



Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

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

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

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Telephone information: DISTRICT 0525.

CONTENTS—Continued

| | |
|--|------|
| SECURITIES AND EXCHANGE COMMISSION: | |
| Hearings, etc.: | Page |
| Boyd-Welsh, Inc.----- | 2766 |
| Community Gas and Power Co., et al.----- | 2765 |
| Lehman Corp.----- | 2765 |
| North American Co.----- | 2765 |
| SELECTIVE SERVICE SYSTEM: | |
| Classification; physical examination by examining physician----- | 2749 |
| VETERANS' ADMINISTRATION: | |
| Forms; application for benefits and report by insurer----- | 2760 |
| WAGE AND HOUR DIVISION: | |
| Learner employment certificates; issuance to various industries----- | 2764 |
| WAR PRODUCTION BOARD: | |
| Copper: | |
| (L-106)----- | 2750 |
| (M-9-a)----- | 2751 |
| Critical common components (M-293)----- | 2756 |
| Engines, internal combustion air-cooled (L-254)----- | 2754 |
| Floor finishing and maintenance machines and industrial vacuum cleaners (L-222)----- | 2753 |
| Fuel oil (M-144)----- | 2752 |
| Petroleum products (M-201)--- | 2752 |
| WAR SHIPPING ADMINISTRATION: | |
| Requisitioned vessel Vigil ex Caribe ex Koura, deposit on account, etc----- | 2766 |

the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, since railroad locomotive fuel Price Exceptions 1-D, 2-C and 3-B in § 330.10 (a) (3) in Schedule of Effective Minimum Prices for District No. 10 for all Shipments Except Truck and Price Exception 61 established by the Order of the Director, dated May 8, 1942, 7 F.R. 4225, in Docket Nos. A-49, A-98 and A-125 are applicable to the coals of all other mines in Price

Group No. 20 of District No. 10 for which minimum prices have been established for all shipments except truck and since no reason has been advanced for denying the application of these Price Exceptions to the coals of Mine Index No. 1082, the relief granted herein makes the said price exceptions applicable to the coals of Mine Index No. 1082.

Dated: February 2, 1943.

[SEAL] DAN H. WHEELER, Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 10

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 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK
§ 330.4 Price groups—Supplement R-I

| Price group No. | Producer | Mine | Mine index No. | Freight origin group | Shipping point | Railroad |
|-----------------|--|-------------------|----------------|----------------------|-----------------|----------|
| 20 | Stiehl, C. G. (Belle Valley Coal Co.)--- | Belle Valley----- | 1082 | 21 | Belleville----- | IC. |

¹ Mine index No. 1082 shall be included in Price Group 20 and shall take the same f. o. b. mine prices as other mines in Price Group 20, Schedule No. 1, District No. 10. For all shipments except truck, in size groups 1 to 15 inclusive, and in size group 26 and 27 and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel; provided, however, that these f. o. b. mine prices apply on board transportation at Belleville, Illinois.

§ 330.10 Special prices (a) (2) Railroad locomotive fuel prices—Supplement R-II

| Price group No. | Producer | Mine | Mine index No. | Freight origin group | Shipping point | Railroad |
|-----------------|--|-------------------|----------------|----------------------|-----------------|----------|
| 20 | Stiehl, C. G. (Belle Valley Coal Co.)- | Belle Valley----- | 1082 | 21 | Belleville----- | IC. |

¹ The railroad locomotive fuel price shall be: 6 x 1 1/4 egg, \$1.75; mine run, \$1.70; screenings, \$1.40; and railroad locomotive fuel price exceptions 1-D, 2-C, 3-B, and 61 shall apply.

[F. R. Doc. 43-3356; Filed, March 3, 1943; 10:39 a. m.]

[Docket No. A-1819]

PART 330—MINIMUM PRICE SCHEDULE,
DISTRICT No. 10
ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10, for establishment of price classifications and minimum prices for Mine Index No. 1617.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Schoper No. 2 Mine, Mine Index No. 1617, of Standard Coal Mining and Converters Corporation; and

It appearing 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 following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 330.4 (Price

groups) is amended by adding thereto Supplement R-I, § 330.10 (Special prices—(a) (2) Railroad locomotive fuel prices) is amended by adding thereto Supplement R-II, and § 330.25 (General prices in cents per net ton for shipment into all market areas) 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 the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, since railroad locomotive fuel Price Exceptions 1-B, 2-B, and 3-A in § 330.10 (a) (3) in Schedule of Effective Minimum Prices for District No. 10 for All Ship-

ments Except Truck are applicable to the coals of all other mines in Price Group No. 13 of District No. 10 for which minimum prices have been established for all shipments except truck and since no reason has been advanced for denying the application of these price ex-

ceptions to the coals of Mine Index No. 1617, the relief granted herein makes the said price exceptions applicable to the coals of Mine Index No. 1617.

Dated: February 3, 1943.

[SEAL] DAN H. WHEELER, Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 10

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 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK
§ 330.4 Price groups—Supplement R-I

| Price group No. | Producer | Mine | Mine index No. | Freight origin group | Shipping point | Railroad |
|-----------------|--|--------------------|----------------|----------------------|-----------------|----------|
| 13 | Standard Coal Mining and Converters Corporation. | Schoper No. 2..... | 1617 | 44 | Benld, Ill..... | C&NW. |

¹ Mine Index No. 1617 shall be included in Price Group 13 and shall take the same f. o. b. mine prices as other mines in Price Group 13, Schedule No. 1, District No. 10, For All Shipments Except Truck, on all size groups and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel: *Provided, however,* That these f. o. b. mine prices apply on board transportation facilities at Benld, Illinois.

§ 330.10 Special prices (a) (2) Railroad locomotive fuel prices—Supplement R-II

| Price group No. | Producer | Mine | Mine index No. | Freight origin group | Shipping point | Railroad |
|-----------------|--|--------------------|----------------|----------------------|-----------------|----------|
| 13 | Standard Coal Mining and Converters Corporation. | Schoper No. 2..... | 1617 | 44 | Benld, Ill..... | C&NW. |

¹ The railroad locomotive fuel price shall be: Mine run, \$1.95; modified mine run, \$2.00; and screenings, \$1.40, and railroad locomotive fuel price exceptions 1-B, 2-B and 3-A shall apply.

FOR TRUCK SHIPMENTS

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

| Code member index | Mine Index No. | Mine | Seam | Prices and size group Nos. | | | | | | | | | | | | | | | | | | | | | | | |
|---|----------------|----------------|------|----------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----|-----|-----|--|--|--|--|--|--|--|
| | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 26 | 27 | | | | | | | |
| SECTION No. 5 MACOMIN COUNTY Standard Coal Mining & Converters Corporation. | 1617 | Schoper No. 2. | 6 | 225 | 220 | 215 | 205 | 200 | 195 | 170 | 150 | 155 | 150 | 150 | 150 | 120 | 110 | 55 | 130 | 120 | | | | | | | |

[F. R. Doc. 43-3357; Filed, March 3, 1943; 10:39 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment 132, 2d Ed.]

PART 623—CLASSIFICATION PROCEDURE

PHYSICAL EXAMINATION BY EXAMINING PHYSICIAN

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. 8545, 5 F.R. 3779, E.O. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (e) of § 623.33 to read as follows:

§ 623.33 Physical examination by examining physician.¹ * * *

(e) The examining physician may report to the local board that a registrant is suffering from a condition listed in the List of Defects (Form 220) basing his report upon one or more of the following: (1) the physical examination of the registrant while he is before him; (2) his personal professional knowledge of the registrant's physical condition; (3) an acceptable affidavit from a reputable physician to the effect that such physician has personal professional knowledge of the registrant's physical condition, provided such affidavit is filed with the local board; or (4) an official statement from a Government or State agency con-

¹ 6 F.R. 6611; 7 F.R. 68, 2088, 3745, 6517; 8 F.R. 2093.

cerning the physical condition of the registrant (including a statement concerning a registrant who has been cared for in St. Elizabeth's Hospital, Washington, D. C., or in a Veterans' Administration Facility), provided such statement is filed with the local board.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, Director.

MARCH 3, 1943.

[F. R. Doc. 43-3378; Filed, March 3, 1943; 4:13 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 21]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

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

1. In the column headed "Shipping Priority Rating" the shipping priority ratings assigned to the commodities listed below (at every place where said commodities appear in said section) are deleted and in the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

| Commodity | Department of Commerce No. | General license group | Shipping priority rating |
|---|----------------------------|-----------------------|--------------------------|
| Clay and clay products: Closet bowls and water-closet sets (include tanks)..... | 5332.00 | None | |
| Lavatories, sinks, etc. (include urinals and bidets)..... | 5333.00 | None | |
| Grains and preparations: Paddy or rough rice | 1055.00 | None | |

2. In the column headed "General License Group" the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

| Commodity | Department of Commerce No. | General License Group |
|---|----------------------------|-----------------------|
| Chemicals (see also medicinals): Acetylsalicylic Acid (aspirin) in bulk—see Medicinals..... | 8135.30 | None |
| Acetylsalicylic Acid (aspirin) in tablet form—see Medicinals..... | 8127.92 | None |
| Tannic Acid..... | 8303.98 | None |

Licensed shipments of the commodities set forth above under "1" and "2" for which Office of Defense Transportation

permits have been issued or which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of this amendment, may be exported under the previous general license provisions.

This amendment shall become effective March 9, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 3, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-3396; Filed, March 4, 1943; 12:01 p. m.]

[Amendment 22]

PART 802—GENERAL LICENSES

SHIPMENTS NOT EXCEEDING A SPECIFIED VALUE

Paragraph (c) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of commodities set forth therein the following:

Acetylsalicylic acid (aspirin).
Ascorbic acid.
Atabrin (all forms and conversions).
Nicotinic acid and amide.
Plasmochin (all forms and conversions).
Pyridoxine hydrochloride.
Riboflavin.
Sulfonamides (include all sulfa drugs).
Tannic acid.
Thiamin chloride.

Licensed shipments of the above commodities for which Office of Defense Transportation permits have been issued or which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of this amendment, may be exported under the previous general license provisions.

This amendment shall become effective March 9, 1943.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 3, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-3397; Filed, March 4, 1943; 12:01 p. m.]

[Amendment 23]

PART 804—INDIVIDUAL LICENSES

APPLICATIONS

Paragraph (c) of § 804.2 *Applications for licenses* is hereby amended by deleting from the list of numbered commod-

ity groups contained therein the following:

| Commodity | Schedule B No. |
|-------------------------------------|----------------------|
| 92. Aluminum..... | 6300.00 thru 6305.00 |
| 93. Aluminum manu- factures..... | 6307.00 thru 6309.98 |
| 94. Copper..... | 6401.00 thru 6439.00 |
| 95. Brass and Bronze.. | 6440.00 thru 6479.98 |

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 40, 8 F.R. 1938)

Dated: March 3, 1943.

A. N. ZIEGLER,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-3398; Filed, March 4, 1943; 12:01 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

PART 933—COPPER

[Limitation Order L-106, as Amended March 4, 1943]

Section 933.9 *Limitation Order L-106* is amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of copper and copper base alloy products entering into the production of automotive parts and components thereof, for defense, for private account and for export; the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 933.9 *Limitation Order L-106—(a) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

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

(1) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine and having a seating capacity of less than eleven (11) persons.

(2) "Light motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(3) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Truck trailer" means a complete semi-trailer or full trailer for the transportation of property or persons, or the chassis therefor.

(5) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(6) "Motorized fire equipment" means the chassis of a passenger automobile, light, medium or heavy motor truck, truck-tractor or trailer, used for the transportation of fire-fighting personnel or equipment.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Copper" means unalloyed copper metal, including unalloyed copper metal produced from scrap.

(9) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds forty percent (40%) of the total weight of the alloy. It shall include alloy metal produced from scrap.

(10) "Copper products" means products made of copper, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingots, castings, forgings, powder or anodes, or fabricated to any greater extent.

(11) "Copper base alloy products" means products made of copper base alloy, fabricated to the extent that they are plate, sheet, strip, rolls, coils, wire, rod, bar, tube, tubing, pipe, extrusions, ingots, castings, forgings, powder or anodes, or fabricated to any greater extent.

(12) "Less critical material" means material essential to the War Program, the supplies of which are less critical according to the Material Substitutions and Supply List issued periodically by the Conservation Division of the War Production Board.

(13) "Automotive part" or "parts" means parts entering into the production of, or as replacement parts for, passenger automobiles, light motor trucks, medium and/or heavy motor trucks, truck trailers, passenger carriers, motorized fire equipment and off-the-highway motor vehicles (including components entering into such parts).

(14) "Producer" means any individual, partnership, association, corporation or other organization engaged in the production of automotive parts.

(c) *General restrictions.* (1) No producer shall use any copper products or copper base alloy products in the production of automotive parts other than in the following:

(i) *Radiators.* Water courses and tanks of copper alloy containing not more than seventy-one (71) per cent copper.

(ii) *Cooling system control devices.* Thermostat bellows of copper alloy containing not more than eighty-five (85) per cent copper; seats and valves for thermostats and pressure type radiator sealing caps of copper alloy containing not more than seventy-four (74) per cent copper.

(iii) *Electrical equipment.* Only parts functioning as electrical conductors in the following assemblies: coils; distributors; generators; instruments; lamp bulbs; starting

motors; signaling devices; switches; wiring (including bulk or spooled primary wire, spark plug wire, battery cable and magnet wire); battery terminals of copper alloy containing not more than seventy-one per cent (71%) copper; solenoids, relays and regulators (non-current carrying parts for solenoids, relays and regulators which must be non-magnetic may be made from copper alloy containing not more than 71% copper); electric motors for windshield wipers and defrosters; electric motors for heaters for passenger carriers and trucks only; electric motors for ventilators for passenger carriers only; actuating devices for passenger carriers, trucks and truck trailers only; refrigeration units for trucks and truck trailers only. Heavy duty truck and bus type brush holders.

(iv) *Tubing, tube fittings and actuating parts.* For pneumatic and electro-pneumatic systems in motor trucks, truck trailers, passenger carriers, motorized fire equipment and off-the-highway motor vehicles only, such as brake systems, gauges, door operating mechanisms, air steering mechanisms, air gear shift mechanisms, air clutch and winch control mechanisms, air operated gasoline throttle control, windshield wipers, interlocks, heating and ventilating controls, signal horns and directional signals, where condensation and corrosion make substitution of less critical material impractical. Inserts (or ferrules) for brake, oil and fuel line tube fittings only, where less critical material is impractical.

(v) *Bearings, bushings, thrust washers* and similar parts which require oil, grease or water lubrication: *Provided*, That the use of Copper or Copper Base Alloy shall be reduced by substitution of steel-backed for solid-bronze bushings in all cases where load characteristics and diameter, length or wall thickness, make such substitution practicable.

(vi) *Carburetor and fuel pump parts.* Those parts having metering, seating, filtering or anti-friction characteristics such as jets, nozzles, seats, metering rods, floats, screens, springs and bearings; drill plugs, where non-corrosive metal is required to facilitate removal for cleaning.

(vii) *Plating.* For parts in connection with carburizing steel; where substituted for solid copper and copper base alloys; for protection from corrosion due to electrolysis where other material cannot be used, as in hydraulic brake parts which come in contact with brake fluid.

(viii) *Gaskets.* Spark plug gaskets (internal only); washers or solid gaskets where proper sealing is not possible with the use of less critical material; water hole grommets for gaskets where size prohibits the use of less critical material from a manufacturing standpoint, or where design provides insufficient sealing with less critical material.

(ix) *Transmissions, including synchro-mesh, fluid coupling, hydromatic and pneumatic types.* Fluid coupling seal bellows, transmission gear synchronizer cones, thrust washers, thrust plates and rivets.

(x) *Brazing materials.* For joining functional parts of multiple-piece construction.

(xi) *Powdered copper.* For briquetted bearings.

(xii) *Used as a minor alloying element in alloys other than copper base alloys.* In ferrous alloys; bearing metals; zinc die castings for carburetors and fuel pumps; aluminum alloys for pistons.

(xiii) *Clutch facings and brake linings.* Only in the form of grindings or brass chips for medium and heavy motor trucks, truck trailers, passenger carriers, motorized fire equipment and off-the-highway motor vehicles; except that in clutch facings for such vehicles, copper in the form of wire may be used only where a less critical material is impractical.

(xiv) *Speedometers, tachometers, heat indicators and oil gauges.* Frames, capillaries,

bulbs, bushings, bearings, magnet cups, re-set pawls, springs, speed cups, sectors, gears, shoes, links, washers, pins, bourdon tubes.

(xv) *Miscellaneous.* Tire inner tube valve parts; small stampings in door locks, keys and lock tumblers; fuel filter screens.

(2) Whenever copper products or copper base alloy products are used in the production of any Automotive Part, as permitted by paragraph (c) (1) above, such copper products or copper base alloy products shall be reduced to the minimum practical gauge, size and grade of copper or copper base alloy product necessary for the proper operation of the part. No producer may use copper products or copper base alloy products in the production of any automotive part, as permitted by paragraph (c) (1) above, where the use of any less critical material is practicable.

(3) Whenever Limitation Order L-158, as amended, or Conservation Order M-9-c, as amended, or any other order of the War Production Board, imposes limitations upon the manufacture, sale or delivery of automotive parts more restrictive than provided in this order, the provisions of such other order shall apply.

(d) *Army and Navy exemptions.* The prohibitions and restrictions contained in this order shall not apply to the use of Copper Products or Copper Base Alloy Products in the manufacture of automotive parts produced under contracts or orders for delivery to, or for the account of, the Army or Navy of the United States where such use is required by the specifications (including performance specifications) of the prime contract.

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

(f) *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 War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time require.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Communications.* All communications concerning this order shall be ad-

ressed to: War Production Board, Automotive Division, Washington, D. C., Ref: L-106.

(k) *Effective date.* This amended order shall take effect March 10, 1943.

Issued this 4th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3382; Filed, March 4, 1943; 9:28 a. m.]

PART 933—COPPER

[General Preference Order M-9-a as Amended March 4, 1943]

Whereas the national defense requirements have created a shortage of copper, copper base alloys and products thereof, as hereinafter defined, for defense, for private account, and for export, and it is necessary in public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof: *Now, therefore, it is hereby ordered:*

§ 933.2 *General Preference Order M-9-a—(a) Definitions.* For the purpose of this order:

(1) "Copper" means copper metal which has been refined by any process of electrolysis or fire refining to a grade and in a form suitable for fabrication, such as cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars or other refined shapes, or copper shot or other forms produced by a refiner.

(2) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(3) "Refiner" means any person who produces copper, as hereinbefore defined, from copper-bearing material or scrap by any process of electrolysis or fire refining; "refiner" also includes any person who has such copper produced for him under toll agreement.

(4) "Dealer" means one who receives physical delivery of copper and sells or holds the same for sale without change in form.

(5) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy.

(6) "Wire mill product" means bare or insulated wire or cable for electrical conduction made from copper or copper base alloy.

(7) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, or other person engaged in the business of distributing brass mill products or wire mill products to industry or trade.

(b) *Allocation of copper—(1) Deliveries of copper by dealers or refiners.* No delivery of copper shall be made by any dealer or refiner except upon presentation by the person requesting the delivery of an allocation certificate duly issued by the Director General for Operations (hereinafter called the Director); except that notwithstanding the foregoing, copper of foreign origin imported under

bond or drawback agreement may be re-exported by a refiner pursuant to an export license duly issued by the Office of Export Control, Board of Economic Warfare.

(2) *Applications for allocations.* All persons who require copper shall make application on Form PD-59 to the Copper Division, War Production Board, for allocation certificates entitling them to specified amounts of copper to be delivered to them by refiners or dealers.

(3) *Basis of allocation.* Allocation of copper will be made by the Director to assure the satisfaction of the most essential requirements. After the satisfaction of such requirements, the residual supply may be allocated by the Director for other necessary uses to the extent possible.

(4) *Acceptance of delivery.* No person shall accept the delivery of any copper if he has reason to believe such delivery would be in violation of this order.

(c) *Deliveries of brass mill products or wire mill products.* Except as expressly authorized or directed by the Director:

(1) No brass mill or wire mill shall fill any order which has not been approved on a Form PD-59D.

(2) No warehouse shall deliver or cause to be delivered from his stocks any brass mill product or wire mill product except as permitted by Controlled Materials Plan Regulation No. 4.

(3) No person shall accept the delivery of any brass mill product or wire mill product if he has reason to believe such delivery would be in violation of this order.

(d) *Deliveries of foundry products or copper base alloy ingots.* Deliveries of foundry products and copper base alloy ingots shall be made only in accordance with the provisions of Supplementary Copper Order No. M-9-b.

(e) *Toll agreements.* (1) No person shall process any copper, brass mill product, or wire mill product acquired prior to July 1, 1942, under any existing or future toll agreement, conversion agreement, or other form of agreement by which title remains vested in a person other than the one processing the material, or which agreement is contingent upon repurchase of such materials in any quantities equivalent or otherwise by the person delivering the material, unless and until such an agreement shall have been approved by the Director. Any person desiring to have such an agreement approved must file with the War Production Board, a statement setting forth the names of the parties to such agreement, the material involved as to kind and grade (except copper scrap for which provision is made under Supplementary Copper Order No. M-9-b), the form of the same, the estimated tonnage involved, the estimated rate of delivery, the length of time such agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the copper, copper base alloy or copper product is to be used, and any other pertinent data that would justify such approval.

(2) All refiners who are parties to toll agreements for the refining of copper (who have not already filed the information with the Director) must file with the War Production Board, a statement setting forth the names of the parties to such agreement, the material involved, whether blister, scrap or in other form, the estimated tonnage involved, the estimated rate of delivery, and the duration of the contract. A like statement must be filed with reference to any new agreement or amendment to existing or new agreements within ten days after the effective date of such new agreement or amendment respectively.

(f) *Addressing of communications.* All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof should be addressed War Production Board, Ref: M-9-a, Washington, D. C.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 4th day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3384; Filed, March 4, 1943;
9:28 a. m.]

PART 1115—FUEL OIL

[Revocation of Preference Rating Exclusion Order M-144]

Section 1115.2 *Preference Rating Exclusion Order M-144* hereby is revoked as of this 3d day of March 1943.

Issued this 3d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-3379; Filed, March 3, 1943;
4:49 p. m.]

PART 3026—PETROLEUM PRODUCTS

[Preference Rating Exclusion Order M-201]

The fulfillment of the requirements for the defense of the United States has created a shortage in certain petroleum products which will result, in certain areas, in a shortage in the supply of such petroleum products for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3026.1 *Preference Rating Exclusion Order M-201*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the applicable provisions of any priorities regulation issued by the War Pro-

duction Board, as amended from time to time.

(b) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including, but not limited to, natural gas.

(3) "Restricted products" means those products of petroleum which may from time to time be specified in Exhibit "A" hereof and which are not excepted, in whole or in part, from the provisions of this order by Exhibit "B" hereof.

(c) *Exclusion of restricted products from certain provisions of priorities regulations and orders.* (1) Notwithstanding the provisions of any regulation, order, direction or certificate heretofore issued by the Director General for Operations or the Director of Industry Operations of the War Production Board or the Director of Priorities of the Office of Production Management, deliveries of restricted products may be made by any person to any person for any purpose without regard to any preference rating assigned to the purchase, sale or delivery of such restricted products. No person shall require the application of a preference rating assigned by any regulation, order, direction or certificate to the purchase, sale or delivery of restricted products and, except as provided in paragraph (c) (2) hereof, no such purchase, sale or delivery of restricted products shall be deemed to bear any preference rating whatsoever.

(2) No preference rating shall be assigned to any purchase, sale or delivery of restricted products (other than to a purchase, sale or delivery of fuel oil for use in ocean-going vessels) by any regulation, order, direction or certificate hereafter issued by or under the authority of the Director General for Operations, except by or pursuant to a regulation or order hereafter issued by the Director General for Operations specifically assigning the rating and excepting the transaction from the provisions of this order.

(d) *Excepted products.* The provisions of this order do not apply to any product of petroleum specified in Exhibit "B" hereof.

(e) *Applications and communications.* Applications for a specific assignment of a preference rating and exception from the provisions of this order shall be made on Form PD-1A accompanied by a letter in triplicate stating the reasons for such exception. Any such application shall be addressed to the Petroleum Administration for War, South Interior Building, Washington, D. C., Ref: M-201. All communications concerning this order shall be similarly addressed.

(f) *Violations.* Any person who willfully violates any provision of this order or who wilfully furnishes false information to the Director General for Operations in connection with this order is guilty of a crime, and upon conviction may be punished by fine or imprison-

ment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the Director General for Operations.

(g) § 1115.2 *Preference Rating Exclusion Order M-144* is hereby revoked.

Issued this 3d day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

EXHIBIT A

The following are specified restricted products:

(1) Liquefied petroleum gas: propane, propylene, butanes, butenes, or any combination or dilution thereof commonly known as liquefied petroleum gas.

(2) Aviation gasoline: any liquid fuel (including components thereof), except Diesel fuel, used for aircraft propulsion which meets current provisional or permanent United States Army or Navy specifications for aircraft fuels.

(3) Motor fuel: any liquid fuel (including components thereof) suitable for use in the propulsion of motor vehicles or motor boats.

(4) Lubricating oil: any finished or unfinished, distilled or residual liquid fraction of petroleum used for lubrication which does not contain in excess of 50% (by weight) of additives or blending compounds.

(5) Fuel oil: any liquid petroleum product commonly known as fuel oil, including grades No. 1, 2, 3, 4, 5, or 6, Bunker "C" fuel oil, Diesel fuel, kerosene, range oil, gas oil and any other liquid petroleum product used for the same purpose as the above designated grades.

(6) Lubricating grease: any lubricant manufactured from petroleum and a soap, organic salt or ester of any fatty oil or fatty acid.

(7) Asphalt: asphalt of petroleum origin and all asphaltic products of petroleum origin, including road oils.

EXHIBIT B

The following are specified excepted products:

(None, as of March 3, 1943.)

[F. R. Doc. 43-3381; Filed, March 3, 1943; 4:49 p. m.]

PART 3123—FLOOR FINISHING AND FLOOR MAINTENANCE MACHINES AND INDUSTRIAL VACUUM CLEANERS

[Limitation Order L-222, as Amended March 1, 1943¹]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials used in the manufacture of floor finishing and floor maintenance machines and industrial vacuum cleaners; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3123.1 *Limitation Order L-222*—(a) *Definitions*. For the purpose of this order:

¹ This document is a restatement of Amendment 1 of L-222 as amended January 14, 1943 which appeared in the FEDERAL REGISTER of March 3, 1943, page 2655, and reflects the order in its completed form as of March 1, 1943.

(1) "Floor finishing or floor maintenance machines" means any motorized or hand-powered mechanical device, designed for the purpose of floor finishing or maintenance. The term includes, but is not limited to, the types of machines on List A attached to this order as amended from time to time, and excludes independent motor-operated vacuum producing units, floor sanding machines and machines specifically designed for the manipulation of wet cement.

(2) "Floor finishing" and "floor maintenance" include, but are not limited to, the operations of grinding, staining, sealing, scraping, oiling, waxing or polishing floors or decks, and the collection and removal of dust, grime, oil, reclaimable materials or refuse from floors or decks, either separately or in conjunction with the operations of washing, scraping, sterilizing and wiping floors or decks.

(3) "Floor sanding machines" means machines used for the smoothing of floors or decks, other than stone or tile floors, by the use of abrasives such as, but not limited to, sandpaper and steel wool.

(4) "Vacuum cleaners" means machines in which a combination of a motor operated vacuum producer (stationary or portable), an air impeller line, and a portable tool with attachments is used for the collection and removal by suction of dust, oil, reclaimable materials or refuse, in either the wet or dry state.

(5) "Industrial vacuum cleaners" means all vacuum cleaners other than those designed primarily for household use, exclusive of motor-operated vacuum producing units incorporated in floor sanding, floor finishing or floor maintenance machines.

(6) "Blowers" means machines in which a combination of a motor operated air pressure producer, an air impeller line, and a portable tool with attachments is used for the removal of dust, materials or refuse by air pressure.

(7) "New machines" means machines which have neither been used nor sold, rented or lent for the purpose of being used for floor sanding, floor finishing, floor maintenance or vacuum cleaning, and also machines which have been used solely for demonstration or trial loans.

(8) "Supplies" means replaceable items, such as, but not limited to, polishing brushes, cleaning brushes, sanding drums and discs, stones, hoses and bags, which are expended in the operations of floor sanding, floor finishing, floor maintenance, and vacuum cleaning.

(9) "Manufacturer" means any person engaged in the fabrication or assembly of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners, or of parts designed specifically for such machines, and includes wholesaling or retailing subsidiaries or divisions of such a person.

(10) "Distributor" means any person engaged in the business of selling, renting or lending new floor sanding machines, new floor finishing or floor main-

tenance machines, or new industrial vacuum cleaners, other than a manufacturer.

(b) *Restrictions on production*—(1) *Floor sanding machines*. No manufacturer shall fabricate or assemble any new floor sanding machines or parts for such new machines except as follows:

(i) On and before January 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor sanding machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor sanding machines within the time limits set by paragraphs (b) (1) (ii) and (b) (1) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor sanding machines.

(iii) On and before March 15, 1943, but not thereafter, a manufacturer may assemble new floor sanding machines.

(2) *Floor finishing or floor maintenance machines*. No manufacturer shall fabricate or assemble any new floor finishing or floor maintenance machines or parts for such new machines, except as follows:

(i) On and before February 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor finishing or floor maintenance machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor finishing or floor maintenance machines within the time limits set by paragraphs (b) (2) (ii) and (b) (2) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor finishing or floor maintenance machines.

(iii) On and before April 15, 1943, but not thereafter, a manufacturer may assemble new floor finishing or floor maintenance machines.

(3) *Industrial vacuum cleaners*. No manufacturer shall fabricate any parts for new industrial vacuum cleaners except as follows:

(i) On and before March 1, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new industrial vacuum cleaners, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts within the time limit set by paragraph (b) (3) (ii) of this order.

(ii) On and before June 1, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new industrial vacuum cleaners, provided that if the Director General for Operations shall fix a production quota for such manufacturer, the number of machines for the assembly of which such manufacturer fabricates parts shall not exceed such production quota. Whenever production quotas are assigned by the Director General for Operations, he will take

into consideration the number of machines already completed and the number of machines needed to be completed to meet, but not to exceed, the total requirements for such machines as determined by the Standard Products Committee.

(4) *Repair parts other than supplies.*

(i) During the calendar quarter commencing January 1, 1943, and during any calendar quarter thereafter, no manufacturer shall fabricate repair parts having an aggregate manufacturing cost in excess of two per cent of that manufacturer's billed sales of new floor sanding machines, new floor finishing and floor maintenance machines, and new industrial vacuum cleaners during the calendar year of 1941.

(5) *Supplies.* Except as otherwise specifically provided, the restrictions of paragraph (b) of this order shall not apply to supplies other than suction attachments used in the conversion of portable industrial blowers to industrial vacuum cleaners.

(6) *Special quotas.* Notwithstanding the restrictions of paragraph (b) of this order, the Director General for Operations may from time to time specifically authorize one or more manufacturers to commence fabrication, to fabricate, or to assemble specified quantities of machines, repair parts and supplies of any type restricted by paragraph (b), or to perform any combination of the foregoing operations.

(c) *Restrictions on transfer.* (1) No manufacturer or distributor shall sell, rent, lend or deliver any of the following types of new machines without authorization on Form PD-722:

(i) Drum type floor sanding machines making an eight-inch path or wider.

(ii) Disc type floor sanding machines making a twelve-inch path or wider.

(iii) Drum type floor finishing or floor maintenance machines making an eight-inch path or wider.

(iv) Disc type floor finishing or floor maintenance machines making a twelve-inch path or wider.

(v) Industrial vacuum cleaners.

Such authorizations shall expire thirty days after the date of their issuance unless served in the interim upon the supplier named therein. Within five days after their expiration, all expired authorization forms shall be returned for cancellation to the War Production Board, Service Equipment Division, Washington, D. C., Ref: L-222.

(2) Nothing in this paragraph shall be construed to prohibit the sale, rental, loan, or delivery of new machines from one manufacturer or distributor to fill an order, or part of an order received by the latter for such machines if the filling of the order has been authorized on Form PD-722.

(d) *Procedure for authorization.* All persons making application for the au-

thorization required by paragraph (c) hereof shall make such application on Form PD-722.

(e) *Applicability of other orders and priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(2) Nothing in this order shall be construed to permit the production of any machines whose production is prevented by any other orders or regulations of the War Production Board, including § 1174.1 *Limitation Order L-91*, and § 1176.1 *Conservation Order M-126*, as amended from time to time.

(f) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, leases, and rentals.

(g) *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 War Production Board.

(h) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(2) On or before January 28, 1943, for the month of December, and on or before the 15th day of each month thereafter for the preceding month, each manufacturer or distributor of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners shall file a monthly report on Form PD-723.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Communications.* All reports to be filed hereunder, or communications concerning this order, should be addressed to: War Production Board, Service Equipment Division, Washington, D. C., Ref: L-222.

Issued this 1st day of March 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

Terrazzo grinders.
Waxing and polishing machines.
Disc type scrubbers, either wet or dry.
Drum type scrubbers, either wet or dry.
Combination scrubbers and water pickup.
Drum type sweepers.
Drum type scarifying machines.
Disc type scarifying machines.

[F. R. Doc. 43-3380; Filed, March 3, 1943;
4:49 p. m.]

PART 3178—INTERNAL COMBUSTION
AIR-COOLED ENGINES

[Limitation Order L-254]

The fulfillment of requirements for the defense of the United States having created a shortage of critical materials entering into the manufacture of internal combustion air-cooled engines for defense, for private account, and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3178.1 *Limitation Order L-254*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to the provisions of applicable regulations of the War Production Board, as amended from time to time.

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

(1) "Air-cooled engine" means an internal combustion air-cooled engine, except air-cooled aircraft propulsion engines and air-cooled engines of two or more cylinders which are an integral part of the structure of motorcycles.

(2) "Basic engine model" means an engine manufactured by any of the producers enumerated in Schedule A, as the same may be amended from time to time by the Director General for Operations, as listed by model designation under the name of each producer, specifying the number of cylinders and the piston displacement in cubic inches for each such model.

(3) "Engine parts" means any part produced to be used in the assembly or maintenance of an air-cooled engine, including specified engine parts.

(4) "Specified engine part" means an engine part enumerated in paragraph 3 of Schedule B to this order, as the same may be amended from time to time by the Director General for Operations.

(5) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or assembly of air-cooled engines, specified engine parts or engine parts.

(c) *Limitations on production of air-cooled engines.* On and after March 15, 1943, no producer shall manufacture or assemble any air-cooled engine except

number. Individual parts shall be listed where practical repair procedure requires the use of individual parts.

[F. R. Doc. 43-3383; Filed, March 4, 1943; 9:28 a. m.]

PART 3208—CRITICAL COMMON COMPONENTS

[General Scheduling Order M-293]

Corrections

The table in the schedule under General Scheduling Order M-293, appearing on page 2472 of the issue for Saturday, February 27, 1943, is corrected as follows:

In item 3b, under Aircraft Production Board, etc., the second entry under Ceramic was omitted and should read:

Short reach shielded type.

The form of item 3a, under General Industrial Equipment Division, should be:

a. Speed changers:

1. Enclosed units (excluding ship propulsion).

Worm gear speed reducers...
Helical and/or herringbone speed reducers.....

2. Industrial gears (unmounted).
Worm and worm wheels.....

In columns 2 and 3, item 7a under General Industrial Equipment Division, footnotes "3" should read "4".

In item 11, under General Industrial Equipment Division, "PD-900" should be inserted in column 1.

The reading of item 1, under Safety and Technical Equipment Division, should read:

1. Extinguishers, carbon dioxide....

The form of item 2b, under Tools Division, should be:

b. Metal cutting tools.....

Machine broachers, flat and spline,
Threading chasers, die heads, and collapsible taps.

High speed taper shank drills, 1" diameter and larger.

Ground gear hobs, 48 pitch and finer.

Ground multiple thread milling cutters or hobs.

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 121,¹ Amendment 11]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment, issued

¹7 F.R. 3237, 3989, 4483, 5941, 6002, 6386, 8587, 8521, 8938, 8948, 10529; 8 F.R. 1895.

simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 121 is amended in the following respects:

1. Section 1340.248 (a) (2) is amended to read as follows:

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

2. Section 1340.249 (d) (4) is added to read as follows:

(4) A producer of briquettes or packaged coal made from bituminous coal, in computing the maximum prices for the sale of such briquettes or packaged coal under paragraphs (a), (b) or (c) of this section or under any order issued prior to March 1, 1943 granting an adjustment, may add to the prices determined under those paragraphs or established by such order the difference between (i) the cost of the last purchase of such coal in the year 1942 and (ii) the current cost of such coal: *Provided*, That the amount so added shall not be more than the difference between (iii) the maximum price for such bituminous coal on May 18, 1942, and (iv) the maximum price for such coal at the time of the computation. This amendment shall become effective this 3d day of March 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3370; Filed, March 3, 1943; 3:08 p. m.]

PART 1340—FUEL

[RPS 88,¹ Amendment 79]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amend-

¹7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 5857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642, 1799, 2023, 2105, 2267, 2119, 2152, 2334, 2349, 2273, 2350, 2501.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.159 (c) (6) is amended to read as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(c) *Specific prices.* * * *

(6) *Residual fuel oils.* (i) The maximum price in the States of Connecticut, Delaware, Florida east of the Apalachicola River, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and in the District of Columbia for all residual and residual type fuel oils having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above, including but not limited to Nos. 5 and 6 fuel oils, Bunker C, Navy Grade, residual diesel fuel oils, residum gas oil, heavy gas oil, heavy gas enrichment oil, gas house heavy fuel oil, N. E. gas enrichment oil, S. W. gas oil, Admiralty fuel oil, Navy Special fuel oil, Mirando and Mirando type crude when sold as No. 5, or other residual fuel oil, or as a heavy gas enrichment oil shall be not more than 30 cents per barrel in excess of the maximum prices that would otherwise govern under § 1340.159 (b) (1) to (3) and (b) (7) except that at the refineries and ocean terminals designated in Table I of subdivision (ii) the prices there specified shall be the maximum prices. Sellers who charged the increases in price authorized by Amendments Nos. 4, 10 and 27 to Revised Price Schedule No. 88 on their sales of residual fuel oil as defined in this paragraph during the March 26, 1942 to January 9, 1943 period shall not be deemed to have exceeded their maximum prices because of such additional charges.

(ii) *Maximum prices of residual fuel oils and blends thereof with distillate fuel oils, of the A. P. I. gravities indicated below and otherwise meeting current commercial standard specifications for fuel oils, except Navy Special fuel oils and all diesel fuel oils—(a) Price tables to determine maximum prices f. o. b. refineries and tanker terminals in bulk lots. (Price areas for each table are defined below such table.)*

*Copies may be obtained from the Office of Price Administration.

TABLE I—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES, SEABOARD TANKER TERMINALS, AND RIVERTANKER TERMINALS AT ALBANY, N. Y. AND ON THE MISSISSIPPI RIVER UP TO AND INCLUDING BATON ROUGE, LOUISIANA

(EXCLUSIVE OF TAXES)

[Dollars per 42-gallon barrel]

| A. P. I. gravity range | Price Area A | Price Area B | Price Area C | Price Area D | Price Area E | Price Area F | Price Area G | Price Area H | Price Area I | Price Area J | Price Area K | Price Area L |
|---------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 9.9 and below ° A. P. I. | 0.85 | 0.80 | 0.74 | 0.85 | 1.00 | 1.43 | 1.47 | 1.68 | 1.68 | 1.89 | 2.10 | 1.85 |
| 10.0-12.9 ° A. P. I. | 0.90 | 0.85 | 0.85 | 0.85 | 1.00 | 1.43 | 1.47 | 1.68 | 1.68 | 1.89 | 2.10 | 1.85 |
| 13.0-15.9 ° A. P. I. | 1.02 | 0.97 | 0.97 | 0.97 | 1.14 | 1.51 | 1.56 | 1.74 | 1.77 | 1.95 | 2.16 | 1.97 |
| 16.0-19.9 ° A. P. I. | 1.14 | 1.09 | 1.09 | 1.09 | 1.28 | 1.59 | 1.65 | 1.80 | 1.86 | 2.01 | 2.22 | 2.09 |
| 20.0-24.9 ° A. P. I. | 1.26 | 1.21 | 1.21 | 1.21 | 1.42 | 1.67 | 1.74 | 1.86 | 1.95 | 2.07 | 2.28 | 2.21 |
| 25.0 and above ° A. P. I. | 1.32 | 1.27 | 1.27 | 1.27 | 1.50 | 1.71 | 1.79 | 1.89 | 2.00 | 2.10 | 2.31 | 2.27 |

BP=Base Price which is to be determined as follows: If a refiner has an established maximum price under other provisions of this price schedule for fuel oil meeting No. 6 Commercial Standard specifications then the base price shall be the refiner's or terminal operator's maximum price thereunder for such No. 6 fuel oil to the class of purchasers who are the principal users of such fuel oil in that price area in which the particular refiner is located.

Base Prices established hereunder must be reported by each refiner to the Petroleum Branch of the Office of Price Administration in Washington, D. C., within 15 days after or within 15 days after the initial sales of any grade of fuel oil the maximum price for which is established by this subdivision.

If a seller cannot establish a base price hereunder then he shall file a tentative price with the Petroleum Branch of the Office of Price Administration in accordance with § 1340.139 (b) (7).

AA comprises Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York (excluding, however, counties of Chautauque, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee and Orleans), Pennsylvania (excluding, however, counties of Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof), New Jersey, Maryland, District of Columbia, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi Gulf Coast ports, Louisiana Gulf Coast ports, Louisiana Mississippi river ports up to and including Baton Rouge, and Texas Gulf ports.

BB comprises Mississippi (excluding, however, Gulf Coast ports), Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports), Tennessee, Arkansas, New Mexico, Oklahoma, Kansas (excluding, however, the area within a radius of 25 miles of Kansas City, Missouri), Missouri (excluding, however, the areas within a radius of 25 miles of Kansas City, Missouri and St. Louis, Missouri), Iowa, Minnesota, Wisconsin, North Dakota, South Dakota, Nebraska, and Wyoming.

CC comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter, LaPorte; Ohio (excluding, however, the following counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs); the following counties of New York: Chautauque, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset, and all other counties west thereof; West Virginia; and Michigan.

DD comprises that part of Missouri within a radius of 25 miles of St. Louis, Missouri; Illinois (excluding, however, the counties of Lake, Cook, DuPage and Will); Indiana (excluding, however, the counties of Lake, Porter and LaPorte); the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, and Meigs; Kentucky.

EE comprises Colorado.

FF comprises Eastern Montana which is defined hereby as the portion of Montana east of the western boundaries of the counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon.

GG comprises Western Montana which is defined hereby as the portion of Montana west of the eastern boundaries of the counties of Hill, Chouteau, Judith Basin, Wheatland, Sweetgrass and Park; Idaho.

HH comprises Utah.

II comprises the area within a 25 mile radius of Kansas City, Missouri.

(b) *Maximum delivered prices, in bulk lots, of those refiners and tanker terminal operators whose i. o. b. maximum prices are established by Tables I and II.* If a refiner or terminal operator has an established maximum price or prices under other provisions of this price schedule at a particular delivery point for fuel oil meeting No. 6 commercial standard specifications, then his maximum price or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be the sum of his maximum price thereunder for such No. 6 fuel oil at such delivery point.

If a refiner or terminal operator has no established maximum price or prices

at a particular delivery point under other provisions of this price schedule for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with § 1340.159 (b) (7).

For gravities higher than 9.9° A. P. I. gravity, such refiner's or terminal operator's maximum price or prices at a particular delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity

TABLE II—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES, SEABOARD TANKER TERMINALS, AND RIVERTANKER TERMINALS AT ALBANY, N. Y. AND ON THE MISSISSIPPI RIVER UP TO AND INCLUDING BATON ROUGE, LOUISIANA

(EXCLUSIVE OF TAXES)

[Dollars per 42-gallon barrel]

| A. P. I. gravity range | Price Area M | Price Area N | Price Area O | Price Area P | Price Area Q | Price Area R | Price Area S | Price Area T | Price Area U | Price Area V |
|---------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 9.9 and below ° A. P. I. | 1.65 | 1.60 | 1.50 | 1.15 | 1.10 | 0.95 | 0.75 | 0.75 | 0.80 | 1.26 |
| 10.0-12.9 ° A. P. I. | 1.65 | 1.60 | 1.50 | 1.15 | 1.10 | 0.95 | 0.80 | 0.80 | 0.85 | 1.26 |
| 13.0-15.9 ° A. P. I. | 1.77 | 1.72 | 1.62 | 1.27 | 1.22 | 1.15 | 0.92 | 0.95 | 0.96 | 1.36 |
| 16.0-19.9 ° A. P. I. | 1.89 | 1.84 | 1.74 | 1.39 | 1.34 | 1.35 | 1.04 | 1.10 | 1.07 | 1.46 |
| 20.0-24.9 ° A. P. I. | 2.01 | 1.96 | 1.86 | 1.51 | 1.46 | 1.55 | 1.16 | 1.25 | 1.18 | 1.56 |
| 25.0 and above ° A. P. I. | 2.07 | 2.02 | 1.92 | 1.57 | 1.52 | 1.65 | 1.22 | 1.32 | 1.24 | 1.61 |

A comprises Kansas, excluding, however, the area within a radius of 25 miles of Kansas City, Missouri.

B comprises Oklahoma, Arkansas, Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports and Panhandle which is defined hereby as the portion of Texas north of the southern boundaries of Farmer, Castro, Swisher, Briscoe, Hall and Childress).

C comprises New Mexico and Texas Panhandle (which is defined hereby as the portion of Texas north of the southern boundaries of Farmer, Castro, Swisher, Briscoe, Hall and Childress).

D comprises Texas Gulf Coast ports and Louisiana Gulf Coast ports and Mississippi River ports up to and including Baton Rouge.

E comprises the area within a radius of 25 miles of Kansas City, Missouri.

F comprises that part of Missouri within a radius of twenty-five miles of St. Louis, Missouri, and the following counties of Illinois: St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, Union, Henderson, Davless, Hancock, Breckinridge, Meade, Jasper.

G comprises the following counties of Kentucky: Union, Henderson, Davless, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham and the following counties of Indiana: Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd and Clark.

H comprises the following counties of Illinois: Lake Cook, DuPage and Will; the following counties of Indiana: Lake, Porter and LaPorte; and the State of Michigan (excluding, however, the counties of Wayne and Monroe).

I comprises the area within a radius of 25 miles of Indianapolis, Indiana; the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs and the following counties of Kentucky: Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup and Boyd.

J comprises the following counties of Michigan: Wayne and Monroe; the following counties of Ohio: Lucas, Wood, Hancock, Putnam and Allen.

K comprises the following counties of Ohio: Lorain, Medina, Cuyahoga, Summit, Stark, Portage, Geauga, Lake, Ashabula, Trumbull, Mahoning, Columbiana, and the following counties of New York: Chautauque, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; and the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof; West Virginia.

L comprises Albany, New York.

M comprises Portland, Maine; Portsmouth, New Hampshire; Boston and Fall River, Massachusetts; Tyverton and Providence, Rhode Island; New Haven, Connecticut; New York Harbor; Philadelphia Harbor; Baltimore, Maryland; Norfolk, Virginia.

N comprises Wilmington, North Carolina; Charleston, South Carolina; Savannah, Georgia; Jacksonville and Miami, Florida.

O comprises Tampa, Florida.

P comprises Pensacola, Florida.

Q comprises Mobile, Alabama.

R comprises the area within a radius of twenty-five miles of Denver, Colorado.

S comprises Wyoming.

T comprises the Montana counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon and counties to the east thereof.

U comprises the Montana counties of Hill, Chouteau, Judith Basin, Wheatland, Sweet Grass, Park and counties of Montana west thereof.

V comprises Utah.

and below and such higher gravity fuel oil established under Tables I or II for refineries or ocean terminals located in the price area where the delivery is made.

(c) *Maximum f. o. b. shipping point and delivery point prices for all sellers other than those refiners and tanker terminal operators covered by inferior subdivision (a) and (b) above.* If a seller other than a refiner or ocean terminal operator has an established maximum price or prices under other provisions of this price schedule at a particular shipping or delivery point for fuel oil meeting No. 6 commercial standard specification, then his maximum price or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum price or prices thereunder for such No. 6 fuel oil at such point.

If a seller has no established maximum price or prices at a particular shipping or delivery point under other provisions of this price schedule for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price or prices at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with § 1340.159 (b) (7).

For gravities higher than 9.9° A. P. I. gravity, a seller's maximum price or prices at a particular shipping or delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity and below and such higher gravity fuel oil established under Tables I or II for refineries or ocean terminals located in the price area where the delivery is made.

(d) If a refiner, ocean terminal operator, or other seller had an established maximum price or prices under other provisions of this price schedule at a particular shipping or delivery point for residual fuel oil or blends thereof with distillate fuel oils which either meets No. 5 fuel oil commercial standard specifications, or has a lower viscosity than No. 5 commercial standard specifications, his maximum price for such fuel oil at such point shall be either the price or prices which he is permitted to charge under (a), (b) and (c) of this subdivision (ii) or the price or prices established under other provisions of this Price Schedule, whichever is higher.

(iii) *Diesel oil.*—(a) *Louisiana and Texas Gulf Coast.* The maximum price for residual diesel oil of below 28° A. P. I. gravity ship's bunkers (ex lighterage) on the Louisiana and Texas Gulf Coast shall be \$1.35 per barrel.

(iv) *California.* The maximum prices, exclusive of taxes, f. o. b. refineries and tanker terminals for Pacific Standard No. 300 fuel oil having a viscosity of not less than 25 and not more than 60 seconds Saybolt Furol (at 122° F.) and of Pacific Standard No. 400 fuel oil having a viscosity of not less than 60 seconds Saybolt Furol (at 122° F.) when sold to consumers or refiners in bulk lots for delivery by tank car, motor transport or pipelines shall be as follows:

| Area | P. S. No. 300 fuel oil | P. S. No. 400 fuel oil |
|---|------------------------|------------------------|
| Fresno County..... | \$0.95 | \$0.85 |
| Kings County..... | .95 | .85 |
| San Luis Obispo County ¹ | .95 | .85 |
| Tulare County..... | .95 | .85 |
| Santa Barbara County..... | .95 | .85 |
| Kern County..... | .95 | .85 |
| Ventura County..... | .95 | .85 |
| Los Angeles County..... | .95 | .85 |
| Orange County..... | .95 | .85 |
| Riverside County..... | .95 | .85 |
| San Bernardino County..... | .95 | .85 |
| San Francisco Bay area..... | 1.00 | .90 |

¹ Maximum f. o. b. refinery and tanker terminal prices at Port San Luis shall be the maximum prices established hereunder at the San Francisco Bay area.

(v) *Reporting requirements.* The following sections of this amendment contain reporting provisions which have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942:

(a) § (ii) (a), *Table II—Report of Base Price.* Base prices established by each refiner must be reported to the Petroleum Price Branch of the Office of Price Administration in Washington, D. C.

(b) § (ii) (a), *Table II—Report of Tentative Maximum Price.* A refiner who cannot establish a base price shall file a tentative price with the Petroleum Price Branch of the Office of Price Administration, in accordance with § 1340.159 (b) (7).

(c) § (ii) (b)—*Report of Tentative Maximum Price.* A refiner or terminal operator who has no established maximum price, or prices, at a particular delivery point shall file a tentative maximum price or prices at such point in accordance with § 1340.159 (b) (7).

(d) § (ii) (c)—*Report of Tentative Maximum Price.* A seller, other than a refiner or ocean terminal operator who has no established maximum price or prices, at a particular delivery point shall file a tentative maximum price or prices at such point in accordance with § 1340.159 (b) (7).

This amendment shall become effective March 3d, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 3d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3371; Filed, March 3, 1943; 3:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3, Amendment 45]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith,

¹ 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7269, 7321, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845, 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433.

has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respects:

1. Section 1407.85 (c) is amended to read as follows:

(c) There shall not be included in the computation of the sugar base any sugar used in products which were delivered to the Army or Navy or to any of the persons or agencies enumerated on April 21, 1942, in paragraph (b) of § 1407.183.

2. Section 1407.182 is amended to read as follows:

§ 1407.182 *Deliveries of sugar to exempt agencies.* (a) The Army, Navy, Marine Corps, or Coast Guard of the United States and the Food Distribution Administration, Maritime Commission, War Shipping Administration and Office of Lend-Lease Administration are known as exempt agencies for the purpose of General Ration Order 3B and are authorized to open one or more exempt accounts under the provisions of General Ration Order 3B. In addition, the Army Exchange Service, to the extent it acquires sugar for export to a foreign country or a territory or possession of the United States other than the District of Columbia, and Ships' Service Departments Afloat, are exempt agencies under this order and General Ration Order 3B. Sugar may be delivered to and accepted by these agencies only in exchange for a check of weight value equal to the amount of sugar delivered except that sugar may be delivered by one exempt agency to another exempt agency without the exchange of stamps, certificates, or checks.

(b) An exempt agency shall issue a check in the proper amount to the person making delivery at the time of delivery or as soon as practicable thereafter.

(c) If, for any reason, a check cannot be used when sugar is delivered to an agency listed in paragraph (a), an emergency acknowledgment shall be given to the person making the delivery at the time of delivery instead of a check. This acknowledgment may be in any form but shall set forth the name of the agency, the name and address of the activity within the agency to which the sugar is to be delivered, the name and address of the activity to which the emergency acknowledgment must be sent for replacement by a check, the weight value of the check to be issued for the delivery, and date of delivery. The acknowledgment must be signed by an authorized officer or employee of the agency, and must state his official title or rank. A person to whom such an acknowledgment is given may not change it at a Board or use it to acquire sugar but shall send it to the agency activity designated thereon, and the agency shall issue to him a check equal in weight value to the sugar delivered in exchange for the acknowledgment.

*Copies may be obtained from the Office of Price Administration.

3. Section 1407.183 is amended to read as follows:

§ 1407.183 *Deliveries of sugar to certain persons and agencies.* (a) A registering unit which at any time after registration delivers sugar to any of the persons or agencies enumerated in paragraph (b) and (c) except those agencies which are also listed in § 1407.182 (a) as exempt agencies, or delivers sugar to and for consumption in any territory or possession of the United States other than the District of Columbia, or delivers sugar to any ocean-going vessel operating in foreign, coastwise, or intercoastal trade as ship stores for consumption aboard such vessel, may deliver such sugar without receiving stamps or certificates therefor. If certificates, stamps or emergency acknowledgments were not received, the registering unit may apply to the Board for a certificate in weight value equal to the amount of sugar delivered. The application shall be made on OPA Form No. R-315, which shall be accompanied by receipts, bills of lading, and such other detailed evidence including affidavits as substantiates such deliveries, and in the case of a delivery to a vessel as aforesaid the application must be accompanied by a statement signed by the Collector of Customs or his deputy authorizing the owner of the vessel or his agent to take delivery of sugar as ship stores in an amount equal to that for which application is being made. In a proper case the board shall grant the application.

(b) The persons and agencies included within the provisions of this section are the Army, Navy, Marine Corps, or Coast Guard of the United States, and the Food Distribution Administration, Maritime Commission, War Shipping Administration and any government agency or other person when such government agency or person, in one transaction, acquires sugar or products containing sugar for export to and consumption or use in any foreign country, or in any territory or possession of the United States, other than the District of Columbia, and when such sugar or products containing sugar so acquired in such transaction exceeds the value of \$25.00.

(c) The following persons and agencies are also included within the provisions of this section: Panama Canal, Coast and Geodetic Survey, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, Veterans Administration and Office of Scientific Research and Development.

4. Section 1407.184a is added to read as follows:

§ 1407.184a *Deliveries of sugar to Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar agencies.* (a) Sugar may be delivered to and accepted by Army Exchanges, Post Exchanges of the Marine Corps and Ships' Service Departments Ashore of the Navy and Coast Guard, and other similar activities designated by the respective exempt agencies, only in ex-

change for checks equal in weight value to the sugar delivered. Army Exchanges, Post Exchanges and Ships' Service Departments Ashore, and similar designated activities, are authorized to open accounts, but may not open exempt accounts of the type described in General Ration Order 3B. Certificates to be deposited by Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar designated activities to establish ration credits shall be issued to them in accordance with arrangements between the Office of Price Administration and the Army Exchange Service of the United States War Department, the Bureau of Naval Personnel of the Navy Department, the Marine Corps, and the Coast Guard. (The issuance of certificates to establish ration credits for Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar designated activities for the delivery of sugar for institutional use is governed by General Ration Order 5.)

(b) Ration credits may be transferred by check without the delivery of sugar between accounts maintained for Army Exchanges, between accounts maintained for Post Exchanges of the Marine Corps, between accounts maintained for Ships' Service Departments Ashore of the Navy, and between accounts maintained for Ships' Service Departments Ashore of the Coast Guard.

(c) During March 1943, Army Exchanges, Post Exchanges, Ships' Service Departments Ashore and similar designated activities, may, if checks are unavailable, use emergency acknowledgments to acquire sugar, in the way described in § 1407.182 (c). An emergency acknowledgment given under this section may not be used by the person to whom it was given to acquire sugar, but must be exchanged for a check at the agency activity designated thereon.

5. Section 1407.185 is amended to read as follows:

§ 1407.185 *Products containing sugar delivered to Army Exchanges and similar agencies.* (a) The Army Exchange Service of the United States War Department is authorized to issue checks to replace sugar in products delivered to Army Exchanges on or after July 15, 1942. Each check shall be issued to the registering unit which used sugar in the production, manufacture or processing of the products thus delivered or of materials used therein. The weight value of the check thus issued to a registering unit shall not exceed the amount of sugar used by such registering unit in such products or materials.

(b) The Bureau of Naval Personnel of the Navy Department is authorized to issue checks to replace sugar in products delivered to Ships' Service Departments Ashore at Navy or Coast Guard stations. The United States Marine Corps is authorized to issue checks to replace sugar in products delivered to Post Exchanges at Marine Corps barracks or Marine Corps bases. Such authorizations shall apply with respect to products delivered

on or after December 7, 1942. Each check shall be issued to the registering unit which used sugar in the production, manufacture or processing of the products thus delivered or of materials used therein. The weight value of a check thus issued to a registering unit shall not exceed the amount of sugar used by such registering unit in such products or materials.

(c) The total weight value of checks issued by any agency pursuant to this section, in any period specified by the Office of Price Administration, shall not exceed the amount allocated, for the purposes of this section, by the Office of Price Administration to such agency for such period.

6. Section 1407.185a is added to read as follows:

§ 1407.185a *Deliveries of sugar by Army Exchanges, Post Exchanges, Ships' Service Departments Ashore.* (a) Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, Commissary Stores, and any other activity of the Army, Navy, Marine Corps or Coast Guard and the Food Distribution Administration may deliver sugar only upon the receipt of stamps, certificates or checks in the same way that retailers or wholesalers are permitted to make deliveries of sugar under this order. However, they are not required to register as retailers or wholesalers.

(b) All stamps, certificates or checks so received by Army Exchanges, Post Exchanges, Ships' Service Departments Ashore, Sales Commissaries, Commissary Stores or any other activity of the Army, Navy, Marine Corps or Coast Guard or by the Food Distribution Administration, shall be deposited in the accounts maintained for such agencies.

This amendment shall become effective March 2, 1943.

(Pub. Law 421, 77th Cong., Executive Order 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 2d day of March 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-3372; Filed, March 3, 1943; 3:08 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment 1 to Fourth Revised Zoning Order 1¹ Under Rationing Order 3²]

SUGAR RATIONING REGULATIONS

ORDER ESTABLISHING ZONES

Pursuant to § 1407.168 the Fourth Revised Zoning Order No. 1 is amended in the following respects:

¹ 8 F.R. 2152.

² 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556 10845; 8 F.R. 166, 262, 446, 620, 1028, 1288, 2026, 2153, 2432, 2433.

1. Section 1407.281 (d) is amended to read as follows:

(d) Confectioners' sugar in bulk may be delivered, shipped or transferred from Zone 4 to any point in Zone 5 except that part of Tennessee located in Zone 5, from Zone 6 to that part of Tennessee located in Zone 5 and any point in Zone 7, and from Zone 4 or Zone 6 to any point within the corporate limits of the City of Bristol, whether located in the State of Tennessee or in the State of Virginia.

2. Section 1407.281 (e) is redesignated § 1407.281 (f).

3. Section 1407.281 (e) is added to read as follows:

(e) Until April 28, 1943, sugar in two and five pound packages which are clearly labeled to show that the sugar therein may be used during the Passover Holiday by members of the Jewish faith observing the orthodox Jewish dietary regulations for that holiday, may be delivered, shipped or transferred from any zone to any point in any other zone.

This amendment shall become effective March 3, 1943.

(Pub. Law. 421, 77th Cong.; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; § 1407.168 of Rationing Order No. 3)

Issued this 3d day of March 1943.

HAROLD B. ROWE,
Director,
Food Rationing Division.

[F. R. Doc. 43-3373; Filed, March 3, 1943; 3:08 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 118 to Supp. Reg. 14 to GMPR]
PETROLEUM TRANSPORTED BY BARGE ALONG GULF INTRACOASTAL WATERWAY

Correction

The table included in § 1499.73 (a) (74) of the document appearing on page 2275 of the issue for Tuesday, February 23, 1943, should read as follows:

[Rate in mills per net ton per mile]

| Distance in miles | Type of service | Minimum cargo | |
|---------------------------------|------------------------|----------------|----------------|
| | | 16,000 barrels | 24,000 barrels |
| 150 to, but not including, 300. | Towing only..... | 3.70 | 3.00 |
| | (Tugs and barges.....) | 5.60 | 4.50 |
| 300 and over..... | Towing only..... | 3.50 | 2.80 |
| | (Tugs and barges.....) | 5.30 | 4.25 |

PART 1499—COMMODITIES AND SERVICES
[Order 29 Under Supp. Reg. 15 of GMPR]
CHRISPENS TRUCK LINE, INC.

Correction

The first table of the document appearing on page 2508 of the issue for Saturday, February 27, 1943, should read as follows:

TRUCKLOAD RATES

| | Without protective service | With protective service |
|-------------------------------|----------------------------|---|
| FROM CHICAGO, ILLINOIS | | |
| To: | | |
| Cincinnati, Ohio..... | 30 | 34. |
| Cleveland, Ohio..... | 32 | 37 |
| | | 33 Pack, hse. prod. |
| | | 37 Fresh, frozen canned meats and fish. |
| Dayton, Ohio..... | 28 | 32. |
| Lima, Ohio..... | 28 | 32. |
| Toledo, Ohio..... | 29 | 32. |
| TO CHICAGO, ILLINOIS | | |
| From: | | |
| Middletown, Franklin, Ohio. | 23 | |
| Cleveland, Ohio..... | | 33 Pk. hse. prod. and supplies. |
| Cincinnati, Ohio..... | 29 | 37 Fr. or frozen meats and/or fish. |

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

APPLICATION FOR BENEFITS AND REPORT BY INSURER

Revision of §§ 10.3300 and 10.3301.

§ 10.3300 *Form of application for benefits.* In accordance with the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942, the form of application for benefits to be executed by the insurer while in the active military service, who is the owner and holder of a policy of life insurance, or by a person designated by the insured, or by a beneficiary if the insured is outside the continental United States, Alaska and the Panama Canal Zone, is hereby prescribed as follows:

Veterans' Administration
Insurance Form 380
Revised February 1943
Form Approved
Budget Bureau No. 76-R006.1

APPLICATION FOR BENEFITS

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT AMENDMENTS OF 1942

Use an application (and copy) for each insurance policy, or certificate of membership, to be brought under the provisions of the Act.

Send this application to the insurance company, association, or society.

Send copy of application to the Veterans Administration, Washington, D. C.

To: _____
(Name of Insurance company, Association, or Society, etc.)

Address _____
(Principal Place of Business or Office where Premiums are Paid)

Face amount of insurance \$ _____

Effective date of insurance _____

Policy number _____

The insured under the above identified policy issued by the above named insurer, hereby makes application to have said policy protected in accordance with the provisions of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942, and to that end agrees

to such modifications of the terms of the policy as may be required to give the act full force and effect with respect to such policy. The insured further agrees that the United States shall be protected in the amount of any premiums and interest guaranteed on the above numbered policy. Any amount paid by the United States to the insurer on account of this policy will become a debt due the United States to be collected by deduction from any amount due the insured by the United States or as otherwise authorized by law.

1. Name of insured _____
(First) (Middle) (Last)

2. Home address _____
Address to which premium notices are sent _____

3. Date of birth _____ 4. Place of birth _____

5. Date of last entrance into active service _____

6. Identification number _____ Branch of Service: Army__ Navy__ Marine Corps__ Coast Guard__

7. Due date of last premium paid on policy _____

8. Name and address of office or person to whom paid _____

9. Next premium will be due and payable on _____

10. For period of (State whether weekly, monthly, quarterly, semiannually or annually) _____

11. Is there any indebtedness on this policy due the insurer? Answer ("Yes" or "No"). If "Yes", give date of last loan _____, and amount \$ _____, to the best of your information and belief.

12. Is the policy pledged or assigned to any person, firm, corporation, etc., other than the insurer, as security for an indebtedness? Answer ("Yes" or "No"). If "Yes", give the date _____, amount \$ _____, and name and address of assignee.

13. Give the name and address of person, firm, corporation, etc., who is now in possession of the policy _____

14. Have you made a similar application to have another policy (or policies) protected by the provisions of the Act? Answer ("Yes" or "No"). If "Yes," give the following information about each policy.

Name of insurer _____
Amount of insurance _____

Application by the insured must be witnessed by the insured's Commanding Officer, or by a commissioned officer of equal or higher rank than the insured. If the insured is on detached service, the application may be witnessed by the person who has custody of the insured's service record. The undersigned witnessing officer does hereby certify that the insured is on active duty in the military service of the United States.

Signed at _____ this _____ 194__

(Signature of witnessing officer)

(Signature of insured)

Rank _____ Organization _____
Rank _____ Organization _____

If this application is made by a person designated by the insured or by a beneficiary if the insured is outside the continental United States, Alaska and the Panama Canal Zone, it must be signed both in the name of the insured and by the agent or the beneficiary in his own name. When application is made by person designated by the insured, the instrument or other writing authorizing such action must be attached to the application executed by the agent.

Evidence that the insured is in the military service will be procured by the Vet-

erans Administration. (March 6, 1943) [54 Stat. 1185; 50 U.S.C.A. 547]

§ 10.3301 *Form of report by insurer.* In accordance with the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942, a report by the insurer of the receipt and filing of an application for benefits made by the insured will be executed and delivered to the Veterans Administration in form and substance as follows:

Veterans' Administration
Insurance Form 381
Revised February 1943.

REPORT BY INSURER

SOLDIERS' AND SAILORS' CIVIL RELIEF ACT
AMENDMENTS OF 1942

A report on each policy will be made by the insurer to the Veterans' Administration, Insurance Service, Washington, D. C., immediately upon receipt of an application from the insured.

From: _____
Name and address of company: _____
To: Veterans' Administration, Insurance Service, Washington, D. C. The insurer hereby reports the receipt of an application from insured for protection of his policy under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act Amendments of 1942.

1. Date of insured's application: _____
2. Date received by insurer: _____
3. Policy No. _____
4. Name of insured: _____
5. Home address: _____
6. Effective date of insurance: _____
7. Face amount of insurance, \$ _____
8. Date of birth: _____
9. Place of birth: _____
10. Plan of insurance: _____
11. Age at issue: _____
12. Amount of annual premium: \$ _____
13. Due date of last premium paid on policy: _____
14. Due date of first premium to be protected under Article IV: _____
15. If application for insurance was signed subsequent to October 6, 1942, give the date on which contract was made and first premium paid: _____
16. Furnish statement of the cash surrender value on the basis of a policy free of indebtedness, as of the due date of the first premium to be guaranteed. If the cash surrender value includes an amount other than the published cash or loan value of the policy, itemize amounts.
17. Furnish statement of all indebtedness, if any, due the insurer under this policy, with interest calculated to the due date of the first premium to be guaranteed. Itemize amounts.
18. What rate of interest is provided by the policy for policy loans? _____%
19. If it appears that the policy has been assigned to a person, firm, or corporation other than the insurer, give a statement of the facts as shown by the records of your office.
20. Does the policy, application for insurance, certificate of membership, constitution, by-laws or other governing rules and regulations of the insurer contain any provision regarding service by the insured with the military or naval forces of the United States, travel or residence in the tropics or in foreign countries; or any restriction or limitation of coverage in event the insured engages in aviation, submarine service or any other specified hazardous duty, occupation, or activity? (A) As to primary death benefit (Answer "Yes" or "No") (B) As to any benefits in addition to the primary death benefit

(Answer "Yes" or "No") If "Yes" as to either, attach hereto a copy of the provision unless a copy has already been furnished to the Veterans Administration.

21. Is the premium on this policy (exclusive of any benefits in addition to the primary death benefit) at the standard rate as published by the insurer? (Answer "Yes" or "No") If "No", give facts about the additional premium:
22. What information does the insurer have about present whereabouts of policy?
23. Name of beneficiary as shown on records at home office of insurer at this time.

The insurer hereby certifies the above to be a correct statement regarding the policy as shown on the records at its principal office or place where such records are maintained.

It is understood and agreed that before any dividend is paid or any loan or settlement of any kind or character is made by the insurer while the policy is under the protection of the Act the written consent of the Veterans Administration will be obtained.

Under section 402 of the Act Amendments of 1942 the insurer is deemed to have agreed to such modification of the policy as may be required to give the Act full force and effect with respect to such policy.

Signed at _____ this _____ 19____.

(Name of company, association, or organization)

By _____ (Name and official capacity)

(March 6, 1943) [54 Stat. 1105; 50 U.S.C.A. 547]

[SEAL] FRANK T. HINES,
Administrator.

[F. R. Doc. 43-3592; Filed, March 4, 1943; 11:17 a. m.]

TITLE 47—COMMUNICATIONS

Chapter I—Federal Communications Commission

PART 2—GENERAL RULES AND REGULATIONS
USEFUL RADIO SPECTRUM

The Commission on March 2, 1943, effective immediately, amended § 2.5 to read as follows:

§ 2.5 *Useful radio spectrum.* "Useful radio spectrum" means the total number of frequencies or wavelengths which may be used for the transmission of energy, communications or signals by radio.¹ (Sec. 4 (i), 48 Stat. 1068; 47 U.S.C. 154 (i))

| Frequency in kilocycles | Designations | Abbreviations |
|---|--------------|---------------|
| 10 to 30 inclusive | Very low | VLF |
| Above 30 to 300 inclusive | Low | LF |
| Above 300 to 3,000 inclusive | Medium | MF |
| Above 3,000 to 30,000 inclusive | High | HF |
| Above 30,000 to 300,000 inclusive | Very high | VHF |
| Above 300,000 to 3,000,000 inclusive | Ultra high | UHF |
| Above 3,000,000 to 30,000,000 inclusive | Super high | SHF |

¹At the present development of the art the useful radio spectrum is considered to extend from 10 kilocycles to 30,000,000 kilocycles or 30,000 meters to 0.01 meter. These frequencies are classified into bands with designations and abbreviations as follows:

This range may be extended as progress of the art warrants.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3401; Filed, March 4, 1943; 12:04 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 112]

PART 95—CAR SERVICE

FREE TIME ON CERTAIN FRUITS AND VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of March, A. D. 1943.

It appearing that certain shippers of fresh or green fruits or vegetables in refrigerator cars have been moving cars from one point of delivery within the switching limits of a city or town to other points of delivery within such limits, and thereby delaying the unloading and increasing the free time for unloading under the demurrage rules; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic: *It is ordered*, That:

§ 95.305 *Free time on fresh or green fruits or vegetables in refrigerator cars.* (a) The maximum free time allowed at destination on any refrigerator car loaded with fresh or green fruits or vegetables as defined in Service Order No. 70, as amended, shall be 48 hours, computed from the first 7:00 a. m. after the first notice and placement on any hold or inspection track or unloading track, or constructive placement on an other-than-public-delivery track, until car is unloaded, provided that the time between receipt of an order to move a car from one location to another and placement of the car at the new location shall not be counted against the car, except that any period of time between 7:00 a. m. of the day an order to move a car is received and the hour such order is received shall be counted as one day. The provisions of this order shall apply whether the car is reconsigned or re-shipped to other points within the switching limits of the destination. For purposes of this order the destination shall be any point of railroad delivery within the switching limits of the city or town at which the car is unloaded. The operation of all rules relating to free time in demurrage tariffs (other than port demurrage tariffs) insofar as the provisions thereof are inconsistent with this order are suspended, except the provision for eliminating Sundays and legal holidays in computing free time. This order shall not affect demurrage rule No. 8 of Agent B. T. Jones' I.C.C. 3722, or similar rules in other demurrage tariffs, relating to the cancelation or refunding

of demurrage under emergency conditions. Nothing in this order shall be construed to amend or modify the provisions of Service Order No. 70, as amended. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

(b) Each of said railroads, on or before the effective date of this section, and upon not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein.

It is further ordered, That this order shall become effective March 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3393; Filed, March 4, 1943;
11:42 a. m.]

[Service Order 113]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON FLAT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of March, A. D. 1943.

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

§ 95.501 *Demurrage charges on flat cars.* (a) After expiration of the free time allowed, the demurrage charges on heavy duty flat cars of 151,000 pounds or over marked capacity shall be \$2.20 per car per day or fraction thereof for the first two days, \$5.50 for the third day, and \$15.00 per car per day for each succeeding day or fraction thereof, these cars not to be included in an average agreement. After expiration of the free time allowed, the demurrage charges on all other flat cars shall be \$2.20 per car per day or fraction thereof for the first two days, \$5.50 for the third day, and \$11.00 per car per day for each succeeding day or fraction thereof, these cars when held for loading or unloading to be included in the patrons' average agreement if one is in effect, but the \$5.50 per day and \$11.00 per day charges may not be offset or reduced by credits earned on other cars. The operation of all rules in

Agent B. T. Jones' I. C. C. 3722, or similar demurrage tariffs (other than port demurrage tariffs), insofar as the provisions thereof are inconsistent with this order, are suspended except to the extent that such rules exempt private cars from demurrage while on the tracks of the owner or lessee. This order shall not affect demurrage rule No. 8 of Agent B. T. Jones' I. C. C. 3722, or similar rules in other demurrage tariffs, relating to the cancellation or refunding of demurrage under emergency conditions. This order shall not apply to special type cars of AAR mechanical designations "LF" or "LFA". (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

(b) Each of said railroads, on or before the effective date of this section, and upon not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein.

It is further ordered, That this order shall become effective March 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon all common carriers by railroad subject to the Interstate Commerce Act and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-3394; Filed March 4, 1943;
11:42 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-368]

SOUTHWEST COAL SALES

NOTICE OF AND ORDER FOR HEARING

In the matter of Thos. S. Laser, an individual, operating as Southwest Coal Sales, registered distributor, Registration No. 5414.

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

A. Whether Thos. S. Laser, a Registered Distributor, Registration No. 5414 operating as Southwest Coal Sales (hereinafter sometimes referred to as the "Distributor") whose address is 1002 Foshay Tower, Minneapolis, Minnesota, has violated any provisions of section

4 II (1) of the Act, the Marketing Rules and Regulations, pertinent orders of the Division, and the Distributor's Agreement (the "Agreement") dated August 4, 1939, filed by said Thos. S. Laser in connection with his application for registration and more particularly whether said Distributor:

1. Accepted and retained commissions, while acting as subsales agent for the Rainbow Coal Company, a Code Member located in District No. 14, on approximately 5,076.65 net tons of various sizes of coal produced at said Code Member's Rainbow Mine (Mine Index No. 3184) and sold to various purchasers during the period October 18, 1940, to October 29, 1941, inclusive, in excess of the commissions provided in the sub-agency contract between the Distributor and said Code Member, no modification of said sub-agency contract having been reduced to writing and filed with the Statistical Bureau as required by Rule 4 of section II of the Marketing Rules and Regulations, resulting in violations of paragraph (e) of the Agreement.

2. Accepted and retained commissions, while acting as sub-sales agent for the Harding Coal Company, a Code Member, located in District No. 14, on approximately 5,611.90 net tons of various sizes of coal produced at said Code Member's Harding Mine (Mine Index No. 47) and sold to various purchasers during the period November 20, 1940, to November 14, 1941, inclusive, in excess of the commissions provided in the sub-agency contract between the Distributor and said Code Member, no modification of said sub-agency contract having been reduced to writing and filed with the Statistical Bureau, as required by Rule 4 of section II of the Marketing Rules and Regulations, resulting in violations of paragraph (e) of the Agreement.

3. Purchased for resale and resold, during the period November 19, 1940, to January 7, 1942, inclusive, to various purchasers in St. Paul and Minneapolis, Minnesota, and Huron, South Dakota, approximately 782.35 net tons of various sizes of coal produced at their respective mines by Watson Coal Company, Mine Index No. 117, Crescent Coal Company, Mine Index No. 131, J. M. Bates Coal Company, Mine Index No. 103 and Smokeless Coal Company, Mine Index No. 90, and accepted and retained discounts thereon in excess of the maximum distributors' discounts prescribed by Order of the Division issued in General Docket No. 12 on June 19, 1940, Prescribing Due and Reasonable Maximum Discounts, resulting in violations of paragraph (a) of the Agreement.

4. Granted 2 per cent discounts from effective minimum prices to the purchasers of approximately 436.25 net tons of coal produced at their respective mines by Crescent Coal Company, Mine Index No. 131, Carbon Coal Company, Mine Index No. 16, Smokeless Coal Company, Mine Index No. 90, New Union Coal Company, Mine Index No. 77 and Rainbow Coal Company, Mine Index No. 184, purchased for resale from said producers and resold to S. Brand Coal Co. and A. A. Carlstrom & Son, both of St. Paul, Minnesota,

during the period October 21, 1940 to July 7, 1941, which discounts were prohibited by section 4 II (i) 4 of the Act and Rule 4 of section XIII of the Marketing Rules and Regulations, resulting in violations of paragraphs (b), (c) and (e) of the Agreement.

5. Granted adjustments for alleged substandard quality or preparation to various purchasers during the period November 14, 1940 to July 21, 1941, inclusive, which adjustments had the effect of reducing the sales prices below the effective minima, on approximately 481.50 net tons of various sizes of coal produced at their respective mines by said Carbon Coal Company, Crescent Coal Company, New Union Coal Company, Rainbow Coal Company and by Paris Purity Coal Company, Mine Index No. 43, without reporting such adjustments to the Statistical Bureau as required by section X of the Marketing Rules and Regulations, resulting in violations of paragraphs (b) and (e) of the Agreement.

6. Granted discounts from the effective minimum prices during the period October 8 to November 7, 1940, inclusive, to the Pittsburg Coal Company of Wisconsin (a non-registered distributor at that time) on approximately 297.15 net tons of coal produced at their respective mines by said Rainbow Coal Company, New Union Coal Company, Carbon Coal Company and by Boyd Excelsior Coal Company, Mine Index No. 13, which had the effect of reducing the sales prices on said coal below the effective minima, resulting in violations of paragraph (b) of the Agreement.

7. Prepaid freight charges, during the period August 27 to October 15, 1941, inclusive, on approximately 155.90 net tons of coal produced by the said Harding Coal Company, and by Boyd-Sicard Coal Company, Mine Index No. 14, and sold to Allen Edwards Fuel Company, Minneapolis, Minnesota, which prepayment of freight was prohibited by Rule 1 (J), section VII of the Marketing Rules and Regulations, resulting in violations of paragraph (c) of the Agreement.

8. During the period October 1, 1940, to December 27, 1941, while acting as sub-sales agent of the said Harding Coal Company, (a Code Member) sold to various purchasers approximately 8080.45 net tons of various sizes of coal produced by said Code Member and failed to file copies of the invoices, spot orders, commitments, and contracts, relating to said coal as required by Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations, resulting in violations of paragraph (e) of the Agreement.

9. During the period October 7, 1940, to December 31, 1941, while acting as sub-sales agent for the said Rainbow Coal Company (a Code Member), sold to various purchasers approximately 11,866.15 net tons of various sizes of coal produced by said Code Member and failed to file copies of the invoices, spot orders, commitments, and contracts, relating to said coal as required by Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations, resulting in violations of paragraph (e) of the Agreement.

No. 45---3

B. Whether the registration of said Thos. S. Laser, Registered Distributor, Registration No. 5414 should be revoked or suspended or other appropriate order entered.

It is, therefore, ordered, That a hearing pursuant to Section 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether the aforementioned Thos. S. Laser has committed violations in the respects heretofore described and whether the registration of said Distributor, should be revoked or suspended, or other appropriate penalties imposed be held at 10 a. m., Room 428, United States Post Office, Minneapolis, Minnesota, April 14, 1943.

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

Notice of such hearing is hereby given to said Distributor and to all persons and entities having an interest in such proceeding.

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

Notice is also hereby given that any application or applications pursuant to section 301.132 of the Rules of Practice and Procedure for the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Distributor of this Notice of and Order for hearing.

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

Dated: March 3, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-3386; Filed, March 4, 1943; 10:57 a. m.]

[Docket Nos. A-1730, A-1741; A-1730, Part II, A-1869]

DISTRICT BOARD 7

MEMORANDUM OPINION, ETC

In the matter of the petition of District Board No. 7 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 7—Dockets Nos. A-1730, A-1741.

In the matter of the petition of District Board No. 7 for a change in the territorial boundary between districts Nos. 7 and 8, in Nicholas County, West Virginia—Dockets Nos. A-1730, Part II, A-1869.

Memorandum opinion and order reopening dockets Nos. A-1730 and A-1741, severing docket No. A-1730, Part II, consolidating dockets Nos. A-1730, Part II, and A-1869 and notice of and order for hearing.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with the Division in Docket No. A-1730, by District Board No. 7, requesting, among other things, that minimum prices and price classifications be established for the coals produced at the Imperial No. 2 Mine, Mine Index No. 322, of Imperial Smokeless Coal Company. This petition was consolidated with that filed by this party in Docket No. A-1741, and temporary and conditionally final relief was granted in such consolidated matter, by an order issued therein on December 7, 1942, which became final on February 5, 1943.

A petition of intervention was filed in this consolidated matter by District Board No. 8, requesting that the relief prayed for with respect to the said Imperial No. 2 Mine be denied and that the temporary relief granted by said order dated December 7, 1942, be modified, with respect to the said Imperial No. 2 Mine, by granting temporary and conditionally final relief establishing price classifications and minimum prices for this mine in the Schedules of Effective Minimum Prices for District No. 8 for All Shipments Except Truck and For Truck Shipment.

In support of its requests, District Board 8 alleged in its petition of intervention that the establishment of price classifications and minimum prices for the coals of the Imperial No. 2 Mine would be ineffectual for the reason that this mine is located in District No. 8.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was filed with the Division by District Board No. 7, requesting that the boundaries and limits of District No. 7 be altered to include within District No. 7 that part of Nicholas County, West Virginia, lying south and east of the Gauley River and west of Panther Creek (extended from the head thereof on a line due south to the Greenbrier County line). This petition was assigned Docket No. A-1869.

In this petition it is alleged that the production of low volatile coals in Nicholas County, West Virginia, has resulted in a pattern of distribution and in competitive relationships, which should be

reflected in the coordinated effective minimum f. o. b. mine prices for these coals. The petitioner requested that this result should be accomplished by a redesignation of the boundaries and limits of District No. 7 as described above.

District Board No. 3 has intervened generally in this matter.

It appears from the allegations contained in the petition of intervention filed in consolidated Dockets Nos. A-1730 and A-1741 by District Board No. 8, and in the original petition and petition of intervention filed in Docket No. A-1869 by District Boards Nos. 7 and 3, respectively, that these matters raise similar issues upon which the interested parties should have an opportunity to be heard, and that these matters should be consolidated for purposes of hearing.

Therefore, it is ordered, That that portion of consolidated Dockets Nos. A-1730 and A-1741 relating to the coals produced by Imperial Smokeless Coal Company, at the Imperial No. 2 Mine, Mine Index No. 322, be and the same hereby is, reopened for further hearing, and that said reopened portion of Dockets Nos. A-1730 and A-1741, be, and the same hereby is, severed from said consolidated Dockets Nos. A-1730 and A-1741, and designated as Docket No. A-1730, Part II.

It is further ordered, That said Docket No. A-1730, Part II, and Docket No. A-1869 be, and the same hereby are consolidated for the purposes of hearing.

It is further ordered, That a hearing in Dockets Nos. A-1730, Part II, and A-1869 under the applicable provisions of said Act and the rules of the Division be held on March 25, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit 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 this proceeding 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 March 20, 1943.

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 intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of these petitions.

The matter concerned herewith is in regard to the petition of intervention filed in Dockets Nos. A-1730 and A-1741 by District Board No. 8, that portion of the original petition filed in Docket No. A-1730 which has been designated as Docket No. A-1730, Part II, and the original petition and petition of intervention filed in Docket No. A-1869 by District Boards Nos. 7 and 3, respectively, which relate (1) to the establishment of price classifications and minimum prices for shipment by both rail and truck for the coals produced by Imperial Smokeless Coal Company, at the Imperial No. 2 Mine, Mine Index No. 322, and (2) to the request that the boundaries and limits of District No. 7 be altered to include within District No. 7 that part of Nicholas County, West Virginia, lying south and east of the Gauley River and west of Panther Creek (extended from the head thereof on a line due south to the Greenbrier County line).

Dated: March 3, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-3387; Filed, March 4, 1943;
10:58 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940, (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective March 4, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

A. Brash & Brother, 327 W. Baltimore Street, Baltimore, Maryland; Men's trousers and riding breeches; 10 percent (T); March 4, 1944.

Hosiery Industry

Pilot Full Fashion Mills, Incorporated, Valdese, North Carolina; Full-fashioned hosiery; 5 percent (T); March 4, 1944.

Signed at New York, N. Y., this 2d day of March 1943.

MERLE D. VINCENT,
Authorized Representative of
the Administrator.

[F. R. Doc. 43-3385; Filed, March 4, 1943;
10:06 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 5817, 5818]

CENTRAL RADIO TELEGRAPH CO.

ORDER DISMISSING PROCEEDINGS

In the matter of Central Radio Telegraph Company. Applications for renewal of coastal telegraph license and marine relay license of Station WLF, Rogers City, Michigan.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2nd day of March 1943;

It appearing, That by Notice dated March 2, 1940, the Commission designated the above-entitled applications for hearing; and

It further appearing, That licenses have been issued by the Commission,

subject to any action taken in these proceedings, for the period ending February 1, 1945; and

It further appearing, That, because of the war emergency, a hearing would serve no useful purpose at the present time;

It is ordered, That the proceedings in Docket Nos. 5817 and 5818 be, and they are hereby, dismissed;

It is further ordered, That the references to the pendency of these proceedings in the coastal telegraph license and marine relay license issued to Station WLF, be, and they are hereby, deleted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3400; Filed March 4, 1943;
12:04 p. m.]

[Docket No. 6336]

NORTHWESTERN BELL TELEPHONE CO.

ORDER POSTPONING HEARING

In the matter of Northwestern Bell Telephone Company. Increased charges for Interstate Telephone Exchange Service in Iowa.

At a session of the Federal Communications Commission held in its offices in Washington, D. C. on the 2nd day of March 1943;

The Commission having under consideration its order of June 26, 1942, herein, and a proposal by the Northwestern Bell Telephone Company for an indefinite postponement of further proceedings herein on the basis of its continuing in effect the lower rates and charges which have been in effect during the suspension period provided by the Commission's order of June 26, 1943, and subsequent orders herein, such lower charges not to be increased by Northwestern Bell Telephone Company except after six months' notice thereof in writing to the Commission; and all formal proceedings herein to be indefinitely continued until further order of the Commission upon not less than ninety days' notice to the parties of any hearings herein;

It is ordered, That on the basis of, and pursuant to, such proposal, the hearing herein now scheduled for March 18, 1943, be, and it is hereby, continued until further order of the Commission.

It is further ordered, That the Northwestern Bell Telephone Company be and it is hereby authorized to file amendments to its Tariff F. C. C. No. 20, cancelling Supplements Nos. 1, 2, and 3 of said tariff, and revising pages 14, 15, 22, 25, 26, 27, 29, 87, and 88 of its Tariff F. C. C. No. 20 to show therein the rates and regulations contained in said Supplements, without an expiration date.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-3399; Filed, March 4, 1943;
12:04 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-674]

NORTH AMERICAN COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2nd day of March 1943.

The North American Company, a registered holding company, has filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-43 of the General Rules and Regulations promulgated thereunder, regarding a proposal to pay a dividend on its common stock in the common capital stock of The Detroit Edison Company having a par value of \$20 per share, owned by The North American Company, at the rate of one share of such stock of The Detroit Edison Company on each fifty shares of the outstanding common stock of The North American Company. In lieu of certificates for fractions of shares of stock of The Detroit Edison Company, cash will be paid at the rate of 38 cents for each 1/50th of a share of such stock of The Detroit Edison Company, this rate being based on the approximate market price of \$19.00 per share as of February 11, 1943, the date the proposed dividend was declared.

Said declaration having been filed on the 12th day of February 1943, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said Act by the issuance of a "Notice Regarding Filing Subject to Rule U-23" on February 18, 1943 and of an "Amended Notice Regarding Filing Subject to Rule U-23" on February 23, 1943, and the Commission not having received a request for hearing with respect to said declaration within the period specified in such amended notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of section 12 (d) and Rule U-43 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3374; Filed, March 3, 1943;
3:12 p. m.]

[File No. 812-314]

LEHMAN CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of March, A. D. 1943.

The Lehman Corporation having duly filed an application pursuant to section 10 (f) of the Investment Company Act of 1940 for an order of exemption from the provisions of said section so as to permit applicant to exercise its rights as a shareholder to purchase its aliquot portion of 105,176 shares of common stock to be issued by Philip Morris & Co. Ltd., Incorporated notwithstanding that Lehman Brothers, one of the principal underwriters of the securities, is the investment adviser of the applicant and that one or more directors of the applicant are affiliated persons of Lehman Brothers;

It is ordered, That a hearing on the aforesaid application be held on March 5th at 10 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That Robert P. Reeder, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceedings may be in public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3375; Filed, March 3, 1943;
3:12 p. m.]

[File No. 59-55]

COMMUNITY GAS AND POWER COMPANY,
ET AL.

NOTICE AND ORDER SPECIFYING CERTAIN ISSUES TO BE CONSIDERED AT RECONVENED HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 2nd day of March, A. D. 1943.

In the matter of Community Gas and Power Company, American Gas and Power Company, and the subsidiary companies thereof, respondents.

The Commission by order dated September 24, 1942 having instituted pro-

ceedings against Community Gas and Power Company, American Gas and Power Company and the subsidiary companies thereof under sections 11 (b) (1), 11 (b) (2), 12 (c), 12 (f), 13, 15 and 20 (a) of the Public Utility Holding Company Act of 1935; hearings having been held thereon from time to time, and the trial examiner having directed that said hearings be reconvened on March 9, 1943 at 10 o'clock A. M., E. W. T. at the offices of the Commission, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It appearing appropriate at this time to consider what action should be taken by the Commission pursuant to sections 11 (b) (1), 11 (b) (2), 12 (c) and 13 of said Act on the basis of the record already adduced and to be adduced at such reconvened hearing:

It is ordered, That without limiting the scope of issues to be considered in said proceedings, evidence will be adduced and consideration will be given at the reconvening of the hearing to the following issues:

1. Whether the Commission should enter forthwith an order pursuant to section 11 (b) (1) of said Act requiring that Community Gas and Power Company shall sever the relationships of each of them with Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, Bangor Gas Company, Lowell Gas Light Company, and American Utilities Associates, by disposing or causing the disposition of their direct and indirect ownership, control and holdings of securities issued and properties owned, controlled or operated by each of the companies above listed.

2. Whether the Commission should enter forthwith an order pursuant to section 11 (b) (2) of said Act requiring that the existence of Community Gas and Power Company be terminated and that said company be dissolved.

3. Whether the Commission should enter forthwith an order pursuant to section 11 (b) (2) of said Act requiring that the existence of American Utilities Associates be terminated and that American Utilities Associates be dissolved.

4. Whether the Commission should enter forthwith an order pursuant to section 11 (b) (2) of said Act requiring that American Gas and Power Company change its present corporate structure consisting of secured debentures, indebtedness owed to subsidiary companies, and common stock, by eliminating such secured debentures and such indebtedness and setting up a corporate structure consisting of one class of stock, namely common stock.

5. Whether the Commission should enter forthwith an order pursuant to

section 12 (c) of said Act requiring that American Gas and Power Company shall not acquire, retire or redeem any of its outstanding debentures except pursuant to a declaration notifying the Commission of the proposed transactions, which has become effective in accordance with the procedure specified in Rule U-23, and pursuant to the order of the Commission with respect to such declaration under the applicable provisions of said Act, and that in accordance with Rule U-100, the exemptions provided by Rule U-24 (b) (4) and (5) be withdrawn as applied to such transactions.

6. Whether the Commission should enter forthwith an order pursuant to section 13 of said Act, rescinding as of a date sixty days after the entry of said rescinding order, the order of the Commission dated November 19, 1938, which granted approval of Public Utilities Management Corporation as a mutual service company, and requiring that after sixty days from the entry of said rescinding order, unless pursuant to further order of the Commission, Public Utilities Management Corporation shall make no charges to and receive no payments from Minneapolis Gas Light Company, Birmingham Gas Company, Savannah Gas Company, Jacksonville Gas Company, St. Augustine Gas Company, Lowell Gas Light Company, and Bangor Gas Company, or any of them, except for services rendered prior to said date.

Notice of the issues thus to be considered is hereby given to the respondents, to all other persons participating in said proceedings, and to any other person whose participation in said proceedings may be in the public interest or for the protection of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3376; Filed, March 3, 1943;
3:12 p. m.]

[File No. 1-1864]

BOYD-WELSH, INC.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 1st day of March, A. D. 1943.

In the matter of Boyd-Welsh, Inc., common stock, no par value.

The St. Louis Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing

and registration the Common Stock, No Par Value, of Boyd-Welsh, Inc.; and

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

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Monday, April 12, 1943, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-3377; Filed, March 3, 1943;
3:12 p. m.]

WAR SHIPPING ADMINISTRATION.

REQUISITIONED VESSEL VIGIL EX CARIBE EX KOURA

NOTICE OF DEPOSIT ON ACCOUNT OF JUST COMPENSATION

Notice is hereby given that, pursuant to section 1, of the Act of June 6, 1941 (Public Law 101-77th Congress) and Executive Order 9054 of February 7, 1942, as amended by Executive Order 9244 of September 16, 1942, the War Shipping Administrator, on November 30, 1942, deposited \$55,000.00 on account of just compensation for the former Finnish vessel Vigil ex Caribe ex Koura, which was requisitioned by the War Shipping Administrator on March 7, 1942, at New York, New York.

The attention of interested parties is invited to the provisions of said section 1 concerning claims against the vessel which existed at the time of requisition.

By order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR.,
Secretary.

MARCH 4, 1943.

[F. R. Doc. 43-3391; Filed, March 4, 1943;
10:59 a. m.]