

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

VOLUME 7 NUMBER 99

*Washington, Thursday, May 21, 1942*

*The President*

**EXECUTIVE ORDER 9164**

AMENDING SECTION 1 OF EXECUTIVE ORDER No. 8986 OF DECEMBER 19, 1941, AUTHORIZING THE GOVERNOR OF THE PANAMA CANAL TO INCREASE THE COMPENSATION OF CERTAIN EMPLOYEES

By virtue of the authority vested in me by section 81 of title 2 of the Canal Zone Code, as amended by section 3 of the act of July 9, 1937 (50 Stat. 487), section 1 of Executive Order No. 8986 of December 19, 1941, is hereby amended to read as follows:

"SECTION 1. The Governor of The Panama Canal is authorized to increase the rate of compensation of alien employees of The Panama Canal or the Panama Railroad Company to more than \$960 a year or 40 cents an hour; but such employees shall have no greater leave privileges than employees whose rate of compensation is not greater than \$960 a year or 40 cents an hour."

This amendment shall remain in effect during the continuance of the war in which the United States is now engaged and for six months after the termination thereof.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
May 18, 1942.

[F. R. Doc. 42-4581; Filed, May 19, 1942; 12:29 p. m.]

**EXECUTIVE ORDER 9165**

PROVIDING FOR THE PROTECTION OF ESSENTIAL FACILITIES FROM SABOTAGE AND OTHER DESTRUCTIVE ACTS

WHEREAS Executive Order No. 8972 of December 12, 1941 authorized and directed the Secretary of War and the Secretary of the Navy to establish and main-

tain military guards and patrols and take other appropriate measures to protect from injury or destruction national-defense materials, premises and utilities; and

WHEREAS Executive Order No. 9074 of February 25, 1942, made the Secretary of the Navy primarily responsible, and directed him to take such action as might be necessary, for the safeguarding against destruction, loss, or injury, from sabotage or other subversive acts, accident, or other causes of similar nature, of vessels, harbors, ports and waterfront facilities; and

WHEREAS I requested the Federal Power Commission, under date of June 14, 1940, to work out plans for the protection of electric power supply from hostile acts; and

WHEREAS it is desirable that supplementary protective measures be developed and executed by other Federal departments and agencies, and integrated with the protective programs of the Army, Navy, and Federal Power Commission;

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes of the United States, as President of the United States and Commander in Chief of the Army and Navy, and in order to provide protective measures supplementary to and integrated with the protective programs of the Army, Navy, and Federal Power Commission, it is hereby ordered as follows:

1. In addition to the functions, powers, and duties conferred upon it by Executive Order No. 8757 of May 20, 1941, as amended by Executive Order No. 9134 of April 15, 1942, the Office of Civilian Defense shall, in conjunction with and subject to the approval of the Secretary of War, formulate and establish a Facility Security Program of the Office of Civilian Defense, designed to assure the development and execution of measures for the protection of essential facilities

<sup>1</sup> 7 F.R. 1587.  
<sup>2</sup> 6 F.R. 2517.  
<sup>3</sup> 7 F.R. 2887.

**CONTENTS**

**THE PRESIDENT**

EXECUTIVE ORDERS:	Page
Beltrami Wildlife Management Area, Minnesota, correction.....	3767
Halfbreed Lake National Wildlife Refuge, Montana, establishment.....	3767
Lamesteer National Wildlife Refuge, Montana, establishment.....	3767
Panama Canal, increase in compensation of certain employees.....	3765
Protection of essential facilities from sabotage and other destructive acts; functions of agencies.....	3765

**REGULATIONS**

<b>ALIEN PROPERTY CUSTODIAN:</b>	
Vesting orders:	
American Bosch Corp.....	3768
Copyrights, applications and claims.....	3768
Steel Union, Inc.....	3767
<b>BITUMINOUS COAL DIVISION:</b>	
Price schedules modified, etc.:	
District 8.....	3769
District 11.....	3769
<b>CIVIL AERONAUTICS BOARD:</b>	
Manufacture of parachute replacement parts by Forest Service permitted.....	3768
<b>FARM CREDIT ADMINISTRATION:</b>	
Federal Land Bank of Wichita, prepayment fees.....	3767
<b>HOME OWNERS' LOAN CORPORATION:</b>	
Loan service; property inspection.....	3769
Property management; jurisdiction.....	3769
<b>OFFICE OF CIVILIAN DEFENSE:</b>	
Establishment of Citizens Defense Corps, Citizens Service Corps, Civil Air Patrol, and Civilian Defense Auxiliary Group.....	3784
Insignia; arm bands and brassards.....	3785

(Continued on next page)

<sup>1</sup> 6 F.R. 6625.  
<sup>2</sup> 6 F.R. 6420.



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

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

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

CONTENTS—Continued

<b>OFFICE OF DEFENSE TRANSPORTATION:</b>	Page
Motor equipment conservation; charter and sightseeing service.....	3786
Rail equipment conservation; certain tank car shipments excepted.....	3786
<b>OFFICE OF PRICE ADMINISTRATION:</b>	
Appalachian hardwood lumber, price regulation.....	3776
Commodities and services, general price regulation amended.....	3782
Ethyl alcohol produced from molasses, price schedule amended.....	3775
Fuel oil storage tanks, domestic; price schedule amended.....	3774
Gasoline rationing regulations amended.....	3782
Paper and paper products, enforcement and licensing provisions amended:	
Old rags.....	3775
Wastepaper.....	3775
Sugar rationing regulations amended.....	3783
Vacuum cleaners and attachments, price regulation amended.....	3776
<b>PETROLEUM COORDINATOR FOR WAR:</b>	
Production; discretion of courts to enjoin illegally drilled oil or gas wells.....	3783
<b>STATE DEPARTMENT:</b>	
Changes in part numbers of regulations.....	3769
<b>SELECTIVE SERVICE SYSTEM:</b>	
Classification; certain relatives defined.....	3770
Non-expendable property forms prescribed.....	3771
Officers; disqualification.....	3770

CONTENTS—Continued

<b>TREASURY: MONETARY OFFICES:</b>	Page
Foreign exchange transactions, General Ruling 5 amended.....	3770
<b>WAR DEPARTMENT:</b>	
Personnel; service uniform amendments.....	3768
<b>WAR PRODUCTION BOARD:</b>	
Construction, conservation order corrected.....	3774
Feminine apparel, limitation order amended.....	3771

NOTICES

<b>BITUMINOUS COAL DIVISION:</b>	
District Board 2, temporary relief order.....	3790
Hearings:	
District Board 15.....	3794
Graden Coal Co.....	3791
Kristianson & Johnson Coal Co. Inc.....	3793
Okes, C. F.....	3792
Thompson, George.....	3792
Romans, Lonnie, complaint dismissed, etc.....	3790
Spicer, A. D., cease and desist order, etc.....	3791
<b>WAGE AND HOUR DIVISION:</b>	
Employment of learners, various industries (2 documents).....	3794, 3795
<b>OFFICE OF PRICE ADMINISTRATION:</b>	
Samuel Stamping and Enameling Co., new model prices.....	3795
<b>SECURITIES AND EXCHANGE COMMISSION:</b>	
Declarations effective:	
Eastern Shore Public Service Co. (Del.).....	3796
United Gas Improvement Co., and Commonwealth Utilities Corp.....	3795
Hearings, postponements, etc.:	
Cities Service Co., et al.....	3796
New York Curb Exchange.....	3797
Sivyer Steel Casting Co.....	3796
Public Service Co. of Indiana, Inc., application granted.....	3796
Virginia Public Service Co., et al., procedure defined.....	3797

CONTENTS—Continued

<b>WAR DEPARTMENT:</b>	Page
Departmental and Field Services, 7-day week.....	3790
Exclusion of persons of Japanese ancestry from restricted areas (10 documents).....	3787-3790
Prostitution near Army establishments, limitation.....	3790

from sabotage and other destructive acts and omissions, which Program shall be supplementary to and correlated with the protective programs of the Army, Navy, and Federal Power Commission. Whenever the Army or Navy shall extend protection to any essential facilities, the Office of Civilian Defense shall modify its security measures according to the extent determined by the Secretary of War or the Secretary of the Navy, as the case may be.

2. In order to carry out such Facility Security Program, the Office of Civilian Defense shall:

a. Serve as the center for the coordination of plans sponsored or operated by the several Federal departments and agencies

b. Establish standards of security to govern the development of security measures for the Nation's essential facilities

c. Review existing and proposed security plans and measures, and require the adoption of such additional measures as may be deemed necessary

d. Take steps to secure the cooperation of owners and operators of essential facilities and of State and local governments in developing and carrying out adequate security measures.

3. Subject to and in conformity with the policies, standards, plans, directives and procedures of the Office of Civilian Defense, the following Federal departments and agencies shall effect the development and execution of said Facility Security Program with respect to the facility groups indicated.

Federal Communications Commission.....	Communications
Department of Commerce.....	Air Commerce and Related Facilities
Public Roads Administration.....	Highway Transportation and Related Facilities
Office of Defense Transportation.....	Rail Transportation and Related Facilities
Public Buildings Administration.....	Public Buildings
Department of Agriculture.....	Forest, Brush and Grass Lands under the jurisdiction of the Department of Agriculture, and Related Facilities
Department of the Interior.....	Forest, Brush and Grass Lands under the jurisdiction of the Department of the Interior, and Related Facilities
Department of the Interior.....	Minerals and Related Facilities
Federal Power Commission.....	Gas Utilities
Federal Power Commission.....	Power and Irrigation Water, and Related Facilities
Department of the Interior.....	
Public Health Service.....	Domestic Water Supply
Department of Agriculture.....	Foodstuffs and Storage including Fibers, Naval Stores, Vegetable Oils

4. In order to effect the development and execution of security plans for the essential facility groups herein assigned to it, each of the above named Federal departments and agencies shall:

a. Conduct surveys to ascertain security status;

b. Determine security deficiencies;

c. Make recommendations for security action by owners and operators, by State

and local governments, and by Federal departments and agencies;

d. Make recurring inspections to determine that adequate standards of security against sabotage and other destructive acts or omissions are maintained;

e. Take all other necessary steps within the scope of its authority for the protection of essential facilities against sabotage and other destructive acts or omissions.

5. Nothing in this order shall:

a. relieve any owner or operator or any local, State or Federal agency from primary responsibility to guard and protect essential facilities from sabotage and other destructive acts and omissions;

b. be construed to limit or modify the duty and responsibility of the Federal Bureau of Investigation, Department of Justice, with respect to the investigation of alleged acts of sabotage, espionage, and other types of subversive activities, or affect existing arrangements, instructions or regulations with respect to such matters.

6. The directive to the Federal Works Agency to take steps to protect public buildings, as contained in my letter of January 12, 1942, is hereby modified so far as may be required by the provisions of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
May 19, 1942.

[F. R. Doc. 42-4635; Filed, May 20, 1942;  
11:50 a. m.]

EXECUTIVE ORDER 9166

ESTABLISHING THE LAMESTEER NATIONAL  
WILDLIFE REFUGE

MONTANA

By virtue of the authority vested in me as President of the United States, it is ordered that all lands and waters owned or controlled by the United States within the following-described area, comprising 800 acres, more or less, of non-public lands in Wibaux County, Montana, be, and they are hereby, reserved and set apart, subject to valid rights, for the use of the Department of the Interior as a refuge and breeding ground for migratory birds and other wildlife:

PRINCIPAL MERIDIAN

T. 12 N., R. 60 E.,  
sec. 14, SW $\frac{1}{4}$ ;  
sec. 15, all.

It is unlawful for any person to pursue, hunt, trap, capture, willfully disturb, or kill any bird or wild animal of any kind whatsoever within the limits of the refuge, or to enter thereon, except under such rules and regulations as may be

prescribed by the Secretary of the Interior.

This reservation shall be known as the Lamesteer National Wildlife Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
May 19, 1942.

[F. R. Doc. 42-4630; Filed, May 20, 1942;  
11:50 a. m.]

EXECUTIVE ORDER 9167

ESTABLISHING THE HALFBREED LAKE  
NATIONAL WILDLIFE REFUGE

MONTANA

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights, all lands and waters owned or controlled by the United States within the following-described area, comprising 3,078.24 acres, more or less, of nonpublic lands in Stillwater County, Montana, be, and they are hereby, reserved for the use of the Department of the Interior as a refuge and breeding ground for migratory birds and other wildlife: *Provided, however,* That any private lands within the area described shall become a part of the refuge upon the acquisition of title thereto or control thereof by the United States:

PRINCIPAL MERIDIAN

T. 2 N., R. 21 E., fractional secs. 3 and 4, all;  
secs. 9 and 10, all;

T. 3 N., R. 21 E.,  
sec. 33, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
sec. 34, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .

It is unlawful for any person to pursue, hunt, trap, capture, willfully disturb, or kill any bird or wild animal of any kind whatsoever within the limits of the refuge, or to enter thereon, except under such rules and regulations as may be prescribed by the Secretary of the Interior.

This reservation shall be known as the Halfbreed Lake National Wildlife Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
May 19, 1942.

[F. R. Doc. 42-4631; Filed, May 20, 1942;  
11:50 a. m.]

EXECUTIVE ORDER 9091

ESTABLISHING THE BELTRAMI WILDLIFE  
MANAGEMENT AREA

MINNESOTA

Corrections

On page 1778 of the issue for Tuesday, March 10, 1942, the line under Township 157 North, Range 33 West which reads "fractional sec. 19, lots 2 and 3" should appear under Township 158 North, Range 32 West. In the second column of page 1779 the third line should read "fractional sec. 31, lots 1 and 2, NE $\frac{1}{4}$ , and". In the

middle column of page 1780 under Township 159 North, Range 37 West, the first line for section 20 should read "sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and". The first line for fractional section 33 should have "NE $\frac{1}{4}$ " instead of "SE $\frac{1}{4}$ ".

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 29—THE FEDERAL LAND BANK OF  
WICHITA

PREPAYMENT FEES

Section 29.5 of Title 6, Code of Federal Regulations, as amended April 14, 1939 (4 F.R. 2101), as amended August 28, 1939 (4 F.R. 3743), is amended to read as follows:

§ 29.5 *Prepayment fees.* No fee shall be charged for prepayment of land bank loans. (Sec. 12 "Second," 39 Stat. 370, as amended; 12 U.S.C., 771 "Second," 6 CFR 10.386)

[SEAL] THE FEDERAL LAND BANK  
OF WICHITA,  
C. G. SHULL, *President.*

APRIL 25, 1942.

[F. R. Doc. 42-4616; Filed, May 20, 1942;  
10:55 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of the Alien Property  
Custodian

PART 502—VESTING ORDERS

VESTING OF STOCK OF STEEL UNION, INC.

§ 502.7 *Vesting Order No. 7.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C.A. App. sec. 5 (b)), as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong., 1st sess.), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the 25 shares of the capital stock of Steel Union, Inc., a California corporation, presently registered in the name of Aktiebolaget Pars, a Swedish corporation, and evidenced by Certificate No. 7, are the property of nationals of a foreign country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such properties including all interest therein shall be vested forthwith in the Alien Property Custodian, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a spe-



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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended,<sup>1</sup> claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian. (E.O. 9095, 7 F.R. 1971)

This order shall be published in the FEDERAL REGISTER.

Executed at Washington, D. C. on May 16, 1942.

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 42-4582; Filed, May 19, 1942;  
4:21 p. m.]

#### PART 502—VESTING ORDERS

##### VESTING OF CERTAIN COPYRIGHTS, COPYRIGHT APPLICATIONS AND COPYRIGHT CLAIMS

§ 502.8 *Vesting Order No. 8.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C.A. App. sec. 5 (b)), as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong., 1st sess.), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation that the property described in Exhibit A attached hereto and made a part hereof is the property of nationals of a foreign country designated in Executive Order No. 8389, as amended,<sup>1</sup> as defined therein, and that the action herein taken is in the public interest, hereby directs that there shall be vested forthwith in the Alien Property Custodian all right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in the property described in the aforesaid Exhibit A to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

<sup>1</sup> 5 F.R. 1400; 6 F.R. 2897, 3715, 6348, 6785.

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian. (E.O. 9095, 7 F.R. 1971)

This order shall be published in the FEDERAL REGISTER.

Executed at Washington, D. C. on May 19, 1942.

LEO T. CROWLEY,  
*Alien Property Custodian.*

##### EXHIBIT A—COPYRIGHTS, COPYRIGHT APPLICATIONS AND COPYRIGHT CLAIMS

1. Copyright Number A Foreign 44784, published July 4, 1939, entitled "Grundriss der Luftsahtmedizin" and claimed by Johann Ambrosius Barth of Leipzig, Germany.

2. Copyright application dated April 27, 1940, on "Die Sirene" published February 13, 1940, and claimed by Deutscher Verlag, Berlin S. W. 68, Kochstr., 22-26.

3. Copyright claim on "Gasschutz und Luftschutz" claimed by Dr. Ebeling Kommanditges, Berlin-Charlottenburg 5, Kaiserdamm 117.

4. Copyright claim on "Die Gasmaske" claimed by Auergesellschaft A. G. Berlin N. 65, Friedrich-Krause-Ufer 24.

5. Copyright claim on "Luftschutz" claimed by Carl F. Lederer, Wien 5, Kriehubergasse 24-26.

[F. R. Doc. 42-4583; Filed, May 19, 1942;  
4:21 p. m.]

#### PART 502—VESTING ORDERS

##### VESTING OF CAPITAL STOCK OF AMERICAN BOSCH CORPORATION

§ 502.9 *Vesting Order No. 9.* Under the authority of sec. 5 (b) of the Trading with the Enemy Act of October 6, 1917 (50 U.S.C.A. App. sec. 5 (b)), as amended by sec. 301 of the First War Powers Act, 1941 (Pub. Law 354, 77th Cong., 1st sess.), and pursuant to Executive Order 9095, March 11, 1942, the undersigned, finding upon investigation 535,000 shares of the capital stock of American Bosch Corporation (A New York Corporation), deposited with the City Bank Farmers Trust Company, 22 William Street, New York, New York, as agent for the voting trustee appointed pursuant to a voting trust agreement dated November 30, 1940, are the property of nationals of a foreign country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that there shall be vested forthwith in the Alien Property Custodian all subject shares including all interests therein, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a spe-

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

Any person not a national of a foreign country designated in Executive Order No. 8389 as amended,<sup>1</sup> claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian. (E.O. 9095, 7 F.R. 1971)

This order shall be published in the FEDERAL REGISTER.

Executed at Washington, D. C., on May 19, 1942.

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 42-4584; Filed, May 19, 1942;  
4:21 p. m.]

#### TITLE 10—ARMY: WAR DEPARTMENT

##### Chapter VII—Personnel

##### PART 79—PRESCRIBED SERVICE UNIFORM

Section 79.2 (a) (2) is hereby amended by adding subdivision (v) as follows:

§ 79.2 *Adopted standards of cloths.*

(a) *For officers, warrant officers, and contract surgeons.*

(2) *For summer uniform.*

(v) Gabardine, khaki. (R.S. 1296; 10 U.S.C. 1391) [Par. 2a, AR 600-35, Nov. 10, 1941, as amended by Cir. 144, W.D., May 14, 1942]

[SEAL]

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

[F. R. Doc. 42-4636; Filed, May 20, 1942;  
12:00 m.]

#### TITLE 14—CIVIL AVIATION

##### Chapter I—Civil Aeronautics Board

[Regulations, Serial No. 221]

##### PART 24—MECHANIC CERTIFICATES

##### MANUFACTURE OF PARACHUTE REPLACEMENT PARTS BY FOREST SERVICE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 18th day of May, 1942.

It appearing that: (a) The Forest Service of the Department of Agriculture possesses a number of Eagle Parachutes used in the dropping of trained personnel to fight forest fires;

(b) This equipment has been in use for some time and is in need of repair and replacement;

(c) Part 24 of the Civil Air Regulations prohibits a certificated mechanic from making any major parachute repairs unless at the time of the making of such repairs he is in the employ of the manufacturer of the parachute or another parachute manufacturer deemed competent for the purpose by the Administrator;

(d) These replacements cannot be secured from parachute manufacturers because of the present war emergency;

(e) The Forest Service is equipped with adequate facilities and personnel to properly make such parts as it needs;

(f) This equipment is necessary in order to conserve the timber supply of this country;

The Board finds that: Its action is desirable in the public interest and necessary to the furtherance of the war effort;

Now therefore, the Civil Aeronautics Board, acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 601 and 602 of said Act, makes and promulgates the following special regulation to be effective immediately:

Notwithstanding the provisions of § 24.52 of the Civil Air Regulations the Forest Service of the Department of Agriculture, or its authorized employees, may manufacture replacement parts for and make repairs to its parachute equipment: *Provided*, That it shall not replace panels or make canopies: *Provided further*, That all replacement parts manufactured and repairs made, shall meet the applicable airworthiness requirements of the Civil Air Regulations.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
*Secretary.*

[F. R. Doc. 42-4629; Filed, May 20, 1942; 11:45 a. m.]

## TITLE 22—FOREIGN RELATIONS

### Chapter II—International Commissions

#### NOTICE OF CHANGES IN PART NUMBERS

To permit future expansion of the codified regulations issued by the Department of State:

Part 201 of Chapter II of Title 22 of the Code of Federal Regulations is hereby redesignated as Part 501 and the section numbers thereunder changed from 201.1-201.28 to 501.1-501.28; and

Part 206 of Chapter II of Title 22 of the Code of Federal Regulations is hereby redesignated as Part 506 and the section numbers thereunder changed from 206.1-206.13 to 506.1-506.13.

[SEAL] CORDELL HULL,  
*Secretary of State.*

MAY 18, 1942.

[F. R. Doc. 42-4614; Filed, May 20, 1942; 10:20 a. m.]

## TITLE 24—HOUSING CREDIT

### Chapter IV—Home Owners' Loan Corporation

#### PART 402—LOAN SERVICE DIVISION BULLETIN

##### PROPERTY INSPECTION

Section 402.14 (a)<sup>1</sup> is amended to read as follows:

§ 402.14 *Property inspection.* (a) The Loan Service Division shall be responsible for reporting the condition of all home owners' properties under its jurisdiction, and where so directed by the General Manager or the Regional Manager, shall be responsible for reporting the condition of properties in foreclosure or in process of acquiring title.

(Effective May 15, 1942) (Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,  
*Secretary.*

[F. R. Doc. 42-4644; Filed, May 20, 1942; 11:58 a. m.]

#### PART 403—PROPERTY MANAGEMENT DIVISION BULLETIN

##### JURISDICTION

Amending Part 403 Chapter IV, Title 24 of the Code of Federal Regulations. The first sentence of § 403.00 is amended to read as follows:

§ 403.00 *Jurisdiction.* The Property Management Division shall be responsible for all matters pertaining to real property securing liens held by the Corporation from the time foreclosure or the acceptance of deed in lieu of foreclosure has been authorized and all matters pertaining to real property acquired by the Corporation, except as provided in section 214 (a) (§ 402.14 (a) CFR) and section 205 (a) of the Manual. \* \* \*

(Effective May 15, 1942) (Secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by sec. 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

[SEAL] J. FRANCIS MOORE,  
*Secretary.*

[F. R. Doc. 42-4645; Filed, May 20, 1942; 11:58 a. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter III—Bituminous Coal Division

[General Docket No. 15-A]

#### PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

##### CORRECTION OF ERROR IN ORIGINAL ORDER

Order correcting typographical error in the matter of the establishment of

<sup>1</sup> 6 F.R. 5633.

minimum prices in respect to coals for which price classifications were proposed by the district board subsequent to the close of the hearing for the purpose of receiving evidence in general docket No. 15.

In an Order dated September 30, 1940, 5 F.R. 4010, in the above-entitled proceeding, the following typographical error occurred:

In Supplement No. 2, §§ 328.34, 328.42 (*General prices for high and low volatile coals*), to the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments, the Owens & Harris Mine operated by A. C. Owens & Bob Harris, was erroneously listed as Mine Index No. 2481. The records of the Division show that this mine is now known as the Twin Mine and is now operated by Will Rose and Lee Claghorn (Will Rose). The correct Mine Index No. is 2086.

It appears that this typographical error should be corrected as set forth above.

Accordingly, it is so ordered.

Dated: May 18, 1942.

[SEAL] DAN H. WHEELER,  
*Acting Director.*

[F. R. Doc. 42-4613; Filed, May 20, 1942; 10:20 a. m.]

[Docket Nos. A-665 and A-720]

#### PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

##### ENOS COAL MINING CO., PARTIAL RELIEF GRANTED

Order modifying and adopting, as modified, the proposed findings of fact and proposed conclusions of law of the Examiner, denying the request for oral argument, and granting relief in part, in the matters of the petitions of Enos Coal Mining Company, a code member in District 11, for preliminary and permanent reductions of 10 cents per ton in the effective minimum prices for Mine Index 36, District 11, in Size Groups 1-5, inclusive, for shipment to Market Area 29, and of District Board 11, for preliminary and permanent reduction of 10 cents per ton in the effective minimum prices for District 11 rail coals in Size Groups 1-6, inclusive except those included in Price Groups 6, 14, 15, 16, and 17, for shipment to Market Area 29.

These proceedings having been instituted upon petitions filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board 11, and by the Enos Coal Mining Company, a code member in District 11, requesting, in Docket No. A-720, that for coals in Size Groups 1 to 6, inclusive, for delivery in Market Area 29, the effective minimum prices for District 10 (a) Central Illinois coals (Price Groups 12 and 13) and Danville coals (Price Groups 14 and 15) be increased 10 cents per ton; (b) Belleville Middle Grade coals (Price Groups 17 and 18) be increased 5 cents per ton; and (c) Belleville Standard Grade coals (Price Groups 19 to 22, inclusive), be increased 20 cents per ton; or, in the alternative, that the effective minimum prices for



District 11 coals in Size Groups 1 to 6, inclusive, for delivery to Market Area 29, be decreased 10 cents per ton; that the Belleville Middle Grade coals (Price Groups 17 and 18) be decreased 5 cents per ton; and that the Belleville Standard Grade coals (Price Groups 19 to 22, inclusive) be increased 10 cents per ton; and in Docket No. A-665, similar relief for the Size Groups 1 through 6 coals of the Enos Mine (Mine Index No. 36) in District 11;

Petitions of intervention having been filed by District Boards 2, 7, and 10, Old Ben Coal Corporation, et al.,<sup>1</sup> Central Illinois Coal Mining Company, et al.,<sup>2</sup> and the Central State Collieries, Inc., et al.,<sup>3</sup> all code members in District 10, and by Princeton Mining Company, the Sunlight Coal Company, and Tecumseh Coal Corporation, code members in District 11, and a notice of appearance having been filed by the Consumers' Counsel Division;<sup>4</sup>

Pursuant to Orders of the Director, a consolidated hearing in these matters having been held on June 17 to June 19, 1941 before D. C. McCurtain, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

Briefs having been filed on behalf of Central Illinois Coal Mining Company, et al., District Board 11, the Enos Coal Mining Company, and the Office of the Bituminous Coal Consumers' Counsel;

The Examiner having filed his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations in this matter, on November 4, 1941, in which he recommended that the prayers for relief contained in the several petitions filed herein should be denied;

Exceptions thereto having been filed on December 15, 1941, by the original petitioners and the District 11 intervenors, and request having been made for oral argument thereon;

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

Now, therefore, it is ordered, That the request for oral argument herein be, and it hereby is, denied.

<sup>1</sup>Old Ben Coal Corporation, Bell & Zoller Coal & Mining Company, Chicago, Wilmington & Franklin Coal Company, Franklin County Coal Corporation, Peabody Coal Company and Wasson Coal Company.

<sup>2</sup>Central Illinois Coal Mining Company, Centralia Coal Company, The Consolidated Coal Company, Gillespie Coal Company, Hillsboro Mining Company, Marion County Coal Mining Corporation, Mt. Olive & Staunton Coal Company, Nokomis Coal Company, Pana Coal Company, Panther Creek Mines, Inc., Peabody Coal Company, and Penwell Coal Mining Company.

<sup>3</sup>Central State Collieries, Inc., Little John Coal Company, Midland Electric Coal Corporation, Northern Illinois Coal Corporation, Southwestern Illinois Coal Corporation, Truax-Traer Coal Company, and The United Electric Coal Companies.

<sup>4</sup>Now the Office of the Bituminous Coal Consumers' Counsel.

It is further ordered, That the Proposed Findings of Fact and Conclusions of the Examiner, as modified, be and they hereby are approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned; and

It is further ordered, That effective fifteen (15) days from the date hereof, § 331.8 (General prices) in the Schedule of Effective Minimum Prices for District No. 11 for All Shipments Except Truck be and it hereby is amended by reducing by five cents per ton the established minimum prices for coals in Size Groups 1 to 6, inclusive, as set forth in Supplement R attached hereto and made a part hereof; and

It is further ordered, That relief is granted to the extent set forth above and is in all other respects denied.

Dated: May 2, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

DISTRICT NO. 11

NOTE: The material contained in this supplement 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

§ 331.8 General prices—Supplement R  
[For all destinations in Market Area No. 29]

Price group	Size groups and prices					
	1	2	3	4	5	6
1.....	210	205	200	190	185	180
2.....	200	195	190	180	175	170
3.....	220	215	210	200	195	190
4.....	210	205	200	190	185	180
5.....	245	240	235	225	220	215
7.....	235	230	225	190	185	180
8.....	220	215	210	200	195	190
9.....	210	205	200	190	185	180
10.....	198	193	188	178	173	168
11.....	195	190	185	175	170	165
12.....	180	175	170	160	155	150
13.....	235	230	225	215	210	205
18.....	225	220	215	190	185	180
19.....	223	218	213	178	173	168
20.....	245	240	235	225	220	215

[F. R. Doc. 42-4612; Filed, May 20, 1942, 10:19 a. m.]

TITLE 31—MONEY AND FINANCE:  
TREASURY

Chapter I—Monetary Offices

PART 132—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

GENERAL RULING NO. 5 AMENDED

MAY 19, 1942.

General ruling No. 5, as amended, under Executive Order No. 8389, April 10, 1940, as amended,<sup>1</sup> and regulations issued pursuant thereto, relating to transactions in foreign exchange, etc., and section 5 (b) of the Trading with the Enemy Act, as amended, by the First War Powers Act.

<sup>1</sup>5 F.R. 1400, 6 F.R. 2897, 3715, 6348, 6785.

General Ruling No. 5 is amended by adding the following paragraph at the end thereof:

§ 132.5 General Ruling No. 5 \* \* \*

United States and foreign currency imported or otherwise brought into the United States on and after May 19, 1942, shall be deemed to be "securities or evidences thereof," for the purposes of this general ruling. (Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 838; Pub. Law 354, 77th Cong., 55 Stat. 179; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, December 9, 1941, and E.O. 8998, December 26, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

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

[F. R. Doc. 42-4594; Filed, May 20, 1942; 10:02 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amendment No. 51, 2d Ed]

PART 603—SELECTIVE SERVICE OFFICERS

DISQUALIFICATION

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 603.55 to read as follows:

§ 603.55 Disqualification. (a) No member shall act on the case of a registrant who is his first cousin or closer relation, either by blood, marriage, or adoption, or who is an employee or employer, or who is a fellow employee, or stands in the relation of superior or subordinate in connection with any employment, or is a partner or close business associate of the member. If because of this provision a majority of a board cannot act on the case of a registrant, the board shall transfer the registrant to another local board for action on his case.

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

LEWIS B. HERSHEY,  
Director.

[F. R. Doc. 42-4633; Filed, May 20, 1942; 11:43 a. m.]

[Amendment No. 52, 2d Ed.]

PART 622—CLASSIFICATION

CERTAIN RELATIVES DEFINED

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service

Regulations, Second Edition, are hereby amended in the following respects:

1. Amend paragraphs (a) and (c) of § 622.33 to read as follows:

§ 622.33 *Certain relatives defined.* (a) The term "child" includes an unborn child, a child legally adopted, or a child born out of wedlock, but shall not include any person 21 years of age or over unless he is physically or mentally handicapped.

(c) The term "brother" or "sister" shall include only a person, having one or both parents in common with the registrant, who is either under 21 years of age or is physically or mentally handicapped.

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

LEWIS B. HERSHEY,  
Director.

[F. R. Doc. 42-4634; Filed, May 20, 1942;  
11:43 a. m.]

[No. 69A]

NONEXPENDABLE PROPERTY  
ORDER PRESCRIBING FORMS

Order Prescribing Forms No. 69 is hereby amended to read as follows:

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of section 605.51 of the Selective Service Regulations, I hereby prescribe the following changes in DSS forms:

1. Revision of DSS Form 16, entitled "Nonexpendable Property Inventory," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

2. Revision of DSS Form 17, entitled "Consolidated Nonexpendable Property Report," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

3. Revision of DSS Form 18, entitled "Nonexpendable Property Continuation Sheet," effective immediately upon the filing hereof with the Division of the Federal Register.<sup>1</sup>

The foregoing revision shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,  
Director.

MAY 15, 1942.

[F. R. Doc. 42-4632; Filed, May 20, 1942;  
11:43 a. m.]

<sup>1</sup> Filed with the original document.

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations  
[Amendment No. 2 to General Limitation  
Order L-85]

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

Section 1166.1 (*General Limitation  
Order L-85*) is hereby amended in the  
following respects:

1. Paragraph (b) on Definitions is amended to include the new sub-paragraphs 23, through 33, inclusive, to read as follows:

(23) "Teen age stouts" means apparel of teen age sizes 10½, 12½, 14½ and 16½.

(24) "Girls stouts" means apparel of sizes 7½, 8½, 9½, 10½, 12½ and 14½.

(25) "Jacket" means a short coat usually worn with a skirt or slacks or over other apparel or with riding breeches, jodhpurs or similar garment when used as a riding coat.

(26) "Legging set" means a combination of a coat and leggings or pants, sometimes called a "double duty outfit."

(27) "Snow suit" means a combination of jacket and leggings or pants.

(28) "French cuff" means a cuff over a cuff (double cuff).

(29) "French facing" means a facing that extends to the arm hole or beyond.

(30) "Topper" means a short box coat not less than 30 inches in length.

(31) "Unusual height" means height of 5 ft. 8½ in. or over without shoes.

(32) "Unlined" as applied to coats, toppers or jackets, means a shallow yoke lining and sleeve lining.

(33) "Patch pocket" means a patch of cloth superimposed upon the body cloth of a garment.

2. Paragraph (b) (10) is amended to read as follows:

(10) "Wool cloth" means any cloth containing any percentage of new wool, reprocessed wool, or reused wool.

3. Paragraph (b) (12) is amended to read as follows:

(12) "Put into process" means the first cutting operation of cloth in the manufacture of any feminine apparel for sale, resale, or on commission, including but without being limited to the following: manufacturers to the trade, tailors, furriers, custom dressmakers, re-tailors and home dressmakers.

4. Paragraph (b) (13) (i) is amended to read as follows:

(i) All measurements for length of daytime dresses, coats, jackets and blouses are to be from the nape of the neck to bottom of finished garment. No skirt of a two piece dress shall exceed its maximum specified length at any point in its circumference and no skirt of a

one piece dress shall exceed its maximum specified length by more than ½ inch at any point in its circumference.

5. Paragraph (b) (14) is amended to read as follows:

(14) "Coat" means any outer garment usually worn over other outer apparel and shall include a cape, a fur coat, and a topper, but shall not include a jacket as herein defined.

6. Paragraph (b) (20) is amended to read as follows:

(20) "Sweep" means amount of cloth material in circumference of the garment exclusive of seams.

7. Paragraph (c) is amended to read as follows:

(c) *General provisions with respect to finished garments.* Except as provided in paragraph (m) (1), the prohibitions and restrictions of this order, shall not apply to articles of feminine apparel, the cloth for which was put into process prior to the effective date of this order, with respect thereto, or to articles of feminine apparel in existence on that date, or to sales of second-hand articles of feminine apparel.

8. Paragraph (d) is amended by removing the period at the end thereof and adding thereto the following:

\* \* \* , or when manufactured in foreign countries and imported and received in customs in the United States, prior to June 1, 1942.

9. Paragraph (d) (1) is amended to read as follows:

(1) Infants' and toddlers' apparel made of silk, rayon, cotton, linen, and mixtures thereof, in size range 1 to 4; and infants' and toddlers' apparel made of wool cloth, sizes 1 and 2; and, except as provided in Paragraph (i) (2), infants' and toddlers' apparel made of wool cloth in sizes 3 and 4.

10. Paragraph (d) (4) is amended to read as follows:

(4) Clothing for persons who, because of unusual height or abnormal size, or physical deformities, require additional material for proportionate length of skirt or jacket, or sweep of skirt, or width of sleeve.

11. Paragraph (d) (6) is amended to read as follows:

(6) Robes and vestments as required by the rules of religious order and sects and the judiciary.

12. Paragraph (e) (1) (iii) is amended to read as follows:

(iii) Double material back yokes except on knitted fabrics: *Provided, however,* That when a double yoke is used on knitted fabrics, the under part of the double yoke is of a fabric other than wool.

<sup>1</sup> F. R. 2722, 2942.

13. Paragraph (e) (1) (v) is amended to read as follows:

(v) Fabrics which have been reduced from normal width or length by all-over tucking, pleating, or shirring; except by air-tucking provided it does not reduce fabric by more than 10%; and except in skirts when said fabric, before tucking, pleating, or shirring operations does not contain more material than permitted for sweeps as specified in this order; and except for minor trimmings.

14. Paragraph (e) (1) (viii) is amended to read as follows:

(viii) Pocket flaps on any wool garment with patch pockets.

15. Paragraph (e) (1) is amended to include new sub-paragraphs (x) and (xi) reading as follows:

(x) French facings.

(xi) A vestee or dickey of wool cloth.

16. Paragraph (e) is amended to include a new sub-paragraph (3) to read as follows:

(3) Change any manufactured size marking to denote a size marking of a different size range.

17. Paragraph (f) (7) is amended to read as follows:

(7) With sleeves;

(i) Cut on the bias of a plaid material, except a set-in sleeve of plaid material.

(ii) With wool cuffs.

(iii) With inside sleeve facings exceeding 2 inches.

18. Paragraph (f) is amended to include a new subparagraph (10) to read as follows:

(10) With a cloth lining in a fur coat exceeding 64 inches in sweep for a box coat and 74 inches for a fitted coat for a size 16; other sizes to be graded 2 inches per size up and down; or exceeding in length the lengths specified in Schedule A.

19. Paragraph (g) (1) (i) is amended to read as follows:

(i) With a separate jacket, redingote, coat, cape, bolero, attached bolero, or vest to be sold with a one or two piece dress at a unit price.

20. Paragraph (g) (1) (v) is amended to read as follows:

(v) With a lining known as a bodice attached to the skirt of a one or two piece dress.

21. Paragraph (g) (1) (xi) is amended to read as follows:

(xi) With a wool cuff on long sleeves or with a three-quarter or full length sleeve exceeding 14 inches in circumference at the bottom of the finished sleeve for size 16; other sizes varying in accordance with Schedule C attached hereto.

22. Paragraph (g) (2) (v) is amended to read as follows:

(v) With a lining known as a bodice attached to the skirt of a one or two piece dress.

23. Paragraph (h) (2) (ii) is amended to read as follows:

(ii) A jacket with bi-swing, vent in back, pleat back or Norfolk style, or a jacket with a belt; except that such a jacket may have an inserted belt if said jacket is cut through at the waist.

24. Paragraph (h) (2) (iv) is amended to read as follows:

(iv) A jacket of a plaid material with sleeves cut on the bias except a set-in sleeve of plaid material, or a jacket with wool cuffs, or inside sleeve facings exceeding two inches.

25. Paragraph (h) (4) (iii) is amended to read as follows:

(iii) Any slacks, riding breeches, jodhpur, ski suit, play suit, overall, or coverall with a hat, bag, scarf, hood, shawl, belt, or shoes, except that a play suit may be manufactured and sold with a belt.

26. Paragraph (h) (4) (iv) is amended to read as follows:

(iv) Any slacks exceeding measurements of Schedule F attached hereto.

27. Paragraph (h) (5) (iv) is amended to read as follows:

(iv) Exceeding the maximum overall length from nape of the neck, including turn-up for hem of 22½ inches for size 32; other sizes in accordance with Schedule H attached hereto.

28. Paragraph (h) (5) (v) is deleted in its entirety.

29. Paragraph (i) (1) (ii) is amended to read as follows:

(ii) A two piece dress with a top exceeding measurements of Schedule I attached hereto.

30. Paragraph (i) (1) (v) is amended to read as follows:

(v) With a lining known as a bodice attached to the skirt of a one or two piece dress.

31. Paragraphs (i) (1) (vii) and (i) (1) (viii) are deleted in their entirety.

32. Paragraph (i) (2) (vii) is amended to read as follows:

(vii) A jacket of a plaid material with sleeves cut on the bias except a set-in sleeve of plaid material, or a jacket with wool cuffs, or inside sleeve facings exceeding two inches.

33. Paragraph (i) (3) (vii) is amended to read as follows:

(vii) A jacket of a plaid material with sleeves cut on the bias except a set-in sleeve of plaid material, or a jacket with wool cuffs, or inside sleeve facings exceeding two inches.

34. Paragraph (i) (3) (x) is amended to read as follows:

(x) A skirt exceeding measurements of Schedule L attached hereto.

35. Paragraph (i) (5) (iv) is amended to read as follows:

(iv) Slacks exceeding measurements of Schedule M attached hereto.

36. Paragraph (j) (1) is amended to read as follows:

(1) A nurses', waitress' or beauticians' uniform exceeding the measurements of Schedule N attached hereto.

37. Paragraph (k) is amended to read as follows:

(k) *Reports and records.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time. The certificates required under paragraph (m) shall be retained by the vendee for a period of one year after receipt.

38. Paragraph (m) is amended to read as follows:

(m) *Certificate.* (1) Any person making sales or deliveries to persons other than ultimate consumers, of any articles of feminine apparel in existence on, or the cloth for which was put into process prior to the effective date of this Order, except second-hand articles, shall attach to the purchaser's copy of invoice for such feminine apparel, a certificate signed by an individual authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine apparel covered by our invoice No. \_\_\_\_\_ of \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ were in existence on the cloth for same was put into process prior to the effective date of General Limitation Order L-85.

-----  
Name of seller  
By-----  
Authorized individual

(2) Any person putting cloth into process for the manufacture of any feminine apparel after the effective date of this Order, shall endorse upon, or attach to the purchaser's copy of invoice for such feminine apparel sold by him, a certificate signed by an individual authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine apparel covered by our invoice No. \_\_\_\_\_ of \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ have been manufactured and are being sold in accordance with the provisions of General Limitation Order L-85.

-----  
Name of seller  
By-----  
Authorized individual

(3) Any jobber, wholesaler, and other person making sales or deliveries to persons other than ultimate consumers of articles of feminine apparel which he did not manufacture, except apparel in existence or put into process prior to the effective date of this Order, shall endorse upon, or attach to the purchaser's copy of invoice for such feminine apparel sold by him, a certificate in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine apparel covered by our invoice No. \_\_\_\_\_ of \_\_\_\_\_ day of \_\_\_\_\_



....., 19..... were purchased by us from a manufacturer who furnished us with a certificate stating that they had been manufactured and sold in accordance with the provisions of General Limitation Order L-85, and we have no reason to believe that the said manufacturer's certificate is false in any respect, and our sale to you is in accordance with all of the provisions of the said Order, with the terms of which we are familiar.

-----  
Name of seller  
By-----  
Authorized individual

(4) Any person ordering feminine apparel for an ultimate consumer of unusual height or abnormal size shall attach to the Order for such feminine apparel to the manufacturer thereof, a certificate signed by an individual authorized to sign for such person in substantially the following form:

The undersigned hereby certifies to his manufacturer and to the War Production Board that the articles of feminine apparel covered by our order No. .... of ..... day of ..... 19..... were made for a person of unusual height ---- or abnormal size ----

-----  
Name of buyer  
By-----  
Authorized individual

(5) Any person making sales or deliveries to ultimate consumers of any articles of feminine apparel made for a person of unusual height or abnormal size shall attach to the purchaser's copy of sales ticket for such feminine apparel, a certificate signed by an individual authorized for such person, in substantially the following form:

The undersigned hereby certifies to his vendee and to the War Production Board that the articles of feminine apparel covered by our sales check No. .... of ..... day of ..... 19..... were made for a person of unusual height ---- or abnormal size ---- as defined by War Production Board Order L-85.

-----  
Name of seller  
By-----  
Authorized individual

39. Schedules F, G, H, I, J, K, L and M are amended to read respectively as schedules attached hereto.

WOMEN'S, MISSES' AND JUNIOR MISSES' SLACKS MAXIMUM OUTSEAM OVER-ALL LENGTH INCLUDING WAISTBAND AND TURN-UP

SCHEDULE F AMENDED

Misses' sizes.....	10	12	14	16	18	20
Length, wool cloth.....	43	43½	44½	44½	44½	45½
Bottom width, wool cloth.....	18	18½	19	19	19½	20
Length, other than wool cloth.....	43½	44½	44½	45½	45½	46
Bottom width, other than wool cloth.....	18½	19	19½	19½	20	20½

  

Women's regular sizes	36	38	40	42	44	46	48
Length, wool cloth.....	45½	45½	45½	46½	46½	46½	46½
Bottom width, wool cloth.....	20	21	22	22	23	23	23½
Length, other than wool cloth.....	46	46½	46½	47	47	47½	47½
Bottom width, other than wool cloth.....	20½	21½	22½	22½	23½	23½	24

WOMEN'S MISSES' AND JUNIOR MISSES' SLACKS MAXIMUM OUTSEAM OVER-ALL LENGTH INCLUDING WAISTBAND AND TURN-UP—Continued

SCHEDULE F AMENDED—Continued

Junior misses' sizes.....	9	11	13	15	17
Length, wool cloth.....	42½	43½	43½	44	44½
Bottom width, wool cloth.....	18	18½	19	19	19½
Length, other than wool cloth.....	43½	44	44½	44½	45
Bottom width, other than wool cloth.....	18½	19	19½	19½	20

MAXIMUM OUTSEAM, OVER-ALL LENGTH INCLUDING WAISTBAND AND TURNUP FOR WOMEN'S, MISSES' AND JUNIOR MISSES' SKI AND SNOW PANTS

SCHEDULE G AMENDED

Misses' sizes.....	10	12	14	16	18	20
Length.....	41	41½	42	42½	42½	43
Bottom width.....	13½	14	14½	15	15½	16

  

Women's sizes.....	36	38	40	42
Length.....	43½	44	44½	45
Bottom width.....	16½	16½	16¾	17

MAXIMUM OVER ALL LENGTH FROM THE NAPE OF NECK INCLUDING TURN-UP FOR HEM

SCHEDULE H AMENDED

BLOUSES

Misses' and ladies' sizes.....	32	34	36	38	40	42	44	46
Body length, including hem.....	22½	22½	23	23½	23½	23½	24½	24½
Underarm sleeve length.....	18½	19	19½	19½	19½	19½	19½	19½
Sleeve circumference.....	14	14½	15	15½	16	16½	17	17½

NOTE: Sleeve circumference at bottom of finished sleeve or part attached to cuff.

MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE JACKETS AND TOPS FOR SEPARATES, SUITS AND SNOW WEAR

SCHEDULE I AMENDED

Children's sizes.....	3	4	5	6	6X
Length for separates and suits.....	16½	17	17½	18	18½
Length for snow wear.....	16½	17	17½	18	18½
Hem.....	2	2	2	2	2

  

Girls' sizes.....	7	8	10	12	13
Length for separates and suits.....	18½	19	19½	20	20½
Length for snow wear.....	19	20	21	21½	22
Hem.....	1½	1½	1½	1½	1½

  

Teen age sizes.....	10	12	14	16
Length for separates and suits.....	22	23	23½	23½
Length for snow wear.....	22	23	23½	23½
Hem.....	1½	1½	1½	1½

MAXIMUM MEASUREMENTS FOR CHILDREN'S, GIRLS' AND TEEN AGE DRESSES, ALL SIZE RANGES

SCHEDULE J AMENDED

Children's sizes.....	3	4	5	6	6X
Daytime lengths, all fabrics.....	19	21	23	25	26
Daytime sweep, wool cloth.....	55	56	57	58	58½
Daytime hem, wool cloth.....	3	3	3	3	3
Daytime sweep, other than wool cloth.....	55	56	57	58	58½
Daytime hem, other than wool cloth.....	3½	3½	3½	3½	3½
Evening lengths, all fabrics.....	33	34	35	36	37
Evening sweep, all fabrics.....	80	80	80	80	80
Evening hem.....	1	1	1	1	1

MAXIMUM MEASUREMENTS FOR CHILDREN'S, GIRLS' AND TEEN AGE DRESSES, ALL SIZE RANGES—Continued

SCHEDULE J AMENDED—Continued

Girls' sizes.....	7	8	10	12	14
Daytime lengths, all fabrics.....	27½	29	31	34	36
Daytime sweep, wool cloth.....	64	65	66	67	68
Daytime hem, wool cloth.....	3	3	3	3	3
Daytime sweep, other than wool cloth.....	64	65	66	67	68
Evening lengths, all fabrics.....	144	46	48	50	52
Evening sweep, all fabrics.....	20	120	120	120	120
Evening hem.....	1	1	1	1	1
Daytime hem other than wool.....	3½	3½	3½	3½	3½

Girls' stout sizes (chubbies).....	7½	8½	10½	12½	14½
Daytime lengths, all fabrics.....	27½	29	31	34	36
Daytime sweep, wool cloth.....	70	71	72	73½	75
Daytime hem, wool cloth.....	3	3	3	3	3
Daytime sweep, other than wool cloth.....	70	71	72	73½	75
Daytime hem, other than wool cloth.....	3½	3½	3½	3½	3½
Evening lengths, all fabrics.....	44	46	48	50	52
Evening sweep, all fabrics.....	120	120	120	120	120
Evening hem.....	1	1	1	1	1

Teen age sizes.....	10	12	14	16
Daytime lengths, all fabrics.....	38½	40	40½	41
Daytime sweep, wool cloth.....	67	68	69	70
Daytime hem, wool cloth.....	2	2	2	2
Daytime sweep, other than wool cloth.....	73	74	76	76
Daytime hem, other than wool cloth.....	2	2	2	2
Evening lengths, all fabrics.....	56	56½	56½	57
Evening sweep, all fabrics.....	144	144	144	144
Evening hem.....	1	1	1	1

Teen age stout sizes (chubbies).....	10½	12½	14½	16½
Daytime lengths, all fabrics.....	38½	40	40½	41
Daytime sweep, wool cloth.....	72	73	74	75
Daytime hem, wool cloth.....	2	2	2	2
Daytime sweep, other than wool cloth.....	78	79	80	81
Daytime hem, other than wool cloth.....	2	2	2	2
Evening lengths, all fabrics.....	56	56½	56½	57
Evening sweep, all fabrics.....	144	144	144	144
Evening hem.....	1	1	1	1

MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE COATS AND CAPES

SCHEDULE K AMENDED

Children's sizes.....	3	4	5	6	6X
Length.....	19	21	23	25	26
Sweep (coat only).....	48	49	50	51½	52½
Length (legging set only).....	19	21	23	25	26
Sweep (legging set only).....	50	51	52	53½	54½
Hem.....	2	2	2	2	2

  

Girls' sizes.....	7	8	9	10	10
Length.....	28	30	31	32	32
Sweep (legging set only).....	59	61	62	62	63
Hem.....	2	2	2	2	2

Girls' sizes.....	7	8	9	10	12	14
Length box coat.....	28	30	31	32	34	36
Sweep box coat.....	48	49	50	51	52	53
Length fitted coat.....	28	30	31	32	34	36
Sweep fitted coat.....	58	59	60	61	62	63
Hem.....	2	2	2	2	2	2

Girls' stout sizes (chubbies).....	7½	8½	10½	12½	14½
Length box coat.....	28	30	32	34	36
Sweep box coat.....	55	56	57	58	60
Length fitted coat.....	28	30	32	34	36
Sweep fitted coat.....	63	64	66	68	70
Hem.....	2	2	2	2	2

MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE COATS AND CAPES—Con.

SCHEDULE K AMENDED—Continued

Teen age stout sizes (chubbies).....	10½	12½	14½	16½
Length box coat.....	38	39	39½	40
Sweep box coat.....	59	60½	62	63½
Length fitted coat.....	39	40	40½	41
Sweep fitted coat.....	67	69	70	72
Hem.....	2	2	2	2

Teen age sizes.....	10	12	14	16
Length box coat.....	38	39	39½	40
Sweep box coat.....	55	56½	58	59½
Length fitted coat.....	39	40	40½	41
Sweep fitted coat.....	62	64	66	68
Hem.....	2	2	2	2

MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES, VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE SKIRTS

SCHEDULE L AMENDED

Children's sizes.....	3	4	5	6	6X
Length, including waist band... Sweep, wool cloth, more than 9 ounces.....	13	14	15	16	16½
Sweep, all fabrics and wool cloth not more than 9 ounces.....	48	50	52	54	57
Hem.....	2	2	2	2	2

Girls' sizes.....	7	8	10	12	14
Length, including waist band... Sweep, wool cloth, more than 9 ounces.....	18½	19	20	22	24
Sweep, all fabrics and wool cloth not more than 9 ounces.....	56	57	58	60	62
Hem.....	64	65	66	68	70
Hem.....	2	2	2	2	2

Girls' stout sizes.....	7½	8½	10½	12½	14½
Length, including waist band... Sweep, wool cloth, more than 9 ounces.....	18½	19	19½	22	24
Sweep, all fabrics and wool cloth not more than 9 ounces.....	61	62	63	64	66
Hem.....	69	70	71	72	74
Hem.....	2	2	2	2	2

Teen age sizes.....	10	12	14	16
Length, including waist band... Sweep, wool cloth, more than 9 ounces.....	24	24½	25	26
Sweep, all fabrics and wool cloth not more than 9 ounces.....	59	60	62	63
Hem.....	76	77	78	79
Hem.....	2	2	2	2

Teen age stout sizes.....	10½	12½	14½	16½
Length, including waist band... Sweep, wool cloth, more than 9 ounces.....	24	24½	25	26
Sweeps, all fabrics and wool cloth not more than 9 ounces.....	64	65	67	69
Hem.....	78	79	81	83
Hem.....	2	2	2	2

MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE SLACKS AND OVERALLS

SCHEDULE M AMENDED

Children's sizes.....	3	4	5	6	6X
Length including waist band and turn-up—wool cloth.....	23	24½	26	27½	28
Circumference at bottom of slack.....	14½	14½	14½	15	15½
Length including waist band and turn-up other than wool cloth.....	23½	25½	26½	28	28½
Circumference at bottom of slack.....	15½	15	16	16½	16½

MAXIMUM MEASUREMENTS FOR ALL SIZE RANGES VARIOUS CHILDREN'S, GIRLS' AND TEEN AGE SLACKS AND OVERALLS—Continued

SCHEDULE M AMENDED—Continued

Girls' sizes slacks.....	7	8	10	12	14
Length including waist band and turn-up—wool cloth.....	32	33	36½	39	40
Circumference at bottom of slack.....	16¾	17	17¾	17½	17¾
Length including waist band and turn-up other than wool cloth.....	32½	33½	37	39½	40½
Circumference at bottom of slack.....	17¾	17½	18	18¾	18½

Teen age sizes.....	10	12	14	16
Length including waist band and turn-up—wool cloth.....	39½	40½	41½	42½
Circumference at bottom of slack.....	17½	17¾	18	18½
Length including waist band and turn-up other than wool cloth.....	40	41	42	43
Circumference at bottom of slack.....	18	18¾	18½	19

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

Issued this 19th day of May 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-4585; Filed, May 19, 1942;  
4:46 p. m.]

PART 1075—CONSTRUCTION

CONSERVATION ORDER L-41

Correction

In the table appearing on page 3712 of the issue for Tuesday, May 19, 1942, the information concerning application forms for Preference Rating Orders P-19 and P-19-a should read as follows: "No further application accepted under P-19 and P-19-a. Apply for P-19-h or P-19-i".

Chapter XI—Office of Price Administration

PART 1330—CONTAINERS

[Amendment No. 1 to Revised Price Schedule No. 96<sup>1</sup>]

DOMESTIC FUEL OIL STORAGE TANKS

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

Section 1330.109a is added, as set forth below.

Section 1330.110 is amended by revoking the notes following the table appearing in paragraph (b) thereof, and by the addition of new paragraphs (c) and (d) as set forth below.

The table in § 1330.111 (b) is amended to read as follows; and § 1330.111 is further amended by revoking the notes following the table appearing in para-

<sup>1</sup> 7 F.R. 1387.

graph (b) thereof, and paragraphs (c) and (d) thereof are redesignated as paragraphs (e) and (f) respectively, and new paragraphs (c) and (d) are added, as set forth below.

Section 1330.112 is amended by revoking the notes following the table appearing in paragraph (b) thereof, and paragraphs (c) and (d) thereof are redesignated as paragraphs (e) and (f) respectively, and new paragraphs (c) and (d) are added, as set forth below.

§ 1330.110 Appendix A: Maximum prices for domestic fuel oil storage tanks for the eastern area.

(c) Permissible additions to maximum prices when delivery is within the eastern area. (1) Maximum allowance for each extra girth or transverse seam, seventy-five cents.

(2) Maximum allowances for each two extra longitudinal seams, seventy-five cents.

(d) Maximum prices for tanks having nominal capacities other than those listed in paragraph (b). The maximum price for a tank having a nominal capacity in gallons other than the above-designated capacities shall be the maximum price set forth for a tank, of the same gauge and dimension, having the next lowest nominal capacity, except that tanks having a nominal capacity of 185 gallons, or more, but less than 200 gallons, shall be sold at not more than the maximum price fixed for a tank, of the same gauge and dimension, having a nominal capacity of 200 gallons.

§ 1330.111 Appendix B: Maximum prices for domestic fuel oil storage tanks for the midwestern area.

(b) F. o. b. factory prices of tanks, without lugs, when delivery is within the midwestern area.

Nominal tank capacity in gallons	Gauge of steel in wrapper sheet	Minimum dimension of tank in inches	Car or truckload quantities	Less than car or truckload quantities
275.....	14	26-27	\$17.70	\$19.75
275.....	14	22	18.05	20.15
250.....	14	26-27	17.30	19.40
250.....	14	22	17.70	19.75
220.....	14	26-27	16.90	19.00
220.....	14	22	17.30	19.40
200.....	14	26-27	16.50	18.60
200.....	14	22	16.90	19.00
275.....	12	26-27	19.85	22.15
275.....	12	22	20.45	22.80
250.....	12	26-27	19.25	21.55
250.....	12	22	19.85	22.15
220.....	12	26-27	18.60	20.95
220.....	12	22	19.25	21.55
200.....	12	26-27	18.00	20.30
200.....	12	22	18.60	20.95

(c) Permissible additions to maximum prices when delivery is within the eastern area. (1) Maximum allowance for each extra girth or transverse seam, seventy-five cents.

(2) Maximum allowance for each two extra longitudinal seams, seventy-five cents.

(3) Maximum allowance for lugs, one dollar per tank.

(d) Maximum prices for tanks having nominal capacities other than those

listed in paragraph (b). The maximum price for a tank having a nominal capacity in gallons other than the above-designated capacities shall be the maximum price set forth for a tank, of the same gauge and dimension, having the next lowest nominal capacity, except that tanks having a nominal capacity of 185 gallons, or more, but less than 200 gallons, shall be sold at not more than the maximum price fixed for a tank, of the same gauge and dimension, having a nominal capacity of 200 gallons.

(e) \* \* \*  
(f) \* \* \*

§ 1330.112 Appendix C: Maximum prices for domestic fuel oil storage tanks for the Pacific coast area.

(c) Permissible additions to maximum prices when delivery is within the eastern area. (1) Maximum allowance for each extra girth or transverse seam, seventy-five cents.

(2) Maximum allowance for each two extra longitudinal seams, seventy-five cents.

(d) Maximum prices for tanks having nominal capacities other than those listed in paragraph (b). The maximum price for a tank having a nominal capacity in gallons other than the above-designated capacities shall be the maximum price set forth for a tank, of the same gauge and dimension, having the next lowest nominal capacity, except that tanks having a nominal capacity of 185 gallons, or more, but less than 200 gallons, shall be sold at not more than the maximum price fixed for a tank, of the same gauge and dimension, having a nominal capacity of 200 gallons.

(e) \* \* \*  
(f) \* \* \*

§ 1330.109a Effective date of amendments. (a) Amendment No. 1 (§§ 1330.110 (b), (c) and (d), 1330.111 (b), (c), (d), (e) and (f), 1330.112 (b), (c), (d), (e) and (f), and 1330.109a) to Revised Price Schedule No. 96 shall become effective May 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of May 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-4587; Filed, May 19, 1942; 5:15 p. m.]

PART 1335—CHEMICALS

[Amendment No. 1 to Revised Price Schedule No. 28<sup>1</sup>]

ETHYL ALCOHOL PRODUCED FROM MOLASSES

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

The undesignated paragraph immediately following the table in subparagraph (1) of paragraph (a) of § 1335.159 is hereby revoked. A new § 1335.158a is added.

<sup>1</sup> 7 F.R. 1257, 1836, 2000, 2132.

§ 1335.158a Effective dates of amendments. (a) Amendment No. 1 (§§ 1335.159 (a) (1) and 1335.158a) to Revised Price Schedule No. 28 shall become effective May 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of May 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-4588; Filed, May 19, 1942; 5:16 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Amendment No. 4 to Revised Price Schedule No. 30<sup>1</sup>]

WASTEPAPER—ENFORCEMENT AND LICENSING PROVISIONS AMENDED

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

Sections 1347.6 and 1347.8 (a) are amended to read as set forth below and a new section numbered 1347.6a is added to read as set forth below:

§ 1347.6 Enforcement. (a) Persons violating any provision of this Revised Price Schedule No. 30<sup>1</sup> are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Price Schedule No. 30 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.6a Licensing. The provisions of Supplementary Order No. 5<sup>2</sup>—Licensing, are applicable to every dealer subject to this Revised Price Schedule No. 30, selling, offering to sell, delivering or transferring at a price wastepaper to a consumer. The term "dealer" shall have the meaning given to it by said Supplementary Order No. 5.

§ 1347.8 Definitions. (a) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

§ 1347.9a Effective dates of amendments. \* \* \*

(d) Amendment No. 4 (§§ 1347.6, 1347.6a, 1347.8 (a)) to Revised Price

<sup>1</sup> 7 F.R. 1260, 1601, 1836, 2000, 2132, 2153, 3576.

<sup>2</sup> 7 F.R. 3403.

Schedule No. 30 shall become effective May 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of May 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-4589; Filed, May 19, 1942; 5:16 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Amendment No. 2 to Revised Price Schedule No. 47<sup>1</sup>]

OLD RAGS—ENFORCEMENT AND LICENSING PROVISIONS AMENDED

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

Sections 1347.106 and 1347.108 (a) and (b) are amended to read as set forth below and a new section numbered 1347.106a is added to read as set forth below:

§ 1347.106 Enforcement. (a) Persons violating any provision of this Revised Price Schedule No. 47<sup>1</sup> are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Price Schedule No. 47 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.106a Licensing. The provisions of Supplementary Order No. 5<sup>2</sup>—Licensing, are applicable to every dealer subject to this Revised Price Schedule No. 47, selling, offering to sell, delivering or transferring at a price old rags to a consumer. The term "dealer" shall have the meaning given to it by said Supplementary Order No. 5.

§ 1347.108 Definitions. (a) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Old rags" includes the kinds and grades of old cotton rags and roofing rags and No. 1 Old Manila Rope specified in (§§ 1347.110 and 1347.111), Appendices A and B, of Revised Price Schedule No. 47.

§ 1347.109a Effective dates of amendments. \* \* \*

(b) Amendment No. 2 (§§ 1347.106, 1347.106a, 1347.108 (a) and (b)) to Re-

<sup>1</sup> 7 F.R. 1297, 1836, 2000, 2132, 2475.



vised Price Schedule No. 47 shall become effective May 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of May 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-4586; Filed, May 19, 1942;  
5:15 p. m.]

**PART 1370—ELECTRICAL APPLIANCES**  
(Amendment No. 3 to Maximum Price Regulation No. 111<sup>1</sup>)

**NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS**

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

<sup>1</sup> 7 F.R. 2307, 2794, 3330.

1941 MODELS

Manufacturer	Model	Description	Retail price
Electrolux, Inc.	XXX	Cylinder type—Standard set Included: 9 Piece Attachment set.	\$60.75
	XX	Cylinder type—Standard set Included: 7 Piece Attachment set.	49.50
The Hoover Co.	#60	Floor type—Motor Driven Brush	82.00
	#6000	10 Piece Attachment Set	16.50
	#26	Floor Type—Motor Driven Brush	68.00
	#2600	10 Piece Attachment Set	16.50
	#305	Floor Type—Motor Driven Brush	52.50
	#3050	10 Piece Attachment Set	16.50
	#3051	7 Piece Attachment Set	12.50
	#90—Comm'l.	Floor Type—Motor Driven Brush	89.50
	Norca #80	Floor Type—Motor Driven Brush	39.75
	Norca #8000	9 Piece Attachment Set	9.95
	Norca #8001	Hand Cleaner	14.50

(b) *Maximum prices for sales at all levels of other models and attachments (except private-brand models) and maximum wholesale prices of models and attachments listed in paragraph (a).* The maximum price, exclusive of excise or sales taxes for the sale of any model or set of attachments set forth in paragraph (a) to purchasers other than consumers, and the maximum price for the sale of any other model or set of attachments (except a private-brand model) offered for sale by the seller in the period October 1, 1941 to March 30, 1942, inclusive, to any purchaser, shall be the highest net price in effect for such model or set of attachments, by the seller's price list or other regular quotation, to the same general class of purchaser, during the period October 1, 1941, to October 15, 1941, inclusive, or if such model or set of attachments were not offered for sale by the seller before October 16, 1941, during the period October 16, 1941, to March 30, 1942.

(c) *Maximum price for private-brand models and sets of attachments—(1) Sales by manufacturers.* (i) The maximum price, exclusive of excise or sales taxes for any private-brand model or set of attachments sold by the manufacturer at a specific price shall be the highest net price for which such model or set of attachments was sold or contracted

A new subparagraph (13) is added to § 1370.1 (a). In § 1370.12 the items for two manufactures in the table of paragraph (a) are amended and paragraphs (b), (c) and (d) are amended, as set forth below:

§ 1370.11 *Definitions.* (a) When used in this Maximum Price Regulation No. 111, the term: \* \* \*

(13) "Attachments" means all supplementary devices which may be combined with the cleaner to increase the number of its functions and improve its efficiency.

§ 1370.12 *Appendix A: Maximum prices for household vacuum cleaners and attachments.* (a) Maximum prices for sales to consumers of models having recommended retail prices and Montgomery Ward & Company and Sears Roebuck & Company models. The maximum price for the sale to consumers of the following models shall be:

attachments embodying non-substantial changes from a model or set of attachments offered for sale by the seller in the period October 1, 1941, to March 30, 1942, inclusive, shall be the price established by this Appendix A (§ 1370.12) for such corresponding model or set of attachments: *Provided*, That if the Office of Price Administration determines that any such change results in the reduction of quality, convenience of operation, or efficiency of performance, it may at any time make an appropriate reduction of the maximum price for such model or set of attachments.

(2) The maximum price for any model or set of attachments embodying any substantial change from a model or set of attachments offered for sale by the seller in the period October 1, 1941, to March 30, 1942, inclusive, shall be the price approved in writing by the Office of Price Administration after the submission to it of a report in accordance with § 1370.7 (b) (2).

§ 1370.14 *Effective dates of amendments.* \* \* \*

(c) Amendment No. 3 (§§ 1370.11 (a) (13), 1370.12 (a), (b), (c) and (d) to Maximum Price Regulation No. 111 shall become effective May 23, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of May 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-4590; Filed, May 19, 1942;  
5:16 p. m.]

**PART 1382—HARDWOOD LUMBER**

(Maximum Price Regulation No. 146)

**APPALACHIAN HARDWOOD LUMBER**

In the judgment of the Price Administrator, the prices of Appalachian hardwood lumber are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of Appalachian hardwood lumber prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,<sup>1</sup> issued by the Office of Price Admin-

to be sold to the same general class of purchaser during the period October 1, 1941, to October 15, 1941, inclusive, or if such model or set of attachments was not offered for sale by the manufacturer before October 16, 1941, during the period October 16, 1941, to March 30, 1942.

(ii) The maximum price, exclusive of excise or sales taxes, for deliveries of any private-brand model or set of attachments by the manufacturer in order to complete a cost-plus contract outstanding on March 30, 1942, shall be the price determined by the terms of such contract.

(2) *Sales by distributors and dealers.* The maximum price, exclusive of excise or sales taxes, for the sale of a private-brand model or set of attachments by a distributor or dealer shall be the highest net price in effect for such model or set of attachments, by the seller's price list or other regular quotation, to the same general class of purchaser, during the period October 1, 1941 to October 15, 1941, inclusive, or if such model or set of attachments was not offered for sale by the seller before October 16, 1941, during that period October 16, 1941, to March 30, 1942, inclusive.

(d) *Maximum prices for new models and sets of attachments.* (1) The maximum price for any model or set of at-

<sup>1</sup> 7 F.R. 971.

istration, Maximum Price Regulation No. 146 is hereby issued.

AUTHORITY: §§ 1382.1 to 1382.13, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1382.1 *Maximum prices for Appalachian hardwood lumber.* (a) On and after June 1, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver any Appalachian hardwood lumber, where shipment originates at the mill rather than at a distribution yard, and no person shall buy or receive in the course of trade or business any Appalachian hardwood lumber so shipped, at prices higher than the maximum prices set forth in Appendices A, B, and C hereof, incorporated herein as §§ 1382.11, 1382.12, and 1382.13, respectively; and no person subject to this Maximum Price Regulation No. 146 shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this Maximum Price Regulation No. 146 shall not be applicable to retail sales as defined in paragraph (a) (8) of § 1382.8. Further, the provisions of this Maximum Price Regulation No. 146 shall not be applicable to sales or deliveries of Appalachian hardwood lumber to a purchaser, if prior to June 1, 1942, such lumber had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(b) There may be added to the maximum prices established by this Maximum Price Regulation No. 146 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale, if, but only if, (1) such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale, at the time of the transaction; or (2) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer, or user with tokens or other media of State or municipal tax payment; or (3) such a statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this provision shall in no event exceed that paid by the purchaser, consumer, or user.

§ 1382.2 *Less than maximum prices.* Lower prices than those set forth in Appendices A, B, and C, §§ 1382.11, 1382.12, and 1382.13, may be charged, demanded, paid, or offered.

§ 1382.3 *Conditional agreements.* No seller subject to this Maximum Price Regulation No. 146 shall enter into an agreement permitting the adjustment of the price of Appalachian hardwood lumber to prices which may be higher than the maximum prices provided by §§ 1382.11, 1382.12, and 1382.13, in the event that this Maximum Price Regulation No. 146 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been

duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be made in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1382.4 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 146 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to Appalachian hardwood lumber, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) Making credit terms more onerous than those in effect or available to the purchaser on October 1, 1941;

(2) Unnecessarily routing lumber through a distribution yard;

(3) Unreasonably refusing to ship an item of lumber except in a small quantity which entitles the seller to a premium;

(4) Unreasonably refusing to ship lumber on standard grades and in grade-rule range widths and lengths;

(5) Falsely or wrongly grading or invoicing lumber;

(6) Grading as a special grade lumber which normally is graded by the seller as a standard grade;

(7) Making charges for delivery which exceed the actual cost to the seller of such delivery (except as provided in § 1382.11 (f)).

§ 1382.5 *Records and reports.* (a) Every seller and purchaser subject to this Maximum Price Regulation No. 146 making sales or deliveries or purchases of Appalachian hardwood lumber to the value of \$500.00 or more in any one month, after June 1, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of each sale or delivery or purchase of Appalachian hardwood lumber, showing the date of purchase or sale, the name and address of the buyer and seller, the quantities and grades purchased or sold, and the price paid or received.

(b) Such persons shall keep such other records in addition to or in place of the records required in paragraph (a) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1382.6 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 146 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 146 or any Price Schedule, regulation or order issued by the Office of Price Administration or any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1382.7 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 146 or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1382.8 *Definitions.* (a) When used in Maximum Price Regulation No. 146, the term:

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

(2) "Feet" means board feet of lumber except that with reference to lumber in thicknesses of  $\frac{1}{2}$ "',  $\frac{3}{4}$ "', and  $\frac{5}{8}$ "', the term "feet" means surface feet.

(3) "Appalachian hardwood lumber" means lumber:

(i) Produced from the botanical species of yellow poplar (*Liriodendron tulipifera*), tough white ash (*Fraxinus americana*), beech (*Fagus americana*), soft maple (*Acer rubrum*), butternut (*Juglans cinerea*), chestnut (*Castanea dentata*), hard maple (*Acer saccharum*), and the botanical species included in the genera of red oak and white oak (*Quercus*), hickory (*Hicoria*), basswood (*Tilia*), birch (*Betula*), buckeye (*Aesculus*), and cherry (*Prunus*); and

(ii) Processed into lumber at mills located within the Appalachian hardwoods area. The "Appalachian hardwoods area" is that area circumscribed by a line beginning at the intersection of the western line of the State of West Virginia and the western line of the State of Pennsylvania; thence southwesterly on the western line of West Virginia to the western boundary of Boyd County, Kentucky; thence extending southwesterly through Kentucky along the generally northwestern boundaries of the following counties: Boyd, Carter, Rowan, Menifee, Powell, Estill, Jackson, Rockcastle, Pulaski, Wayne, and Clinton to the Tennessee state line; thence westerly along said state line to the western boundary of Pickett County, Tennessee; thence southerly in Tennessee along the western boundaries of Pickett, Fentress, Morgan, Roane, Rhea, and Hamilton Counties to the intersection of the western boundary of Hamilton County and the Nashville, Chattanooga, and St. Louis Railroad; thence easterly along said railroad through Chattanooga to the intersection of said railroad and the Georgia state line; thence easterly along said state line to the western boundary of Fannin County, Georgia; thence south-



easterly in Georgia along the southwestern boundaries of Fannin County and Lumpkin County; thence generally easterly in Georgia along the southeastern boundary of Lumpkin County, the southern boundary of White County, and the southern and eastern boundaries of Habersham County to the South Carolina state line; thence southeasterly along said line to the southeastern boundary of Oconee County, South Carolina; thence in a generally northeasterly direction through South Carolina along the southeastern boundaries of Oconee and Pickens Counties, and the western, southern, and eastern boundaries of Greenville County to the North Carolina state line; thence easterly along the southern line of North Carolina to the eastern boundary of Cleveland County, North Carolina; thence northerly in North Carolina along the eastern boundaries of Cleveland and Burke Counties; thence continuing generally northeasterly in North Carolina along the eastern or southern boundaries of Alexander, Wilkes and Surry Counties to the Virginia state line; thence east on said state line to the eastern boundary of Patrick County, Virginia; thence northeasterly through Virginia, following the eastern boundary of Patrick County and the southeastern boundaries of Franklin, Bedford, Amherst, Nelson, Albemarle, Greene, Madison, and Rappahannock Counties, turning southerly along the southwestern boundary of Fauquier County, and resuming a generally northerly direction along the eastern boundaries of Fauquier and Loudoun Counties to the Maryland state line; thence northwesterly along said state line to the eastern boundary of Frederick County, Maryland; thence northerly through Maryland along the eastern boundary of Frederick County to the Pennsylvania state line; thence westerly and thence northerly along said state line to the starting point. All sawmills on the boundary line of the Appalachian hardwoods area shall be deemed to be outside the Appalachian hardwoods area, except that mills in West Virginia and Maryland on the lines touching Pennsylvania and Ohio shall be deemed to be in the Appalachian area.

(4) "Mill" means any establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 146, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, at least 25 per cent of the volume of Appalachian hardwood lumber or logs purchased or received by it, or

(ii) Which resembles the following described establishment more nearly than that described under the definition of "distribution yard" in subparagraph (5) (ii) of this paragraph: An establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock primarily Appalachian hardwood lumber, which has its lumber brought in chiefly in rough green form

by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site in order to be near the lumber producing area.

(5) "Distribution yard" means an establishment:

(i) Which processes into the items of lumber covered by this Maximum Price Regulation No. 146, by sawing or planing, or ships to milling-in-transit operations for such processing by sawing, planing, or kiln drying, less than 25 per cent of the volume of Appalachian hardwood purchased or received by it, and

(ii) Which resembles the following described establishment more nearly than that described under the definition of "mill" in subparagraph (4) (ii) of this paragraph: A wholesale or retail lumber yard which purchases or receives lumber from a mill or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a miscellaneous stock of lumber from different regions, which obtains its lumber primarily by rail shipment and sells primarily for truck shipment, which is equipped to make quick deliveries of many different items of lumber, and which has been located at its particular site primarily in order to be near a lumber consuming area.

(6) "Volume" means the board feet volume of lumber processed from logs, processed from other lumber, or sold, as the case may be, within the six months immediately prior to the transaction subject to this Maximum Price Regulation No. 146.

(7) "Deliver" means to make physical transfer of lumber to a purchaser, or to a carrier, not owned or controlled by the seller, for carriage to a purchaser.

(8) "Retail sale" means a sale which satisfies all of the following tests:

(i) It must be a sale of not more than 2,000 feet of lumber

(ii) It must be a sale in which the purchaser requests delivery to a point not more than 20 miles from the mill at which shipment originates

(iii) It must be a sale of lumber to a contractor or consumer for use in construction, remodeling, repair, maintenance, fabrication, or remanufacture, and not for resale in substantially the same form.

(9) "FAS One Face" means a trade practice grade of Appalachian hardwood lumber which grades Firsts or Seconds on the better side of the piece and not below No. 1 Common on the poorer side of the piece, in accordance with the standard grading rules for the particular species.

(10) "No. 2A Common Basswood" and the term "No. 2B Common Basswood" mean trade practice grades of Appalachian hardwood lumber under which basswood lumber is graded in accordance with the standard grading rules covering No. 2A Common Yellow Poplar and

No. 2B Common Yellow Poplar, respectively.

(11) "Box grade" means a trade practice grade of Appalachian hardwood lumber which varies from the National Hardwood Lumber Association No. 3B Common grade by requiring  $\frac{1}{12}$  (50 per cent) rather than  $\frac{3}{12}$  (25 per cent) yield in sound cuttings.

(12) Unless otherwise specified, grade terms used herein have the meaning set forth in the "Rules for the Measurement and Inspection of Hardwood Lumber" issued by the National Hardwood Lumber Association, effective January 1, 1942.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1382.9 *Applicability of General Maximum Price Regulation.* The provisions of the General Maximum Price Regulation<sup>1</sup> shall not, on and after May 19, 1942, apply to sales and deliveries of Appalachian hardwood lumber where shipment originates at the mill rather than at a distribution yard.

§ 1382.10 *Effective date.* Sections 1382.1 to 1382.8, inclusive, and §§ 1382.10 to 1382.13, inclusive of Maximum Price Regulation No. 146 shall become effective June 1, 1942. Sections 1382.9 and 1382.10 of Maximum Price Regulation No. 146 shall become effective May 19, 1942.

§ 1382.11 *Appendix A: Maximum prices for Appalachian hardwood lumber in standard or near standard grades—*  
(a) *Application of Appendix A.* The provisions of this Appendix shall apply to Appalachian hardwood lumber which is sold in the species and on the grades designated in this Appendix. Lumber sold on such grades shall be deemed to include lumber in:

(1) Grade-rule range widths and lengths;

(2) Widths and lengths substantially the same as grade-rule range widths and lengths; or

(3) Specified average widths or specified average lengths which are substantially run-of-the-log.

(b) The maximum f. o. b. mill price for 1,000 feet of Appalachian hardwood lumber in a rough air dried condition shall be as follows:

(1) TOUGH ASH

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1.....	\$75.00	\$45.00	\$32.00	\$20.00
1¼.....	85.00	50.00	34.00	21.00
1½.....	90.00	55.00	36.00	21.00
2.....	100.00	65.00	40.00	22.00
2¼.....	110.00	80.00	45.00	.....
3.....	120.00	90.00	50.00	.....
4.....	130.00	100.00	55.00	.....

<sup>1</sup> 7 F.R. 3153, 3330, 3666.



(2) BASSWOOD

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2A common	No. 2 common	No. 2B common	No. 3 common
1/2	\$51.00	\$34.00	\$28.00	\$23.00	\$20.00	
3/4	60.00	40.00	32.00	27.00	24.00	
1	68.00	46.00	36.00	31.00	27.00	
1 1/4	80.00	55.00	43.00	36.00	32.00	\$20.00
1 1/2	85.00	58.00	45.00	38.00	33.00	21.00
1 3/4	87.00	60.00	47.00	40.00	34.00	21.00
2	93.00	65.00	51.00	41.00	35.00	22.00
2 1/2	103.00	72.00	55.00	45.00		
3	118.00	77.00	59.00	45.00		
4	128.00	87.00	64.00	50.00		

(3) BEECH

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3A common	Box grade	No. 3B common
1/2	\$41.00	\$30.00	\$20.00			
3/4	47.00	35.00	23.00			
1	54.00	39.00	26.00			
1 1/4	63.00	46.00	31.00	\$25.00	\$20.00	\$15.00
1 1/2	67.00	48.00	33.00	26.00	21.00	16.00
1 3/4	70.00	50.00	34.00	26.00	21.00	16.00
2	75.00	55.00	38.00	27.00	22.00	17.00

(4) BIRCH

1	\$106.00	\$62.00	\$40.00	\$25.00	\$20.00	\$15.00
1 1/4	111.00	67.00	42.00	26.00	21.00	16.00
1 1/2	113.00	70.00	45.00	26.00	21.00	16.00
2	123.00	80.00	48.00	27.00	22.00	17.00
2 1/2	130.00	90.00	50.00			
3	135.00	95.00	55.00			
4	145.00	105.00	60.00			

(5) BUCKEYE

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	\$60.00	\$40.00	\$30.00	\$20.00
1 1/4	65.00	41.00	30.00	21.00
1 1/2	68.00	43.00	30.00	21.00
2	70.00	43.00	30.00	22.00

(6) BUTTERNUT

1	\$80.00	\$50.00	\$30.00	\$20.00
1 1/4	90.00	55.00	32.00	25.00
1 1/2	95.00	60.00	33.00	21.00
2	105.00	70.00	35.00	22.00

(7) CHERRY

1	\$110.00	\$68.00	\$42.00	\$23.00
1 1/4	140.00	85.00	47.00	25.00
1 1/2	150.00	90.00	48.00	25.00
2	165.00	100.00	52.00	28.00
2 1/2	180.00	115.00		
3	190.00	125.00		
4	200.00	140.00		

(8) CHESTNUT—WHAD

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	Sound wormy	No. 2 common	No. 3 common
1/2	\$51.00	\$52.00	\$26.00		
3/4	60.00	59.00	30.00		
1	68.00	65.00	34.00		
1 1/4	120.00	75.00	40.00	\$30.00	\$20.00
1 1/2	125.00	80.00	44.00	30.00	21.00
1 3/4	125.00	80.00	45.00	30.00	21.00
2	130.00	85.00	50.00	30.00	22.00
2 1/2			53.00	30.00	
3			58.00	30.00	

(9) CHESTNUT—WHND

Thickness (inches)	FAS	No. 1 common and better	No. 1 common
1/2	\$38.00	\$32.00	\$30.00
3/4	43.00	36.00	34.00
1	48.00	40.00	38.00
1 1/4	58.00	49.00	45.00
1 1/2	60.00	53.00	49.00
1 3/4	63.00	54.00	50.00
2	68.00	59.00	55.00

(10) HICKORY

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1	\$75.00	\$40.00	\$24.00	\$20.00
1 1/4	85.00	42.00	27.00	21.00
1 1/2	85.00	45.00	33.00	21.00
2	95.00	50.00	33.00	22.00
2 1/2	105.00	60.00		
3	115.00	65.00		
4	125.00	70.00		

(11) HARD MAPLE

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	Sound wormy	No. 3A common	Box grade	No. 3B common
1/2	\$60.00	\$40.00	\$23.00	\$23.00			
3/4	70.00	46.00	26.00	26.00			
1	79.00	52.00	30.00	30.00			
1 1/4	95.00	61.00	35.00	35.00	\$25.00	\$20.00	\$15.00
1 1/2	105.00	66.00	38.00	38.00	26.00	21.00	16.00
1 3/4	110.00	69.00	40.00	40.00	26.00	21.00	16.00
2	115.00	76.00	42.00	42.00	27.00	22.00	17.00
2 1/2	130.00	90.00					
3	145.00	105.00					
4	160.00	122.00					

(12) SOFT MAPLE

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	No. 3 common
1/2	\$53.00	\$36.00	\$23.00	
3/4	61.00	41.00	26.00	
1	69.00	47.00	30.00	
1 1/4	81.00	55.00	35.00	\$20.00
1 1/2	86.00	60.00	38.00	21.00
1 3/4	88.00	62.00	40.00	21.00
2	96.00	70.00	42.00	22.00
2 1/2	110.00	80.00		
3	125.00	90.00		
4	140.00	105.00		

(13) RED OAK—PLAIN

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	Sound wormy	No. 3A common	No. 3B common
1/2	\$48.00	\$32.00	\$23.00	\$23.00		
3/4	56.00	38.00	27.00	27.00		
1	65.00	43.00	30.00	30.00		
1 1/4	75.00	51.00	36.00	36.00	\$25.00	\$15.00
1 1/2	85.00	58.00	39.00	40.00	25.00	15.00
1 3/4	89.00	61.00	42.00	43.00	25.00	15.00
2	100.00	68.00	46.00	48.00	25.00	15.00
2 1/2	120.00	77.00				
3	138.00	87.00				
4	153.00	100.00				

(14) RED OAK—QUARTERED

1/2	\$58.00	\$36.00	\$26.00	\$23.00		
3/4	68.00	42.00	30.00	27.00		
1	76.00	47.00	34.00	30.00		
1 1/4	90.00	55.00	36.00	36.00	\$25.00	\$15.00
1 1/2	100.00	60.00	39.00	40.00		
1 3/4	105.00	65.00	42.00	43.00		
2	115.00	70.00	46.00	48.00		

(15) WHITE OAK—PLAIN—WHAD

1/2	\$68.00	\$36.00	\$25.00	\$23.00		
3/4	78.00	41.00	29.00	27.00		
1	90.00	46.00	33.00	30.00		
1 1/4	102.00	54.00	36.00	36.00	\$25.00	\$15.00
1 1/2	112.00	62.00	39.00	40.00	25.00	15.00
1 3/4	117.00	66.00	42.00	43.00	25.00	15.00
2	130.00	74.00	46.00	48.00	25.00	15.00
2 1/2	145.00	87.00				
3	160.00	101.00				
4	175.00	116.00				

(16) WHITE OAK—PLAIN—WHND

Thickness (inch)	FAS	No. 1 common and better	No. 1 common
1/2	\$40.00	\$28.00	\$23.00
3/4	47.00	32.00	27.00
1	53.00	37.00	31.00
1 1/4	62.00	46.00	36.00
1 1/2	72.00	53.00	43.00
1 3/4	77.00	58.00	51.00
2	90.00	65.00	60.00
2 1/2	105.00	80.00	72.00
3	120.00	95.00	84.00
4	135.00	105.00	95.00

(17) WHITE OAK—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2 common	Sound wormy	No. 3A common	No. 3B common
1/2	\$80.00	\$49.00	\$26.00	\$23.00		
3/4	92.00	56.00	30.00	27.00		
1	107.00	64.00	34.00	30.00		
1 1/4	125.00	75.00	36.00	36.00	\$25.00	\$15.00
1 1/2	135.00	82.00	39.00	40.00		
1 3/4	145.00	90.00	42.00	43.00		
2	160.00	100.00	46.00	48.00		
2 1/2	175.00	110.00				
3	190.00	120.00				

(18) YELLOW POPLAR—PLAIN

Thickness (inch)	FAS	Saps	No. 1 common and selects; or No. 1 common	No. 2A common	No. 2B common	No. 3 common
1/4	\$55.00	\$44.00	\$36.00	\$29.00	\$21.00	-----
3/8	63.00	51.00	41.00	33.00	25.00	-----
1/2	71.00	58.00	47.00	37.00	28.00	-----
3/4	83.00	68.00	55.00	44.00	33.00	\$20.00
1	89.00	73.00	59.00	46.00	34.00	21.00
1 1/4	92.00	76.00	63.00	48.00	35.00	21.00
1 1/2	104.00	83.00	68.00	52.00	36.00	22.00
2	123.00	98.00	80.00	56.00	-----	-----
2 1/2	135.00	110.00	90.00	60.00	-----	-----
3	150.00	125.00	105.00	-----	-----	-----
4	-----	-----	-----	-----	-----	-----

(19) YELLOW POPLAR—QUARTERED

Thickness (inch)	FAS	No. 1 common and selects; or No. 1 common	No. 2A common	No. 2B common	No. 3 common
1/4	\$58.00	\$39.00	\$29.00	\$21.00	-----
3/8	67.00	45.00	33.00	25.00	-----
1/2	76.00	51.00	37.00	28.00	-----
3/4	89.00	60.00	44.00	33.00	\$20.00
1	95.00	64.00	46.00	34.00	21.00
1 1/4	98.00	68.00	48.00	35.00	21.00
1 1/2	111.00	74.00	52.00	36.00	22.00

(20) STRIPS

Species	Manufacture	Thickness (inch)	Width	Grade	
				Clear	No. 1 common
Red Oak	Quartered	1	2" to 5 1/4"	\$65.00	\$40.00
White Oak	Quartered	1	2" to 5 1/4"	85.00	55.00

(21) BOX BOARDS

Species	Thickness (inch)	Width	
		9" to 12"	13" to 17"
Yellow poplar	1	\$83.00	\$89.00

(22) FAS ONE FACE

The maximum price for lumber of any species and thickness in the grade FAS One Face shall be \$10.00 per 1,000 feet less than the maximum price established in this Appendix for lumber of the same thickness in the FAS grade for the species.

(c) The maximum f. o. b. mill price for 1,000 feet of Appalachian hardwood lumber in a rough green condition shall be the maximum price established in paragraph (b) above for rough air dried lumber, less the deduction which the seller customarily has made for furnishing green rather than air dried stock.

(d) The following additions per 1,000 feet of Appalachian hardwood lumber may be charged for the specified treatments and workings:

(1) Kiln drying the lumber to a moisture content not exceeding 9 per cent as of the time the lumber leaves the kiln.

Species	1/2" and 3/4" thick	3/4" thick	1" thick	1 1/4" thick	1 1/2" thick	2" thick	2 1/2" thick	3" thick
Basswood	\$4.50	\$5.00	\$5.50	\$6.50	\$7.00	\$7.50	\$9.50	\$11.50
Soft Maple								
Buckeye								
Yellow Poplar								
Butternut	5.00	5.50	6.50	7.50	8.50	9.50	11.50	13.50
Ash								
Beech								
Birch								
Cherry	5.50	6.00	7.00	8.50	10.00	12.50	15.50	20.50
Chestnut								
Hickory								
Hard Maple								
Plain Oak	5.50	6.50	8.00	9.50	11.50	15.50	20.50	25.50
Quartered Oak								

(2) Kiln drying the lumber to a moisture content greater than 9 per cent but not exceeding 15 per cent as of the time the lumber leaves the kiln.

Species	1/2" and 3/4" thick	3/4" thick	1" thick	1 1/4" thick	1 1/2" thick	2" thick	2 1/2" thick	3" thick
Basswood	\$3.00	\$3.50	\$4.00	\$4.50	\$5.00	\$5.50	\$6.50	\$8.00
Soft Maple								
Buckeye								
Yellow Poplar								
Butternut	3.50	4.00	4.50	5.50	6.00	6.50	8.00	9.50
Ash								
Beech								
Birch								
Cherry	4.00	4.50	5.00	6.00	7.00	8.50	10.50	14.00
Chestnut								
Hickory								
Hard Maple								
Plain Oak	4.00	4.50	5.50	6.50	8.00	10.50	14.00	17.00
Quartered Oak								

(3) Anti-stain treatment (where requested by purchaser): 50¢

(4) Millworking:

	Less than 1" thick	1" and 1 1/4" thick	1 1/2" to 3" thick
Resawing 1 line	\$3.00	\$3.00	\$2.50
Resawing 2 lines	5.50	5.50	4.50
Surfacing 1 or 2 sides	2.50	2.50	2.25
Surfacing 2 sides and resawing	5.00	5.00	4.25
Resawing and surfacing 1 or 2 sides	5.50	5.50	4.75

(5) Inspecting, grading and measuring after kiln drying: 5 per cent of the f. o. b. mill price of the lumber in a rough air dried condition. This addition may be made only where the seller performs all three of these services, at the request of the purchaser, after kiln drying.

(6) End-racking or band sawing: No addition.

(e) The following additions per 1,000 feet of Appalachian hardwood lumber may be charged where the purchaser (or purchasers, in the case of pool cars) orders an item, consisting of one species, thickness, and grade of Appalachian hardwood lumber, in the quantities herein indicated:

Quantity ordered	Allowable addition (per 1,000 feet)
Over 3,000 but not exceeding 4,000 feet	\$1.00
Over 2,000 but not exceeding 3,000 feet	2.00
1,000 to 2,000 feet	2.50
Less than 1,000 feet	3.00

(f) A delivered price in excess of the maximum f. o. b. mill prices set forth in paragraphs (b) and (c) hereof, may be charged, consisting of such maximum prices plus actual transportation costs paid by the seller. However, for the purposes of this section, the following two practices shall not be deemed a deviation from the use of actual transportation costs:

(1) the charging of a sum equivalent to the one-quarter of a dollar nearest to such actual transportation costs; and

(2) the computation of transportation costs on the basis of a system of estimated average weights established by the seller, and adhered to by him during the period October 1 to October 15, 1941: *Provided*, That a copy of such system of estimated average weights has been filed with the Office of Price Administration either before the use of such system in a transaction subject to this Maximum Price Regulation No. 146 or on or before July 1, 1942: *And provided further*, That in applying the estimated weights, the seller must use estimated weights which are appropriate for lumber in the condition in which the lumber subject to this Maximum Price Regulation No. 146 is shipped.

(g) Where the purchaser requests an inspection by, and an inspection certificate issued by, the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the inspection fees and expenses charged

by the Association to the seller and shown on the certificate.

(h) Where Appalachian hardwood lumber is sold on a Log Run, Mill Run, or No. 1 Common and Better grade for which no maximum price has been established in this Appendix the maximum price shall be the maximum price established in this Appendix for the lowest grade of lumber contained in the stock that is sold on such special inspection grade; the seller, however, may grade and ship the lumber on the standard grades included in such special inspection grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price established in this Maximum Price Regulation No. 146 for the respective standard grades.

(i) The maximum prices established in this Appendix shall not be increased by any charges for the extension of credit and shall be decreased for prompt payment to the same extent that the sale price would have been decreased on October 1, 1941, in a sale of a similar nature to a purchaser of the same class as involved in the transaction subject to this Maximum Price Regulation No. 146.

(j) Export sales of Appalachian hardwood lumber are subject to the provisions of the Maximum Export Price Regulation.<sup>1</sup>

§ 1382.12 Appendix B: Maximum prices for Appalachian hardwood lumber in "recurring special" grades or items—

(a) Application of Appendix B. (1) The provisions of this Appendix shall apply to Appalachian hardwood lumber in the species set forth in paragraph (a) (3) (i) of § 1382.8 which is sold on special specifications (herein referred to as "recurring special" grades or items), requested by the purchaser:

(i) Which are not covered by § 1382.11, Appendix A, of this Maximum Price Regulation No. 146; and

(ii) To which reference was made in the published price lists or unsolicited trade quotations of the producing mill at any time during the year 1941 or 1942.

(2) For purposes of this Appendix the term "Appalachian hardwood lumber" shall include all items of lumber in the species set forth in paragraph (a) (3) (i) of § 1382.8, except the following items:

- (i) Glued stock
- (ii) Moulding
- (iii) Shiplap
- (iv) Risers, step treads, thresholds, handrails
- (v) Bevel and drop siding
- (vi) Flooring
- (vii) Switch, cross, and mine ties
- (viii) Mine material
- (ix) Small dimension stock
- (x) Lath

(b) On and after June 1, 1942, no seller shall sell Appalachian hardwood

lumber in "recurring special" grades or items, as defined in paragraph (a) (1) above, unless:

(1) The mill producing the "recurring special" grades or items files with the Office of Price Administration on Form 246:1 a notarized statement describing such grades or items and setting forth the prices received by the mill in all sales of lumber sold in such grades or items during the period September 1 to October 15, 1941 (or, if no such sales were made during said period, the prices received by the mill in all sales of lumber sold on such grades or items during any calendar month in 1941 prior to said period); and

(2) The Office of Price Administration causes this Maximum Price Regulation No. 146 to be amended to include a description of such grades or items and the maximum prices at which such grades or items of lumber produced at the particular mill may be sold.

Copies of Form 246:1 can be obtained from the Office of Price Administration, or Form 246:1 can be reproduced by the seller provided no change is made in style or content of the form.

(c) In the event that this Maximum Price Regulation No. 146 is amended to include maximum prices for described "recurring special" grades or items, additions to such maximum prices may be charged, and deductions must be made, in accordance with the provisions of paragraphs (d), (e), (f), (g), (i) and (j) of § 1382.11, Appendix A.

Form 246:1

OFFICE OF PRICE ADMINISTRATION  
LUMBER SECTION—HARDWOOD UNIT

Report of Sales of Special Grades and Items of Appalachian Hardwood Lumber

Company.....  
Address.....  
Mill location.....

Sales of "Recurring Special" Grades and Items

(As Defined in Appendix B of Maximum Price Regulation No. 146)

(This report must contain information with respect to ALL sales by the mill during the period September 1 to October 15, 1941 of any "recurring special" grade or item which the mill desires to sell after May 31, 1942. If no sales of this grade or item were made during that period, the report must contain information with respect to all sales by the mill of the particular grade or item during any calendar month in the year 1941, prior to that period.)

A. Identification of "recurring special" grade or item.

(Species) (Thickness) (Grade or Item Designation)

Complete description of grade or item: ---

B. Price Information.

Order		Shipment		F. o. b. mill price (in rough, air dried condition)
Date	Number	Origin	Destination	

Subscribed and sworn to before me, a notary public in and for \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 194\_\_.

(Notarial Seal) \_\_\_\_\_  
Notary Public.

My commission expires:

§ 1382.13 Appendix C: Maximum prices for Appalachian hardwood lumber in "non-recurring special" grades or items—(a) Application of Appendix C.

(1) This Appendix shall apply to Appalachian hardwood lumber in the species set forth in paragraph (a) (3) (i) of § 1382.8 which is sold on special specifications (herein referred to as "non-recurring special" grades or items), requested by the purchaser:

(i) Which are not covered by section 1382.11, Appendix A of this Maximum Price Regulation No. 146; and

(ii) To which reference was at no time made in the published price lists or unsolicited trade quotations of the producing mill during the years 1941 and 1942.

(2) For purposes of this Appendix the term "Appalachian hardwood lumber" shall include all items of lumber in the species set forth in paragraph (a) (3) (i) of § 1382.8, except the following items:

- (i) Glued stock
- (ii) Moulding
- (iii) Shiplap
- (iv) Risers, step treads, thresholds, handrails
- (v) Bevel and drop siding
- (vi) Flooring
- (vii) Switch, cross, and mine ties
- (viii) Mine material
- (ix) Small dimension stock
- (x) Lath

(b) The maximum price for Appalachian hardwood lumber in "non-recurring special" grades or items shall be computed by adjusting the maximum prices established in Appendices A and B, §§ 1382.11 and 1382.12, of this Maximum Price Regulation No. 146 in accordance with differentials which would have been employed by the seller during the period of October 1 to 15, 1941: Provided, That the seller must, within thirty days of entering into a contract for the sale of stock subject to the provisions of this Appendix, file a report with the Office of Price Administration

<sup>1</sup> 7 F.R. 3096.



on Form 246:2 setting forth full details of the transaction including the name and address of the purchaser, the point of origin and the point of delivery of the stock, the species and grades of lumber ordered, the special specifications, and the price charged for the stock. Where the Office of Price Administration within thirty days of receipt of the report rules that the seller has made an excessive charge for furnishing stock in "non-recurring special" grades or items, the seller must readjust the sale price in accordance with the ruling of the Office of Price Administration. If the Office of Price Administration does not rule on the price within such time, the price submitted shall be considered approved.

In the event that the Office of Price Administration approves the price charged by the seller, or in the event that the Office of Price Administration rules as to the maximum price which the seller may charge, the price so established shall become the maximum price which the particular seller thereafter may charge for lumber sold on the special specifications to which the price is applicable. In subsequent sales of such special stock the seller need not file a report with the Office of Price Administration unless the price quoted by the seller is in excess of the maximum price previously determined.

Nothing in this Appendix shall be construed as requiring the seller to obtain the approval of the Office of Price Administration before the seller can proceed to fulfill a contract for lumber subject to this Appendix.

Copies of Form 246:2 can be obtained from the Office of Price Administration, or Form 246:2 can be reproduced by the seller providing no change is made in style or content of the form.

(c) Additions to the maximum prices established in this Appendix C may be charged, and deductions must be made, in accordance with the provisions of paragraphs (d), (e), (f), (g), (i) and (j) of § 1382.11, Appendix A.

Issued this 19th day of May 1942.

LEON HENDERSON, Administrator.

Form 246:2

OFFICE OF PRICE ADMINISTRATION LUMBER SECTION—HARDWOOD UNIT

Report of sales of special grades and items of Appalachian hardwood lumber

Company \_\_\_\_\_ Address \_\_\_\_\_ Mill Location \_\_\_\_\_ Sales of "non-recurring" special grades and items

(As Defined in Appendix C of Maximum Price Regulation No. 146)

(This report must be filed with the Office of Price Administration, Washington, D. C. within 30 days of the date on which the seller enters into a contract for the sale of a "non-recurring" special grade or item.)

Date of order... Origin of shipment... Order No... Destination of shipment... Purchaser... F. o. b. mill price... (In rough air-dried condition) (Species) (Thickness)

(Grade or item designation)

Complete description of Grade or Item--

Subscribed and sworn to before me, a notary public in and for \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 194 .

[NOTARIAL SEAL] Notary Public

My commission expires:

[F. R. Doc. 42-4591; Filed, May 19, 1942; 5:17 p. m.]

PART 1499—COMMODITIES AND SERVICES AMENDMENT NO. 2 TO SUPPLEMENTARY REGULATION NO. 2 TO GENERAL MAXIMUM PRICE REGULATION

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.

Paragraph (c) of § 1499.27 is amended by adding a proviso as set forth below and a new paragraph (d) is added.

§ 1499.27 Postponement of effective dates. \* \* \*

(c) \* \* \* Provided that § 1499.27 (a) (3) shall become effective as of 12:01 a. m. May 18, 1942.

(d) Amendment No. 2 to Supplementary Regulation No. 2 (§ 1499.27) to the General Maximum Price Regulation shall become effective May 19, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of May, 1942.

LEON HENDERSON, Administrator.

[F. R. Doc. 42-4593; Filed, May 19, 1942; 5:15 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment No. 2 to Ration Order No. 5] EMERGENCY GASOLINE RATIONING REGULATIONS

Paragraphs (a) (5) and (a) (6) of § 1394.32 are amended; a new paragraph (d) is added to § 1394.32; a new § 1394.38 is added; a new paragraph (i) is added to § 1394.43 as set forth below:

GASOLINE RATION CARDS

\* \* \* § 1394.32 Issuance of Class X cards. (a) \* \* \*

(5) By Federal, State, local or foreign governments or government agencies or by regularly appointed or elected officials, employees or representatives thereof, in the performance of the official business of such governments or government agencies;

(6) For trucking, hauling, towing, freight-carrying, or delivery service; for messenger service as a means of earning a livelihood;

\* \* \* 17 F.R. 3482, 3524, 3554, 3577, 3723.

(d) The holder of a Class X card may retain and use such card only so long as all or substantially all of the use of the motor vehicle or inboard motorboat continues to be for the purpose for which such card was issued. If all or substantially all of the use of such vehicle or boat ceases to be for such purpose such card shall be surrendered to a Board for cancellation and the holder thereof may make application pursuant to the provisions of § 1394.41, for a card of the proper class.

§ 1394.38. Application without motor vehicle registration card. Any owner or person entitled to possession of a motor vehicle currently registered for operation on public highways, under the laws of any State or Territory, for which no currently valid registration card or registration certificate has been received may when applying for a ration card, submit a signed statement in the form prescribed, below, in lieu of presenting a registration card or registration certificate.

(a) Such signed statement shall describe the motor vehicle by make, body style and engine number, shall set forth the currently valid license plate number of such vehicle and the State of registration, and shall contain a certification that no registration card or registration certificate has been received and that no gasoline ration card has previously been issued for such vehicle.

ADJUSTMENTS, APPLICATIONS FOR SUPPLEMENTAL RATION AND APPEALS

\* \* \* § 1394.43 Applications for supplemental ration. \* \* \*

(i) Any person rendering voluntary services for or receiving training by the American Red Cross, a volunteer firemen's organization, or an organization solely engaged, under the supervision or direction of the Army, Navy, Marine Corps, Coast Guard, or Office of Civilian Defense, in civilian defense activities or in activities directly related to the prosecution of the war, who requires the use of a motor vehicle or inboard motorboat in order to perform such services or receive such training or who requires transportation by motor vehicle or inboard motorboat to and from the site where such services are performed or such training is given may apply to any Board in the rationed area for a supplemental ration. Such application shall be made on Form OPA R-512, with appropriate modifications.

(1) The application on Form OPA R-512 must be accompanied by an affidavit of a duly authorized official of the organization describing the service to be performed or training to be received by the applicant and showing that a supplemental ration is essential to permit the applicant to perform the service or receive the training.

(2) The Board may, in its discretion, grant the application if it finds that the services or training are essential to the public welfare or to the war effort and that a supplemental ration is essential

to the performance of such services or to the receipt of such training or for transportation to and from the site where such services are to be performed or training given. The Board may not grant the application unless it finds that no other means of transportation reasonably adequate for the purpose are available. If it grants the application, the Board shall determine the quantity of gasoline essential to the purpose from the date of its decision to June 30, 1942, and may issue to the applicant an A, B1, B2 or B3 card, or any combination of them, in sufficient number to allow the minimum quantity of gasoline so determined to be essential.

(3) No person to whom a supplemental ration card has been issued pursuant to the provisions of this paragraph shall accept a transfer of gasoline thereunder in excess of the amount essential to the accomplishment of the purpose stated in the application.

§ 1394.61 *Effective dates of amendments.* \* \* \*

(b) Amendment No. 2 (1394.32 (a) (5) and (6), 1394.32 (d), 1394.38, and 1394.43 (i)) to Ration Order No. 5 shall become effective May 21, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Directive No. 1 Supp. Dir. No. 1 H, 7 F.R. 562, 3478.)

Issued this 20th day of May 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-4643; Filed, May 20, 1942; 11:55 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Amendment No. 1 to Rationing Order No. 3<sup>1</sup>]

SUGAR RATIONING REGULATIONS

Section 1407.71 is amended to read as follows and a new § 1407.222 is added, as set forth below:

*Consumers*

\* \* \* \* \*

§ 1407.71 *Home canning and preserving.* (a) The Board may permit a consumer who has registered in conformity with Rationing Order No. 3 to obtain sugar for the purpose of canning or preserving fresh fruits to be consumed by him or by the family unit of which he is a member, in an amount not to exceed one pound per four quarts of finished canned fruit and one pound per annum per person for use in preparing preserves, jams, jellies or fruit butters; *Provided, however,* That in no event shall the individual or family unit be permitted more sugar than is necessary to can the quantity of fruit which the Board deems to be reasonable giving due consideration to the period within which the fruit will be consumed, the past practice of the individual or family unit with respect to home canning, the prevailing home canning practice in the lo-

cality among individuals and families in circumstances similar to those of the applicant, the number of quarts of fruit previously canned at home remaining in the possession of the individual or family unit applying, the availability in the locality of fruit suitable for home canning, and such other circumstances of the applicant or other criteria as the Board deems pertinent to the particular request.

(b) Applications for sugar in accordance with this section shall be made to the Board on OPA Form No. R-315 by one adult member of a family unit for all members of the unit (or if there is no adult member, by the oldest member or by a responsible person), or by a consumer not a member of a family unit for himself (or if a minor, not self-supporting, by his parent or guardian, or by a responsible adult). The applicant shall state (1) the names of the consumers on whose behalf the application is filed, and the serial numbers of their War Ration Books, if such books have been issued; (2) the number of quarts of fruit canned in the preceding calendar year, or in connection with applications subsequent to the first during any calendar year the number of quarts of fruit canned since the previous application; (3) the number of quarts of fruit then in the possession of the individual or family unit applying; (4) the number of quarts of fruit to be canned during the period for which the application is being made; (5) whether sugar is to be used for preserving; and (6) the excess sugar supply as of the time of registration and any subsequent reductions therein. If the application is for sugar for use only in preparing preserves, jams, jellies, or fruit butters, it shall so state, and the statements with respect to canning fruit shall not be required. The Board shall fix the times and places at which, and the periods for which, applications shall be made. The Board shall grant the application only to the extent it deems proper pursuant to the provisions of this section, and shall issue a Certificate for, or reduce the excess sugar supply by, the amount of sugar so allowed: *Provided, however,* That if the excess sugar supply is less than the amount of sugar allowed, such excess supply shall be cancelled and a Certificate shall be issued having a weight value equal to the difference. The Board shall deduct from the amount allowed under this section any quantity of sugar allowed prior to May 20, 1942, for home canning or preserving purposes.

(c) Sugar allowed pursuant to this section shall be used only in the quantities, during the period and for the purposes for which it was allowed.

(d) If any sugar allowed pursuant hereto is not used during the period for which it was allowed the individual making the application therefor shall within 30 days after the expiration of such period notify the Board to that effect; in the case of a family unit such notification may be made by any person who could make an application pursuant to this section on behalf of such family unit. If a Certificate for such sugar was issued but not used it shall be returned

to the Board for cancellation. If a Certificate for such sugar was issued and used the War Ration Book or Books of the individual or of the members of the family unit shall be returned to the Board by the person who made the application for such sugar and the Board shall detach therefrom stamps having a weight value (as the weight value may be then fixed in Rationing Order No. 3) equal to the amount of such sugar; but if the amount of such sugar exceeds the weight value of the Stamps to which a weight value has been given, the Book or Books shall be retained by the Board until Stamps having a weight value equal to the amount of such sugar shall have become valid. To the extent that the allowance for such sugar was made by reducing the excess sugar supply such sugar supply shall be increased by the amount of such sugar, or if an application for additional sugar pursuant to this section is then being considered and is granted an appropriate adjustment shall be made. The Board may use any combination of the above methods of adjustment which shall be appropriate under the circumstances.

*Effective Date*

§ 1407.222 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1407.-71, 1407.222) to Rationing Order No. 3 shall become effective May 20, 1942.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1-3)

Issued this 20th day of May 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-4642; Filed, May 20, 1942; 11:56 a. m.]

Chapter XIII—Office of Petroleum Coordinator for War

[Recommendation 47—Amendment]

PART 1503—PRODUCTION

DISCRETION OF COURTS TO ENJOIN ILLEGALLY DRILLED WELLS

*To all state regulatory authorities having jurisdiction over the drilling and abandonment of oil and gas wells and to all operators and owners of oil and gas wells wherever located and to all other persons having an interest in any oil or gas well.*

Pursuant to the President's letter of May 28, 1941, establishing the Office of Petroleum Coordinator for War, §§ 1503.30 to 1503.33<sup>1</sup> of this chapter (Recommendation No. 47, dated April 21, 1942) are hereby amended by adding thereto to following § 1503.34:

§ 1503.34 *Restrictions upon applicability.* The provisions of §§ 1503.30 to 1503.33, inclusive, shall not affect the exercise of such discretion as the courts or the duly authorized regulatory body of any state may possess to enjoin the operation or compel the abandonment of illegally drilled oil or gas wells. (Presi-

<sup>1</sup> 7 F.R. 2966, 3242.

<sup>1</sup> 7 F.R. 3489.



dent's letter of May 28, 1941, to the Secretary of the Interior, 6 F.R. 2760).

R. K. DAVIES,  
Deputy Petroleum Coordinator for War.  
MAY 20, 1942.

[F. R. Doc. 42-4615; Filed, May 20, 1942;  
10:25 a. m.]

## Chapter XVII—Office of Civilian Defense

### PART 1900—UNITED STATES CITIZENS DEFENSE CORPS, UNITED STATES CITIZENS SERVICE CORPS, CIVIL AIR PATROL, AND CIVILIAN DEFENSE AUXILIARY GROUP

#### ESTABLISHMENT

Pursuant to authority granted by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, creating the Office of Civilian Defense, the Director of Civilian Defense (hereinafter referred to as the "Director") hereby confirms the establishment, within the Office of Civilian Defense, of:

United States Citizens Defense Corps  
United States Citizens Service Corps  
Civil Air Patrol  
Civilian Defense Auxiliary Group

and hereby orders:

Sec.

- 1900.1 Insignia of Office of Civilian Defense and Its Staff Corps.  
1900.2 United States Citizens Defense Corps.  
1900.3 United States Citizens Service Corps.  
1900.4 Civil Air Patrol.  
1900.5 Civilian Defense Auxiliary Group.  
1900.6 Regulations.

AUTHORITY: §§ 1900.1 to 1900.6, inclusive, issued under 42 Stat. 1286, as amended by 45 Stat. 437, and Pub. Law 415, 77th Congress, and under E.O. 8757, 6 F.R. 2517 and E.O. 9134, 7 F.R. 2887.

§ 1900.1 *Insignia of Office of Civilian Defense and its Staff Corps*—(a) *Basic insignie*. The basic insignie prescribed for the Office of Civilian Defense shall consist of the letters "CD" in red centered in a white equilateral triangle embossed on a circular field of blue.

(b) *Staff Corps insignia*. The prescribed insignia for the Staff Corps of the Office of Civilian Defense shall consist of the basic insignie of the Office of Civilian Defense, which, when used by the Staff Corps of the Office of Civilian Defense in its Washington Office or Regional Offices, shall be superimposed on the letters "US," and when used by members of State Defense Councils or Local Defense Councils, or persons on the staff of such Councils or of the local Volunteer Offices of the Office of Civilian Defense, shall be placed immediately above a rectangle embodying the name, or abbreviation of the name, of the particular state.

(c) *"CD" insignia*. The use of the letters "CD" alone and not in connection with prescribed insignia of the Office of Civilian Defense or any Branch or unit thereof is prohibited. All prior orders or instructions relative to the use of the letters "CD" alone on arm bands or other articles of identification, whether for temporary use by trainees

or any other groups of persons, are hereby cancelled and rescinded.

§ 1900.2 *United States Citizens Defense Corps*—(a) *Units*. The United States Citizens Defense Corps (hereinafter referred to as the "Defense Corps") consists of units composed of enrolled members in (1) the protective services engaged in civilian defense now established and hereinafter specified, (2) additional protective services engaged in civilian defense from time to time established as units of the Defense Corps pursuant to order of the Director, (3) services related to the protective services engaged in civilian defense now or hereafter established as such by order of the Director, including Chaplains. The protective services engaged in civilian defense now established are:

- (1) Staff Unit.
- (2) Air Raid Wardens Unit.
- (3) Auxiliary Police Unit.
- (4) Auxiliary Firemen Unit.
- (5) Fire Watchers Unit.
- (6) Demolition and Clearance Unit.
- (7) Road Repair Unit.
- (8) Rescue Unit.
- (9) Decontamination Unit.
- (10) Emergency Medical Field Unit.
- (11) Nurses' Aides Unit.
- (12) Drivers Unit.
- (13) Messengers Unit.
- (14) Emergency Food and Housing Unit.
- (15) Utility Repair Unit.
- (16) Instructors Unit.

(b) *Insignia*. (1) The insignia prescribed for the units of the Defense Corps designated in § 1900.2 (a) (2) to 1900.2 (a) (14), inclusive, are as specified in the official publication of the Office of Civilian Defense entitled "United States Citizens Defense Corps," a copy of which is attached to and made a part of this order.

(2) The prescribed insignia for the Staff Unit of the Defense Corps shall be a blue five-pointed star above the letters "CDC" in red, centered in a white equilateral triangle embossed on a circular field of blue, which, when used by the Staff Unit of the Defense Corps in the Washington Office and the Regional Offices of the Office of Civilian Defense, shall be superimposed on the letters "US," and when used by the Staff Unit of the Defense Corps in the communities, shall be placed immediately above a rectangle embodying the name, or abbreviation of the name, of the particular State.

(3) The prescribed insignie for Utility Repair Units shall be a pair of pliers, jaws closed, handles extending downward, in red, centered in a white equilateral triangle embossed on a circular field of blue.

(4) The prescribed insignia for Chaplains, analogous to Chaplains' insignia used by the United States Army, shall be: (i) Chaplains—Christian: A Latin cross, in red, centered in a white equilateral triangle embossed on a circular field of blue; (ii) Chaplains—Jewish: Six-pointed star centered above the Tablets of the Law in silhouette, in red, centered in a white equilateral triangle embossed on a circular field of blue.

(5) The prescribed insignie for the Instructors Unit of the Defense Corps shall be a white equilateral triangle embossed on a circular field of blue, in which triangle there shall be, in red, an inverted equilateral triangle above which shall be a falling bomb, to the left of which shall be a chemical retort and to the right of which shall be a flame. Such insignie for the Instructors Unit may be used on lapel buttons, pins, and other means of identification, but not on arm bands or brassards. A member of the Instructors Unit may wear an arm band or brassard only if a member of another unit of the protective services engaged in civilian defense, in which case he may wear only the arm band or brassard of such other unit.

(6) Additional insignia may be prescribed from time to time by regulations or orders of the Director with respect to additional units of the Defense Corps.

(7) Use and wear of prescribed insignia shall be governed by § 1902.1 to 1902.9, inclusive, of this chapter, (Office of Civilian Defense Regulations No. 2).<sup>1</sup> It shall be unlawful for any person to use or wear such insignia except in accordance with the regulations, rules, orders and instructions of the Director.

(c) *Organization*. The organization of the Defense Corps is set forth in the official publications of the Office of Civilian Defense entitled "Staff Manual—United States Citizens Defense Corps," and "The Control System of the Citizens Defense Corps," copies of which publications are attached to and made a part of this order, and shall so continue subject to further order of the Director.

(d) *Supervision*. The Defense Corps is under the supervision of the Office of Civilian Defense, Protection Branch, which is headed by an Assistant Director appointed by and responsible to the Director.

(e) *Distribution and use of supplies and equipment of the Office of Civilian Defense*. In order to attain maximum efficiency in the use and preservation of supplies and equipment of, or under the control of, the Office of Civilian Defense which are loaned to communities pursuant to Executive Order No. 9088 dated March 6, 1942 and §§ 1901.1–1901.10 of this chapter (Office of Civilian Defense Regulations No. 1),<sup>2</sup> it is hereby ordered, in accordance with § 1901.7, that (1) such loaned supplies and equipment shall be distributed by such communities, directly or indirectly, only to enrolled members of the Defense Corps or to members of the local police department or fire department, all in accordance with instructions of the Commander of the local Citizens Defense Corps, and (2) all such loaned equipment shall be used only by enrolled members of the Defense Corps or by members of the local police department or fire department: *Provided, however*, That eligible applicants for membership taking prescribed and approved courses of training or instruction for membership in the Defense Corps may receive, use or wear such

<sup>1</sup> 7 F.R. 3242.

<sup>2</sup> 7 F.R. 2172.



loaned supplies or equipment if and to the extent and under the conditions permitted by rules, regulations or orders issued by the Director. Any community which distributes any such loaned articles of personal wear to any person not an enrolled member of the Defense Corps or a member of the local police department or fire department, or a trainee, to the extent permitted as aforesaid with respect to trainees, or not in accordance with the instructions of the Commander of the local Citizens Defense Corps, or which permits any person not such a member or trainee to use or wear any such loaned supplies or equipment, or which fails promptly to recall any such loaned supplies or equipment from any person whose membership or training status in the Defense Corps has been suspended or terminated by order of the Local Defense Council or the Director, as provided in Regulations to be issued by the Director, shall be deemed to have violated its Agreement (OCD Form No. 501) with the Director pursuant to which such supplies and equipment were loaned; and in such event the Director may proceed to recall all or any part of such equipment and supplies of any character loaned to such community.

§ 1900.3 *United States Citizens Service Corps*—(a) *Membership and organization.* The United States Citizens Service Corps (hereinafter referred to as the "Service Corps") shall consist of a Staff Unit, members of State and Local Defense Councils, or committees appointed by such Councils, engaged in directing or supervising community war activities (other than the protective services engaged in civilian defense, and related services, embraced in the Defense Corps) carried on with the approval of the respective Local Defense Councils, and volunteer members engaged in such activities.

(b) *Insignia.* (1) The basic insigne prescribed for the Service Corps shall consist of a red block "V" placed in the center of a white equilateral triangle, a red "C" half the size of the "V" and placed to the left of the "V," and a red "D" half the size of the "V" and placed to the right of the "V"; the white equilateral triangle shall be embossed on a circular field of blue.

(2) The prescribed insignia for the Staff Unit of the Service Corps shall consist of the basic insigne of the Service Corps, which, when used by the Staff Unit of the Service Corps of the Washington Office and the Regional Offices of the Office of Civilian Defense, shall be embossed on the letters "US," and when used by the local Staff Unit of the Service Corps in the communities shall be placed immediately above a rectangle embodying the name, or abbreviation of the name, of the particular State.

(3) Additional insignia for the Service Corps or any units thereof may be prescribed from time to time by regulations or orders of the Director.

(4) Use and wear of prescribed insignia shall be governed by § 1902.1 to § 1902.9, inclusive, of this chapter (Office of Civilian Defense Regulations No. 2).<sup>3</sup>

It shall be unlawful for any person to use or wear such insignia except in accordance with the regulations, rules, orders and instructions of the Director. Members of the Service Corps shall not wear arm bands or brassards.

(c) *Supervision.* The Service Corps shall be under the supervision of the Office of Civilian Defense, Mobilization Branch, which shall be headed by an Assistant Director appointed by and responsible to the Director.

§ 1900.4 *Civil Air Patrol*—(a) *Units.* The Civil Air Patrol consists of a Staff Unit and units composed of volunteer members engaged in civilian air activities, including the performance of such missions as shall be requested by the United States Army or Navy or other departments or agencies of the United States Government, such as observation and patrol flying, courier service, ferry service, forest patrol, and other types of activity prescribed by the Director and appropriate to be performed by the Civil Air Patrol.

(b) *Insignia.* (1) The basic insigne prescribed for Civil Air Patrol consists of a red propeller placed in the center of a white equilateral triangle embossed on a circular field of blue. Insignia for Civil Air Patrol Pilot Wings shall be the basic insigne of the Civil Air Patrol, with a silver eagle, wings outstretched, gripping the upper periphery of the basic circle. Insignia for Civil Air Patrol Observer Wings shall be the basic insigne of the Civil Air Patrol, with a silver spread eagle wing extending to the left of the basic circle.

(2) Additional insignia for the Civil Air Patrol or any units thereof may be prescribed from time to time by regulations or orders of the Director.

(3) Use and wear of prescribed insignia shall be governed by § 1902.1 to 1902.9, inclusive, of this Chapter (Office of Civilian Defense Regulations No. 2).<sup>3</sup> It shall be unlawful for any person to use or wear such insignia except in accordance with regulations, rules, orders, and instructions of the Director.

(c) *Organization.* The organization of the Civil Air Patrol is set forth in the official publication of the Office of Civilian Defense entitled "Civil Air Patrol—Organization, Purpose, Program, Enlistment," a copy of which is attached to and made a part of this Order, and shall so continue subject to further order of the Director.

(d) *Supervision.* The Civil Air Patrol is under the supervision of the Office of Civilian Defense and is headed by the National Commander of the Civil Air Patrol appointed by and responsible to the Director.

§ 1900.5 *Civilian Defense Auxiliary Group*—(a) *Personnel.* The Civilian Defense Auxiliary Group (hereinafter referred to as the "Auxiliary Group") includes certain classes of persons whose duties require them to be on the streets during blackouts or air raids, but who have no special civilian defense training as ordinarily required for members of the Defense Corps, the Service Corps or the Civil Air Patrol. Certain classes of persons who may be included in the Auxil-

iary Group will be designated from time to time by order of the Director; but additional classes of persons may, subject to rules, regulations, or orders to be issued by the Director, be authorized by Local Defense Councils to be included in the Auxiliary Group, entitled to use and wear its insigne.

(b) *Insigne.* (1) The basic insigne prescribed for the Auxiliary Group shall consist of the letters "CD" in blue, centered in a white equilateral triangle, on a circular field of blue.

(2) Use and wear of such prescribed insigne shall be governed by § 1902.1 to 1902.9, inclusive, of this chapter (Office of Civilian Defense Regulations No. 2).<sup>3</sup> It shall be unlawful for any person to wear such insigne except in accordance with the rules, regulations, orders and instructions of the Director. Persons in the Auxiliary Group shall not wear or use pins or lapel buttons embodying the prescribed insigne, but may use automobile plates and stickers, and during blackouts or air raids, while actively engaged in the performance of duties, or while in transit to or from their places of duty, may wear arm bands or brassards.

(c) *Supervision.* Persons in the Auxiliary Group shall be under the supervision and direction of the Local Defense Councils, subject to further order of the Director.

§ 1900.6 *Regulations.* The Director will issue regulations prescribing the eligibility, training, method of appointment, character of oath, and duties of the members of the Defense Corps, the Service Corps and the Civil Air Patrol entitled to wear or use prescribed insignia, or to receive or use supplies and equipment loaned by the Office of Civilian Defense.

[SEAL] JAMES M. LANDIS,  
Director of Civilian Defense.

APRIL 29, 1942.

[F. R. Doc. 42-4617; Filed, May 20, 1942; 11:26 a. m.]

[Regulations No. 2, Supplementary Order No. 1]

PART 1902—INSIGNIA  
ARM BANDS AND BRASSARDS

By virtue of authority vested in me as Director of Civilian Defense by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9088 dated March 6, 1942, and Executive Order No. 9134 dated April 15, 1942, and pursuant to § 1902.6 of this chapter (section 6 of Regulations No. 2 of the Office of Civilian Defense) providing for designation by the Director of Civilian Defense (hereinafter referred to as the "Director") of additional groups which may wear and use arm bands or brassards embodying the prescribed insignia of the Office of Civilian Defense, it is hereby ordered that:

§ 1902.50 *Arm bands and brassards for staff corps of the Office of Civilian Defense.* The Staff Corps of the Office of Civilian Defense, to the extent herein-

<sup>3</sup>F.R. 3242

after specified, is designated as a group entitled to wear and use, in accordance with § 1902.6 (section 6 of Regulations No. 2, of the Office of Civilian Defense), arm bands or brassards embodying the prescribed insignia of such Staff Corps, subject, however, to the following conditions:

(a) The Director shall designate which members of such Staff Corps in the Washington Office of the Office of Civilian Defense shall be entitled to wear and use arm bands or brassards.

(b) The Regional Directors of the Office of Civilian Defense shall designate which members of such Staff Corps in the respective Regional Offices of the Office of Civilian Defense shall be entitled to wear and use arm bands or brassards.

(c) The respective State Defense Councils and Local Defense Councils shall designate which members of such Staff Corps who are members of such State Defense Councils or Local Defense Councils shall be entitled to wear and use arm bands or brassards.

(d) The Director, The Regional Directors, and the State and Local Defense Councils shall designate only such persons on said Staff Corps as entitled to wear and use such arm bands or brassards as shall be deemed by them to be persons whose duties reasonably require them to be entitled to be on the streets during an air raid, blackout, practice blackout, or other emergency, which persons may include officials required to direct, supervise or inspect activities during such periods and a limited number of essential office personnel, including telephone and elevator operators. (E.O. 8757, 6 F.R. 2517; E.O. 9088, 7 F.R. 1775; E.O. 9134, 7 F.R. 2887; § 1902.6)

[SEAL] JAMES M. LANDIS,  
Director of Civilian Defense.

MAY 12, 1942.

[F. R. Doc. 42-4618; Filed, May 20, 1942;  
11:27 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter II—Office of Defense Transportation

[General Order O. D. T. No. 10]

#### PART 501—CONSERVATION OF MOTOR EQUIPMENT

##### SUBPART C—CHARTER AND SIGHTSEEING SERVICE

By virtue of the authority vested in me by Executive Order No. 8989 dated December 18, 1941, and by Executive Order No. 9156 dated May 2, 1942, and in order to assure maximum utilization of the facilities, services, and equipment of carriers by motor vehicle for the preferential transportation of troops and material of war and to prevent shortages in motor vehicle equipment necessary for

such transportation, as contemplated by Section 6 (8) of the Interstate Commerce Act; to conserve and providently utilize vital equipment, material, and supplies, including rubber, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war:

*It is hereby ordered, That:*

Sec.

501.38 Definitions.  
501.39 Charter service.  
501.40 Sightseeing service.

AUTHORITY: §§ 501.38 to 501.40, inclusive, issued under E.O. 8989, 6 F.R. 8725, and E.O. 9156, 7 F.R. 3349.

§ 501.38 *Definitions.* As used herein:

(a) The term "charter service" means:

(1) The transportation by bus of a group of persons, who, pursuant to a common purpose and under a single contract, have acquired the exclusive use of a bus to travel together as a group; or

(2) The transportation by bus of passengers to whom individual tickets have been sold or with whom individual transportation arrangements have been made from or to any point or over any route not regularly served by existing facilities and established scheduled services of the person performing the transportation service.

(b) The term "sightseeing service" means the transportation by bus of passengers, whether over regular or irregular routes, for the primary purpose of permitting such passengers to see places or objects of general or special interest.

(c) The term "person" means any individual, firm, copartnership, corporation, company, association, or joint stock association, or any trustee, receiver, or assignee thereof, or the Federal or State government or any agency, department or subdivision thereof.

(d) The term "bus" means any rubber-tired vehicle used in the transportation of passengers, having a capacity of ten or more passengers.

§ 501.39 *Charter service.* On and after the effective date hereof, no person shall engage in charter service by bus, except in the transportation hereinafter specified when such transportation cannot readily be performed by existing facilities and established scheduled services of common carriers of passengers operating over regular routes between fixed termini, to wit: The transportation of

(a) Military or naval personnel or persons participating in organized recreational activities at military establishments to and from Army and Navy establishments provided such transportation is furnished on written request of the commanding officer of such establishment.

(b) Selectees to and from examining or induction stations on the written request of an authorized official of the Selective Service System.

(c) Students, teachers, and other school employees en route between their homes and their schools.

(d) Employees en route between their homes and their places of work.

(e) Children under eighteen (18) years of age and their attendants en route between their homes and summer camps. Such service may be given only after written application showing the necessity therefor has been filed with and approved in writing by a Regional Office of the Office of Defense Health and Welfare Services, Division of Recreation.

(f) Persons en route between their homes and their places of regular weekly worship for the purpose of attending religious services.

(g) Civilians from their homes for purposes of evacuation, in the interest of their safety or to serve military purposes, or to their homes after evacuation, pursuant to orders of governmental or military authorities.

§ 501.40 *Sightseeing service.* On and after the effective date hereof, no person shall engage in sightseeing service by bus.

This subpart shall become effective June 1, 1942.

Issued at Washington, D. C., this 20th day of May 1942.

JOSEPH B. EASTMAN,  
Director of Defense Transportation.

[F. R. Doc. 42-4638; Filed, May 20, 1942;  
11:53 a. m.]

[Amendment No. 1 to Exception Order O.D.T. No. 7-1]

#### PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS AND PERMITS

##### TANK CARS—CERTAIN SHIPMENTS EXCEPTED

Pursuant to the authority conferred by General Order O.D.T. No. 7,<sup>1</sup> as amended, Title 49, Chapter II, Subpart B, §§ 500.9 to 500.15,<sup>2</sup> inclusive, Exception Order O.D.T. No. 7-1, this Title and Chapter, Part 520, Subpart B, § 520.401<sup>3</sup> is hereby amended to read as follows:

§ 520.401 *Exception Order 7-1.* Effective June 1, 1942, and until further notice, neither general nor special permits will be required for the following shipments in tank cars:

(a) Of crude petroleum or petroleum products into the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida and the District of Columbia from any shipping point in any other State;

(b) Of crude petroleum or petroleum products into the States of Washington and Oregon from any shipping point in any other State;

(c) Of any commodity billed to a destination over one hundred (100) miles

<sup>1</sup> 7 F.R. 3327.

<sup>2</sup> 7 F.R. 3332.



from shipping point, measured by the shortest available published rail tariff route, whether billed or transported over such route or otherwise. (E.O. 8989, 6 F.R. 6725; Gen. Order O.D.T. No. 7, this issue.)

Issued at Washington, D. C., this 10th day of May 1942.

JOSEPH B. EASTMAN,  
Director of Defense Transportation.

[F. R. Doc. 42-4637; Filed, May 20, 1942;  
11:53 a. m.]

### Notices

#### WAR DEPARTMENT.

[Civilian Exclusion Order No. 67]

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

PERSONS OF JAPANESE ANCESTRY EXCLUDED  
FROM RESTRICTED AREA—PIERCE AND KING  
COUNTIES, WASHINGTON

MAY 12, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2,<sup>2</sup> this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, May 18, 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 Pierce and King, State of Washington, within the boundary beginning at a point on the shoreline of Puget Sound, about midway between the Cities of Tacoma and Seattle, and due west of Des Moines; thence east through and including Des Moines to Washington State Highway No. 1K; thence easterly on said Highway No. 1K to U. S. Highway No. 99; thence southerly along Highway No. 99 to King-Pierce County line; thence northwesterly along King-Pierce County line to the easterly limits of the City of Tacoma; thence southerly and following the easterly limits of the City of Tacoma to Washington State Highway No. 5; thence southerly along said Highway No. 5 to the intersection of Washington State Highways Nos. 5 and 5H; thence southwesterly along Washington State Highway No. 5H to the Nisqually River; thence northwesterly along the Nisqually River to Puget Sound; thence northeasterly along the shoreline of Puget Sound to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Wednesday, May 13, 1942, or during the same hours on Thursday, May 14, 1942, to the Civil Control Station located at: 1715 South Tacoma Avenue, Tacoma, 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 Monday, May 18, 1942, will be liable to the criminal penalties

<sup>1</sup> 7 F.R. 2320.

<sup>2</sup> 7 F.R. 2405.

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

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

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

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

[F. R. Doc. 42-4619; Filed, May 20, 1942;  
11:37 a. m.]

[Civilian Exclusion Order No. 68]

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

PERSONS OF JAPANESE ANCESTRY EXCLUDED  
FROM RESTRICTED AREA

MAY 12, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2,<sup>2</sup> 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 16, 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 Kitsap, State of Washington, (except Bainbridge Island), all islands in King County, State of Washington, located in the waters of Puget Sound, and all of that portion of Pierce County, State of Washington, lying generally northwest of a line beginning at the point at which the King-Pierce County line meets Puget Sound; thence southwesterly along the easterly shoreline of Puget Sound to the Thurston-Pierce County 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., Wednesday, May 13, 1942, or during the same hours on Thursday, May 14, 1942, to either one of the Civil Control Stations located at:

Bowers Building, Main Street, Poulsbo, Washington.  
Vashon Island Community House, Vashon, 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 16, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled

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

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

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

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

[F. R. Doc. 42-4620; Filed, May 20, 1942;  
11:37 a. m.]

[Civilian Exclusion Order No. 69]

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

PERSONS OF JAPANESE ANCESTRY EXCLUDED  
FROM RESTRICTED AREA—COLUSA, YUBA,  
AND SUTTER COUNTIES, CALIFORNIA

MAY 12, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2,<sup>2</sup> this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Monday, May 18, 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 Colusa, and all of those portions of the Counties of Yuba and Sutter, State of California, lying generally west of U. S. Highway No. 99E.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Wednesday, May 13, 1942, or during the same hours on Thursday, May 14, 1942, to the Civil Control Station located at:

California State Guard Armory, 300 B Street, Yuba City, California.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Monday, May 18, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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



excepted from the provisions of this order while those persons are in such Assembly Center.

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

Confirmed:

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

[F. R. Doc. 42-4621; Filed, May 20, 1942;  
11:39 a. m.]

[Civilian Exclusion Order No. 70]

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

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

MAY 13, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2,<sup>2</sup> 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 Thursday, May 21, 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 part of the County of San Joaquin, State of California, lying generally northerly and westerly of the line beginning at the point where the Calaveras River intersects the eastern boundary of San Joaquin County; thence following said river westerly to its intersection with Jacktone Road; thence southerly along said road to its intersection with Mariposa Road; thence northwesterly along said Mariposa Road to the City limits of Stockton; thence following said city limits generally to the north and west to the intersection of said limits with California State Highway No. 4; thence westerly and southwesterly along said State Highway No. 4 to the western boundary of San Joaquin County.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Thursday, May 14, 1942, or during the same hours on Friday, May 15, 1942, to the Civil Control Station located at:

The California State Guard Armory, 333 North Washington Street, Lodi, 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 Thursday, May 21, 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 Jap-

<sup>1</sup> 7 F. R. 2320.

<sup>2</sup> 7 F. R. 2405.

anese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4622; Filed, May 20, 1942;  
11:39 a. m.]

[Civilian Exclusion Order No. 71]

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

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

MAY 14, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2,<sup>2</sup> 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 Thursday, May 21, 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 Imperial, State of California, within that boundary beginning at the northwest corner of Imperial county; thence easterly along the Imperial-Riverside County line to the Arizona State line; thence southerly along the California-Arizona State line to the United States-Mexico boundary line; thence westerly along said boundary line to a point due south of the point at which the East Highland (Highline) Canal intersects the All American Canal; thence northerly to the East Highland (Highline) Canal and following said canal to U. S. Highway No. 80; thence westerly on U. S. Highway No. 80 to the limits of the City of Holtville; thence northerly, westerly, and southerly and following the limits of said city to U. S. Highway No. 80; thence westerly on said Highway No. 80 to the limits of the City of El Centro; thence northerly, westerly, and southerly and following the limits of said city to U. S. Highway No. 80; thence westerly on said Highway No. 80 to the San Diego County line; thence northerly on the Imperial-San Diego County line to the point of beginning.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Friday, May 15, 1942, or during the same hours on Saturday, May 16, 1942, to the Civil Control Station located at:

Japanese Methodist Church, 336 North Seventh Street, Brawley, 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 Thursday, May 21, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4623; Filed, May 20, 1942;  
11:39 a. m.]

[Civilian Exclusion Order No. 72]

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

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

MAY 14, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2<sup>2</sup> 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 Thursday, May 21, 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 Imperial, State of California, within that boundary beginning at the point at which U. S. Highway No. 80 intersects the Imperial-San Diego County line; thence easterly along said Highway No. 80 to the limits of the City of El Centro; thence northerly, easterly and southerly, following the limits of said city, to U. S. Highway No. 80; thence easterly on said Highway No. 80 to the limits of the City of Holtville; thence northerly, easterly, and southerly, following the limits of said city to U. S. Highway No. 80; thence easterly on said U. S. Highway No. 80 to the East Highland (Highline) Canal; thence southerly and following said canal to its intersection with the All American Canal; thence due south from said point to the United States-Mexico boundary line; thence westerly along said boundary line to the Imperial-San Diego County line; thence northerly along said county line to the point of beginning. Together with all parcels of Imperial County not heretofore covered by exclusion orders of this headquarters.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Friday, May 15, 1942, or during

the same hours on Saturday, May 16, 1942, to the Civil Control Station located at:

Japanese Buddhist Church, 455 Commercial Street, El Centro, 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 Thursday, May 21, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4624; Filed, May 20, 1942;  
11:40 a. m.]

[Civilian Exclusion Order No. 73]

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

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

MAY 14, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2,<sup>2</sup> 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 19, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All that portion of the County of Riverside, State of California, east of a line running north and south through the peak of Mount San Jacinto, Riverside County.

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., Friday, May 15, 1942, or during the same hours on Saturday, May 16, 1942, to the Civil Control Station located at: City Hall, Indio, 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 Tuesday, May 19, 1942, will be liable to the criminal penalties provided by Public Law No. 503, 77th Congress, approved March 21, 1942, entitled "An Act to Provide a Penalty for Violation of Restrictions or Orders with Respect to Persons Entering, Remaining in, Leaving or Committing any Act in Military Areas or Zones," and alien Japanese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4625; Filed, May 20, 1942;  
11:40 a. m.]

[Civilian Exclusion Order No. 74]

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

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA—COUNTIES OF WASHINGTON, YAMHILL, TILLAMOOK, CLATSOP AND COLUMBIA, STATE OF OREGON

MAY 14, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2<sup>2</sup>, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Wednesday, May 20, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All of the Counties of Washington, Yamhill, Tillamook, Clatsop and Columbia, State of Oregon not heretofore covered by exclusion orders of this Headquarters.

2. A responsible member of each family, and each individual living alone, in the above described area will report between the hours of 8:00 A. M. and 5:00 P. M., Saturday, May 16, 1942, or during the same hours on Sunday, May 17, 1942, to either one of the Civil Control Stations located at: American Legion Hall, Forest Grove, Oregon; 599 Duane Street, Astoria, Oregon.

3. Any person subject to this order who fails to comply with any of its provisions or with the provisions of published instructions pertaining hereto or who is found in the above area after 12 o'clock noon, P. W. T., of Wednesday, May 20, 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 Jap-

anese will be subject to immediate apprehension and internment.

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

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

Confirmed:

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

[F. R. Doc. 42-4626; Filed, May 20, 1942;  
11:41 a. m.]

[Civilian Exclusion Order No. 75]

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

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

MAY 14, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2<sup>2</sup>, this Headquarters, dated March 2, 1942, and March 16, 1942, respectively, it is hereby ordered that from and after 12 o'clock noon, P. W. T., of Wednesday, May 20, 1942, all persons of Japanese ancestry, both alien and non-alien, be excluded from that portion of Military Area No. 1 described as follows:

All that portion of the County of Sacramento, State of California, lying generally southwest of a line beginning at the intersection of the county lines of Yolo County, Sacramento County, and Solano County; thence northerly along the Sacramento-Yolo County line to the Sacramento River; thence southeasterly along the Sacramento River to the crossing of California State Highway No. 12, at or near Walnut Grove; thence southeasterly along said California State Highway No. 12 to the Sacramento-San Joaquin County 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., Friday, May 15, 1942, or during the same hours on Saturday, May 16, 1942, to the Civil Control Station located at: Odd Fellows Hall, Isleton, 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 Wednesday, May 20, 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

<sup>1</sup> 7 F.R. 2320.

<sup>2</sup> 7 F.R. 2405.

excepted from the provisions of this order while those persons are in such Assembly Center.

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

Confirmed:

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

[F. R. Doc. 42-4627; Filed, May 20, 1942;  
11:41 a. m.]

[Civilian Exclusion Order No. 76]

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

PERSONS OF JAPANESE ANCESTRY EXCLUDED FROM RESTRICTED AREA — COUNTIES OF GLENN, BUTTE, TEHAMA, SHASTA AND SISKIYOU, STATE OF CALIFORNIA

MAY 14, 1942.

1. Pursuant to the provisions of Public Proclamations Nos. 1<sup>1</sup> and 2,<sup>2</sup> 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 19, 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 Glenn and all that portion of the Counties of Butte, Tehama, Shasta, and Siskiyou, State of California, lying west of a line beginning at the intersection of California-Oregon State line and U. S. Highway No. 97; thence southerly along U. S. Highway No. 97 to its intersection with U. S. Highway No. 99; thence southerly along U. S. Highway No. 99 to the intersection of U. S. Highways No. 99W and No. 99E; thence southerly along U. S. Highway No. 99E to the southern boundary of the County of Butte.

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., Friday, May 15, 1942, or during the same hours on Saturday, May 16, 1942, to the Civil Control Station located at: 334 Broadway Street, Chico, 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 Tuesday, May 19, 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

<sup>1</sup> 7 F.R. 2320.

<sup>2</sup> 7 F.R. 2405.

instructions from this Headquarters are excepted from the provisions of this order while those persons are in such Assembly Center.

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

Confirmed:

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

[F. R. Doc. 42-4628; Filed, May 20, 1942;  
11:41 a. m.]

#### LIMITATION OF PROSTITUTION NEAR ARMY ESTABLISHMENTS

Pursuant to the act of Congress approved July 11, 1941, (Public Law 163—77th Congress) (Bulletin 23, W. D., 1941) the Secretary of War has determined that it is needful to the efficiency, health, and welfare of the Army to restrain and prevent commission of the offenses defined by said Act, in an area within a reasonable distance of Camp Forrest, Tennessee, and hereby designates and describes said area as follows: That area that lies within the following counties of the State of Tennessee—Bedford, Bledsoe, Cannon, Cheatham, Coffee, Davidson, Dekalb, Dickson, Franklin, Giles, Grundy, Lincoln, Marion, Marshall, Maury, Moore, Putnam, Robertson, Rutherford, Sequatchie, Smith, Sumner, Van Buren, Warren, White, Williamson, and Wilson. (Act of July 11, 1941, Public Law 163, 77th Congress) [Bulletin No. 24, W. D., May 20, 1942]

[SEAL] J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-4640; Filed, May 20, 1942;  
12:00 m.]

#### SEVEN-DAY WEEK FOR DEPARTMENTAL AND FIELD SERVICES

Announcement of seven-day week for Departmental and Field Services published in the FEDERAL REGISTER January 29, 1942 (7 F.R. 589) is hereby rescinded and the following orders are published for the information and guidance of all concerned:

All departmental and field activities of the War Department will be open for business on a seven-day week basis. Offices and activities in the District of Columbia will be open for business between the hours of 8:15 a. m. and 5:00 p. m. every day including Sunday. The starting hours of employees in the field service outside of the District of Columbia will be fixed by commanding officers or higher authority, in accordance with local conditions. (R.S. 161; 5 U.S.C. 22) [Sec. V, Cir. 144, W.D., May 14, 1942]

[SEAL] J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-4639; Filed, May 20, 1942;  
12:00 m.]

#### DEPARTMENT OF THE INTERIOR.

##### Bituminous Coal Division.

[Docket No. B-31]

LONNIE ROMANS, CODE MEMBER

COMPLAINT DISMISSED

In the matter of Lonnie Romans, code member, defendant.

Order dismissing complaint and discontinuing matter.

A complaint in the above-entitled matter having been filed on September 6, 1941, by Bituminous Coal Producers Board for District No. 9 pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 alleging wilful violations by code member Lonnie Romans of the Bituminous Coal Code or rules and regulations thereunder; and

The said District Board having indicated its desire that said complaint be dismissed;

The Acting Director deeming it advisable that said complaint be dismissed without prejudice and that the above-entitled matter be discontinued;

Now, therefore, it is ordered, That said complaint be and same hereby is dismissed without prejudice and the above-entitled matter be and the same hereby is discontinued.

Dated: May 18, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-4604; Filed, May 20, 1942;  
10:17 a. m.]

[Docket No. A-1426]

#### PETITION OF DISTRICT BOARD 2

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF

In the matter of the petition of District Board No. 2 for a change in the shipping points of certain mines in District No. 2.

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 a change in the shipping points of certain mines in District No. 2; 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, the shipping points and freight origin groups set forth in the schedule marked "Supplement R," annexed hereto and hereby made a part hereof, for coals produced by Mine Index Nos. 348, 1879, 2145, and 3074, are effective in place of the shipping points and freight origin groups heretofore effective 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 15, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-4605; Filed, May 20, 1942;  
10:17 a. m.]

[Docket No. B-40]

A. D. SPICER, CODE MEMBER

CEASE AND DESIST ORDER

In the matter of A. D. Spicer, Code Member.

Order approving and adopting the proposed findings of fact, proposed conclusions of law and recommendation of the Examiner, and order to cease and desist.

A complaint, pursuant to section 4 II (j) and 5 (b) of the Bituminous Coal Act having been filed with the Bituminous Coal Division on September 24, 1941, by the Bituminous Coal Producers Board for District 8, alleging that A. D. Spicer, a code member in District 8, has violated the provisions of the Bituminous Coal Code or rules or regulations thereunder, and praying that the Division either cancel or revoke Spicer's code membership or in its discretion direct him to cease and desist from violations of the Code and regulations thereunder;

After appropriate notice to interested persons, a hearing having been held before Charles S. Mitchell, a duly designated Examiner of the Division at a hearing room thereof in London, Kentucky, and the complainant and defendant having appeared at said hearing;

The Examiner having made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendations in this matter dated March 24, 1942, in which (1) it was found that Spicer, a code member producer operating the Spicer Mine (Mine Index No. 1314), located at Sewell, Breathitt County, Kentucky, District 8, has wilfully violated section 4 II (e) of the Act and the Code by selling and delivering between May 9, 1941, and June 13, 1941, approximately 10.19 tons of ½" x 1" nut coal at \$0.75 per net ton f. o. b. truck at said mine, whereas the effective minimum price was \$1.90 per net ton f. o. b. the mine, and in which (2) it was recommended that an order be entered directing the defendant to cease and desist from violating the Act, the Code, the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments, and the Marketing Rules and Regulations;

An opportunity having been afforded to all parties to file exceptions to the Examiner's Report and supporting briefs

and no such exceptions or supporting briefs have been filed;

The undersigned having determined after a consideration of the record that the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendations of the Examiner should be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

*Now, therefore, it is ordered*, That the proposed findings of fact, and proposed conclusions of law of the Examiner be and the same are hereby approved and adopted as the findings of fact and conclusions of law of the undersigned;

*It is further ordered*, That the code member, A. D. Spicer, his representatives, agents, servants, employees, and attorneys and all persons acting or claiming to act on his behalf or interest, cease and desist and they are hereby permanently enjoined and restrained from selling or offering to sell coal produced by the defendant at less than the applicable effective minimum prices established therefor, contrary to the provisions of section 4 II (e) and any rules and regulations promulgated thereunder, the Bituminous Coal Code, the Marketing Rules and Regulations, and the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments.

*It is further ordered*, That upon the failure or neglect of the defendant to comply with this Order, the Division may forthwith apply to the Circuit Court of Appeals of the United States where such defendant carries on business, or to the United States Circuit Court of Appeals for the District of Columbia for the enforcement thereof, or may take any other appropriate action.

Dated: May 18, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-4606; Filed, May 20, 1942;  
10:18 a. m.]

[Docket No. B-258]

GRADEN COAL CO., CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

In the Matter of the Graden Coal Company, a corporation, code member.

A complaint dated April 30, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on May 4, 1942, by the Bituminous Coal Producers Board for District No. 16, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by The Graden Coal Company, Denver, Colorado, (the "Code member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

*It is ordered*, That a hearing in respect to the subject matter of such complaint be held on June 24, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Circuit Court of Appeals, Post Office Building, Denver, Colorado.

*It is further ordered*, That Joseph A. Huston or any other officer or officers of the Division duly designated for that pur-

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

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

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

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

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

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

That said code member whose address is Denver, Colorado, whose code membership became effective as of June 21, 1937 and who operates the Graden Mine, Mine Index No. 121, located in Weld County, Colorado, Subdistrict No. 8 of District No. 16, has wilfully violated section 4 II (e) of the Bituminous Coal Act of 1937 and Part II (e) of the Code promulgated thereunder, and orders, rules, regulations, and the minimum price schedules established by the Division in the following particulars:

## I

By selling coal produced at the above-named Graden Mine for truck shipments as follows:

(a) To various purchasers during the period from December 1, 1940 to October 3, 1941, both dates inclusive, approximately 6897.65 tons of 2½" x 10" egg coal at \$4.05 per net ton f. o. b. said mine, whereas said coal was classified as Size Group 4 and priced at \$4.55 per net ton f. o. b. said mine as set forth in the Schedule of Effective Minimum Prices for District No. 16 For All Shipments.

(b) To various purchasers during the period from December 1, 1940 to October 9, 1941, both dates inclusive, approximately 55.85 tons of 10" lump coal at \$4.05 per net ton f. o. b. said mine, whereas said coal was classified as Size Group 1 and priced at \$4.55 per net ton f. o. b. said mine as set forth in said schedule.

(c) To W. L. Wolverton, Denver, Colorado, during the months of December 1940 and January, February and March 1941, approximately 403.75 tons of ¾" slack coal at \$1.60 per net ton, whereas said coal was classified as Size Group 12 and priced at \$1.95 per net ton f. o. b. said mine as set forth in said schedule.

(d) To the Cash Coal Company, Denver, Colorado, during the month of December 1940, approximately 5.5 tons of ¾" slack coal at \$1.60 per net ton f. o. b. said mine, whereas said coal was classified as Size Group 12 and priced at \$1.85 per net ton f. o. b. said mine as set forth in said schedule.

## II

By falsely recording on truck tickets the size of the coal referred to in paragraph I (a) hereof as 2½" x 8" egg coal; by falsely recording on truck tickets the size of the coal referred to in paragraph I (b) hereof as 8" lump coal; and by falsely recording on truck tickets the size of the coal referred to in paragraph I (c) hereof as ¾" slack coal.

## III

By failing to comply with Order No. 288 during the period from December 1, 1940 to October 9, 1941, both dates inclusive, in that said Code member failed to report changes made in the size of screens maintained at said mine within the time and the manner prescribed by said Order.

## IV

By failing to comply with Orders Nos. 296 and 297 during the period from December 1, 1940 to December 31, 1940, both dates inclusive, in that said Code member failed to maintain proper records of all coal sold and shipped by truck or wagon and failed to file with the Division reports of sales of such coal within the time and in the manner prescribed by said orders.

## V

By failing to comply with Order No. 307 during the period from January 1, 1941 to March 31, 1941, both dates inclusive, and Order No. 312 during the period from April 1, 1941 to October 9,

1941, both dates inclusive, in that said Code member failed to maintain proper records of all coal sold and shipped by truck or wagon within the manner prescribed by said orders.

Dated: May 18, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-4607; Filed, May 20, 1942;  
10:18 a. m.]

[Docket No. B-256]

GEORGE THOMPSON, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

In the matter of George Thompson, code member.

A complaint dated April 28, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on May 1, 1942, by Bituminous Coal Producers Board for District No. 1, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by<sup>1</sup> (the "Code member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

*It is ordered*, That a hearing in respect to the subject matter of such complaint be held on June 24, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania.

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

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

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admis-

<sup>1</sup>So in original document.

sion of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

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

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

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging wilful violations by the above named Code member as follows: That the said George Thompson, Blairsville, Pennsylvania, whose code membership became effective August 26, 1938, and who operates several mines in District 1, including the Lydia Mine, Mine Index No. 2151, located in Subdistrict 28 of District 1 in Indiana County, Pennsylvania, wilfully violated section 4, Part II (e) of the Act and Part II (e) of the Code by selling to Ralph O. Trexler, Armagh, Pennsylvania, during the period from November 30, 1940 to April 3, 1941, both dates inclusive, approximately 185.5 tons of run of mine coal produced by said code member at his Lydia Mine (Mine Index No. 2151), located in Subdistrict No. 28 of District No. 1, in Indiana County, Pennsylvania, at a price of \$1.75 per net ton f. o. b. said mine, whereas said coal was classified as Size Group 3 and priced at \$2.15 per net ton f. o. b. said mine, as set forth in the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments.

Dated: May 18, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-4608; Filed, May 20, 1942;  
10:18 a. m.]

[Docket No. B-257]

C. F. OKES, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

In the matter of C. F. Okes, code member.

A complaint dated April 30, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on April 30, 1942 by Bituminous Coal Producers Board for District No. 7, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by C. F. Okes (the "Code member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

*It is ordered*, That a hearing in respect to the subject matter of such complaint



be held on June 30, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the United States District Courtroom, Federal Building, Bluefield, West Virginia.

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

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

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

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

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

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging wilful violations by the above named Code member as follows: That the said C. V. Okes, an individual, Shady Springs, West Virginia, whose code membership became effective as of December 19, 1939, and who operates the Blue Jay No. 6 Mine, Mine Index No. 639, located in Subdistrict No.

2 of District No. 7, Raleigh County, West Virginia, wilfully violated section 4 II (e) of the Act and Part II (e) of the Code by selling subsequent to September 30, 1940, coal produced at the aforesaid mine below the effective minimum prices therefor including the sale during the period from January 18, 1941, to April 28, 1941, both dates inclusive, of approximately 326½ net tons of mine run coal, Size Group No. 4, to C. L. Burns of Ghent, West Virginia, at a price of \$1.65 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was \$2.15 per net ton f. o. b. the mine as set forth in Supplement No. 2 to the Schedule of Effective Minimum Prices for District No. 7 for Truck Shipments.

Dated: May 18, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-4609; Filed, May 20, 1942;  
10:19 a. m.]

[Docket No. B-254, District No. 1]

KRISTIANSON & JOHNSON COAL CO., INC.,  
CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

In the matter of Kristianson & Johnson Coal Co., Inc., a corporation, code member.

A complaint dated April 29, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on May 1, 1942 by Bituminous Coal Producers Board for District No. 1, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Kristianson & Johnson Coal Co., Inc., a corporation, (the "Code member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on June 25, 1942 at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania.

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

Notice of such hearing is hereby given to said Code member and to all other parties herein and to all persons and entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations

Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

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

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

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

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging wilful violations by the above named Code member as follows: That the said Kristianson & Johnson Coal Co., Inc., a corporation, Lanse, Pennsylvania, whose code membership became effective June 20, 1937, and which operates several mines in District No. 1, including the Kristianson No. 5 Mine, Mine Index No. 260, located in Subdistrict 8 of District No. 1, Clearfield County, Pennsylvania,

(1) Wilfully violated section 4 II (e) of the Act and Part II (e) of the Code by selling, subsequent to September 30, 1940, coal produced by said code member at its aforesaid mine, at prices below the effective minima established therefor in the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck, including the sales to R. S. Walker, doing business under the name and style of Bradford Coal Company, Bigler, Pennsylvania, as follows:

a. The sale on or about January 29, 1941, of approximately 48 net tons of 2" nut and slack coal (Size Group 4) at a price of \$2.10 per net ton f. o. b. the mine, less a discount of 20 cents per net ton, whereas said coal was priced at \$2.20 per net ton f. o. b. the mine as set forth in said Schedule;

b. The sale on March 6, 1941, of approximately 52.4 net tons of ¾" slack coal (Size Group No. 5) at a price of \$1.50 per net ton f. o. b. the mine, whereas the effective minimum price for such coal



was \$2.10 per net ton as set forth in said Schedule.

(2) Willfully violated Rule 1 of section III of the Marketing Rules and Regulations by allowing to said R. S. Walker, trading as the Bradford Coal Company, Bigler, Pennsylvania, on the sale referred to in paragraph (1) hereof a discount of 20 cents per net ton from the sales price f. o. b. the mine in addition to a reduction of 10 cents per net ton from the effective minimum f. o. b. mine price, thereby allowing in effect a discount of 30 cents per net ton from the effective minimum f. o. b. mine price of said coal, although said purchaser was not a registered distributor.

Dated: May 18, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-4610; Filed, May 20, 1942;  
10:19 a. m.]

[Docket No. A-1444]

PETITION OF DISTRICT BOARD 15

NOTICE OF, AND ORDER FOR HEARING AND GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 15 for establishment of price classifications and minimum prices for all shipments except truck for the coals of certain mines in Production Group No. 9 of District No. 15.

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

*It is ordered*, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on June 22, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

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

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

on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before<sup>1</sup>

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

The matter concerned herewith is in regard to the establishment of price classifications and minimum prices for all shipments except truck for the coals of certain mines in Production Group No. 9 of District No. 15.

*It is ordered*, That pending final disposition of this proceeding, temporary relief be, and it hereby is, granted as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 15 For All Shipments Except Truck is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Supplement R" annexed hereto and hereby made a part hereof.

Notice is hereby given that applications to stay, terminate or modify the temporary relief granted herein may be filed pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: May 15, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-4611; Filed, May 20, 1942;  
10:19 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).

<sup>1</sup> No date in original document.

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

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

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

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

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

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

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

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 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 21, 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

Easton Clothing Co., 16th and Reed Streets, Philadelphia, Pennsylvania; Men's coats; 2 learners (T); May 21, 1943.

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

W. L. M. Clark Inc., 1900 St. Louis Avenue, St. Louis, Missouri; Women's Apparel; 4 learners (T); May 21, 1943.

The Mack Shirt Corporation, 209 East 6th Street, Cincinnati, Ohio; Men's Shirts and sport shirts; 10 percent (T); May 21, 1943.

Phillips-Jones Corporation, Wetmore Road & Oak Street, Kane, Pennsylvania; Commercial shirts; 10 percent (T); May 21, 1943.

Hosiery

Industrial Hosiery Mills, Mohnton, Pennsylvania; Seamless hosiery; 5 learners (T); January 21, 1943.

Vogue Manufacturing Company, Tappahannock, Virginia; Full-fashioned hosiery; 5 learners (T); January 21, 1943.

Knitted Wear

United Underwear Mill, 513-521 Rhoads Avenue, Boyertown, Pennsylvania; Knitted underwear; 4 learners (T); May 21, 1943.

Textile

Diamond Braiding Mills, Inc., 181 East 16th Street, Chicago Heights, Illinois; Manufacturing or finishing of braids; 3 percent (T); May 21, 1943.

Trenton Mills, Inc., Factory Street, Trenton, Tennessee; Cotton Meat Bags; 6 percent (T); May 21, 1943. (This certificate replaces the one for 3% bearing the expiration date of November 13, 1942.)

Wamsutta Mills, Wamsutta Street, New Bedford, Massachusetts; Cotton, rayon and flax; 3 percent (T); May 21, 1943.

Signed at New York, N. Y., this 19th day of May 1942.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 42-4602; Filed, May 20, 1942;  
10:10 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. 2662) to the employers listed below effective May 21, 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

Bert Manufacturing Company, Irvington-on-Hudson, New York; Converted Paper Products; 15 learners; 6 weeks for any one learner; 30 cents per hour; All productive operations involved in making diaries, except helpers, floor hands, and clean-up laborers; July 16, 1942.

International Embroidery Works, 908 21st St., Union City, New Jersey; Embroidery; 5 learners; 4 weeks for any one learner; 29 cents per hour; Applique cutter; November 18, 1942. (This certificate effective May 18, 1942.)

Mid-State Paper Box Company, Inc., 277 N. Park Street, Asheboro, North Carolina; Converted Paper Box Products; 2

learners; 6 weeks for any one learner; 30 cents per hour; Basic hand and machine box making operations, except cutting, scoring or slitting; November 21, 1942.

Signed at New York, N. Y., this 19th day of May 1942.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 42-4603; Filed, May 20, 1942;  
10:10 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order No. 2, Revised Price Schedule No. 64<sup>1</sup>]

DOMESTIC COOKING AND HEATING STOVES

APPROVAL OF MAXIMUM PRICES OF NEW MODELS OF SAMUEL STAMPING AND ENAMELLING COMPANY

On April 1, 1942, Samuel Stamping and Enamelling Company, of Chattanooga, Tennessee, filed an application pursuant to § 1356.1 (e) of Revised Price Schedule No. 64, for approval of maximum prices for two new models of gas heating stoves, designated in said application as Model Samco 2520 R and Samco 2530 R.

Due consideration has been given to the application and an opinion has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Samuel Stamping and Enamelling Company of Chattanooga, Tennessee, may sell, offer to sell, deliver or transfer Model Samco 2520 R at a maximum price of \$7.75 f. o. b. factory and Model Samco 2530 R at a maximum price of \$9.00 f. o. b. factory, subject to discounts and allowances no less favorable than those in effect as to Model Samco 2520 and Samco 2530 respectively under § 1356.1 (a) (1) of Revised Price Schedule No. 64.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This order No. 2 shall become effective May 23, 1942.

Issued this 19th day of May 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-4641; Filed, May 20, 1942;  
11:55 a. m.]

<sup>1</sup>7 F.R. 1829, 1836, 2000, 2132.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-536]

THE UNITED GAS IMPROVEMENT COMPANY, AND COMMONWEALTH UTILITIES CORPORATION

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of May 1942.

Commonwealth Utilities Corporation, a registered holding company and a subsidiary of The United Gas Improvement Company, also a registered holding company, having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10 and 12 of the Act and Rules U-42 and U-43 promulgated thereunder, regarding the following transactions:

Commonwealth Utilities Corporation proposes to use the net proceeds in the sum of \$3,238,169 from the sale of the common stock of its former subsidiary, St. Louis County Water Company, to offer to purchase for retirement 2,345 shares of its Class A Common Stock and 200,675 shares of its Class B Common Stock at \$15.95 per share, being the book value of such common stock per share as of March 31, 1942.

The United Gas Improvement Company, owning 92.8% and 99.9%, respectively, of the outstanding shares of said Class A and Class B Common Stock, proposes to sell to Commonwealth Utilities Corporation shares of said stock only in amount equal to the difference between the number of shares tendered by other stockholders and the amount to be purchased for retirement. The offer to purchase such stock through tenders by stockholders other than The United Gas Improvement Company is to remain open during the period May 22, 1942 to 3:00 p. m. June 8, 1942, and such tenders within the time specified are to be accepted in full.

Said applications and declarations having been filed on April 21, 1942 and an amendment having been filed on May 6, 1942, and Notice of said filing having been duly given in the form and manner prescribed by Rule U-23, promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said applications or declarations within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The above-named parties having requested that the said applications and declarations, as amended, become effective by May 20, 1942; and

The Commission deeming it appropriate in the public interest and in the



interest of investors and consumers to permit the said declarations pursuant to section 12 and Rules U-42 and U-43, promulgated thereunder, to become effective, and finding with respect to said applications under section 10 of the Act that no adverse findings are necessary under section 10 (b) or 10 (c) (1) and that the transaction involved has the tendency required by section 10 (c) (2) of the Act, and being satisfied that the effective date of such declarations and applications, as amended, should be advanced;

*It is hereby ordered,* Pursuant to Rule U-23 of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid applications, as amended, be and hereby are granted, and that the aforesaid declarations, as amended, be and hereby are permitted to become effective forthwith.

By the Commission. (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.)

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-4595; Filed, May 20, 1942;  
10:08 a. m.]

[File No. 70-433]

**PUBLIC SERVICE COMPANY OF INDIANA, INC.  
SUPPLEMENTAL ORDER GRANTING APPLICATION**

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of May, A. D. 1942.

This Commission having heretofore, on April 20, 1942, issued an order in the above captioned proceedings granting an exemption from the provisions of sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 on the basis of section 6 (b) of said Act for the issuance and sale of \$4,000,000 principal amount of First Mortgage Bonds, Series D, 3½% due 1972 by Public Service Company of Indiana, Inc., which order denied an application for exemption from the provisions of Rule U-50;

The Commission having thereafter, on May 7, 1942, issued an order on application by said company which among other things permitted a shortening of the 10-day notice required by paragraph (b) of Rule U-50, so that the proposed securities might be sold on May 18, 1942, provided that, at least five days prior to such date, invitation for sealed written proposals was made;

Said order of May 7, 1942 containing, among other things, the condition:

"That Public Service Company of Indiana, Inc., 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."

The applicant having made a report to the Commission pursuant to Rule U-50 (c), and the terms of said order of May 7, 1942, setting forth its action taken to obtain competitive bids for the purchase of said securities together with a copy of each proposal received and in-

dicating that the successful bidders for the bonds were The First Boston Corporation and Mellon Securities Corporation, at a price of 101.68, each bidder to purchase \$2,000,000 principal amount of said bonds.

The Commission finding that it will be in the public interest and in the interest of investors and consumers to allow Public Service Company of Indiana, Inc. to sell its bonds to the above indicated purchasers on the above described terms;

*It is therefore ordered,* That the applicant be and is hereby granted permission to sell its bonds to The First Boston Corporation and Mellon Securities Corporation on the terms of their bids as aforesaid.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-4596; Filed, May 20, 1942;  
10:08 a. m.]

[File No. 70-533]

**EASTERN SHORE PUBLIC SERVICE COMPANY  
(DEL.)**

**ORDER PERMITTING DECLARATION TO BECOME  
EFFECTIVE**

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of May, A. D. 1942.

Eastern Shore Public Service Company (Del.), a registered holding company, having filed a declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935 with respect to the issue and sale of its two-year 3% note in the principal amount of \$1,000,000 to the Chase National Bank of the City of New York, the proceeds of said note, together with such of its own funds as may be required, to be used to pay the principal amount of and accrued interest on its maturing two-year 3% note in same amount; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter, and having made and filed its findings and opinion herein;

*It is ordered,* That the said declaration be and the same hereby is permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations, and to the following additional conditions:

1. That at least \$200,000 will be paid toward the liquidation of the said note on or before June 30, 1942.

2. That no dividends shall be paid on the common stock of Eastern Shore Public Service Company (Del.) until such time as the said note has been completely liquidated.

By the Commission (Chairman Purcell and Commissioners Healy and Pike), Commissioners Burke and O'Brien absent and not participating.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-4597; Filed, May 20, 1942;  
10:08 a. m.]

[File No. 1-297]

**SIVYER STEEL CASTING COMPANY, COM-  
MON STOCK, NO PAR VALUE**

**ORDER REOPENING HEARING ON APPLICATION  
TO WITHDRAW FROM LISTING AND REGIS-  
TRATION**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of May, A. D. 1942.

The Sivyer Steel Casting Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, No Par Value, from listing and registration on the Chicago Stock Exchange; and

After appropriate notice, a hearing in this matter having been held and concluded before a Trial Examiner of the Commission on April 20, 1942; and

It appearing to the Commission, after examination of the record thus far made, that the applicant herein has failed to offer adequate proof in support of all allegations set forth in its application as a basis for the withdrawal of the subject security from listing and registration on the Chicago Stock Exchange.

*It is ordered,* That the record in this proceeding be reopened and that the hearing be reconvened at 10:00 a. m. on Thursday, June 4, 1942, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, for the purpose of allowing the applicant a further opportunity to offer proof in support of reason marked "(3)" in its application, to wit: "That the best interests of the stockholders will be served by making the stock available for active trading in the over-the-counter market which will naturally follow from delisting."; and

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-4598; Filed, May 20, 1942;  
10:08 a. m.]

[File Nos. 59-46; 4-36]

**CITIES SERVICE CO. ET AL.**

**ORDER EXTENDING TIME FOR FILING OF AN-  
SWERS AND CONTINUING DATE FOR HEARING**

In the Matters of Cities Service Company, Empire Gas and Fuel Company, Cities Service Gas Company, Cities Service Oil Company (Delaware), and Indian Territory Illuminating Oil Company, Respondents; and Cities Service Company and Empire Gas and Fuel Company, Respondents.

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



office in the City of Philadelphia, Pa., on the 19th day of May, A. D. 1942.

The Commission having heretofore on the 4th day of May, 1942, issued its Notice of and Order Instituting Proceedings and Setting Date for Hearing under sections 11 (b) (2), 12 (c), 12 (f) and 15 (f) of the Public Utility Holding Company Act of 1935 in this matter;

Such order having provided that the Respondents, Cities Service Company, Empire Gas and Fuel Company, Cities Service Gas Company, Cities Service Oil Company (Delaware) and Indian Territory Illuminating Oil Company, should file with the Secretary of the Commission on or before May 20, 1942, answers to the allegations contained in said notice and order and having further provided that a hearing should be held on such matters at the Offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 o'clock in the forenoon of May 26, 1942;

Such Respondents having requested that the time within which answers should be filed be extended to June 1, 1942, and that some date thereafter be fixed for the hearing to be held in such matters; and

The Commission having considered such request for extension and finding that the same is not unreasonable and that the granting of such request would not be detrimental to the public interest or the interest of investors:

*It is ordered*, That the time within which answers shall be filed by the Respondents herein be and hereby is extended to June 1, 1942.

*It is further ordered*, That the hearing heretofore set for May 26, 1942, shall be held in this matter on June 10, 1942, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 o'clock in the forenoon of such date.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-4599; Filed, May 20, 1942;  
10:09 a. m.]

[File Nos. 7-647, 7-648]

NEW YORK CURB EXCHANGE—UNLISTED  
TRADING PRIVILEGES

ORDER GRANTING APPLICATION TO INTERVENE  
AND POSTPONING DATE OF HEARING

In the matter of applications by the New York Curb Exchange to extend unlisted trading privileges to Pacific Gas and Electric Company 5% Cumulative First Preferred Stock, \$25 Par Value; Richfield Oil Corporation Warrants for Common Stock, No Par Value.

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

No. 99—5

office in the City of Philadelphia, Pa., on the 18th day of May, A. D. 1942.

The New York Curb 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 for permission to extend unlisted trading privileges to the above-mentioned securities; and

The Commission having ordered that a hearing be held in this matter on Tuesday, May 19, 1942, in Philadelphia, Pennsylvania; and

The National Association of Securities Dealers, Inc., by its Executive Director, Wallace H. Fulton, having filed on May 18, 1942, an application to intervene in the matter of application by the New York Curb Exchange for permission to extend unlisted trading privileges to Pacific Gas and Electric Company, 5% Cumulative First Preferred Stock, \$25 Par Value, and the National Association of Securities Dealers, Inc., having requested a postponement of the hearing ordered to be held in connection with such application of the New York Curb Exchange for the purpose of completing preparation of its case, which postponement was consented to by the New York Curb Exchange; and

The Commission having considered the matter and being duly informed in the premises;

*It is ordered*, That said application of the National Association of Securities Dealers, Inc. to be made a party to the said proceeding be and it is hereby granted.

*It is further ordered*, That the hearing in the matter of applications by the New York Curb Exchange to extend unlisted trading privileges to Pacific Gas and Electric Company, 5% Cumulative First Preferred Stock, \$25 Par Value, and Richfield Oil Corporation, Warrants for Common Stock, No Par Value, be postponed until 11:00 a. m. on Wednesday, June 3, 1942, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, 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.

*It is further ordered*, That Willis E. Monty, 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. 42-4600; Filed, May 20, 1942;  
10:09 a. m.]

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

IN THE MATTER OF VIRGINIA PUBLIC  
SERVICE COMPANY, ET AL.

ORDER CONCERNING CERTAIN PROCEDURE TO BE  
FOLLOWED

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of May, A. D. 1942.

The Commission having previously instituted proceedings pursuant to section 11 (b) (2) of the Public Utility Holding Company Act with respect to the distribution of the voting power among the security holders of Virginia Public Service Company (File No. 59-30), and applications having been filed by Virginia Public Service Company with respect to the issuance and sale of certain First Mortgage Bonds and Serial Debentures (File No. 70-427), and with respect to a plan of simplification of Virginia Public Service Company (File No. 54-49), and an application having been filed by General Gas & Electric Corporation with respect to the sale of certain bonds of Virginia Public Service Company (File No. 70-534), all of which matters have been consolidated by previous orders of this Commission; and

The Commission having been requested to dispose immediately of the application of Virginia Public Service Company relating to the issue and sale of said bonds and debentures, and to reserve other matters herein for subsequent consideration; and the Commission deeming that it will be appropriate in the public interest and for the protection of investors and consumers so to do;

*It is hereby ordered*, That the issuance and sale of the aforesaid bonds and debentures will be considered immediately and disposed of separately from the other issues involved in these proceedings, and that jurisdiction will be reserved for subsequent consideration of such other issues.

On the motion of counsel for Northeastern Water and Electric Corporation for a continuance of the hearings for the purpose of permitting him to consider the record heretofore made and to determine whether or not he desires to introduce further evidence on issues other than those pertaining to the aforesaid issuance and sale of bonds and debentures by Virginia Public Service Company.

*It is hereby ordered*, That counsel for Northeastern Water and Electric Corporation shall have until 2:00 p. m. on Monday, May 25, 1942, for the purpose aforesaid; and if, at or before that time, he shall notify the Commission and counsel for the parties in this proceeding of the names of witnesses, if any, whom he desires to call, as well as the purport of their testimony, the hearings herein will be reconvened at 10:00 a. m. on Tues-

day, May 26, 1942, at the offices of the Commission in Philadelphia, to receive such testimony: *Provided, however,* That the evidence sought to be introduced by said counsel shall be material and relevant to the issues in these proceedings and not in contravention of the rulings heretofore made by the Commission herein, and shall not include the testimony of any witness who has already

testified in these proceedings and who has been heretofore available for examination or cross-examination by said counsel.

*Further ordered,* That with respect to oral argument and the filing of briefs, requests for findings and the like regarding those matters as to which jurisdiction is reserved, the Commission's Rules of Practice shall apply; and the date of the

closing of the record herein shall be deemed to be at the close of business on Monday, May 25, 1942, or at the time of actual closing thereof, whichever is later.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 42-4601; Filed, May 20, 1942;  
10:09 a. m.]

