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Regulations

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

[2d Supp. to General Order C-22]

PART 170—REGISTRATION AND FINGERPRINTING OF ALIENS IN ACCORDANCE WITH THE ALIEN REGISTRATION ACT, 1940

AMENDED REGULATIONS GOVERNING THE REGISTRATION AND FINGERPRINTING OF ALIEN SEAMEN

MAY 20, 1942.

Pursuant to the authority contained in sections 32 (c), 34 (a) and 37 (a) of Title III of the Alien Registration Act, 1940 (Act of June 28, 1940, 54 Stat. 674, 674, 675; 8 U.S.C. 453, 455, 458; § 90.1, Title 8, Chapter I, Code of Federal Regulations (5 F.R. 3503) and all other authority conferred by law, the following amendments and changes in the said Title 8, Chapter I, Code of Federal Regulations are hereby promulgated, effective on and after June 1, 1942.

Section 120.21 (G.O. No. C-31, of May 6, 1941; 6 F.R. 2334) is amended by changing that portion of the section which now reads "(d) that he has been registered as an alien and presents receipt on Form AR-103 issued within a year or is registered as an alien at time of inspection" to read "(d) that he has been registered as an alien and presents an appropriate alien registration receipt card or is registered as an alien at time of inspection".

Section 170.1 (G.O. No. C-21, of August 8, 1940; 5 F.R. 2837, 6 F.R. 229) is amended by deleting paragraph (i) of that section, and relettering present paragraphs (j) and (k) as paragraphs (i) and (j), respectively.

Section 170.8 (First Supp. G.O. No. C-22, of August 31, 1940; 5 F.R. 3589, 6 F.R. 229) is amended to read as follows:

§ 170.8 *Registration and fingerprinting of alien seamen.* (a) No alien seaman, as defined in § 120.1 of this chapter, shall be admitted to the United States

(including Alaska, Hawaii, Puerto Rico and the Virgin Islands of the United States) after May 31, 1942, under the provisions of section 3 (5) of the Immigration Act of 1924, except after compliance with all applicable laws and regulations, including the provisions of this section, and unless:

(1) He presents a receipt of registration on Seaman Form AR-103-S, or

(2) He presents an unexpired receipt of seaman's registration on Form AR-103 issued prior to June 1, 1942, and which when issued was made valid for one year, or

(3) He is registered and fingerprinted by a registration officer in accordance with paragraph (c) of this section and is issued a receipt of registration on Seaman Form AR-103-S at the time he is admitted to the United States.

(b) Any employee of the Immigration and Naturalization Service included within the provisions of § 170.4 (a) shall be a registration officer authorized to register and fingerprint alien seamen. It shall be the duty of registration officers of the Immigration and Naturalization Service to register and fingerprint all alien seamen arriving at ports of the United States who are required to register and be fingerprinted before being admitted.

(c) Registration after May 31, 1942 shall be made, by each alien seaman required to register, upon Seaman Form AR-102-S (the primary registration form); Seaman Form AR-103-S (the attached receipt); in appropriate cases when necessary on Form AR-2a (for supplemental information, to be made a part of Seaman Form AR-102-S), and on Form AR-4 (the fingerprint form). The registration officer shall record on Form AR-102-S only the information required by Items 1, 3, 4, 5 (a), 5 (c), 6, and 13, which includes the name of the alien; the date and place of birth; the name of the country, if any, of which the alien is a citizen or subject, or to which he owes allegiance; the alien's sex and race; the alien's personal description; whether the alien has one or both

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parents or husband or wife or children living in the United States, except that if any such relatives or any other relatives of the alien are residing in the United States their names, addresses and relationship shall also be listed in the

spaces provided under Item 14 on the form. The registration officer shall take the fingerprints of the alien on Form AR-4 and the alien shall furnish all information required therein. The receipt of registration (Form AR-103-S) shall be plainly stamped "The holder of this card is not permitted to work ashore or on coastwise vessels". The receipts of registration issued on Form AR-103-S shall bear no time limitation with respect to validity. Such receipts shall be delivered to the seamen at the time of registration.

(d) An alien seaman who after May 31, 1942 is in possession of an unexpired receipt Form AR-103 issued to him as an alien seaman before that date and made valid for one year when issued, may if otherwise admissible be admitted on the basis of Form AR-103 during the period of validity of that form. However, on the first occasion of the admission to the United States of the holder as a seaman after May 31, 1942, the Form AR-103 in his possession shall be stamped "The holder of this card is not permitted to work ashore or on coastwise vessels". On the first occasion of the admission of the holder as an alien seaman after the period of validity of Form AR-103 expires, that form shall be surrendered and the holder shall be registered and fingerprinted anew in the manner provided in paragraph (c) of this section.

(e) The registration forms (except Forms AR-103-S) and fingerprints of alien seamen shall be sent through the appropriate district director to the Alien Registration Division, Immigration and Naturalization Service, Philadelphia, Pennsylvania, as provided by § 170.5 (a).

(f) An alien seaman who, upon arrival at a port of the United States, is properly ordered detained on board the vessel on which he arrives and deported in accordance with law, shall not be registered and fingerprinted, irrespective of whether or not he has previously been registered and fingerprinted under any provisions of this part. Any such alien who is in possession of a registration receipt card previously issued to him shall surrender such receipt card to the officer who orders the seaman detained on board the vessel and deported.

(g) An alien who is by occupation a seaman and who is admitted to the United States in transit for the purpose of joining a vessel in the United States and departing on such vessel in pursuit of his calling shall not, when departing on such vessel from a port in the continental United States, the Virgin Islands, Puerto Rico, or Hawaii, be regarded as an alien seaman for the purposes of § 175.23 (f) of this chapter and shall not be required to present at the time of such departure an alien registration receipt card, unless the alien has remained in the United States for more than twenty-nine days. In case the alien remains in the United States for more than twenty-nine days, he shall comply with the provisions of § 170.1 (b) which require the registration and fingerprinting of aliens who are admitted to the United States without being registered and fingerprinted and who, thereafter, remain in this country for thirty days or longer.

(h) An alien who is by occupation a seaman, and who arrives as such, but who at the time of arrival is in possession of an immigration visa entitling him to admission for permanent residence, or of other documents entitling him to admission under some other provision of law than section 3 (5) of the Immigration Act of 1924, and in connection with the issuance of such visa or other documents the alien has been properly registered and fingerprinted, shall be admitted with the status to which he is entitled by reason of his possession of such immigration visa or other documents.

(i) Notwithstanding any of the other provisions of this section, no alien who arrives as a seaman and who has been lawfully admitted to the United States for permanent residence, who has not abandoned that residence, and who presents a receipt of registration on Form AR-3, shall again be required to register and be fingerprinted. Every registration officer, before registering any alien, who is by occupation a seaman, on Form AR-102-S and issuing a receipt of registration on Form AR-103-S, or before stamping an unexpired Form AR-103 as provided in paragraph (d) of this section, shall ascertain to his satisfaction whether such alien is a lawful permanent resident of the United States and should be registered as such, rather than as an alien seaman in accordance with the applicable provisions of this section. If in any case it is determined that an alien is in fact a lawful permanent resident, but has previously been erroneously registered only as an alien seaman, the registration officer may register the alien on Forms AR-2, AR-3, and AR-4 in the manner provided by the applicable provisions of § 170.4: *Provided, however*, That if in any such case it is the opinion of the registration officer that the failure of the alien to have previously been properly registered and fingerprinted warrants presentation of the facts to the appropriate United States Attorney for consideration of prosecution, the registration officer shall not again register and fingerprint the alien, but shall report the case to the appropriate district director for further action: *And provided further*, That this paragraph shall not be construed to prevent the registration of an alleged permanent legal resident, who is by occupation a seaman and who claims that his registration receipt card has become lost, mutilated or destroyed, upon Forms AR-102-S and AR-103-S under the circumstances recited by § 170.9 (g) (2) or (4).

Section 170.9 (Fourth Sup. G.O. C-21, of July 30, 1941; 6 F.R. 3825) is amended by changing paragraph (g) of that section to read as follows:

§ 170.9 *Replacement of lost, mutilated, or destroyed receipt of registration.* * * *

(g) Replacements of lost, mutilated, or destroyed receipt cards in the cases of aliens who are seamen shall be governed by the following:

(1) An alien seaman who is in the United States pursuant to an admission under section 3 (5) of the Immigration Act of 1924 and whose receipt Form

AR-103-S or unexpired receipt Form AR-103 is lost, mutilated, or destroyed while the seaman is in the United States must, under § 175.23 (f) of this chapter, be in possession of an alien registration receipt card before he may depart from the United States in pursuit of his calling. In such a case the registration officer shall, after any investigation which may be considered necessary to establish the bona fide nature of the case, register and fingerprint the alien in accordance with § 170.8 (c) and issue to him a new receipt on Form AR-103-S. Mutilated receipts held by such seamen shall be surrendered to the registration officers before the new receipts are given the aliens.

(2) An alien who is a lawful permanent resident of the United States, who is by occupation a seaman, and who is in the United States may replace a lost, mutilated, or destroyed Form AR-3 in the manner specified in paragraphs (a) to (e) of this section. In any such case, if the alien desires to depart from the United States in pursuit of his calling before he receives the new registration receipt card for which he has applied, and the best interests of the United States will be served by permitting such departure, the alien may be registered and fingerprinted in the manner prescribed by § 170.8 (c) and issued a receipt on Form AR-103-S. In such a case, the alien shall be advised that his registration as an alien seaman will not prejudice his right to establish at any time that he is a lawful permanent resident of the United States and to receive and use the proper replacement receipt card for which he has made application, which will be sent to him at the address in the United States specified in his application if and when issued. He shall be informed that when such receipt is sent to him, he should send the Form AR-103-S issued to expedite his departure from the United States to the district director with whose office he filed application for a new receipt in lieu of one lost, mutilated or destroyed. District directors will forward such surrendered Forms AR-103-S to the Alien Registration Division.

(3) An alien seaman, who is not also a lawful permanent resident of the United States, whose registration receipt card (regardless of the form on which it was issued) becomes lost, mutilated, or destroyed while such alien seaman is outside the United States, shall upon the next occasion of his admission to this country under section 3 (5) of the Immigration Act of 1924 be registered and fingerprinted in accordance with § 170.8 (c).

(4) An alien who is a lawful permanent resident of the United States, but who is a seaman by occupation, and whose alien registration receipt card becomes lost, mutilated or destroyed while the alien is outside the United States, shall upon the next occasion of his return to this country in pursuit of his calling be registered

and fingerprinted on Forms AR-2, AR-3 and AR-4 in the manner provided by the applicable provisions of § 170.4 and may be admitted to the United States, if otherwise admissible, when such registration has been completed although not actually in possession of a registration receipt card: *Provided*, That before any registration officer registers such an alien in this manner the registration officer shall be satisfied that such alien seaman has previously been registered and fingerprinted as a lawful permanent resident. In the event that the registration officer is not so satisfied, the alien shall not be admitted until he has been registered and fingerprinted in accordance with § 170.8 (c) and issued a receipt on Form AR-103-S. In such a case, the alien shall be advised that his registration as an alien seaman will not prejudice his right subsequently to establish that he is, in fact, a lawful permanent resident of the United States and to obtain by the procedure specified in paragraphs (a) to (e) of this section a proper replacement receipt card for that previously issued to him which, if issued, will be sent to him at the address in the United States specified in his application. He shall be informed that if and when he obtains such a replacement receipt card, he should send the Form AR-103-S issued to permit his entry to the United States to the district director having jurisdiction over the port where he is admitted and the Form AR-103-S is obtained. District directors will forward such surrendered Forms AR-103-S to the Alien Registration Division.

(Secs. 32 (c), 34 (a), 37 (a), 54 Stat. 674, 674, 675, 8 U.S.C. 453, 455, 458; 8 C.F.R. 90.1)

[SEAL] LEMUEL B. SCHOFIELD,
*Special Assistant to the Attorney
General, in charge, Immigration
and Naturalization Service.*

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 42-4893; Filed, May 26, 1942;
4:32 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 73—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS, AND CHAPLAINS

AGE AND CITIZENSHIP REQUIREMENTS

Paragraph (a) of § 73.204¹ is hereby amended to read as follows:

§ 73.204 *Age and citizenship requirements.* (a) An officer of the Army of the United States must at the time of appointment be a citizen of the United States or of the Philippine Islands, or an alien of a cobelligerent or friendly coun-

¹ 6 F.R. 5660; 7 F.R. 739.

try who otherwise possesses the same qualifications as a citizen of the United States, and between the ages of 18 and 60 years. (Act of Sept. 22, 1941, Pub. Law 252, 77th Cong.) [Par. 6a, AR 605-10, Dec. 10, 1941, as amended by Cir. 27, W. D., Jan. 29, 1942, and Cir. 147, May 16, 1942]

[SEAL]

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

[F. R. Doc. 42-4887; Filed, May 26, 1942;
4:59 p. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter C—Neutrality

PART 161—SOLICITATION AND COLLECTION OF FUNDS AND CONTRIBUTIONS

REVISION OF REGULATIONS

Pursuant to the authority vested in the President by sections 8 and 13 of the joint resolution of Congress approved November 4, 1939 (54 Stat. 8, 11; 22 U.S.C. 448, 453) and delegated to the Secretary of State by the President's Proclamation 2374 of November 4, 1939 (4 F.R. 4493; 22 CFR 141.1 (c)), as extended, § 161.14 of Title 22 of the Code of Federal Regulations relating to the solicitation and collection of contributions for use in France; Germany; Poland; the United Kingdom, India, Australia, Canada, New Zealand, and the Union of South Africa, subsequently made applicable to the solicitation and collection of contributions for use in Norway, Belgium, Luxembourg, Netherlands, Italy, Greece, Yugoslavia, Hungary, and Bulgaria, is hereby superseded by the following § 161.14.

§ 161.14 *Causes for revocation.* The Secretary will exercise the right reserved under § 161.7 to revoke any registration upon receipt of evidence which leads him to believe that the registrant has solicited, under the name used in its application for registration, funds or contributions for any purpose other than for medical aid and assistance or for food and clothing to relieve human suffering, as stipulated in § 161.2, as amended; has failed to maintain such a governing body as that described under § 161.11; has failed to employ such a treasurer as that described under § 161.11; has employed any of the methods for soliciting contributions set forth under § 161.12; has employed unethical methods of publicity; or has failed to attain a reasonable degree of efficiency in the conduct of operations. (54 Stat. 8, 11; 22 U.S.C. 448, 453; Proc. 2374, 4 F.R. 4493; 22 CFR 141.1 (c))

[SEAL]

CORDELL HULL,
Secretary of State.

MAY 23, 1942.

[F. R. Doc. 42-4892; Filed, May 26, 1942;
5:15 p. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 65]

PART 407—TREASURY SECTION

DISBURSING SECTION

Section 407.15 is amended to read as follows:

§ 407.15 *Signatories.* The Regional Treasurer, and the Assistant Regional Treasurer in each Regional Office, are authorized, individually, to sign checks drawn on the Regional Working Fund maintained with the Treasurer of the United States for their respective Region. All checks in excess of \$1,000.00 drawn on such accounts, shall be countersigned by the Regional Manager, an Assistant Regional Manager, or a Deputy Assistant Regional Manager. (Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective June 1, 1942.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 42-4906; Filed, May 27, 1942;
10:03 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter Q—Leases and Permits on Restricted Indian Lands

PART 171—LEASING OF INDIAN ALLOTTED AND TRIBAL LANDS FOR FARMING, GRAZING AND BUSINESS

Chapter I, Subchapter Q—Leases and permits on restricted Indian Lands, Part

171—Leasing of Indian Allotted and Tribal Lands for farming, grazing and business, is amended, in part, by changing §§ 171.18, 171.19, and 171.26 to read as follows:

§ 171.18 *Violation of contract.* The Superintendent is responsible for and shall enforce compliance with the lease or permit requirements and regulations. On any violator of the lease, permit, or regulations he shall serve 10 days written notice to show cause why cancellation of the lease or permit should not be effected as authorized in the instrument or the regulations. Failure of a lessee or permittee within the prescribed time to furnish satisfactory evidence why the lease or permit should not be canceled shall result in the cancellation of the instrument. The Superintendent immediately shall notify in writing the lessee or permittee of the cancellation of the instrument, demand payment of all obligations due, and direct the premises be vacated promptly. The notice shall also inform the lessee or permittee that his failure to abide by the notice will necessitate the presentment of the case to the United States Attorney for action consistent with the law and the facts. The sureties on a lease or permit which has been violated shall be notified of the violation by mailing to them a copy of all notices sent to the lessee or permittee. The letter transmitting any notice shall invite attention to their liability for the principal's violation of the lease or permit. Notification shall be made to the General Accounting Office of the cancellation of any lease or permit, the original of which is filed with that office.

§ 171.19 *Rentals; extensions.* The Superintendent, in his discretion, under the terms of the instrument may grant a lessee or permittee an extension of time

of not to exceed six months in which to pay any installment due under the lease or permit or defer the delivery date of the lessor's share of the crop or the date fixed for completion of improvements when such request is filed in writing by the lessee or permittee prior to the due date prescribed in the instrument, and such application is accompanied by the written consent thereto of the lessor or permitter and the sureties. An interest charge of six percent per annum from the due date shall be made on the sum extended or the value of the crop or the improvements, the delivery or construction of which is deferred.

§ 171.26 *Leases or permits; irrigable lands.* Leases and permits of restricted allotted or tribal Indian lands within an irrigation project shall require the lessee or permittee to pay on the due date annually in advance during the term of the instrument and in amounts determined by orders of the Secretary of the Interior, the operation and maintenance charges, including penalties assessed against the irrigable acreage of the lease or permit. The irrigation charge shall be in addition to the rental payments prescribed in the lease or permit. All payments of such irrigation charges and penalties shall be made to the Superintendent or other designated officer.

(26 Stat. 795, sec. 1, 28 Stat. 305, sec. 1, 31 Stat. 299, sec. 4, 36 Stat. 856, sec. 1, 39 Stat. 128, sec. 1, 41 Stat. 1232, 54 Stat. 745; 25 U.S.C. 397, 402, 395, 403, 394, 393)

W. C. MENDENHALL,
*Acting Assistant Secretary
of the Interior.*

MAY 2, 1942.

[F. R. Doc. 42-4905; Filed, May 27, 1942;
9:36 a. m.]

TITLE: 30—MINERAL RESOURCES
Chapter III—Bituminous Coal Division
 [Docket No. A-1440]
PART 321—MINIMUM PRICE SCHEDULE,
DISTRICT No. 1
RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal

Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; 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 AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 1

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

temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which Supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the shipping points appearing in the aforesaid Supplement R, for Mine Index Nos. 873, 917, 927, 2384, and 2885, are effective in place of the shipping points heretofore established for these mines.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the

temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: May 16, 1942.

DAN H. WHEELER,
 Acting Director.

FOR ALL SHIPMENTS EXCEPT TRUCK

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

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group No.]

Mine index No.	Code member	Mine name	Sub-dist. No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3515	Bartholomew, Merle Lester	Bartholomew #3	6	D	Anita, Pa.	PRR	50	(1)	(1)	E A	E	E
3516	Berwind-White Coal Mining Company, The	Eureka #30	33	B	Eureka Coll. #30, Pa.	PRR	49	(1)	(1)	B	(1)	(1)
780	Burk & Sons, Francis E. & Howard Williams	Burk & Williams #2	37	B	Friedens, Pa.	B&O	100	(1)	(1)	(1)	(1)	(1)
73	Burnswell Coal Company c/o R. G. Strand	Burnswell	29	B	Johnstown, Pa.	J&SC	48	(1)	(1)	(1)	(1)	(1)
3517	Cross Fuel Co. (Bernard Cross)	Cross #2	44	B, V	Westersport, Md.	WM	68	(1)	(1)	(1)	(1)	(1)
3518	Cross Fuel Co. (Bernard Cross)	Cross #3	44	E	Westersport, Md.	WM	68	(1)	(1)	(1)	(1)	(1)
3463	Johnson, S. L. & Co. (S. L. Johnson)	Johnson #1	13	C	Houtzdale, Pa.	PRR	45	(1)	(1)	(1)	(1)	(1)
3519	Johnson, S. L. & Co. (S. L. Johnson)	Johnson #2	13	D	Houtzdale, Pa.	PRR	45	(1)	(1)	(1)	(1)	(1)
3520	Johnson, S. L. & Co. (S. L. Johnson)	Johnson #3	13	E	Houtzdale, Pa.	PRR	45	(1)	(1)	(1)	(1)	(1)
3240	Lamkie Brothers (W. H. Lamkie)	Vanokle Coal Co. (Strip)	12	C'	Houtzdale, Pa.	PRR	50	(1)	(1)	(1)	(1)	(1)
1081	Red Arrow Coal Company	Red Arrow	18	H	McCees, Pa.	PRR	52	(1)	(1)	(1)	(1)	(1)
805	Solomon Run Fuel Co. c/o W. S. Phenicle	Solomon Run Fuel Co. #2	29	C'	Dysart, Pa.	J&SC	48	(1)	(1)	(1)	(1)	(1)
3479	Wood, Frank B. (F. B. Wood Coal Mining Company)	Pine Ridge	17	B	Johnstown, Pa.	PRR	50	(1)	(1)	(1)	(1)	(1)
927	Abram Creek Coal Company, c/o A. L. Helmick	Helmick	44	E	Hastings, Pa.	PRR	68	(1)	(1)	(1)	(1)	(1)
2885	Lutz & Condon (Walter Condon)	Lutz & Condon	8	C	Gorman, Md.	WM	44	(1)	(1)	(1)	(1)	(1)
917	Steel, E. V.	Kinnear #1	5	D	Survevor, Pa.	NYC	110	(1)	(1)	(1)	(1)	(1)
873	Steel, E. V.	Kinnear #2	5	D	Conifer, Pa.	P&S	110	(1)	(1)	(1)	(1)	(1)
2384	Sylvan Grove Mine (Gust F. Anderson)	Sylvan Grove	8	B	Winburne, Pa.	NYC	44	(1)	(1)	(1)	(1)	(1)

*Indicates coal in this size group has been previously classified and priced.

†Indicates no classification effective for this size group.

‡Indicates no classifications or prices effective for this size group.

NOTE.—The above prices are applicable *only* via the respective Freight Origin Groups Shipping Points, and Railroads shown for the respective mines. Freight Origin Groups, Shipping Points, and Railroads shown in previous schedules are hereby deleted.

FOR TRUCK SHIPMENTS

§ 321.24 General prices—Supplement T

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

Code member index	Mine index No.	Mine	Subdist. No.	County	Seam	All lump coal double screened, top size 24" and over				
						1	2	3	4	5
Bartholomew, Merle Lester...	3515	Bartholomew #3.	6	Jefferson...	D	(f)	225	(f)	205	(f)
Berwind-White Coal Mining Company, The	3516	Eureka #30.	33	Somerset...	B	(f)	245	(f)	215	(f)
Burnwell Coal Company, c/o R. G. Strand.	72	Burnwell.	29	Cambria...	B	(f)	(*)	210	(f)	(f)
Chapman, Roscoe (Chapman Coal Co.)	1691	Junkins.	44	Grant...	Bak	(f)	(*)	(f)	180	(f)
Cross Fuel Co. (Bernard Cross)	3517	Cross #2.	44	Mineral...	Big Vein	(f)	230	(f)	(f)	(f)
Cross Fuel Co. (Bernard Cross)	3518	Cross #3.	44	Alegany...	E	(f)	210	(f)	(f)	(f)
Hillside Coal Co. (Albert G. Sewiskey)	3478	Hillside	31	Cambria...	D	(f)	230	(f)	(f)	(f)
Johnson, S. L. & Co. (S. L. Johnson)	3483	Johnson #1.	13	Clearfield	C	(f)	225	(f)	(f)	(f)
Johnson, S. L. & Co. (S. L. Johnson)	3519	Johnson #2.	13	Clearfield	D	(f)	230	(f)	(f)	(f)
Johnson, S. L. & Co. (S. L. Johnson)	3520	Johnson #3.	13	Clearfield	E	(f)	230	(f)	(f)	(f)
Lemkie Brothers (W. H. Wood, Frank B. (F. B. Wood Coal Mining Company).	3240	Vanokle Coal Co. (Strip). Pine Ridge.	12	Indiana	C'	(f)	215	205	195	(f)
	3479	Pine Ridge.	17	Cambria...	B	(f)	235	(f)	(f)	(f)

*When shown under a Size Group number, this symbol indicates coals previously classified for this size group.
†When shown under a Size Group number, this symbol indicates no classification effective for this size group.

[F. R. Doc. 42-4839; Filed, May 26, 1942; 10:46 a. m.]

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1
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 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R

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

Mine index No.	Code member	Mine name	Subdist. No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3521	Allegheny River Mining Company	Ringgold #3	5	D	Sprankle Mills, Pa.	P&S	119	E	E	E	E	E
3522	Barron, Ira R.	Barron #2	37	D	Stoyestown, Pa.	B&O	100	E	E	E	E	E
3523	Bartholomew, Merle Lester	Bartholomew #4	6	E	Anita, Pa.	PRR	50	E	E	E	E	E
922	Berkbile Brothers (Freeman Berkbile)	Berkbile Bros.	37	B	Stoyestown, Pa.	B&O	100	E	E	E	E	E
3524	Carlson, Ed. E. (Ed. E. Carlson Coal Co.)	Carlson #2	6	D	Anita, Pa.	PRR	50	E	E	E	E	E
3529	DePetro, Frank	Empire A.	16	D	Garman, Pa.	PRR	60	E	E	E	E	E
743	Flick, Carl W.	Flick	18	C	LaRose, Pa.	NYC	50	E	E	E	E	E
3525	Heaton, John	Miller #3	39	Fulton	Broad Top City, Pa.	PRR	43	E	E	E	E	E
3526	Keys, W. A. (Keys Coal Company)	Beechton #2	17	E	Beechton, Pa.	H&T M	119	E	E	E	E	E
1605	Kibler, Thad	Kibler	5	C'	Hastings, Pa.	P&S	50	E	E	E	E	E
1025	Murphy, G. V	Arnold	44	Bak	Gorman, Md.	WM	68	E	E	E	E	E
875	Murray & Shanfor (Richard S. Murray)	Trimpey	37	D	Somerset, Md.	B&O	100	E	E	E	E	E
1880	Pattison, Charles	Pattison	44	Bak	W. Va. Central Jet, Md	WM	68	E	E	E	E	E

[Docket No. A-1443]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

RELIEF GRANTED

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; 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, § 321.7 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 321.24 (General Prices) 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.

No relief is granted herein with respect to the request of District Board No. 1 for the establishment of a minimum price of \$2.25 for the coals of the Wallace #2 Mine, Mine Index No. 915, of Ferdin E. Wallace in Size Group No. 3 for truck shipments, since it appears that a minimum price of \$2.25 has already been established for the coals of this mine in Size Group 3 in Price Schedule No. 1 of District No. 1 For Truck Shipments under the name of the Shimmel No. 1 Mine, Mine Index No. 2041, of Thomas G. Shimmel & Son.

Dated: May 16, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

above-entitled matter and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

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

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11
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 331, Minimum Price Schedule for District No. 11 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 Alphabetical list of code members—Supplement R

Mine Index No.	Code member	Mine No.	Steam	Subdistrict	Freight or Price group	Shipping point	Railroad
1 1321	Vermillion County Coal Co. (A. M. Nielsen).	No. 1.	VI	BC	40 1	West Clinton	CMSTP&P.
2 1320	Black Diamond Mining Co. (Harold M. McClary).	Black Diamond	V	BO	20 11	Boonville	Southern.
3 167	Hallett, Walter	Hooster Queen No. 3.	V	LS	62 9	Switz City	IC.

¹ Mine Index No. 1321 shall be included in Price Group 1 and shall take the same f. o. b. mine prices as other mines in Price Group 1 in Price Schedule No. 1, District No. 11. For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 40 of the Brazil-Clinton Subdistrict having the same freight rate.
² Mine Index No. 1320 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Schedule, District No. 11. For All Shipments Except Truck as are shown for Mine Index Nos. 6, 22, 90 and 99.
³ Mine Index No. 167 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Schedule No. 1, District No. 11. For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 20 of the Boonville Subdistrict having the same freight rate.
Mine Index No. 1321 shall be included in Price Group 1 and shall take the same f. o. b. mine prices as other mines in Price Schedule, District No. 11. For All Shipments Except Truck as are shown for Mine Index Nos. 57, 58, 87 and 113.
⁴ Mine Index No. 167 shall be included in Price Group 9 and shall take the same f. o. b. mine prices as other mines in Price Group 9 in Price Schedule No. 1, District No. 11. For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 62 of the Linton-Sullivan Subdistrict having the same freight rate.
Mine Index No. 167 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Schedule District No. 11. For All Shipments Except Truck as are shown for Mine Index Nos. 27, 32, 107 and 119.

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

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, § 331.5 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 331.24 (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

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11

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 331, Minimum Price Schedule for District No. 11 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 331.5 Alphabetical list of code members—Supplement R

Mine Index No.	Code member	Mine No.	Steam	Subdistrict	Freight or Price group	Shipping point	Railroad
1 1321	Vermillion County Coal Co. (A. M. Nielsen).	No. 1.	VI	BC	40 1	West Clinton	CMSTP&P.
2 1320	Black Diamond Mining Co. (Harold M. McClary).	Black Diamond	V	BO	20 11	Boonville	Southern.
3 167	Hallett, Walter	Hooster Queen No. 3.	V	LS	62 9	Switz City	IC.

¹ Mine Index No. 1321 shall be included in Price Group 1 and shall take the same f. o. b. mine prices as other mines in Price Group 1 in Price Schedule No. 1, District No. 11. For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 40 of the Brazil-Clinton Subdistrict having the same freight rate.
² Mine Index No. 1320 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Schedule, District No. 11. For All Shipments Except Truck as are shown for Mine Index Nos. 6, 22, 90 and 99.
³ Mine Index No. 167 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Schedule No. 1, District No. 11. For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 20 of the Boonville Subdistrict having the same freight rate.
Mine Index No. 1321 shall be included in Price Group 1 and shall take the same f. o. b. mine prices as other mines in Price Schedule, District No. 11. For All Shipments Except Truck as are shown for Mine Index Nos. 57, 58, 87 and 113.
⁴ Mine Index No. 167 shall be included in Price Group 9 and shall take the same f. o. b. mine prices as other mines in Price Group 9 in Price Schedule No. 1, District No. 11. For All Shipments Except Truck. It shall also take the same adjustments in f. o. b. mine prices on account of differences in freight rates as other mines in Freight Origin Group 62 of the Linton-Sullivan Subdistrict having the same freight rate.
Mine Index No. 167 shall be included in Price Group 11 and shall take the same f. o. b. mine prices as other mines in Price Schedule District No. 11. For All Shipments Except Truck as are shown for Mine Index Nos. 27, 32, 107 and 119.

FOR TRUCK SHIPMENTS
§ 321.24 General prices—Supplement T

(Prices in cents per net ton for shipment into all market areas)

Code member index	Mine Index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened top size 2" and over	Double screened top size 2"	Run of mine modified R/M	2" and under slack	3" and under slack
Allegany River Mining Company	3521	Ringgold #3	5	Jefferson	D	250	225	225	215	205
Barron, Ira R.	3522	Barron #2	37	Somerset	D	(†)	(†)	240	(†)	(†)
Bartholomew, Merie Lester	3523	Bartholomew #4	6	Jefferson	E	(†)	(†)	230	210	200
Carlson, Ed. E. (Ed. E. Carlson Coal Co.)	3524	Carlson #2	6	Jefferson	D	(†)	(†)	225	215	205
DeFuro, Frank	3529	Empire A	16	Cambria	D	(†)	(†)	225	(†)	(†)
Ellinger & Getch (John Getch)	746	Getch Coal Co.	16	Jefferson	E	---	---	220	---	---
Flick, Carl W.	743	Flick	18	Clearfield	C	---	---	225	---	---
Heston, John	3525	Miller #3	39	Huntington	Fulton	---	---	240	---	---
Kearney Coal Company	3527	Kelly Seam	39	Jefferson	Kelly	---	---	220	---	---
Keys, W. A. (Keys Coal Company)	3526	Beeceton #2	5	Jefferson	E	---	---	215	205	195
Murray & Shaffer (Richard S. Murray)	875	Trimpey	37	Somerset	D	---	---	240	---	---
Stage, Clyde I.	3528	Stage #2	7	Clearfield	D	---	---	220	---	---

†When shown under a Size Group Number, this symbol indicates no classification effective for this size group.

[F. R. Doc. 42-4838; Filed, May 26, 1942; 10:46 a. m.]

[Docket Nos. A-1441 and A-1442]
PART 331—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 11
RELIEF GRANTED

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 11 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 11.

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937,

requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 11; and It appearing that the above-entitled matters raise similar and related issues; and

It further 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 this Division in the above-entitled matters; and

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

subject to the provisions of this Revised Price Schedule No. 89 unless each piece bears a label containing:

- (1) A statement of its size and the term "back-filled";
- (2) If the piece is a second, the term "second"; and
- (3) If the piece does not meet the minimum specifications for back-filled type bed linens set forth in Table I (§ 1316.111), the term "substandard".

§ 1316.109 Definitions. * * *

(b) "Bed linens" means finished sheets, finished pillow cases, finished bolster cases and bleached pillow tubing, and shall include domestic type² grey wide sheeting, brown sheeting and bleached sheeting: *Provided*, That the term "bed linens" shall include only goods made of cotton and shall not include any goods made entirely of combed yarn.

(c) "Brown sheeting" means grey sheeting put on boards, doubled and rolled.

§ 1316.111 Appendix A: Maximum prices for bed linens. * * *

(d) *Deductions, premiums and special classes of bed linens.*³ (1) The maximum prices set forth in paragraphs (c) and (d) of this section shall be discounted (i) where payment is made within 10 days of delivery by three per cent; and (ii) where payment is made within the next 60 days by two per cent: *Provided*, That in the case of sales of grey sheeting terms shall be net 10 days.

(3) (i) (a) For bleached pillow tubing, the maximum prices shall be as follows:

Type of pillow tubing	Width (inches)	Price (cents per yard)
Type 128.....	36	21
	40	22
	42	22½
	45	24½
Type 140.....	36	23¼
	40	24¾
	42	25¾
	45	27¾

(b) The maximum price for bleached pillow tubing of greater dimension or superior type to those listed herein shall be the maximum price for the next inferior dimension and type. The maximum price for bleached pillow tubing having a width less than 36" shall be the maximum price for 36" bleached pillow tubing discounted by 5 per cent for each five per cent or fraction thereof deficiency in width. The maximum price for bleached pillow tubing of a type inferior to Type 128 shall be the maximum price for such Type 128 bleached pillow tubing discounted as in the case of substandard bed linens provided in paragraph (d) (3) (iv) of this section.

¹ I. e. grey sheeting 42" and over in width of the type predominantly used in the manufacture of domestics. Wide grey sheeting of the types predominantly used in the manufacture of products other than domestics are subject to Maximum Price Regulation No. 118.

² The percentages stated in this paragraph are percentages of the applicable maximum prices expressed in terms of dollars and cents.

(ii) For grey sheeting of any type or dimension the maximum price shall be ¾ cent per yard less than 97 per cent of the maximum price established in paragraph (c) of this section for brown sheeting of the same type and dimension.

(iii) For back-filled type grey sheeting which fails to meet the specifications for back-filled type brown sheeting set forth in Table I of this section, or which has a total thread count of 128 per square inch, the maximum price shall be 49.5¢ per pound of the sheeting.

(iv) Except in the case of print-cloth bed linens and back-filled type grey sheeting, the maximum prices for substandard bed linens shall be:

(a) For bed linens which fail to meet the specifications as to weight set forth in Table I, the price of the particular type shall be discounted by five per cent for each five per cent or fraction thereof of the specified weight by which such bed linens are deficient.

(b) For bed linens which fail to meet the specifications as to tensile strength set forth in Table I, either as to warp or filling, the price of the particular type shall be discounted by five per cent for each five per cent or fraction thereof of the specified tensile strength by which the warp is deficient and by five per cent for each five per cent or fraction thereof of the specified tensile strength by which the filling is deficient.

(c) For bed linens which contain added sizing in excess of the applicable maximum prescribed in Table I, the price of the particular type shall be discounted by five per cent for each five per cent or fraction thereof by which the sizing contained in such bed linens exceeds the prescribed maximum.

(d) For back-filled type bed linens which have a total thread count per square inch of less than 116 the price shall be discounted by five per cent:

(e) *Provided*, That a seller of back-filled type bed linens which fail to meet the specifications set forth for back-filled type bed linens in Table I, or which have a total thread count per square inch of 128, may at his option sell such bed linens either at a price not in excess of the maximum price for substandard or standard back-filled type bed linens (as the case may be) or at a price not in excess of the alternative maximum price established by paragraph (d) (8) of this section.

§ 1316.110a Effective dates of amendments. * * *

(f) Amendment No. 6 (§§ 1316.101 (b), 1316.104 (c), 1316.104 (e), 1316.109 (b), 1316.111 (d) (1) and 1316.111 (d) (3)) to Revised Price Schedule No. 89 shall become effective May 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 27th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4919; Filed, May 27, 1942; 12:00 m.]

PART 1340—FUEL

[Amendment 17 to Revised Price Schedule 88¹]

PETROLEUM AND PETROLEUM PRODUCTS

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

The second undesignated paragraph of § 1340.159 is amended to read as set forth below:

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

No seller of petroleum or petroleum products shall reduce his discounts, such as those for quantity, prompt payment or ease of handling, to a buyer below those which he had in effect as to deliveries during the period October 1 to 15, 1941, to the same buyer, or if no delivery was made to the particular buyer during that period below those which he had in effect as to deliveries to buyers of the same general class during such period. Such discounts shall be deducted from the maximum prices established in this § 1340.159 unless, as with respect to maximum prices determined by § 1340.159 (b) (2), the maximum prices are net prices after reduction by such discounts.

§ 1340.158a Effective dates of amendments. * * *

(q) Amendment No. 17 (§ 1340.159) to Revised Price Schedule No. 88 shall become effective May 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4891; Filed, May 26, 1942; 5:11 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Correction to Maximum Price Regulation 152²]

CANNED VEGETABLES

In § 1341.26 the reference to "§ 1341.2" should read "§ 1341.22," and it is hereby corrected.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of May, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4918; Filed, May 27, 1942; 11:59 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation³—Order No. 2]

SERVICE MILITAIRE TECHNIQUE

Under § 1499.3 (b) of the General Maximum Price Regulation, Service Mil-

¹ 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3166, 3482, 3524, 3552, 3576.

² 7 F.R. 3895.

³ 7 F.R. 3153, 3330, 3666.

itaire Technique, Berne, Switzerland has made application for an approval of a proposed maximum price for certain drums of ferrovanadium held in warehouse in New York City. Due consideration has been given to the application and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it is ordered:

§ 1499.34 *Approval of maximum prices for certain drums of ferrovanadium of Service Militaire Technique.* (a) On and after May 26, 1942, Service Militaire Technique may sell and deliver to the U. S. Treasury Department, and the U. S. Treasury Department may purchase 69 drums of ferrovanadium at a price not higher than \$3.77 per pound on the vanadium contained therein.

(b) This Order No. 2 (§ 1499.34) shall become effective May 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 26th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4917; Filed, May 27, 1942;
11:59 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

[Circ. No. 1509]

PART 192—OIL AND GAS PERMITS AND LEASES

REGULATIONS GOVERNING THE REOPENING TO LEASE FILING OF LANDS IN CANCELED OIL AND GAS LEASES

§ 192.14b *Drawings to be held where simultaneous applications are filed to lease lands embraced in canceled leases.* Hereafter in all cases where cancelations are made of leases involving lands not within a known geologic structure of a producing oil or gas field, the Registers of the district land offices will note the cancelation on the tract book as of a future fixed date, ten days after such notation, Sundays and holidays excluded, the cancelation to be effective at 9 o'clock a. m. on the day thus fixed.

No notice to the public of the opening of the lands for lease will be required except that the Register will post notice thereof in a conspicuous place in the district land office during the period between the posting and effective dates of cancelation. The notice will include a description of the land involved.

Applications to lease the lands which are filed in the district land office by mail or otherwise within the period between the date of notation and the effective date of cancelation, and applications filed over the counter by persons who are present in the district land office at

¹ 7 F. R. 971.

9 o'clock a. m. on the effective day of cancelation, where they conflict in whole or in part, will be considered as filed simultaneously; and the right of priority of filing will be determined by a public drawing following the procedure prescribed in paragraph 4 of Circular No. 324, dated May 22, 1914, 43 L. D. 254 (§ 295.8), except as hereinafter otherwise provided.

If on the effective date of cancelation of a lease two or more conflicting applications to lease the lands have been received, accompanied by proper filing fees, the Register will require each applicant to deposit in his office a drawing fee of \$10, which constitutes a charge for participating in the drawing, and to furnish a statement under oath that the application is filed in good faith for his or its own benefit and not directly or indirectly in whole or in part in behalf of any other person, association, or corporation. Notice of these requirements will be sent to each applicant at the address given in the application by registered mail. Envelopes in which the notices are mailed should bear notation requesting the return of undelivered letters after being held in the post office for a period of fifteen days. The notice will state the date and hour on which the drawing will be held and advise the applicant that unless the requirements are complied with prior to the date of drawing the application will not be entered in the drawing but will be rejected and the case closed without further notice. Where a drawing is held the drawing fee paid in connection with those applications which participate therein will be applied as earned on the date of the drawing and will not be subject to repayment to any of the applicants. In case not more than one applicant pays the drawing fee no drawing will be held and the fee will be returned.

The drawing will be held not less than thirty days from the effective date of the cancelation of the lease. At the completion of a drawing, the Register will furnish the General Land Office a list of the applications involved therein showing: (a) date of drawing, (b) description of the land involved, (c) name of successful applicant and serial number of application, and (d) names of unsuccessful applicants and serial numbers of their applications.

As to the States which have no district offices, the cancelation of leases will be noted on the records of the General Land Office and the procedure herein provided for the opening of the lands to lease filing will be followed.

The filing fee submitted by each applicant with his application will be held by the Register as unearned proceeds and will be disposed of in the manner provided by Circular 1383a, dated July 13, 1938, 56 I. D. 596 (§ 191.6). (Sec. 32, 41 Stat. 450; 30 U. S. C. 189)

FRED W. JOHNSON,
Commissioner.

Approved: May 14, 1942.

W. C. MENDENHALL,
Acting Assistant Secretary.

[F. R. Doc. 42-4896; Filed, May 27, 1942;
9:35 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

WICHITA MOUNTAINS WILDLIFE REFUGE, OKLAHOMA

Pursuant to authority contained in regulation 2 of the regulations effective December 2, 1936,¹ for the administration of the Wichita Mountains Wildlife Refuge, Oklahoma, the regulation governing fishing, approved May 25, 1939,² is hereby amended as follows:

§ 29.967a *Wichita Mountains Wildlife Refuge; fishing.* Section 23.967a is amended for the calendar year 1942 only, by striking out the date "May 30" and inserting in lieu thereof the date "May 16."

Section 23.967a (a) (1) is amended by striking out all the paragraph following the words reading "Waters open during the year" and inserting in lieu thereof the following: "1942: All the waters of the refuge in the recreational area."

W. C. HENDERSON,
Acting Director.

MAY 14, 1942.

[F. R. Doc. 42-4895; Filed, May 27, 1942;
9:35 a. m.]

Notices

WAR DEPARTMENT.

[Civilian Exclusion Order No. 20]

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

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA

APRIL 24, 1942.

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

All of that portion of the City and County of San Francisco, State of California, bounded on the north by California Street, bounded on the east by Van Ness Avenue, bounded on the south by Sutter Street, and bounded on the west by Presidio Avenue.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Saturday, April 25, 1942, or during the same hours on Sunday, April 26, 1942, to the Civil Control Station located at: Japanese American Citizen's League Auditorium, 2031 Bush Street, San Francisco, California.

¹ 1 F. R. 2080.
² 4 F. R. 2198.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Friday, May 1, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

Confirmed:

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

[F. R. Doc. 42-4859; Filed, May 26, 1942;
11:09 a. m.]

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

[Civilian Exclusion Order No. 21]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—CITY OF LOS ANGELES

APRIL 24, 1942.

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

All that portion of the City of Los Angeles, State of California, bounded on the north by Jefferson Boulevard, on the east by Vermont Avenue, on the south by Vernon Avenue, and on the west by Arlington Avenue.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Saturday, April 25, 1942, or during the same hours on Sunday, April 26, 1942, to the Civil Control Station located at: 3500 South Normandie Avenue, Los Angeles, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Friday, May 1, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining

in, Leaving, or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

Confirmed:

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

[F. R. Doc. 42-4860; Filed, May 26, 1942;
11:09 a. m.]

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

[Civilian Exclusion Order No. 22]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—CITY OF LOS ANGELES

APRIL 24, 1942.

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

All that portion of the City of Los Angeles, State of California, within the boundary beginning at the intersection of Pico Boulevard and Arlington Avenue; thence easterly on Pico Boulevard to Vermont Avenue; thence southerly on Vermont Avenue to Washington Boulevard; thence easterly on Washington Boulevard to Main Street; thence southerly on Main Street to Adams Boulevard; thence easterly on Adams Boulevard to Central Avenue; thence southerly on Central Avenue to Slauson Avenue; thence westerly on Slauson Avenue to Vermont Avenue; thence northerly on Vermont Avenue to Jefferson Boulevard; thence westerly on Jefferson Boulevard to Arlington Avenue; thence northerly on Arlington Avenue to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Saturday, April 25, 1942, or during the same hours on Sunday, April 26, 1942, to the Civil Control Station located at: 2314 South Vermont Avenue, Los Angeles, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Friday, May 1, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones," and alien

Japanese will be subject to immediate apprehension and internment.

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

Confirmed:

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

[F. R. Doc. 42-4861; Filed, May 26, 1942;
11:10 a. m.]

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

[Civilian Exclusion Order No. 23]

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

APRIL 26, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Sunday, May 3, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of the County of Solano, State of California.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, April 27, 1942, or during the same hours on Tuesday, April 28, 1942, to the Civil Control Station located at: American Legion Hall, Merchant and West Streets, Vacaville, California.

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

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

Confirmed:

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

[F. R. Doc. 42-4862; Filed, May 26, 1942;
11:10 a. m.]

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

[Civilian Exclusion Order No. 24]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—COUNTIES OF CONTRA COSTA, SAN JOAQUIN, AND ALAMEDA, CALIFORNIA

APRIL 26, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Sunday, May 3, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All those portions of the Counties of Contra Costa, San Joaquin, and Alameda, State of California, within the boundary beginning at the northeasterly corner of Contra Costa County, and following the easterly line thereof to California State Highway No. 4; thence easterly on said highway to the westerly limits of the City of Stockton; thence southerly and easterly along the limits of said city to U. S. Highway No. 50; thence southerly on said highway to the San Joaquin River; thence southerly along the San Joaquin River to the San Joaquin-Stanislaus County line; thence southwesterly along said county line to the Alameda-Santa Clara County line; thence westerly along the Alameda-Santa Clara County line to California State Highway No. 17; thence northerly on said highway to its intersection with California State Highway No. 21 at or near Warm Springs; thence northerly on said Highway No. 21 to its intersection with California State Highway No. 4, north of Pacheco; thence westerly on said Highway No. 4 to its intersection with U. S. Highway No. 40, east of Pinole; thence northerly along said Highway No. 40 to Carquinez Strait; thence easterly along the northern line of Contra Costa County to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, April 27, 1942, or during the same hours on Tuesday, April 28, 1942, to the Civil Control Station located at; Odd Fellows Hall, Main Street, Byron, California.

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

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

Confirmed:

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

[F. R. Doc. 42-4863; Filed, May 26, 1942; 11:10 a. m.]

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

[Civilian Exclusion Order No. 25]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—MULTNOMAH COUNTY, OREGON

APRIL 28, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Tuesday, May 5, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of that portion of the County of Multnomah, State of Oregon, lying generally west of the Willamette River.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Wednesday, April 29, 1942, or during the same hours on Thursday, April 30, 1942, to the Civil Control Station located at: Salvation Army Headquarters Building, 20 Southwest Sixth Avenue, Portland, Oregon.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Tuesday, May 5, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4864; Filed, May 26, 1942; 11:11 a. m.]

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

[Civilian Exclusion Order No. 26]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—MULTNOMAH COUNTY, OREGON

APRIL 28, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon,

P. W. T., of Tuesday, May 5, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of that portion of the County of Multnomah, State of Oregon, bounded on the north by the Oregon-Washington State line, bounded on the east by 122nd Avenue, and 122nd Avenue extended southerly to the Multnomah-Clackamas County line, bounded on the south by the Multnomah-Clackamas County line, and bounded on the west by the Willamette River.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Wednesday, April 29, 1942, or during the same hours on Thursday, April 30, 1942, to the Civil Control Station located at: The Navy Post, American Legion Hall, 128 Northeast Russell Street, Portland, Oregon.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Tuesday, May 5, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving, or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4865; Filed, May 26, 1942; 11:11 a. m.]

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

[Civilian Exclusion Order No. 32]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—CITY OF LOS ANGELES

MAY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All that portion of the City of Los Angeles, State of California, bounded on the northeast by East Ninth Street, (Olympic Boulevard), bounded on the southeast by Central Avenue, bounded on the southwest by Adams

Boulevard, and bounded on the northwest by South Main Street.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, May 4, 1942, or during the same hours on Tuesday, May 5, 1942, to the Civil Control Station located at: Japanese Christian Church, 822 East 20th Street, Los Angeles, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4866; Filed, May 26, 1942; 11:11 a. m.]

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

[Civilian Exclusion Order No. 33]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—CITY OF LOS ANGELES

MAY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of that portion of the City of Los Angeles, State of California, within that boundary beginning at the point at which North Figueroa Street meets a line following the middle of the Los Angeles River; thence southerly and following the said line to East First Street; thence westerly on East First Street to Alameda Street; thence southerly on Alameda Street to East Third Street; thence northwesterly on East Third Street to Main Street; thence northerly on Main Street to First Street; thence northwesterly on First Street to Figueroa Street; thence northeasterly on Figueroa Street to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, May 4, 1942, or during the same hours on Tuesday, May 5, 1942, to the Civil Control Station located at: Japanese Union Church, 120 North San Pedro Street, Los Angeles, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4867; Filed, May 26, 1942; 11:12 a. m.]

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

[Civilian Exclusion Order No. 34]

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

MAY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of that portion of the County of Alameda, State of California, within the boundary beginning at the point where the southerly limits of the City of Oakland meet San Francisco Bay; thence easterly and following the southerly limits of said city to U. S. Highway No. 50; thence southerly and easterly on said Highway No. 50 to its intersection with California State Highway No. 21; thence southerly on said Highway No. 21 to its intersection, at or near Warm Springs, with California State Highway No. 17; thence southerly on said Highway No. 17 to the Alameda-Santa Clara County line; thence westerly and following said county line to San Francisco Bay; thence northerly, and following the shoreline of San Francisco Bay to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, May 4, 1942, or during the same hours on Tuesday, May 5, 1942, to the Civil Control Station located at: 920 - "C" Street, Hayward, California.

3. Any person subject to this order who fails to comply with any of its provisions or published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4868; Filed, May 26, 1942; 11:12 a. m.]

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

[Civilian Exclusion Order No. 35]

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

MAY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of the County of San Mateo, State of California.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, May 4, 1942, or during the same hours on Tuesday, May 5, 1942, to the Civil Control Station located at: Masonic Temple Building, 100 North Ellsworth Street, San Mateo, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, May

9, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4869; Filed, May 26, 1942;
11:12 a. m.]

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

[Civilian Exclusion Order No. 36]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—SEATTLE, WASHINGTON

MAY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All that portion of the City of Seattle, State of Washington, within the boundary beginning at the point of intersection of Maynard Avenue and Yesler Way; thence easterly along Yesler Way to Twelfth Avenue; thence southerly along Twelfth Avenue to Dearborn Street; thence westerly along Dearborn Street to Fifth Avenue; thence northerly along Fifth Avenue to Jackson Street; thence easterly along Jackson Street to Maynard Avenue; thence northerly along Maynard Avenue to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, May 4, 1942, or during the same hours on Tuesday, May 5, 1942, to the Civil Control Station located at: Japanese Chamber of Commerce, 316 Maynard Avenue, Rooms 111-112, Seattle, Washington.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for

Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4870; Filed, May 26, 1942;
11:12 a. m.]

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

[Civilian Exclusion Order No. 37]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—SEATTLE, WASHINGTON

MAY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All that portion of the City of Seattle, State of Washington, within the boundary beginning at the point of intersection of Twelfth Avenue and Yesler Way; thence easterly along Yesler Way to Twenty-third Avenue; thence southerly along Twenty-third Avenue to Dearborn Street; thence westerly along Dearborn Street to Twelfth Avenue; thence northerly along Twelfth Avenue to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, May 4, 1942, or during the same hours on Tuesday, May 5, 1942, to the Civil Control Station located at: Buddhist Temple, 1427 Main Street, Seattle, Washington.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Saturday, May 9, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4871; Filed, May 26, 1942;
11:13 a. m.]

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

[Civilian Exclusion Order No. 38]

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—CERTAIN PORTIONS OF ARIZONA

MAY 3, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1 and 2, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Friday, May 8, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of that portion of the State of Arizona lying generally south of a line running in an easterly direction, and commencing at the southerly line of U. S. Highway No. 66 at the point at which it crosses the Colorado River; thence easterly on said Highway No. 66 to the point at or near Topock, Arizona, where the same intersects the southerly line of the improved road running from Topock in an easterly direction to Yucca, Arizona; thence along the southerly line of said road to the point at or near Yucca, Arizona, where the same intersects the westerly line of the improved road running in a southeasterly direction from Yucca to Signal, Arizona; thence along the westerly line of said road to the point at or near Signal, Arizona, where the same intersects the easterly line of the unimproved road running in a northeasterly direction to Wikieup, Arizona; thence in a northeasterly direction along the easterly line of said road to the point, approximately 16 miles northeast of Signal, Arizona, where the same intersects the southerly line of the improved road running from said intersection through Hillside to Congress Junction, Arizona; thence along the westerly line of said road to the point at or near Congress Junction, where the same intersects the westerly line of U. S. Highway No. 89; thence in a southerly direction along the westerly line of U. S. Highway No. 89 to the point where the same intersects the city limits of the city of Phoenix, Arizona; thence in an easterly and southerly direction along said city limits to the point where the same intersects the southerly line of U. S. Highway No. 80/89 east of Phoenix, Arizona; thence easterly along the southerly line of U. S. Highway No. 80/89 to the intersection with the southerly line of U. S. Highway No. 60/70 at or near Florence Junction, Arizona; thence easterly along the southerly line of U. S. Highway No. 60/70 to the intersection of the easterly line of U. S. Highway No. 60 projected and southerly line of U. S. Highway No. 70; thence easterly along the southerly line

of U. S. Highway No. 70 to the Arizona-New Mexico State Line.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Monday, May 4, 1942, or during the same hours on Tuesday, May 5, 1942, to either one of the Civil Control Stations located at: 1921 East Washington Street, Phoenix, Arizona, or 61 East Pennington Street, Tucson, Arizona.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Friday, May 8, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4872; Filed, May 26, 1942;
11:09 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation.

FLORIDA PROJECT, COLORADO

FIRST FORM RECLAMATION WITHDRAWAL

MAY 6, 1942.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat. 1269), as amended, it is recommended that the following described lands be withdrawn from public entry under the first form withdrawal, as provided in section 3, Act of June 17, 1902 (32 Stat. 388) and that departmental order of April 8, 1935, establishing Colorado Grazing District No. 4, be modified and made subject to the reclamation withdrawal effected by this order.

FLORIDA PROJECT, COLORADO

NEW MEXICO PRINCIPAL MERIDIAN

Lemon Reservoir Site

Township 36 North, Range 7 West:

Section 5, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 6, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 7, E $\frac{1}{2}$ NE $\frac{1}{4}$;

Section 8, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$;

Section 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 20, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$
SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.
Township 37 North, Range 7 West:
Section 31, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur, May 7, 1942.

ARCHIE D. RYAN,
Acting Director of the Grazing
Service.

I concur, May 11, 1942.

FRED W. JOHNSON,
Commissioner of the General Land
Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

JOHN J. DEMPSEY,
Under Secretary.

MAY 16, 1942.

[F. R. Doc. 42-4894; Filed, May 27, 1942;
9:35 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

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 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).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

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 Man-

ufacturing Industry, July 29, 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 May 28, 1942. 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

Apparel

The Great Six, 430 First Avenue N., Minneapolis, Minnesota; Men's, Women's and Children's Outerwear & Sportswear; 5 learners (T); May 28, 1943.

Universal Sportswear Mfg. Co., 116 Merrimac St., Boston, Massachusetts; Manufacturing of Gabardines; 5 learners (T); May 28, 1943.

Single Pants, Shirts and Allied Garments and Women's Apparel

Del Monte Frocks, Inc., 113 North Broadway, Long Branch, New Jersey; Rayon Dresses; 5 learners (T); May 28, 1943.

Peerless Shirt & Overall Mfg. Co., 60 S. State St., Wilkes-Barre, Pennsylvania; Overalls, dungarees, jackets and unionalls; 10 learners (T); May 25, 1943. (This certificate effective May 25, 1942 and replaces the one bearing the expiration date of April 13, 1943.)

R & G Knitting Mills, 1005 West 3rd St., Williamsport, Pennsylvania; Knitted Underwear; 10 percent (T); May 28, 1943.

R & G Knitting Mills, 1005 West 3rd St., Williamsport, Pennsylvania; Knitted Underwear; 15 learners (E); November 28, 1942.

Robideaux Dress Mfg. Co., 152 So. Lincoln St., Spokane, Washington; Dresses; 5 learners (T); May 28, 1943.

Gloves

Alexette Glove Corp., 70-82 Blecker St., Gloversville, New York; Leather Dress Gloves; 10 learners (E); November 28, 1942.

Neubert Clausen, Mt. Road, Delaware Water Gap, Pennsylvania; Leather Dress Gloves; 2 learners (T); November 28, 1942.

The Cross Glove Co., Inc., 33 Grand Street, Gloversville, New York; Leather Dress Gloves; 3 learners (T); May 28, 1943.

Sellinger Glove Co., 401 N. 8th St., Sheboygan, Wisconsin; Leather Dress Gloves; 10 percent (T); May 28, 1943.

Knitted Wear

R & G Knitting Mills, 1005 West 3rd St., Williamsport, Pennsylvania; Knitted Underwear; 15 learners (E); November 28, 1942.

R & G Knitting Mills, 1005 West 3rd St., Williamsport, Pennsylvania; Knitted Underwear; 10 percent (T); May 28, 1943.

Signed at New York, N. Y., this 26th day of May 1942.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 42-4907; Filed, May 27, 1942;
10:42 a. m.]

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 rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective May 28, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Bessie Mason, Juniper & Vine Sts., Philadelphia, Pennsylvania; Hand embroidered emblems; 1 learner; 6 weeks for any one learner; 28 cents per hour; Embroiderer; November 28, 1942.

Signed at New York, N. Y., this 26th day of May 1942.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 42-4908; Filed, May 27, 1942;
10:42 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-395]

IN THE MATTER OF UNITED GAS PIPE LINE COMPANY

ORDER FIXING DATE FOR HEARING

MAY 26, 1942.

It appearing to the Commission that:
(a) On May 20, 1942, the United Gas Pipe

Line Company filed an application for permission to remove and relocate certain natural gas pipe line facilities in the Rodessa area of northwest Louisiana consisting of approximately 4 miles of 18 inch pipe and 16 miles of 12 inch pipe, being one of the "Rodessa Loop Lines," extending from a point at the outlet side of Applicant's Myrtis Gasoline Plant near Rodessa Field, Caddo Parish, Louisiana, to a point on Applicant's Sarepta-Latex Main gas transmission line in Caddo Parish, Louisiana as described fully on a map attached to the application;

(b) Applicant states that one-third of the capacity of the three "Rodessa Loop Lines" is no longer used in transporting natural gas from Rodessa Field to its Sarepta-Latex line; that the pipe, valves and fittings proposed to be removed will be used elsewhere on its pipe line system to meet increased demands for natural gas;

(c) Applicant states that the removal of one "Rodessa Loop Line" would leave adequate facilities to meet the requirements of transporting gas from Rodessa Field; that no present customers are served solely through the facilities proposed to be removed;

The Commission, therefore, orders that: A public hearing on said application be held on June 8, 1942, at 9:45 a. m. (E. W. T.), in the hearing room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-4916; Filed, May 27, 1942;
11:44 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4700]

DICKSON WEATHERPROOF NAIL COMPANY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

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

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Edward E. Reardon, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 15, 1942, at ten o'clock in the forenoon of that day (central standard time) in room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the Trial Examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The Trial Examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-4914; Filed, May 27, 1942;
11:07 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3089-10]

J. P. STEVENS AND COMPANY, INC.

ORDER DENYING PETITION FOR EXCEPTION

Order No. 2 Under Revised Price Schedule No. 89¹—Bed Linens.

On April 8, 1942, J. P. Stevens and Company, Inc., 44 Leonard Street, New York City, New York, filed a petition for an exception pursuant to § 1316.111 (d) (5) of Revised Price Schedule No. 89. Due consideration has been given to the petition and an opinion in support of this Order No. 2 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it is hereby ordered that the said petition be, and it hereby is denied.

This Order No. 2 shall become effective May 27, 1942.

Issued this 26th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4888; Filed, May 26, 1942;
5:09 p. m.]

[Docket No. 3089-2-E]

NASHUA MFG. COMPANY

ORDER DENYING PETITION FOR EXCEPTION

Order No. 3 Under Revised Price Schedule No. 89¹—Bed Linens.

On February 16, 1942, Nashua Mfg. Company, 48 Franklin Street, Boston, Massachusetts, filed a petition for an exception pursuant to § 1316.111 (d) (5) of Revised Price Schedule No. 89. Due consideration has been given to the petition and an opinion in support of this Order No. 3 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it

¹ 7 F.R. 1375.

² 7 F.R. 971.

is hereby ordered that the said petition be, and it is hereby, denied.

This Order No. 3 shall become effective May 27, 1942.

Issued this 26th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4889; Filed, May 26, 1942;
5:10 p. m.]

[Docket No. 3089-12]

PACIFIC MILLS

ORDER DENYING PETITION FOR EXCEPTION

Order No. 4 Under Revised Price Schedule No. 89¹—Bed Linens.

On April 25, 1942, Pacific Mills, 214 Church Street, New York, New York, filed a petition for an exception pursuant to § 1316.111 (d) (5) of Revised Price Schedule No. 89. Due consideration has been given to the petition and an opinion in support of this Order No. 4 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, it is hereby ordered that the said petition be, and it is hereby, denied.

This Order No. 4 shall become effective May 27, 1942.

Issued this 26th day of May 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-4890; Filed, May 26, 1942;
5:10 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-23, 70-187, 70-191]

MIDDLE WEST CORPORATION ET AL.

NOTICE OF AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of May A. D. 1942.

In the Matter of The Middle West Corporation, North West Utilities Company, and Wisconsin Power and Light Company, File No. 59-23; The Middle West Corporation, File No. 70-187; and North West Utilities Company, File No. 70-191.

The Commission having issued on June 9, 1941 an order (Holding Company Act Release No. 2806) instituting proceedings under section 11 (b) (2) of the Public

Utility Holding Company Act of 1935 with respect to The Middle West Corporation, a registered holding company, North West Utilities Company, also a registered holding company, and Wisconsin Power and Light Company, a public utility subsidiary of said registered holding companies, and ordering a hearing held thereon on July 9, 1941, to determine:

1. The truth and accurateness of the allegations contained in said notice and order for hearing;

2. What action or steps, if any, are necessary and shall be required to be taken by The Middle West Corporation and North West Utilities Company to insure that the corporate structure and/or continued existence of North West Utilities Company do not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among the security holders of the holding-company system of The Middle West Corporation, and that the corporate structure of Wisconsin Power and Light Company does not inequitably distribute voting power among its security holders;

3. What action or steps, if any, are necessary and shall be required to be taken by North West Utilities Company and/or Wisconsin Power and Light Company to insure that voting power is not unfairly and inequitably distributed among the respective security holders of North West Utilities Company and Wisconsin Power and Light Company; and

4. If, in order to insure that the corporate structure and/or continued existence of North West Utilities Company do not unduly or unnecessarily complicate the structure or unfairly or inequitably distribute voting power among the security holders of the holding-company system of The Middle West Corporation, and to insure that voting power is not unfairly and inequitably distributed among the respective security holders of North West Utilities Company and Wisconsin Power and Light Company, it is necessary that the Commission order disposition of the assets of North West Utilities Company in accordance with a fair and equitable reorganization plan, or plan for the divestment of control, securities or other assets, or for other action by such company for the purpose of enabling it to comply with the provisions of section 11 (b) (2); and

The Commission having issued on June 11, 1941 an order consolidating the hearing in said proceeding with hearings on the application and declaration of The Middle West Corporation and that of North West Utilities Company, as contained in Files No. 70-187 and 70-191, respectively (Holding Company Act Release No. 2391), and the hearings aforesaid having been duly convened on July 9, 1941 and adjourned to July 28, 1941, at which time on request of the respondents it was continued subject to the call of the trial examiner; and

It appearing to the Commission that it is presently appropriate and conducive to an orderly disposition of these proceedings that the hearings be reconvened and that certain matters relating to North West Utilities Company as more particularly specified hereinafter be now taken up and considered:

It is ordered, That the consolidated hearings herein be reconvened on the 16th day of June, 1942 at 10 A. M., E. W. T. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said day by the hearing room clerk in Room 318.

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

It is further ordered, That such reconvened hearing be limited in scope to the following issues:

1. Whether the continued existence of North West Utilities Company unduly or unnecessarily complicates the structure of The Middle West Corporation holding-company system;

2. Whether the continued existence of North West Utilities Company unfairly or inequitably distributes voting power among the security holders of The Middle West Corporation holding-company system;

3. Whether, in the event the answers to the questions raised in paragraphs Nos. 1 and/or 2 immediately preceding are found to be in the affirmative, an order should be entered forthwith directing termination and dissolution of North West Utilities Company pursuant to the provisions of section 11 (b) (2) of the Act.

The Commission expressly reserves jurisdiction of all other matters and issues raised by, or contained in, said orders of June 9, 1941 and June 11, 1941.

It is further ordered, That the foregoing specification of matters to be considered at the reconvened hearings shall be without prejudice to the Commission's closing the record and issuing its order or orders therein with respect to any of such matters, prior to closing the record with respect to the remaining matters if, at any time, such action shall appear conducive to an orderly and economic disposition of such specified matters.

Notice of such hearing is hereby given to respondents, intervenors and to any other persons whose participation in the proceedings herein may be in the public interest or for the protection of investors and consumers. Such notice shall be given to respondents and any intervenors by registered mail and to all other persons by publication in the FEDERAL REGISTER. At the reconvened hearing, an opportunity will be afforded to submit all evidence, present contentions, or make arguments relevant to a final determination of the matters specified herein. Any person proposing to intervene in these proceedings and not having already done so shall file with the Secretary of

¹ 7 F.R. 1375.

² 7 F.R. 971.

the Commission on or before the 11th day of June, 1942 his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4897; Filed, May 27, 1942;
9:36 a. m.]

[File No. 70-546]

MISSOURI EDISON COMPANY AND EAST MISSOURI POWER COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of May, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission by Missouri Edison Company and East Missouri Power Company pursuant to the Public Utility Holding Company Act of 1935 and particularly section 6 (b) thereof. All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Transaction A. Missouri Edison Company proposes to issue and sell \$636,000 principal amount of first mortgage bonds, Series A, 3¾%, dated January 1, 1942 and due January 1, 1967, to The Connecticut Mutual Life Insurance Company, at a price equal to 100.5% of principal amount, plus accrued interest from January 1, 1942 to the date of delivery. Applicant proposes to apply the proceeds of the sale of its bonds, together with other of its moneys to the extent required, to the redemption of its first mortgage 5½% gold bonds, 1927 series, in the principal amount of \$636,700, due December 1, 1947.

Transaction B. East Missouri Power Company proposes to issue and sell \$218,000 principal amount of first mortgage bonds, Series A, 3¾%, dated January 1, 1942 and due January 1, 1967, to The Connecticut Mutual Life Insurance Company, at a price equal to 104% of principal amount, plus accrued interest from January 1, 1942 to the date of delivery. Applicant proposes to apply the proceeds of the sale of its bonds, together with other of its moneys to the extent required, to the redemption of its 5% first mortgage bonds, Series A, in the principal amount of \$218,000, due March 1, 1956.

Additional information concerning the proposed transactions is to be filed by amendment.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, and that said application shall not be granted nor said declaration become effective except pur-

suant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said Act and rules of the Commission thereunder be held on June 9, 1942 at 10 o'clock A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room designated on said day by the hearing-room clerk in Room 318. At such hearing, cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above-named declarants or applicants and to all interested persons, said notice to be given to said declarants or applicants by registered mail and to all other persons by publication in the FEDERAL REGISTER.

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

It is further ordered, That without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the issues and sales of said securities are solely for the purpose of financing the businesses of the respective companies;

2. Whether the issues and sales of said securities have been expressly authorized by the State Commission of the state in which said companies are organized and doing business;

3. Whether finder's fee or other compensation, if any, involved in the proposed transactions is necessary and reasonable.

4. Whether it is appropriate in the public interest or for the protection of investors or consumers to impose, as a term or condition to the granting of the exemptions of said issues and sales from the provisions of section 6 (a) of said Act, one or more of the following:

(a) A restriction in or prohibition of payment of dividends by Missouri Edison Company;

(b) A restriction with respect to the adequacy of the provisions of the indentures relative to issuance of additional bonds, and to maintenance, improvement, and sinking funds;

(c) Any other terms or conditions which may be appropriate in the premises.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4898; Filed, May 27, 1942;
9:36 a. m.]

[File Nos. 54-50, 59-39]

NORTH AMERICAN LIGHT & POWER
COMPANY ET AL.

ORDER RECONVENING HEARING AND GIVING
INTERESTED PERSONS FURTHER OPPOR-
TUNITY TO BE HEARD

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 25th day of May, A. D. 1942.

In the Matter of North American Light & Power Company, File No. 54-50; In the Matter of North American Light & Power Company Holding-Company System, and The North American Company, File No. 59-39; In the Matter of The North American Company, et al., File No. 59-10. (Public Utility Holding Company Act of 1935.)

The Commission, on May 5, 1942, having entered its Notice of Filing of Application No. 2; Order for Hearing For Purpose of Considering Said Applications; and Order of Consolidation; and

A hearing on said Application No. 2 having been held on May 18, 1942 and evidence having been adduced at said hearing; and North American Light & Power Company, The North American Company, City National Bank and Trust Company of Chicago, Illinois, Trustee under the Debenture Agreement dated July 1, 1926 securing the outstanding debentures of North American Light & Power Company, Mrs. Nellie D. Walters, a preferred stockholder of North American Light & Power Company, and counsel for the Public Utilities Division of the Commission having appeared at said hearing and having been heard;

North American Light & Power Company having informed the Commission that there may be other interested persons who may desire to be heard with respect to said Application No. 2 and for that purpose having requested the Commission that the hearing in the above entitled matter insofar as it relates to said Application No. 2 be reconvened on June 10, 1942 and that the time within which such persons may file briefs, requested findings or requests for oral argument with respect to said Application No. 2, be extended to June 15, 1942; and

It appearing to the Commission that said request should be granted;

It is ordered, That the hearing in the above entitled matter insofar as it relates to said Application No. 2 be reconvened on June 10, 1942 at ten o'clock A. M., at the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That the time for filing briefs, requested findings of facts or conclusions of law or request for oral argument with respect to said Application No. 2 be and the same hereby is extended to June 15, 1942.

It is further ordered, That all persons desiring to be heard or otherwise wishing to participate herein shall notify the Commission in the manner provided by

Rule XVII of the Commission's Rules of Practice on or before June 8, 1942.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-4899; Filed, May 27, 1942;
9:36 a. m.]

FLORIDA BONI & SHARE, INC.

FINDINGS AND ORDER REVOKING REGISTRATION AS BROKER AND DEALER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of May, A. D. 1942.

In the Matter of Florida Bond & Share, Inc., 309 O. B. & T. Building, Orlando, Florida

1. Florida Bond & Share, Inc., a Florida corporation, hereinafter called registrant, is registered with this Commission as an over-the-counter broker and dealer pursuant to section 15 of the Securities Exchange Act of 1934. Carl L. Courtney is president of the corporation. We instituted this proceeding under section 15 (b) to determine whether the registration of Florida Bond & Share, Inc. should be suspended or revoked.

2. The Commission's public official files disclose that during the period from approximately June 10, 1940, to September 10, 1941, the registrant was not registered as an over-the-counter broker and dealer.

3. Our order of April 22, 1942, instituting proceedings, stated that members of its staff had reported to the Commission information obtained as a result of an investigation which tended to show that:

A. During the period from approximately February of 1939 to approximately March of 1940, the registrant, as agent, purchased and sold securities for the accounts of various persons, and falsely represented to such persons the prices at which such purchases and sales had been effected, thereby obtaining secret profits.

B. During the period from approximately January of 1940, to approximately September of 1941, the registrant, while representing itself as engaged in the securities business, for the purpose of inducing certain persons to sell and purchase various securities at prices far below and far in excess of prevailing market prices, intended to and did withhold from such persons information as to the prevailing market prices thereof, and registrant purchased said securities from and sold said securities to said persons at prices having no reasonable relationship to such prevailing market prices.

C. During the period mentioned in Paragraph B, registrant solicited the accounts of certain persons who for the most part were uninformed and inexperienced in securities matters, and by its representations to, and its conduct toward such persons, induced them to believe that it would act and was acting for them in their best interests, and to repose trust and confidence in its advice with respect to the purchase and sale of

securities; whereas, in truth and in fact, registrant did not intend to act for them in their best interest, but intended to act and acted in its own interest and induced said persons to purchase, and sold to such persons, various securities at prices far in excess of the prices which registrant, at or about the time of such purchases, paid for such securities, and far in excess of the prevailing market prices therefor.

D. During the period mentioned in Paragraph B, registrant induced various persons to buy securities at prices substantially higher than the prevailing market prices of such securities, by falsely representing to such persons that the prices at which registrant would and did effect such transactions were the prevailing market prices of such securities.

E. During the period mentioned in Paragraph B, registrant induced certain persons to exchange securities which they had in many instances originally purchased from said registrant for other securities recommended by said registrant. In making and inducing said exchanges registrant represented to said persons that:

(1) The exchanges were in the best interest of such persons; when in fact said registrant knew that said exchanges were not in the best interest of said persons, but on the contrary said exchanges were intended to be and were effected by said registrant for its own benefit.

(2) In effecting such exchanges they would receive new securities, the value of which equalled the amount of money said persons had invested in the securities which they originally purchased; when in fact the value of said new securities did not equal the amount of money said persons had invested in the securities originally purchased but on the contrary said new securities had a value which was much less than the sum originally invested by said persons.

(3) The prevailing market prices of the securities received and those given in exchange bore reasonable relationship to one another; when in fact the prevailing market prices of the securities involved in the exchange did not bear any reasonable relationship to one another, but on the contrary the prevailing market prices of the securities received by the registrant were much higher than the prevailing market prices of the securities given to said persons.

F. Registrant used the mails and the instruments of interstate commerce in effecting transactions in and inducing the purchase and sale of the securities hereinbefore mentioned.

G. Registrant effected certain of the transactions hereinbefore mentioned otherwise than on a national securities exchange.

The Commission's order further stated that the information reported by its staff, as set forth above, tended, if true, to show that the registrant had wilfully violated section 17 (a) of the Securities Act of 1933, section 15 (a) and section 15 (c) (1) of the Securities Exchange Act

and Rules X-15C1-2 (a) and (b) of the Commission's rules thereunder.

4. The registrant, by Carl L. Courtney, its president, has submitted a document entitled "Answer and Consent to Revocation" in which the registrant admitted "only for the purpose of this proceeding or any subsequent proceeding brought pursuant to section 15 (b) of the Securities Exchange Act of 1934":

(1) That the registrant is controlled by Carl L. Courtney, its president and one of its directors, and is registered with the Securities and Exchange Commission pursuant to application filed on July 18, 1941.

(2) That registrant acknowledges receipt and service of adequate notice of the order of the Securities and Exchange Commission dated April 22, 1942, for proceedings and notice of hearing on the question of revocation and suspension of its registration pursuant to section 15 (b) of the Securities Exchange Act of 1934, and, having no desire to remain registered with the Securities and Exchange Commission and no desire to apply for registration at any future date, waives opportunity for hearing.

(3) That the registrant admits and acknowledges the existence of the alleged facts and the cause of action as set forth in the Commission's order for proceedings.

(4) That during the period from approximately February of 1939 to and including September of 1941, registrant used the mails and instruments of interstate commerce in effecting transactions in and inducing the purchases, sales, and exchanges of securities with the customers referred to in certain Schedules A to Q, attached to the "Answer and Consent."

(5) That among other transactions effected with customers of registrant, during the period from approximately February 1939 to approximately September 1941, were those specifically set forth on Schedules A to Q, attached to the "Answer and Consent."

(6) That the column referred to as "Low Bid" and "High Offer" in the schedules referred to are the bid and ask prices of such securities for the respective dates mentioned as reported by the National Quotation Bureau, Inc., in a publication known as National Quotation Sheets, and are an indication of the prevailing market prices.

(7) That during the period from approximately June 10, 1940, to approximately September 10, 1941, the registrant was engaged in business as a broker and dealer and in a number of transactions made use of the mails and means and instruments of interstate commerce to effect transactions in and to induce the purchase and sale of securities (other than exempted securities or commercial paper, bankers' acceptances or commercial bills), otherwise than on a national securities exchange, without being registered in accordance with the requirements of section 15 of the Securities Exchange Act of 1934.

In the above described document registrant also consented to the entry of an

order revoking its registration as an over-the-counter broker and dealer.

5. The schedules made a part of the "Answer and Consent to Revocation" submitted by the registrant disclose, among other things, the percentages of profit above market indications and above cost which were realized by the registrant in the various transactions it effected with its customers. It appears from said schedules, and we find, that the registrant effected approximately 32 transactions with various customers at prices ranging from 12.5% to 96.1% in excess of the high offering price for said securities as reported in the National Daily Quotation Sheets and in excess of the prices at which registrant purchased said securities from other brokers and dealers at or about the time of the sale to its customers. In 10 of these transactions registrant's sales prices ranged from 10% to 20% above the high offering prices in said sheets and above its cost; in 7 transactions the prices ranged from 21.6% to 28.2%; in 5 transactions the prices ranged from 30.6% to 35.3%; in 2 transactions the prices ranged from 43.3% to 44%; in 1 transaction 54.8%; and the remaining 6 transactions ranged from 62.6% to 96.1%.

6. We find that the registrant has willfully violated section 15 (c) (1) of the Securities Exchange Act of 1934 and Rules X-15C1-2 (a) and (b) of the Rules and Regulations thereunder, section 15 (a) of said Act and section 17 (a) of the Securities Act of 1933, and that it is necessary and appropriate in the public interest and for the protection of investors to revoke registrant's registration as an over-the-counter broker and dealer.

Accordingly, it is ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of Florida Bond & Share, Inc., as a broker and dealer be, and it hereby is, revoked.

By the Commission. (Chairman Purcell and Commissioners Healy, Pike, Burke, and O'Brien.)

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4900; Filed, May 27, 1942;
9:37 a. m.]

LOS ANGELES STOCK EXCHANGE

ORDER SETTING HEARING ON APPLICATIONS TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May, A. D. 1942.

In the Matter of Applications by the Los Angeles Stock Exchange to extend unlisted trading privileges to:

American Viscose Corporation \$14 Par Common Stock, File No. 7-650; Boeing Airplane Company \$5 Par Common Stock, File No. 7-651; The Borden Company \$15 Par Common Stock, File No.

7-652; Commonwealth Edison Company \$25 Par Shares, File No. 7-653; Consolidated Aircraft Corporation \$1 Par Common Stock, File No. 7-654; Crown Zellerbach Corporation \$5 Par Common Stock, File No. 7-655; Deere and Company Common Stock, No Par Value, File No. 7-656; The Electric Auto-Lite Company \$5 Par Common Stock, File No. 7-657; Great Northern Railway Company \$6 Non-Cumulative Preferred, No Par Value, File No. 7-658; Interlake Iron Corporation Common Stock, No Par Value, File No. 7-659; Newport News Shipbuilding and Dry Dock Company \$1 Par Common Stock, File No. 7-660; Phelps Dodge Corporation \$25 Par Capital Stock, File No. 7-661; Phillips Petroleum Company Capital Stock, No Par Value, File No. 7-662; Pullman Incorporated Capital Stock, No Par Value, File No. 7-663; Southern Railway Company \$100 Par 5% Non-Cumulative Preferred Stock, File No. 7-664; Standard Oil Company (Indiana) \$25 Par Capital Stock, File No. 7-665; Texas Gulf Sulphur Company Common Stock, No Par Value, File No. 7-666; Union Pacific Railroad Company \$100 Par Common Stock, File No. 7-667; The Western Union Telegraph Company \$100 Par Common Stock, File No. 7-668; The White Motor Company \$1 Par Common Stock, File No. 7-669; Wilson and Company, Incorporated, Common Stock, No Par Value, File No. 7-670; F. W. Woolworth Company \$10 Par Capital Stock, File No. 7-671.

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

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

It is ordered, That the matter be set down for hearing at 10 a. m. on Tuesday, June 30, 1942, at the office of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

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

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4901; Filed, May 27, 1942;
9:37 a. m.]

[File Nos. 54-44, 59-44]

UTILITIES STOCK & BOND CORP., EMPIRE SOUTHERN GAS CO., ET AL.

NOTICE OF AND ORDER FOR HEARING ON PLAN, NOTICE OF AND ORDER INSTITUTING PRO- CEEDINGS AND SETTING DATE FOR HEARING, AND ORDER CONSOLIDATING SUCH PROCEED- INGS FOR PURPOSES OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of May 1942.

In the Matter of Utilities Stock & Bond Corporation, Empire Southern Gas Company, Robert W. Rea and Floyd W. Woodcock, Applicants; and In the Matter of Utilities Stock & Bond Corporation, Empire Southern Gas Company, Empire Southern Production Company, Louisiana Ice & Electric Company, Inc., Three Counties Ice Company, and Ice Service Company, Respondents.

I

Notice is hereby given that a joint application and an amendment thereto have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Utilities Stock & Bond Corporation, Empire Southern Gas Company, Robert W. Rea, and Floyd W. Woodcock, wherein Utilities Stock & Bond Corporation applies for approval of a plan pursuant to section 11 (e) of said Act for divestment of securities held by it as necessary to effectuate the provisions of subsection (b) of section 11 of said Act, and as fair and equitable to the persons affected by said plan and for authorization pursuant to the applicable provisions of said Act and Rules thereunder of related transactions; and wherein Empire Southern Gas Company applies pursuant to sections 6, 7 and 12 for authorization of the issuance and sale of shares of common stock in the place and stead of its presently outstanding common stock; and wherein Robert W. Rea and Floyd W. Woodcock apply pursuant to sections 9 and 10 for the approval of the acquisition by them of securities to which they will be entitled upon the consummation of said plan.

The joint application states that Utilities Stock & Bond Corporation, as of November 30, 1941, owned (a) an unsecured 4% Promissory Note in the principal amount of \$1,500,000 and 1,000 shares of common stock, no par value, of Empire Southern Gas Company, representing all of the outstanding securities of said company; (b) 9,654 shares of common stock \$1 par value, of Louisiana Ice & Electric Company, Inc., representing 13.98% of the shares of said stock outstanding; and (c) as of December 15, 1941, 1,487 shares of common stock, \$1 par value, of East Coast Public Service Company, representing 4.87% of the shares of said stock outstanding.

It is further stated in the joint application that the plan pursuant to section 11 of the Act proposed by Utilities Stock

& Bond Corporation is to be submitted to its stockholders and upon the consummation thereof and transactions related thereto Utilities Stock & Bond Corporation will be in a position to file an application with the Commission for an order declaring it not to be a holding company.

It is further stated in the joint application that Empire Southern Gas Company, prior to the transactions proposed, will restate its Plant Account and Reserve for Depreciation on the basis of estimated original cost.

All interested persons are referred to said joint application as amended, which is on file in the office of this Commission, for a statement of the transactions proposed in said plan pursuant to section 11 (e) of said Act and related thereto, which are summarized as follows:

(1) The sale by Utilities Stock & Bond Corporation of 350 shares of common stock of Louisiana Ice & Electric Company, Inc. and 1,487 shares of common stock of East Coast Public Service Company, such sales to be made from time to time as market conditions may permit.

(2) The gratuitous forgiveness and contribution by Utilities Stock & Bond Corporation to Empire Southern Gas Company of the principal amount of the \$1,500,000 unsecured 4% Promissory Note above mentioned and the acquisition and cancellation of said Note by Empire Southern Gas Company.

(3) The recapitalization of Empire Southern Gas Company so that its capital structure will consist only of 69,780 shares of common stock, \$1.00 par value, in the place and stead of the outstanding 1,000 shares of no par common stock held by Utilities Stock & Bond Corporation.

(4) The distribution by Utilities Stock & Bond Corporation to its stockholders of the common stock of Empire Southern Gas Company and of the Louisiana Ice & Electric Company, Inc. on the basis of one share of Empire Southern Gas Company common stock and 8/60th of a share of Louisiana Ice & Electric Company, Inc. for each share of common stock of Utilities Stock & Bond Corporation held, with certificates of interest representing fractional interests in shares of Louisiana Ice & Electric Company, Inc. delivered where necessary to effectuate distribution.

(5) The acquisition by Robert W. Rea and Floyd W. Woodcock, respectively, of 16,850 and 4,444 shares of common stock of Empire Southern Gas Company and 2,246 and 542 shares of common stock of Louisiana Ice & Electric Company, Inc., said persons being entitled to the shares upon the distribution referred to in paragraph numbered (4) above.

II

The Commission's official files disclose that:

(1) Utility Stock & Bond Corporation is a registered holding company, organized under the laws of Delaware, maintaining its principal offices for the doing of business in Wilmington, Delaware.

(2) The following is a corporate chart as of November 30, 1941, of the Utilities

Stock & Bond Corporation holding company system:

Company	Incorporation	Control	Kind of business
Utilities Stock & Bond Corporation.....	Delaware, 1933.....	<i>Per cent</i>	Holding company.
Empire Southern Gas Co.....	Delaware, 1930.....	100	Natural gas utility.
Empire Southern Production Co.....	Texas, 1933.....	100	Natural gas production.
Louisiana Ice & Electric Co., Inc.....	Louisiana, 1934.....	13.98	Electric utility, water and ice.
Three Counties Ice Co.....	Texas, 1934.....	100	Ice.
Ice Service Delivery, Inc.....	Louisiana 1930.....	35 1/4	Ice delivery.

(3) Empire Southern Gas Company and its wholly-owned subsidiary company, Empire Southern Production Company, are engaged in the business of supplying natural gas to the communities, and the vicinities thereof, indicated below:

Name and State

Brady, Gorman, Desdimona, Carbon, Coahoma, Forsan, Rockwood, Lohm, Whon, Fife, and Frickham, Texas.

Minden, Silby, Couchwood, and Hartman, Louisiana.

Clarksville, Arkansas.

(4) Louisiana Ice & Electric Company, and its subsidiary companies, Three Counties Ice Company, and Ice Service Delivery, Inc., are engaged in the electric, ice and water business, serving communities located principally in the central part of Louisiana in the vicinity of Alexandria.

III

The Commission having been advised by its Public Utilities Division that the information set out in section II hereof and further information contained in the Commission's public and official files tend to show that:

(1) Utilities Stock & Bond Corporation and its subsidiary companies constitute more than a single integrated public-utility system, and such other businesses as are reasonably incidental, or economically necessary or appropriate to the operations of such integrated public-utility system, and systems additional thereto, control of which may be retained by Utilities Stock & Bond Corporation under section 11 (b) (1) of said Act.

(2) The gas properties of Empire Southern Gas Company and its subsidiary, Empire Southern Gas Production Company, are scattered and small and depend on extra-system sources for their supply of gas.

IV

It being the duty of the Commission, pursuant to section 11 (b) (1) of the Act, to require, by order, after notice and opportunity for hearing, that each registered holding company, and each subsidiary company thereof, shall take such action as the Commission shall find necessary to limit the operations of the holding-company system, of which said company is a part, to a single integrated public-utility system and to such other businesses as are reasonably incidental or economically necessary or appropriate to the operations as such an integrated public-utility system and to such addi-

tional integrated public-utility system or systems which the Commission finds to be in compliance with the standards of subsections (A), (B) and (C) of section 11 (b) (1); and

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

It, therefore, appearing appropriate to the Commission that notice be given and a hearing be held for the purpose of determining what action should be ordered under section 11 (b) (1), and with respect to the proposed plan filed under section 11 (e); and it further appearing to the Commission that said proceedings involve common questions of law and fact and should be consolidated and heard together;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 18, 1942 at 10:00 o'clock a. m., E. W. T., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at such time the hearing-room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declaration or application (or both), regarding a plan filed pursuant to section 11 (e) of said Act, shall become effective or shall be granted, and why an order should not be entered pursuant to section 11 (b) (1) of said Act requiring Utilities Stock & Bond Corporation to limit the operations of its holding-company system to a single integrated public-utility system and to such other businesses as are reasonably incidental or economically necessary or appropriate to the operations of such integrated public-utility system.

Notice is hereby given of said hearing to the above-named respondents and applicants, to all security holders of Utilities Stock & Bond Corporation and to any other interested persons, said notice to be given to said declarants and applicants by registered mail and to all other persons by a general release of this Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication in the FEDERAL REGISTER; and

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that

purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That Utility Stock & Bond Corporation, Empire Southern Gas Company, Empire Southern Production Company, Louisiana Ice & Electric Company, Three Counties Ice Company, and Ice Service Company, respondents herein file with the Secretary of the Commission on or before June 9, 1942 their respective answers, admitting or denying, or otherwise explaining the allegations of Paragraphs II and III.

It is further ordered, That, without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 is necessary and appropriate to effectuate the provisions of subsection (b) of section 11 of said Act.
2. Whether such proposed plan is fair and equitable to the persons affected thereby, including consideration of the proposed allocation of assets of Utilities Stock & Bond Corporation among its common stockholders.
3. Whether transactions incidental to consummation of the proposed plan filed under section 11 (e) of the Public Utility Holding Company Act comply with the requirements of all other applicable provisions of said Act, particularly sections 7, 10 and 12 thereof.
4. Whether the allegations of sections II and III hereof are true and accurate.
5. What order, if any, should be entered pursuant to section 11 (b) (1) of the Act, requiring Utilities Stock & Bond Corporation to limit its operations to a single integrated public-utility system, and systems or businesses additional thereto control of which may be retained under section 11 (b) (1) of the Act.
6. Whether the proposed recapitalization of Empire Southern Gas Company meets the requirements of the Public Utility Holding Company Act of 1935, particularly sections 6, 7, 10, and 12 thereof.
7. Whether the proposed acquisition by Robert W. Rea and Floyd W. Woodcock of securities to which they will be entitled under the plan filed pursuant to said section 11 (e) meets the requirements of the Public Utility Holding Company Act of 1935, particularly section 10 thereof.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, the proceedings instituted by this order under section 11 (b) (1) and the appli-

cation for approval of said plan filed under section 11 (e).

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-4902; Filed, May 27, 1942;
9:38 a. m.]

[File Nos. 70-549, 70-551]

ASSOCIATED ELECTRIC COMPANY AND NY
PA NJ UTILITIES COMPANY

NOTICE OF FILING AND ORDER FOR HEARING
AND ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 25th day of May, A. D. 1942.

Notice is hereby given that applications and declarations have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Electric Company, a registered holding company, and by NY PA NJ Utilities Company, a registered holding company, both of them subsidiaries of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding corporation. All interested persons are referred to said applications and declarations which are on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

NY PA NJ Utilities Company proposes to exchange its present holdings of 1,572 shares of \$2.80 Cumulative Preferred Stock, no par value, and 115,000 shares of Common Stock, \$1.00 par value (being the entire common stock of) of Keystone Public Service Company, with Associated Electric Company, for \$1,832,500 principal amount of The Metropolitan Edison Corporation Secured Consolidated Refunding Gold Bonds, 6% Series, due 1961, now held by Associated Electric Company. As part of the transaction Associated Electric Company proposes to deliver the said bonds to The Pennsylvania Company for Insurances on Lives and Granting Annuities, as trustee under the indenture dated as of August 1, 1936, between NY PA NJ Utilities Company and The Pennsylvania Company for Insurances on Lives and Granting Annuities. NY PA NJ Utilities Company will obtain the release of 1,408 shares of \$2.80 Cumulative Preferred Stock and 115,000 Common Stock of Keystone Service Company now pledged as collateral with the Indenture Trustee.

The applicants and declarants consider sections 6 (a), 7, 9 (a), 10, 12 (c), 12 (d) and 12 (f) of the Act and Rules U-42 and U-43 of the General Rules and Regulations as being applicable to the proposed transactions.

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and con-

sumers that a hearing be held with respect to the said declarations and applications and that said declarations shall not become effective or said applications may be granted except pursuant to further order of the Commission, and that at said hearing there be considered among other things the various matters hereinafter set forth:

It further appearing that the foregoing matters are related and that evidence offered in respect to each of the matters may have a bearing on the other, and that substantial savings in time, effort and expense will result if said matters are consolidated.

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

It is further ordered, That a hearing be held upon said matters as consolidated on June 11, 1942 at 10 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations shall become effective.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said applications and declarations, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the consideration to be paid by Associated Electric Company for the securities of Keystone Public Service Company to NY PA NJ Utilities Company is reasonable.
2. Whether the terms and conditions of any or all of the proposed transactions are detrimental to the public interest or the interests of investors or consumers.
3. Whether terms and conditions are necessary to be imposed to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or order promulgated thereunder.
4. Generally, whether all actions proposed to be taken comply with the requirements of such Act and rules, regulations or order promulgated thereunder.

Notice of such hearing is hereby given to such declarants and applicants and to any other person whose participation in such proceeding may be in the public interest and for the protection of investors or consumers. It is requested that any person desiring to be heard and to be admitted as a party to such proceed-

ing shall file with the Secretary of the Commission on or before June 6, 1942, his request for application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-4903; Filed, May 27, 1942;
9:38 a. m.]

[File Nos. 70-427, 59-30, 54-49, 70-534]

VIRGINIA PUBLIC SERVICE COMPANY, ET AL.

ORDER CONCERNING REFUNDING PROGRAM

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 22nd day of May, A. D. 1942.

This Commission having on August 12, 1941, instituted proceedings (File No. 59-30) pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 directed to Virginia Public Service Company and its parent holding companies, for the purpose of bringing about a fair and equitable distribution of voting power among security holders of said Virginia Public Service Company (File No. 59-30);

Virginia Public Service Company having filed certain applications and declarations with respect to the issuance of certain securities, the elimination of certain subsidiaries, the acquisition of their assets by Virginia Public Service Company, the making of certain accounting adjustments, and various related matters (File No. 70-427);

Virginia Public Service Company having filed a plan (File No. 54-49) pursuant to section 11 (e) of the Public Utility Holding Company Act for the purpose of distributing voting power among its security holders on a fair and equitable basis, which plan contemplates the issuance of new common stock in exchange for presently outstanding preferred and common stock, and Virginia Public Service Company having, in connection with the filing of said plan, amended its previous applications and declarations to provide for the issuance and sale of \$26,000,000 principal amount of First Mortgage Bonds, 3¾% series, due 1972, and \$10,500,000 principal amount of Sinking Fund Debentures, due 1957, with interest not to exceed 5% per annum;

General Gas & Electric Corporation, a registered holding company and the parent company of Virginia Public Service Company, having filed a declaration (File No. 70-534) with respect to \$1,200,000 of Bonds of Virginia Public Service Company held by said General Gas & Electric Corporation;

The Commission having previously consolidated all of said matters; hearings having been held; the Commission having been requested by certain interested parties to dispose immediately of the application of Virginia Public Service Company with respect to the issue and sale of said bonds and debentures and the declaration regarding certain related matters, and to reserve other matters for

subsequent consideration; the Commission having considered said request and granted it by order entered May 18, 1942; and

Hearings having been completed with respect to the issuance and sale of said bonds and debentures and certain related matters; interested parties having waived requested findings, briefs, reply briefs and oral argument with respect to such matters; the Commission having considered the record and having made and filed its Findings and Opinion herein, and being of the opinion that action may appropriately be taken as hereinafter ordered;

It is ordered, That the application of Virginia Public Service Company, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for an exemption from the provisions of section 6 (a) with respect to the issuance and sale of the aforesaid \$26,000,000 principal amount 3¾% First Mortgage Bonds and \$10,500,000 Sinking Fund Debentures be, and the same hereby is, approved and the declaration with respect to the dissolution of certain subsidiaries of said Virginia Public Service Company and various related transactions is permitted to become effective, and the application by Virginia Public Service Company to shorten the ten day period otherwise required by Rule U-50 to five days, be and is hereby granted, subject to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations under the Public Utility Holding Company Act of 1935 and to the following additional conditions:

(1) That the following adjustments, which have been proposed by Virginia Public Service Company and approved by the Corporation Commission of the Commonwealth of Virginia, be made in the accounts of Virginia Public Service Company:

(a) That Virginia Public Service Company credit its Retirement Reserve for Electric Property in the amount of \$1,316,303 and the Retirement Reserve for Gas Property in the amount of \$325,952, the charge for such amounts to be made to Earned Surplus.

(b) That Virginia Public Service create a Reserve for Plant Adjustments in the aggregate of \$2,854,327 by a charge to Earned Surplus in like amount. Of this amount \$1,516,648 is to be applicable to Electric Fixed Property, and \$411,265 is to be applicable to Gas Fixed Property.

(c) That Ice Fixed Capital be reduced by the amount of \$127,818.39 by a charge to Ice Retirement Reserve.

(d) That Virginia Public Service Company set up a reserve in the amount of \$780,000 applicable to its investment in Eastern Shore Public Service Company's common stock to provide for estimated loss to be incurred in connection with the contemplated sale of such stock.

(2) That until the ratio of total First Mortgage Bonds plus total debentures outstanding to total net assets, after making the accounting adjustments herein ordered, shall have been reduced to 75%, no dividends shall be paid on any class of capital stock.

(3) That General Gas & Electric Corporation surrender to Virginia Public Service Company the First and Refunding, Series B Bonds, of Virginia Public Service Company in the principal amount of \$1,200,000, which it presently holds in its portfolio, and that upon such surrender, Virginia Public Service Company hold in a special account, or deposit in escrow with a bank or trust company, cash in the amount of \$1,164,000 (representing cost at 37% of par, of said bonds to General Gas & Electric Corporation), plus interest which shall have accrued on said bonds up to the date such funds are so deposited, said funds to remain in escrow pending a determination by this Commission in these proceedings of the issues involved with respect to the relative rights of General Gas & Electric Corporation and Virginia Public Service Company thereto. In the event of the institution of judicial proceedings for the purpose of reviewing any order which the Commission may enter with respect to said issues, said funds shall remain in escrow as aforesaid until final determination of any such proceedings.

(4) That in the event it is finally determined that the aforesaid bonds of \$1,200,000 now held by General Gas & Electric Corporation should in some way be subordinated, in whole or in part, or in the event that it is otherwise determined for any reason that General Gas & Electric Corporation is not entitled to realize upon said bonds in cash, then, and in either such event, the funds so deposited shall be used by Virginia Public Service Company for construction requirements, or in the alternative, shall be deposited with the trustee under the new bond issue and used in the same manner as sinking fund payments required under the bond indenture.

(5) That Virginia Public Service Company report to the Commission the results of the competitive bidding as required by Rule U-50 (c) and comply with such supplemental order as the Commission may enter in view of the facts disclosed thereby.

(6) That jurisdiction be and is hereby reserved over all legal fees to be paid to Hunton, Williams, Anderson, Gay and Moore, counsel for Virginia Public Service Company.

It is further ordered, That jurisdiction be and is hereby reserved to consider all matters in these proceedings not hereby determined, and specifically, without limiting the generality of the foregoing, the questions presented by the plan for the redistribution of voting power among security holders of Virginia Public Service Company under section 11 (e), the questions with respect to the participation, if any, of General Gas & Electric Corporation on account of the said \$1,200,000 of bonds which it holds, and the disposition of any other problems presented under section 11 (b) (2).

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

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9:38 a. m.]