of Delaware, with its principal office and place of business located at 430 Oak Grove Avenue, Minneapolis, Minnesota.

This respondent is engaged in the wholesale grocery business in the western half of the United States, operating through approximately sixty branch places of business.

PAR. 3. Respondent Nash-Finch Company places orders for a substantial portion of the fruits and vegetables required by it in the ordinary conduct of its business with sellers who are, in most cases, located in states of the United States other than the State of Minnesota, through the produce brokerage firm of C. H. Robinson Company. As a result of the transmission and execution of said orders, as aforesaid, goods, wares and merchandise, particularly fruits and vegetables, are in the case of each such order and in a continuous succession of such orders, sold, transported and delivered by one or more of such sellers across state lines to Nash-Finch Company.

PAR. 4. The authorized capital stock of respondent C. H. Robinson Company is 2,000 shares, of a par value of \$50.00 per share, of which 1,606 shares are issued and outstanding. The record owner of 1,601 shares of the outstanding capital stock is respondent Nash-Finch Company. The remaining five shares of outstanding capital stock are recorded one share each in the names of the five principal corporate officers of respondent C. H. Robinson Company.

The earnings and profits realized by respondent C. H. Robinson Company from the operation of its produce brokerage business amount to a substantial sum. These profits are distributed to stockholders from time to time by means of declared dividend payments. Respondent Nash-Finch Company shares in such profits and earnings by receiving and accepting dividend payments declared upon its ownership of capital stock of respondent C. H. Robinson Company.

PAR. 5. In the course and conduct of the buying and selling transactions hereinabove referred to, resulting in the delivery of goods, wares and merchandise, particularly fruits and vegetables, in interstate commerce from one or more sellers to respondent Nash-Finch Company, sellers have transmitted and paid, and do transmit and pay, to respondent, C. H. Robinson Company, brokerage fees or commissions, the same being a certain percentage of the sales price of such purchases, or a specified sum allowed on each carload, crate, basket, lug, or bag. Since June 19, 1936, sellers have paid brokerage fees and commissions to, and the same have been received by the C. H. Robinson Brokerage Company upon the

purchases of Nash-Finch Company in the manner above described in substantial amounts.

PAR. 6. In all of the transactions of purchase and sale hereinabove referred to, the respondent C. H. Robinson Company has acted under the control and in fact for and on behalf of respondent Nash-Finch Company.

PAR. 7. The receipt and acceptance from sellers of brokerage fees and commissions by said respondent C. H. Robinson Company, upon the purchases of a buyer, such as respondent Nash-Finch Company, while respondent is under the control of or acting in fact for such purchaser, and the receipt and acceptance of brokerage, including the C. H. Robinson Company dividend payments, by respondent Nash-Finch Company, upon its own purchases in the manner and form hereinabove set forth, is in violation of the provisions of sub-section (c) of section 2 of the Act described in the preamble hereof.

Wherefore, the premises considered, the Federal Trade Commission, on this 12th day of September, A. D. 1941, issues its complaint against said respondents.

NOTICE

Notice is hereby given you, C. H. Robinson Company, a corporation, and Nash-Finch Company, a corporation; respondents herein, that the 17th day of October, A. D. 1941, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

\* \* \* \* \*  
Failure of the respondent to file answer within the time above provided and fail-

ure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true, and if in the judgment of the Commission such facts admitted constitute a violation of law or laws as charged in the complaint, to make and serve findings as to the facts and an order to cease and desist from such violations. Upon application in writing made contemporaneously with the filing of such answer, the respondent, in the discretion of the Commission, may be heard on brief, in oral argument, or both, solely on the question as to whether the facts so admitted constitute the violation or violations of law charged in the complaint.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed at Washington, D. C., this 12th day of September, A. D. 1941.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 41-7035; Filed, September 19, 1941; 11:11 a. m.]

[File No. 21-317]

IN THE MATTER OF PROPOSED TRADE PRACTICE RULES FOR THE RAYON AND SILK DYEING, PRINTING AND FINISHING INDUSTRY

NOTICE OF HEARING, AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 19th day of September, A. D. 1941.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, groups, or other parties affected by or having an interest in the proposed trade practice rules for the Rayon and Silk Dyeing, Printing and Finishing Industry to present to the Commission, orally or in writing, their views concerning such rules, including such pertinent information, suggestions, or objections, if any, as they desire to submit. For this purpose they may, upon application to the Commission, ob-

tain copies of the proposed rules. Matters submitted in writing should be filed with the Commission not later than October 8, 1941. Opportunity for oral hearing and presentation will be afforded at 10 a. m., October 8, 1941, in Room 332, Federal Trade Commission Building, Constitution Avenue at Sixth Street, Washington, D. C., to any such persons, partnerships, corporations, associations, groups, or other parties as may desire to appear and be heard. After giving due consideration to all matters presented concerning the proposed rules, the Commission will proceed to their final consideration.

By the Commission.

[SEAL] JOE L. EVINS,  
Acting Secretary.

[F. R. Doc. 41-7027; Filed, September 19, 1941; 11:12 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-402]

IN THE MATTER OF CITIES SERVICE POWER & LIGHT COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 17th day of September, A. D. 1941.

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

Notice is further given that any interested person may, not later than September 29, 1941, at 4:30 p. m., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration 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. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

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 transactions therein proposed, which are summarized below:

The Company seeks authority, in excess of amounts permitted by Rules and previous authorization of the Commission, to expend not in excess of \$100,000 in the acquisition of its outstanding preferred stock during the period of one year next ensuing after the date of the Commission's order in this matter. It is proposed that such acquisitions be made at such times and from time to time during said period as in the judg-

ment of the management of the Company may be desirable or appropriate. The acquisitions will be made in the open market either through brokers or dealers on securities exchanges or in the over-the-counter market, or at private sales, at the current market prices prevailing at the time of purchase; but no such acquisitions are to be made at a price exceeding the involuntary liquidating value thereof of \$100 per share nor from any affiliated Company. No fees or commissions in connection with such acquisitions are to be paid by the Company other than the usual brokers or dealers commissions.

Cities Service Power & Light Company has, since January 1, 1941, acquired 1,586 shares of its preferred stock at a cost of \$149,977.75.

The declaration or application recites that the company considers section 12 (c) of the Act and Rule U-42 of the Rules and Regulations thereunder as being applicable to such transactions.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
*Secretary.*

[F. R. Doc. 41-7041; Filed, September 19, 1941;  
11:24 a. m.]

[File No. 2-4753]

IN THE MATTER OF SHAWNEE CHILES  
SYNDICATE  
STOP ORDER

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

office in the City of Washington, D. C., on the 18th day of September A. D. 1941.

This matter coming on to be heard before the Commission on the registration statement of Shawnee Chiles Syndicate, a Colorado corporation, after confirmed telegraphic notice to said registrant that it appeared that said registration statement included untrue statements of material fact and omitted to state material facts required to be stated and omitted to state material facts necessary to make the statements therein not misleading, and upon evidence received upon the allegations made in the notice of hearing duly served by the Commission on said registrant; and

The Commission having duly considered the matter, and finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading, all as more fully set forth in the Findings and Opinion of the Commission this day issued; and

The Commission now being fully advised in the premises;

*It is ordered,* Pursuant to section 8 (d) of the Securities Act of 1933, that the effectiveness of the registration statement filed by Shawnee Chiles Syndicate, a Colorado corporation, be and the same hereby is suspended.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
*Secretary.*

[F. R. Doc. 41-7042; Filed, September 19, 1941;  
11:25 a. m.]

[File Nos. 70-254, 70-267, 70-292]

IN THE MATTER OF CENTRAL STATES POWER  
& LIGHT CORPORATION

ORDER GRANTING EXTENSION OF TIME WITHIN  
WHICH TO CONSUMMATE TRANSACTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 18th day of September, A. D. 1941.

The Commission having imposed a condition in its order herein dated July 22, 1941, providing that the period within which declarant's First Mortgage Bonds might be tendered, in accordance with the provisions of the Commission's order, should expire not more than thirty (30) days nor less than twenty (20) days from the first date upon which tenders might be accepted, the precise dates to be fixed, within said limits, by the declarant; and The Commission's order having granted leave to declarant to apply for an extension of said time limit; and

It appearing that declarant has provided for a tender period of thirty (30) days, ending on the nineteenth day of September; and

Declarant having applied to the Commission for an extension of such tender period to and including October 31, 1941; and

It appearing that such application should be granted.

It is so ordered.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
*Secretary.*

[F. R. Doc. 41-7043; Filed, September 19, 1941;  
11:25 a. m.]