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Washington, Wednesday, June 3, 1942

## The President

### EXECUTIVE ORDER 9177

DEFINING ADDITIONAL FUNCTIONS, DUTIES AND POWERS OF THE SECRETARY OF WAR, THE SECRETARY OF THE TREASURY, THE SECRETARY OF AGRICULTURE, AND THE RECONSTRUCTION FINANCE CORPORATION

By virtue of the authority vested in me by the Constitution and laws of the United States, and particularly by Title I of the First War Powers Act, 1941, approved December 18, 1941 (Public Law 354, 77th Congress), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War, the Secretary of the Navy, the Secretary of the Treasury, the Secretary of Agriculture, and the Reconstruction Finance Corporation are each authorized to exercise the functions, powers and duties heretofore vested in the Secretary of the Navy by that provision of an act approved June 30, 1914 (38 Stat. 399; 34 U. S. C. 568) which reads as follows:

*"Provided, That hereafter the Secretary of the Navy is hereby authorized to make emergency purchases of war material abroad: And provided further, That when such purchases are made abroad, this material shall be admitted free of duty."*

2. The Commissioner of Customs, with the approval of the Secretary of the Treasury, shall issue regulations governing the entry and admission free of duty of articles as to which an officer or the agency designated in section 1 of this order shall make a certificate to him in the following form:

*"The procurement of this material constituted an emergency purchase of war material abroad and it is accordingly requested that such material be admitted free of duty pursuant to the Act of June 30, 1914 (34 U.S.C. 568) and Executive Order No. 9177."*

3. The authority herein conferred, including the authority to execute the cer-

tificate set forth in section 2 of this order, may be exercised by the Secretary of War, the Secretary of the Navy, the Secretary of the Treasury, and the Secretary of Agriculture, and the Board of Directors of the Reconstruction Finance Corporation, respectively, or in their discretion and by their direction, respectively, may be exercised also by and through any officer or officers or civilian officials of their respective departments and agency designated by them for those purposes, or, in the case of the Secretary of Agriculture by and through such corporations in the Department of Agriculture as are under the direction and supervision of the Secretary of Agriculture and in the case of the Reconstruction Finance Corporation, by and through one or more of its subsidiary corporations. The Secretary of War, the Secretary of the Navy, the Secretary of the Treasury, and the Secretary of Agriculture, and the Board of Directors of the Reconstruction Finance Corporation may authorize such officer or officers or civilian officials of their respective departments or agency or such corporation or corporations subsidiary to the Reconstruction Finance Corporation or under the direction and supervision of the Secretary of Agriculture to make further delegations of such powers and authority within their respective departments and agency, and within such corporation or corporations.

4. This order shall become effective as of the date hereof, shall continue in force and effect until the termination of Title I of the First War Powers Act, 1941, and shall authorize or ratify any emergency purchase of war materials abroad heretofore or hereafter made by or for the account of any of the said departments, the said agency, or such corporations, and any such war material so purchased may be entered, or withdrawn from warehouse, for consumption free of duty during the effective period of this order.

5. Any provision of any Executive Order, and any provision, rule, or regulation of any officer, department, board,

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commission, bureau, agency or instrumentality of the Government of the United States conflicting with this order are superseded to the extent of such conflict.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
May 30, 1942.

[F. R. Doc. 42-5130; Filed, June 1, 1942; 3:12 p. m.]

EXECUTIVE ORDER 9178

**AUTHORIZING THE SECRETARY OF THE INTERIOR TO ACQUIRE AND DISPOSE OF PROPERTY DEEMED NECESSARY IN CONNECTION WITH THE HELIUM DEVELOPMENT AND PRODUCTION PROGRAM OF THE DEPARTMENT OF THE INTERIOR**

By virtue of and pursuant to the authority vested in me by Title II of the Second War Powers Act, 1942, approved March 27, 1942 (Public Law 507, 77th Congress), the Secretary of the Interior is hereby authorized to exercise the authority contained in the said Title II of the Second War Powers Act, 1942, to acquire, use, and dispose of any real property, temporary use thereof, or other interest therein, together with any personal property located thereon, or used therewith, that the Secretary shall deem necessary for military, naval, or other war purposes in connection with the helium development and production program of the Department of the Interior.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
May 30, 1942.

[F. R. Doc. 42-5129; Filed, June 1, 1942; 3:12 p. m.]

Regulations

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

**PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES**

[Amendment 10, Civil Air Regs.]

**NIAGARA FALLS MUNICIPAL AIRPORT DESIGNATED CONTROL AIRPORT**

MAY 30, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, and finding that this action is necessary in the interest of safety and for the proper control of air traffic, I hereby amend Part 601<sup>1</sup> of the Regulations of the Administrator of Civil Aeronautics which became effective January 15, 1942, as follows:

1. By amending § 601.3 so as to include in the proper alphabetical order the designation of the following airport as a control airport:

<i>City</i>	<i>Name of airport</i>
Niagara Falls, N. Y.....	Niagara Falls Airport.

This amendment shall become effective June 1, 1942.

C. I. STANTON,  
Acting Administrator.

[F. R. Doc. 42-5133; Filed, June 2, 1942; 9:25 a. m.]

<sup>1</sup>7 F.R. 2865, 3466.

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

By virtue of the authority vested in the National War Labor Board by Executive Order of the President, #9017, dated January 12, 1942, the following sections of Part 802<sup>1</sup> (Administrative Regulation No. 2) are hereby amended as follows:

Section 802.5 *Appointment of mediators* is hereby revoked. May 19, 1942.

Section 802.11 is amended to read as follows:

§ 802.11 *Transcripts.* When the parties to a labor dispute are brought before a mediator or mediators acting for the National War Labor Board or before the Board itself, proceedings shall be conducted as Hearings when fact-finding, investigation of fact or other proceedings calling for a formal record are in progress. Whenever conferences for mediation purposes are held, the Chairman shall definitely state that the proceedings do not constitute a Hearing, and if a Hearing is in progress shall adjourn the Hearing until reconvened as a Hearing. Whenever proceedings are being conducted as Hearings, as above, verbatim records shall be kept of all proceedings and copies of such records shall be available for inspection by the parties at interest. Extracts shall be obtainable by the parties on arrangement with the official stenographer. The Chairman of any Hearing shall have discretion during any conference to have a stenographic record taken but such record shall be exclusively for the convenience of such Chairman and the Board of Mediators, as the case may be, and shall not be available to the parties, without permission of the Chairman for special cause shown. (E.O. 9017; 7 F.R. 237)

Amended May 28, 1942.

GEORGE KIRSTEIN,  
Executive Secretary.

[F. R. Doc. 42-5131; Filed, June 1, 1942; 2:00 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1418]

**PART 323—MINIMUM PRICE SCHEDULE, DISTRICT No. 3**

RELIEF GRANTED

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

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this

<sup>1</sup>7 F.R. 600, 1732, 3926.

Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; and It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the 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, § 323.6 (Alphabetical list of code members) is amended by adding thereto Supplement R-I, § 323.8 (Special prices—(b) Railroad fuel prices for all movements except via lakes) is amended by adding thereto Supplement R-II, § 323.8 (Special prices—(c) Railroad fuel prices for movement via all lakes—all ports) is amended by adding thereto Supplement R-III, and § 323.23 (General prices) is amended by adding thereto Supplement T, which

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

No relief is granted herein with respect to the coals of the Pine Bluff Mine (Mine Index No. 1319) of Pine Bluff Coal Co., since price classifications and minimum prices for the coals of this mine have already been established for all shipments except truck and for truck shipments in Docket No. A-1390.

Dated: May 9, 1942.  
[SEAL] DAN H. WHEELER,  
Acting Director.

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

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

FOR ALL SHIPMENTS EXCEPT TRUCK

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

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

Mine index No.	Code member	Mine name	Seam	Shipping point	Railroad	Freight origin group No.	Size group Nos.													
							1	2	3	4	5	6	7	8	9	10	11	12	13	14
406	Bowen, L. M.	Bowen #1	No. 5 Block	Sutton, W. Va.	B&O	35	D	D	D	D	D	D	D	D	D	D	D	D	D	D
1313	Bowen, L. M.	Bowen #2	No. 5 Block	Sutton, W. Va.	B&O	35	D	D	D	D	D	D	D	D	D	D	D	D	D	D
605	Gawthrop, C. S. (Gawthrop Mine)	Gawthrop	Pittsburgh	Wolf Summit, W. Va.	B&O	60	F	F	F	F	F	F	F	F	F	F	F	F	F	F
686	Miller & Singleton	Elkview #1	Sewell	Webster Springs, W. Va.	W.M.	20	A	A	A	A	A	A	A	A	A	A	A	A	A	A
654	West, Thomas	Koon	Pittsburgh	Kingsmont, W. Va.	B&O	50	F	F	F	F	F	F	F	F	F	F	F	F	F	F

\*Indicates no classification effective for these size groups.

§ 323.8 Special prices—(b) Railroad fuel prices for all movements except via lakes.—Supplement R-II.

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (b) in Minimum Price Schedule No. 1, group No. 1: 605, 654; group No. 5: 406, 686, 1313.

§ 323.8 Special prices—(c) Railroad fuel prices for movement via all lakes—all ports.—Supplement R-III.

For railroad fuel prices add these mine index numbers to the respective groups set forth in § 323.8 (c) in Minimum Price Schedule group No. 1: 605, 654; group No. 5: 406, 686, 1313.

FOR TRUCK SHIPMENTS

§ 323.23 General prices—Supplement T

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

Code member index	Mine index No.	Mine	Seam	County	Size groups								
					Lump over 2", egg over 2" bottom size	Lump 2", egg 2" bottom size but over 1 1/2"	Lump 1 1/2" and under, egg 1 1/2" and under, bottom size	All nut and pea 2"	Run of mine resultant	1 1/2" and 2" slack	3/4" slack		
Baker, Joseph H.	1321	Baker #1	Eagle	Nicholas	253	248	248	223	223	213	6	7	193

[F. R. Doc. 42-5096; Filed, June 1, 1942; 11:09 a. m.]

[Docket No. A-1258]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

AMENDMENT OF RELIEF ORDER

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

In an Order Granting Temporary Relief and Conditionally Providing for Final Relief in the above-entitled matter dated January 21, 1942, 7 F.R. 743, establishing prices for the coals of the Wadsworth No. 2 Mine (Mine Index No. 1424) of the Pen Coal Company, the following restriction was inadvertently omitted from Supplement R-I attached to and made

a part of the Order, where the prices established for Mine Index No. 1424 were listed:

(These prices not applicable to destinations within the switching limits of Birmingham, Alabama.)

It appears that this inadvertence should be corrected.

Now therefore, it is ordered, That commencing fifteen days from the date hereof the following sentence is added in Supplement R-I, § 333.6 (*General prices*), to the prices listed thereon for Mine Index No. 1424:

(These prices not applicable to destinations within the switching limits of Birmingham, Alabama.)

It is further ordered, That in all other respects the Order of January 21, 1942, in the above-entitled matter remain in full force and effect.

Dated: June 1, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5137; Filed, June 2, 1942;  
10:59 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter B—Division of Industry Operations

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation No. 10]

#### ESTABLISHMENT OF ALLOCATION CLASSIFICATION SYSTEM

§ 944.31 *Priorities Regulation No. 10; Allocation classification system*—(a) *Classification system established*. There is hereby established an allocation classification system, in accordance with the instructions issued by the Director of Industry Operations on the date of issuance of this regulation. Except as provided in paragraph (b) below, the appropriate allocation classification symbol and purchaser's symbol as required by said instructions shall be indicated by every person placing a purchase order or contract on:

(1) All purchase orders or contracts placed after June 30, 1942;

(2) All purchase orders or contracts, either heretofore or hereafter placed, calling for delivery after July 31, 1942. Any person who has heretofore placed such a purchase order or contract may at any time hereafter and shall before July 31, 1942, notify the person with whom such purchase order or contract has been placed of the symbols applicable thereto.

(b) *Exceptions as to retail purchases*. The provisions of paragraph (a) hereof shall not be applicable to retail purchases, purchases by retailers or purchases by distributors for resale to retailers. Industrial and mill suppliers, warehouses and other businesses performing similar functions for industry shall not be deemed retailers for the purposes of this paragraph. (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 1st day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5154; Filed, June 2, 1942;  
11:21 a. m.]

#### PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63 as amended  
June 2, 1942]

Section 1042.1 *General Imports Order M-63*<sup>1</sup> is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M-63*—(a) *Definitions*. For the purposes of this order:

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

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). Release from the bonded custody of the United States Bureau of Customs shall, for the purpose of this order, be deemed a transportation.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(b) *Restrictions on imports of materials*. (1) After the date upon which any material is first made subject to this order, no person, other than the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, and any other United States governmental department, agency or corporation, or any agent acting for such company, department, agency, or corporation, shall, ex-

<sup>1</sup> 6 F.R. 6796; 7 F.R. 206, 223, 2094, 2708, 3327, 3850, 4168.

cept as authorized or otherwise directed in writing by the Director of Industry Operations, purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any such material. The materials subject to this order are those listed upon List I, List II, and List III attached hereto, and those hereafter made subject to this order by the Director of Industry Operations.

(2) Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form PD-222-C, addressed to the War Production Board, Ref.: M-63, Washington, D. C.

(3) Unless otherwise directed by the Director of Industry Operations, this prohibition shall not prevent the importing, under the restrictions hereinafter set forth, of any material on List I or List II by any person under any contract made before, or in existence on, the date when such material was first made subject to the provisions of this Order M-63.

(4) This prohibition shall apply, however, to the importing of any material on List III by any person under any contract, or other arrangement whether made prior or subsequent to the date upon which such material was made subject to the order except where on such date such material was in transit to a point within continental United States.

(c) *Restrictions on disposition of imported material on List I*. Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees*. No owner or consignee of any material on List I which is imported after such material has become subject to this order shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the Place of Initial Storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the Place of Initial Storage of such material.

*Provided*: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the effective date of this order. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated*. No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any

interest in any material on List I imported after such material has become subject to this order shall in any way; directly or indirectly, except to the extent necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c):

(i) Dispose of any such interest; or  
 (ii) Transfer possession, or cause or permit a transfer of possession of such instrument.

(d) *Permissible disposition of imported materials on List I—(1) Transfer to Governmental Agency.* Nothing contained in this order shall prohibit any person having any interest whether as owner, consignee, or otherwise, in any material on List I imported after such material has become subject to this order from disposing of, or making any arrangement to dispose of, any interest in such material to the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by Director of Industry Operations.* Notwithstanding the provisions of paragraph (c), an owner of material on List I imported after such material has become subject to this order or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the Director of Industry Operations. Any such person may make application in duplicate for such an authorization on Form PD-222A, which form shall be addressed to the War Production Board, Ref: M-63, Washington, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any such material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(e) *Restrictions on disposition of imported material on List II or List III.* Any material on List II or List III, which is imported after such material has become subject to this order, may be sold, processed, consumed, or otherwise disposed of without restriction, subject to the provisions of paragraph (f) hereof as to reports, and subject to the provisions of Priorities Regulation No. 1 (Part 944), hereinafter mentioned, and of any general preference, conservation, or limitation order of the Director of Industry Operations which now or hereafter may be in effect with respect to such material.

(f) *Reports—(1) Reports of existing contracts to the War Production Board.* Promptly after any List I or List II material has become subject to this order, every person other than any United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation who has outstanding any order, contract, or other arrangement for the importing of any such material or who has heretofore acquired for import any such material which has not physically arrived at the port of entry thereof when this order becomes effective with respect thereto, shall report all relevant facts with respect to such material to the War Production Board, Ref: M-63, Washington, D. C. Such report shall be filed in duplicate.

(2) *Reports of authorized contracts to the War Production Board.* Every person (other than any United States governmental department, agency, or corporation, or any agent acting for such department, agency, or corporation), who is authorized by the Director of Industry Operations under paragraph (b) hereof, to make any contract or other arrangement for the importing of any material subject to this order, shall promptly report all relevant facts with respect to any contract or other arrangement entered into pursuant to such authorization to the War Production Board, Ref: M-63, Washington, D. C. Such report shall be filed in duplicate.

(3) *Reports to Collectors of Customs.* No material which is imported after it has become subject to this order, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be (a) entered for consumption, (b) entered for warehouse, or (c) withdrawn from warehouse for consumption, unless the person making the entry or withdrawal shall file with the entry or withdrawal a statement of proposed disposition on Form PD-222B. Such statement shall be filed in duplicate; both copies shall be transmitted by the Collector of Customs to the War Production Board, Ref: M-63, Washington, D. C.

(4) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after it has become subject to this order, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington, D. C., Ref.: M-63.

(h) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment.

In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance.

(i) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944) as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(j) *Effective date.* This order shall take effect at 12:01 a. m. on the 30th day after the date of its issuance, and shall continue in effect until revoked. (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 2d day of June 1942.

J. S. KNOWLSON,  
 Director of Industry Operations.

LIST I

Attached to General Imports Order M-63 as amended June 2, 1942

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the List to the extent that they are covered by the commodity numbers listed below.

Material	Commodity No.
Beef and mutton tallow—includes oleo stock.....	0036.6
Beef and mutton tallow (inedible)—includes oleo stock.....	0815.6
Berl ore and beryllium ore.....	6270.0
Metallic beryllium.....	838.870
Beryllium oxide, carbonate and other beryllium salts <sup>1</sup> .....	
Castor beans.....	2231.0
Castor oil.....	226.02
Cattle, ox, and calf tail hair.....	3696.1
Cinchona bark or other bark from which quinine may be extracted.....	2201.0
Cod-liver oil.....	0805.0
Cod oil.....	0804.0
Columbite.....	6270.3
Corn or maize oil (edible).....	1422.0
Corundum and emery in grains, or ground, pulverized, or refined....	547.01
Corundum ore.....	5460.0
Cottonseed oil.....	226.22
Cottonseed oil—crude.....	1423.1
Cottonseed oil—refined.....	1423.2
Flax.....	3261.0
	3262.5
	3262.6
	3262.7
	3262.8
	3262.9
Flaxseed (linseed).....	2233.0
Glycerine—crude.....	8290.0
Glycerine—refined.....	8291.1
Goat and kidskins, including cabret-tas.....	0241.0
Goose down.....	0922.3
	0929.0
Graphite or Plumbago: Amorphous, natural (except of Mexican origin).....	5700.1

<sup>1</sup>Footnote on page 4200.

Material	Commodity No.
Graphite or Plumbago—Continued.	
Crystalline, flake.....	5730.5
Crystalline, lump, chip, or dust.....	5730.6
Hempseed .....	2238.0
Horse mane and tail hair.....	3694.0
Lead.....	3694.1
	6505.0
	6506.1
	6506.5
	6507.0
	6509.0
Linseed oil, and combinations and mixtures, in chief value of such oil.....	2254.0
Muru muru nuts.....	2239.63
Muru muru kernels.....	2239.64
Neatsfoot oil.....	0808.95
Oiticica oil.....	2255.6
Ouricury (uricury) kernels.....	2239.62
Ouricury (uricury) oil <sup>1</sup> .....	
Ouricury (uricury) nuts.....	2239.61
Peanut (ground nut) oil.....	1427.0
Quebracho extract.....	2344.0
Quicksilver or Mercury.....	6662.0
Rotenone bearing roots.....	221.28
	222.36
	221.30
	222.37
Rubber seed .....	2239.5
Rubber seed oil <sup>1</sup> .....	
Rutile .....	6270.2
Sesame seed.....	2234.0
Shark oil and shark-liver oil.....	0808.7
Sperm oil—crude.....	0803.0
Sperm oil—refined.....	0803.1
Sunflower seed.....	2240.0
Sunflower oil (edible).....	1421.0
Sunflower oil (denatured).....	2247.0
Tantalite or Tantalum ore.....	6270.4
Tucum nuts.....	2239.65
Tucum kernels.....	2239.66
Whale oil.....	0803.5
Wool (apparel, finer than 44's).....	3520.0
	3521.0
	3521.1
	3521.2
	3521.3
	3522.0
	3523.0
	3523.1
	3523.2
	3523.3
	3526.0
	3527.0
	3527.1
	3527.2
	3527.3
	3528.0
	3529.0
	3529.1
	3529.2
	3529.3
Wool grease—including degreas or brown wool grease, containing of free fatty acids more than 2 per cent .....	0813.2
Wool grease—including degreas or brown wool grease, containing of free fatty acids 2 per cent or less and not suitable for medicinal use .....	0813.3
Wool grease—including degreas or brown wool grease suitable for medicinal use, including adeps lanae, hydrous, or anhydrous.....	0813.5
Zirconium ore.....	6270.5

## LIST II

Attached to General Imports Order M-63 as Amended June 2, 1942

The numbers listed after the following materials are commodity numbers

<sup>1</sup> Commodity numbers for these materials have not been assigned by the Department of Commerce, Statistical Classification of imports.

taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the List to the extent that they are covered by the commodity numbers listed below.

Material	Commodity No.
Aluminum scrap.....	6302.3
Antimony .....	6650.0
	6651.0
	6651.1
	838.180
	838.210
Asbestos (originating in Rhodesia or Union of South Africa).....	5500.0
	5500.1
	5501.0
	5501.1
	5501.9
	5502.1
Babassu nuts.....	2239.13
Babassu kernels.....	2239.15
Babassu nut oil.....	2257.1
Cashew nuts and Cashew nut kernels.....	1377.0
Cashew nut oil and Cashew nut shell oil.....	2257.2
Chromium .....	6213.0
Coconut oil.....	2242.5
Cohune nuts and kernels <sup>1</sup> .....	
Copper.....	6400.8
	6417.1
	643.00
Copper scraps.....	6400.9
	6418.3
	6453.0
	674.19
	676.02
Copra.....	2232.0
Cotton linters, Munitions, or Chemical grades only (Grades 3-6 according to Department of Agriculture Classification).....	3005.0
Ferrous scrap.....	6004.0
	6004.1
Hides and skins.....	0201.0
	0202.0
	0203.0
	0203.1
	0205.0
	0206.0
	0207.0
	0208.0
Istle or Tampico fiber.....	3405.0
Kapok .....	3403.0
Kyanite and Sillimanite.....	593.95
Lead.....	6504.0
Lead scraps.....	6505.1
	6506.5
	6506.9
Mica.....	5560.7
	5560.8
	5560.9
	5561.0
	5561.8
	5561.9
	5564.0
	5564.2
Mercury-bearing ores and concentrates <sup>1</sup> .....	
Palm kernels.....	2236.5
Palm kernel oil.....	2248.0
Palm oil.....	2243.0
Pig and hog bristles.....	0917.0
	0979.1
Rapeseed oil.....	2253.0
	2246.0
Rapeseed .....	2237.0
Seed lac.....	3105.0
Shearlings, sheepskin <sup>1</sup> .....	
Shellac.....	2107.2
	2108.0
Tin scraps.....	6651.0
Tung oil.....	2241.0
Tungsten.....	6232.0
Vanadium ore.....	6260.0

## LIST III

Attached to General Imports Order M-63 as amended June 2, 1942

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1941, as supplemented January 1, 1942). Materials are included in the List to the extent that they are covered by the commodity numbers listed below.

Material	Commodity No.
Animal and vegetable fats, oils, and greases:	
Bois de Rose or Lignaloe oil.....	228.27
Cacao Butter.....	1420.0
Oleo Stearin.....	0036.3
Tallow, vegetable.....	2250.0
Animal products, edible:	
Beef and veal, pickled or cured.....	0029.0
Canned beef, including corned beef .....	0028.0
Meat extracts, including fluid.....	0096.0
Sausage casings, sheep and lamb only .....	0034.0
Sausage casings.....	0035.5
Offal, edible.....	0023.6
Animal products, inedible:	
Blood, dried.....	8505.0
Bone black, bone char, and blood char .....	099.13
Bones, crude.....	0911.2
Bones, ground, ash, dust, meal, and flour.....	0911.3
Tankage .....	0975.0
Argols .....	8329.0
	8330.0
	837.11
Asphalt .....	5394.0
	5078.1
	5079.1
Balsams, crude, not containing alcohol .....	2141.0
	2141.3
	2141.4
	2141.5
	2141.9
Baskets, wood, and straw... 4221.0-4221.9, inc.	
	676.03
	838.981
Boxwood (logs).....	4033.0
Bromine compounds.....	838.223
	838.224
Casein or Lactarine.....	0943.0
Charcoal .....	5011.0
Chicle .....	2131.0
	2189.3
Cocoa or Cacao beans.....	1501.3
Coffee .....	1511.0
	1511.1
Cotton linters, Grades 1 and 2 (other than munitions and chemical grades).....	3005.0
Cotton, raw.....	3001.0
	3003.6
	3003.7
	3003.8
Cotton waste.....	3006.1
	3006.2
	3006.31
	3006.33
	3006.35
	3006.6
	323.38
	323.39
	985.902
	985.903
	985.905
Dairy products:	
Butter.....	0044.0
Cheese.....	0045.1-0046.99, inc.
Eggs, chicken.....	0088.1
Milk, condensed and evaporated.....	0040.0
	0040.1
	0040.7

Material	Commodity No.
Dog food	1190.7
	1190.8
Drugs, herbs, leaves, roots, etc.:	
Caffein	811.10
	811.11
	811.12
Coca leaves	222.03
Fish livers	221.97
Kola nuts	221.49
Soap Bark seed or Quillaya	221.82
Fabrics, woven of vegetable fiber other than cotton and jute	3287.3
Fabric footwear	0369.1-0369.9, inc.
Fibers:	
Carao fiber (included in "Paper Base Stock")	
Hibiscus Ferox <sup>1</sup>	
Piassava Fiber <sup>1</sup>	
Fluorspar	5301.0
	5301.1
Fish and Shellfish and their products	0047.0-0087.9, inc.
Fish scrap and Fish meal	0976.0
	8509.7
Fruits:	
Bananas	1301.0
	133.17
Grapes	1318.3
	1318.5
	1319.1
	1319.2
	1319.5
Melons	133.42
	133.43
Peaches	133.61
	133.62
	133.65
Pears	133.66
	133.67
	133.69
Furs, undressed	0700.0-0729.5, incl.
Glass	5204.0-5298.5, inc.
Glue and glue stock (animal and vegetable)	0940.5
	0934.0
	0940.1
	0940.3
	0930.8
	0930.9
	2946.0
	2946.1
Grain and Grain preparations:	
Barley malt	1080.0
Bran shorts	1181.0
	1182.0
Cracked corn	109.18
Corn	1031.0
Corn meal, flour, grits, and similar products	109.19
Rice meal, flour, polish, and bran	1059.1
Broken rice	1059.2
Red clover seed	2402.0
	2404.0
Rye	1044.0
Tapioca, tapioca flour, and cassava	1228.0
Guano	8504.0
Gums and Resins, natural	2161.0-
	2171.9, incl.
Hair: Goat and kid hair except Angora (mohair) and Cashmere	3696.2
Hides and skins:	
Coney, rabbit fur and hare skins (included in "Furs, undressed")	
Deer and elk	0293.1
	0293.2

<sup>1</sup> Commodity numbers for these materials have not been assigned by the Department of Commerce, Statistical Classification of Imports.

Material	Commodity No.
Hides and Skins—Continued.	
Horse, colt, and ass	0211.1
	0211.3
	0212.1
	0212.2
	0212.3
	0212.5
Reptile	0295.0
Sharkskins	0298.3
Sheep and Lamb (no wool)	0232.0
	0234.0
	0234.1
	0234.2
Ilmenite and Ilmenite sand	6270.1
Iodine	8300.0
	838.630
Leather	0300.1-0345.9, incl.
Leather purses	0692.6-0692.9, incl.
Leche Caspi <sup>1</sup>	
Mahogany logs	4031.0
Monazite sand and other Thorium ore	593.30
Nitrates, Sodium and Potassium	8506.0
	8527.5
	8527.9
Oil cake and oil cake meal:	
Cottonseed	1114.0
Peanut, Hemp seed, and others	1119.6-1119.9, inc.
Osier, or Willow, including chip and split willow	4223.0
Paper base stock	4590.0-4692.9, inc.
Seeds and nuts:	
Alfalfa seed	2401.0
Brazil nuts	1356.0
	1357.0
Canary seed	2452.0
Cottonseed	2240.6
Vegetable ivory or tagua nuts	2911.0
Soap (except Castile) and soap powder	8712.3-8719.9, inc.
Spices: Tonka beans	1546.0
Sponges	0970.0-0970.9, inc.
Sugar and related products:	
Car sugar	161.75-161.00, inc.
Molasses, edible and inedible	163.48-1640.0
Tanning and coloring agents:	
Annatto and extracts of	232.00
Divi-divi	232.14
	2345.0
	2305.0
Quebracho wood	
Tanning extracts (other than quebracho and man-grove)	2345.0-2345.9, inc.
Tara	232.23
Cigar leaf	2601.0
	2601.1
Vegetables and Vegetable products:	
Beans	1192.0
Chickpeas or garbanzos	1200.0
Garlic	1205.0
Lentils	1199.0
Lupines	1199.1
Onions	1208.1
Peas	1197.0
Peppers	121.05
Vanilla beans	1545.0
Wax:	
Beeswax	0972.0
	0972.1
	0974.0
Candelilla	225.22
Candle	985.10
Carnauba	2251.0
Ouricury <sup>1</sup>	
Wool and related fibers:	
Apparel wool, 44's or coarser	3506.0-3509.3, inc.
	3513.0-3514.3, inc.
	3524.0-3525.3, inc.
Carpet wool	3501.0-3502.3, inc.

Material	Commodity No.
Wool and related fibers—Continued.	
Cashmere hair and alpaca	3535.0-3535.9, inc.
Mohair	3530.0-3530.4, inc.
Wool noils and wastes	3550.0-3553.7, inc.

[F. R. Doc. 42-5158; Filed, June 2, 1942; 11:22 a. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Supplemental General Imports Order M-63-a]

Pursuant to General Imports Order M-63, as amended,<sup>1</sup> which this order supplements, it is hereby ordered that:

§ 1042.2 *Supplemental General Imports Order M-63-a*. Until further order of the Director of Industry Operations, the provisions of General Imports Order M-63, as amended June 2, 1942, shall not apply to materials on List III of said order located in and to be shipped overland or by air from Canada or Mexico.

This order shall take effect at 12:01 a. m. on the 30th day after the date of its issuance, and shall continue in effect until revoked. (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 2d day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5155; Filed, June 2, 1942; 11:21 a. m.]

PART 1043—METAL SIGNS

[Amendment 1 to Limitation Order L-29]

Section 1043.1 *General Limitation Order L-29*<sup>2</sup> is hereby amended in the following particulars:

Paragraph (a) (1) is hereby amended to read as follows:

(1) "Signs" means all devices having an area of more than 36 square inches designed primarily to deliver or convey information, messages or ideas, including (but not limited to) neon tube and other electrical signs, bill-boards, outdoor and highway signs, (other than those mentioned in subdivision (iii) of this subparagraph (a) (1)) name plates, store front signs and indoor signs. "Signs", however, shall not include:

(i) Any type of plate, tag, emblem, insignia or marker which is or may be used by a Governmental Unit to evidence licensing or registration of any kind and for any purpose;

(ii) Lamps or bulbs for electrical signs, including but not limited to, incandescent

<sup>1</sup> *Supra*.

<sup>2</sup> 7 F.R. 2295.

and fluorescent lamps and tubes, and neon and all other kinds of tubing used as a source of light; or

(iii) All mechanically or electrically operated traffic lights and signals, including but not limited to, warning devices for use on railroads, grade crossings and highways.

Paragraph (a) (4) is hereby amended by striking out "(other than lamps or bulbs)" and substituting therefor "(other than lamps or bulbs, including but not limited to, incandescent and fluorescent lamps and tubes, and neon and all other kinds of tubing used as a source of light.)" (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 2nd day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5156; Filed, June 2, 1942;  
11:21 a. m.]

#### PART 1095—COMMUNICATIONS

[Interpretation 1 of General Conservation Order L-50 as Amended April 23, 1942]

The following official Interpretation is hereby issued by the Director of Industry Operations with respect to § 1095.1 (b) (2) (i) of General Conservation Order No. L-50, as Amended April 23, 1942:

"The demands for service reasonably required by persons engaged in direct defense or charged with responsibility for public health, welfare or security" and required by those in the service categories of Schedule "A" of that order includes only such telephone service as is essential to such persons in carrying on their direct defense activities or in the discharge of their responsibility for public health, welfare or security.

The fact that an applicant for telephone service is engaged in direct defense activities, or is within the service categories shown on Schedule "A" or holds a position which carries with it responsibility for public health, welfare or security is not of itself determinative of such applicant's right for service unless, in addition, the telephone service requested is essential to such applicant in the discharge of such public responsibility.

(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 2nd day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5157; Filed, June 2, 1942;  
11:21 a. m.]

17 F.R. 3029.

#### PART 1112—OFFICE MACHINERY

[Termination of General Limitation Order L-54-b]

General Limitation Order L-54-b<sup>1</sup> (§ 1112.3), and all amendments thereto and appeals granted thereunder, are hereby revoked. (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 1st day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5116; Filed, June 1, 1942;  
11:51 a. m.]

#### PART 1112—OFFICE MACHINERY

[General Limitation Order L-54-c]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials used in the production of office machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1112.4 *General Limitation Order L-54-c*—(a) *Definitions*. For the purposes of this order:

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

(2) "Manufacturer" means any person manufacturing new office machinery, of the types listed in Lists A and B, to the extent that he is engaged in such manufacture, and shall include majority-owned sales, distribution, and manufacturing subsidiaries.

(3) "Dealer" means any wholesaler, retailer or other distributor of new office machinery other than a sales or distribution subsidiary of a manufacturer, and shall include any person, firm or corporation normally receiving new office machinery on consignment.

(4) "New office machinery" means office machinery, including attachments thereto, of the types listed in Lists A and B, which has not been delivered to any person acquiring it for use. The term shall not include any machine which has been delivered for trial, loan, rental, or demonstration at any time prior to March 14, 1942.

(5) "Delivery" includes any physical transfer of new office machinery, and includes transfers for trial, loan, rental, or the demonstration or other use; but the term shall not include the transfer to the consignee designated on the shipping documents, of any new office machinery actually in transit at the date of issue of this order.

17 F.R. 2102, 2276, 3443.

(6) "Army of the United States", "Navy of the United States" and "Maritime Commission" include the War Department, the Navy Department, and the Maritime Commission, respectively, but shall not include any privately operated plant, shipyard, training school, or other enterprise financed by or controlled by the Army or Navy of the United States, the Maritime Commission or any other agency of the United States Government, or any plant or shipyard privately operated on a cost-plus-fixed-fee basis under the control or direction of the Army or Navy of the United States, the Maritime Commission or any other agency of the United States Government.

(b) *General restrictions*—(1) *Restrictions on production and delivery*. No manufacturer shall hereafter manufacture new office machinery in greater quantities than specifically authorized herein or from time to time hereafter by the Director of Industry Operations; and no person shall hereafter deliver, or receive delivery of new office machinery in any manner other than as specifically authorized herein or from time to time hereafter by the Director of Industry Operations.

(2) *Elimination of models*. The Director of Industry Operations may, from time to time, order the cessation of production, sale or delivery of any model, style, or type of new office machinery, including attachments or repair parts thereof.

(c) *Authorized production quotas*.—(1) *List A quotas*. Between June 1, 1942 and November 30, 1942, inclusive, each manufacturer of the kinds of new office machinery listed in List A shall not manufacture a dollar value (based on retail list prices) of such new office machinery in excess of six times the percentage specified in List A of average monthly dollar value (based on retail list prices) of such kind of new office machinery billed to customers by such manufacturer during calendar year 1941. On and after December 1, 1942, no manufacturer shall produce any of the kinds of new office machinery listed in List A.

(2) *List B quotas*. Between June 1, 1942 and December 31, 1942, inclusive, each manufacturer of the kinds of new office machinery listed in List B shall not manufacture a dollar value (based on retail list prices) of such new office machinery in excess of seven times the percentage, specified in List B, of average monthly dollar value billed to customers by such manufacturer during the calendar year 1941.

(3) *Basis on leased machinery*. Any manufacturer whose customary practice has been to lease substantially all of any particular kind of new office machinery shall base his production quota of such kind of new office machinery on the average monthly number of new units manufactured during the calendar year 1941.

(4) *Basis on exports of finished machines*. The dollar value of assembled new office machinery which, during the



calendar year 1941, was exported, shall be determined by the retail list price of the same kind of machinery to domestic customers.

(5) *Sets of parts for export.* During each month of the quota periods set forth in subparagraphs (1) and (2) above, each manufacturer shall not produce for export a number of sets of parts of any kind of new office machinery in excess of the percentage set forth in List A or List B, as the case may be, of the average monthly dollar value of sets of parts of such kind of machinery shipped for export from his factories during 1941. The right to produce and export any such sets of parts shall not be construed to authorize the export of such sets unless an Export License can be secured. Quantities of sets of parts so produced shall be over and above the production quotas for finished machines set forth in subparagraphs (1) and (2) above. No manufacturer so producing and exporting sets of parts shall directly or indirectly import any new office machinery into the United States. As used in this paragraph, "sets of parts" means parts for new office machinery fabricated at plants in the United States and shipped to foreign countries for assembly into new office machinery.

(6) *Further limitation on production rate.* No manufacturer shall increase his production rate of any kind of new office machinery over his rate of production for such kind of machinery in April 1942, unless expressly authorized by the Director of Industry Operations.

(d) *Restrictions not applicable to replacement parts.* The restrictions upon the manufacture of new office machinery shall not be construed to limit the manufacture of parts to be used to service or repair office machinery.

(e) *Distribution of new office machinery—(1) General restrictions.* On and after the date of issuance of this order, regardless of the terms of any contract of sale or purchase, or other commitment, or of any preference rating, or any blanket preference rating order, no manufacturer or dealer shall deliver any new office machinery from his production or stock thereof except as follows:

(i) *Back orders.* A manufacturer or dealer may deliver new office machinery to fill orders actually on hand at the date of issuance of this order only to the Army or Navy of the United States.

(ii) *Special orders.* Manufacturers or dealers may apply for authorization to deliver special new office machinery which, on the date of issuance of this order, was assembled, or in the process of fabrication and assembly, but which could not otherwise be delivered under the terms of this order. Such application may be made by filing with the War Production Board, in triplicate, plainly marked "Ref.: L-54-c", a letter containing a list of all such orders, together with such information as will support the representation of the manufacturer or dealer that the machinery is special. As used in this paragraph, a "special" machine is a machine built to special specification for

a customer, with features which render it unusable except by a small class of Persons similarly situated. The Director of Industry Operations may thereupon, if he shall deem it necessary or appropriate in the public interest and to promote the national defense, authorize the delivery of all or any such special orders.

(iii) *Future orders—(a) Army, Navy and Maritime Commission.* From time to time, the Director of Industry Operations will notify manufacturers and dealers on Form PD-423, of quantities of new office machinery which may be delivered without further authorization to the Army of the United States, the Navy of the United States and the Maritime Commission. On and after the effective date of this order, manufacturers and dealers may not deliver new office machinery on Preference Rating Certificates PD-3 and PD-3A, except to fill back orders of the Army or Navy of the United States pursuant to paragraph (e) (1) (i).

(b) *Other persons.* Except as specified in paragraphs (e) (1) (ii) or (e) (1) (iv), on and after the date of the issuance of this order, no manufacturer or dealer shall deliver any new office machinery (other than an order for the Army, Navy or Maritime Commission) except pursuant to an order accompanied by a Preference Rating Certificate PD-1A, signed by the Director of Industry Operations on or after the date of issuance of this order, and rated A-9 or higher. Such Preference Rating Certificate PD-1A may be used to secure new office machinery only by the person to whom it was directly issued, and only when such office machinery is expressly specified on the face of the certificate. Persons entitled to new office machinery by virtue of a Preference Rating Certificate PD-1A who do not surrender such certificate, but retain the same, as permitted by Priorities Regulation No. 3, as amended from time to time, shall, in addition to furnishing the endorsement required by such Priorities Regulation No. 3, certify to the Person from whom the machinery is to be acquired that the certificate was originally issued to him and that the machinery was expressly specified on the certificate.

(iv) *Delivery without restriction.* (a) Any manufacturer may distribute his stock of any particular kind, model or type of new office machinery free of all restrictions upon delivery imposed under this order by complying with the following restrictions:

(1) On or before 30 days after the date of issuance of this order, such manufacturer shall notify the War Production Board of his intention to deliver any particular kind, model or type of new office machinery free of all restrictions upon delivery imposed under this order.

(2) On or before 30 days after the date of issuance of this order, such manufacturer shall halt all fabrication of parts for such kind, model or type of new office machinery.

(3) On or before 60 days after the date of issuance of this order, such manufac-

turer shall halt all assembly of such kind, model or type of new office machinery.

(4) During the fabrication and assembly periods specified above, such manufacturer shall not increase his rate of production of such kind, model or type of new office machinery above the rate of production at which he operated during the month of April 1942.

(b) The notification to the War Production Board, specified in subparagraph (iv) (a) (1) above, shall take the following form:

Director of Industry Operations—Ref: L-54-c,  
War Production Board, Washington, D. C.

Pursuant to the provisions of paragraph (f) (1) (iv) of Order L-54-c, the undersigned hereby elects to distribute his stock of the machines listed below without restriction. As a condition of such election, the undersigned will comply with the following order of the War Production Board:

(1) To halt all fabrication of parts for new office machinery, of the kinds, models and types listed below, on or before 30 days after the date of issuance of General Limitation Order L-54-c.

(2) To halt all assembly of new office machinery, of the kinds, models and types listed below, on or before 60 days after the date of issuance of General Limitation Order L-54-c.

(3) During the fabrication and assembly periods specified above, not to increase the undersigned's rate of production above the rate of production at which he operated during the month of April 1942.

The following types, kinds and models are subject to this order: (Here insert type of machine, model or style number, unit retail list price, use or application of machine, and the number of machines of this model sold on ratings of A-1-j or better during the first quarter of 1942.)

By \_\_\_\_\_ Company

(c) Unless the Director of Industry Operations notifies the manufacturer to the contrary on or before ten days after the date of mailing of the manufacturer's notification, the terms of this paragraph shall become effective to such manufacturer, for the kinds, models or types of new office machinery concerned, on the tenth day after such mailing. Such manufacturer, and any dealer possessing stocks of such kind, model or type of machine, shall be authorized thereafter to deliver stocks of such kind, model or type of machine without further restriction until such time as the Director of Industry Operations may, if he shall deem it necessary or appropriate in the public interest and to promote the national defense, deny the right of any such manufacturer or dealer to continue to operate under the provisions of this paragraph. Manufacturers who, on or after the tenth day after such mailing, become entitled to deliver without restriction shall notify their dealers of rights under this paragraph.

(d) The right of election under the terms of this paragraph shall expire thirty days after the date of issuance of this order. It shall be the policy of the Director of Industry Operations of the War Production Board, in considering appeals made after 30 days after the

date of issuance of this order, for relief from the distribution provisions of this order, to deny relief in excess of that which would have been secured had the manufacturer elected to operate under the provisions of this paragraph (e) (1) (iv).

(v) *Intracompany deliveries.* Without further authorization, a manufacturer for purposes of redelivery but not for use, may deliver new office machinery from one portion of his enterprise, included within the meaning of the term "manufacturer," to another, except to a subsidiary, branch, or other outlet located outside of the United States, its territories and possessions.

(vi) *Deliveries of sets of parts.* Sets of parts produced pursuant to the provisions of paragraph (c) (5) may be exported without further authorization from the War Production Board. No person shall export or otherwise deliver a quantity of sets of parts greater than the quantity authorized to be produced under the terms of paragraph (c) (5) hereof.

(2) *Special procedures and information—(i) Additional information to be furnished.* Persons making application for new office machinery on Preference Rating Certificate PD-1A shall furnish in a statement attached to such PD-1A the following additional information:

(a) The style or model number of the machine and a precise description of the machine.

(b) The number of similar machines possessed by the applicant, and the condition thereof.

(c) A statement of the attempt the applicant has made to purchase used machines of similar description.

(d) If the new machine is desired for replacement purposes, the applicant shall furnish the following certification, duly signed by a manufacturer (or his duly authorized agent), a dealer, or a recognized repair man:

The undersigned has inspected the machine to be replaced by the machine herein applied for, and finds that it is impracticable to repair the old machine.

\_\_\_\_\_ Company  
By \_\_\_\_\_

No application upon Preference Rating Certificate PD-1A will be considered unless the foregoing additional information is attached thereto.

(ii) *Special provisions for exporters—(a) Lend-lease.* Any agency of the United States Government desiring to acquire new office machinery to be delivered to, or for the account of, the government of any country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), shall accompany the application on Preference Rating Certificate PD-1A by a recommendation as to the necessity for such machinery.

(b) *Other than Lend-Lease.* Any person desiring to acquire new office machinery for export from the United States (other than an agency referred to in subdivision (ii) (a) of this subparagraph (2) must first apply to the Office of Export Control, Board of Economic

Warfare, Washington, D. C., for an Export License, accompanying such application with an application on Preference Rating Certificate PD-1A. If the Office of Export Control decides that an Export License be issued to the applicant, such Preference Rating Certificate PD-1A will be forwarded to the War Production Board, together with a statement of such decision. The Director of Industry Operations may thereupon, if he shall deem it necessary or appropriate in the public interest and to promote the national defense, grant the application for a preference rating.

(f) *Deliveries to dealers and returns to manufacturers.* Without further authorization manufacturers or dealers may deliver new office machinery to dealers in the following two instances only:

(1) To replace new office machinery delivered by such dealer to fill an order authorized by the terms of this Order L-54-c; or

(2) To fill an order authorized by the terms of this Order L-54-c actually received by such dealer.

In both instances, the dealer shall furnish to the manufacturer or other dealer a photostat or certified copy of the PD-1A or other authorized basis for delivery of new office machinery. Reproduction of any PD-1A or other document for such purpose is hereby permitted. Without further authorization, dealers may return new office machinery to any manufacturer willing to accept the same, and manufacturers may accept delivery of such new office machinery from dealers.

(g) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after the effective date of this order. No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with the terms of this order.

(h) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern. Nothing in paragraph (e) (1) (iv) shall be construed to waive any of the provisions of Priorities Regulation No. 1.

(i) *Appeals.* Any manufacturer affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in his community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the Director of Industry Operations, Ref: L-54-c, Washington, D. C., setting forth the pertinent facts and the reasons why such Person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(j) *Records.* All manufacturers and dealers affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, production and sales of new office machinery.

(k) *Reports.* All persons affected by this order shall execute and file with the Services Branch, Division of Industry Operations, War Production Board, such reports and questionnaires as said branch shall from time to time request.

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

(m) *Communications to War Production Board.* All reports required to be filed hereunder, all communications concerning this order, and all applications directly to the Division of Industry Operations, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref: L-54-c. (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 1st day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

LIST A

	Percent
(1) Adding machines.....	70
(2) Continuous forms handling machines, typewriter principle, having forms handling devices constructed as an integral part of machine .....	75
(3) Calculating and computing machines .....	93
(4) Dictating machines and collateral equipment, but not including machines embodying amplifiers and other facilities for recording telephone conversations, conferences and wireless messages with near and far voice control.....	25
(5) Duplicating machines, including, but not limited to ink ribbon, gelatin, off set, spirit, stencil and reproducing typewriter principle machines .....	77
(6) Microfilm machines.....	67
(7) Shorthand writing machines.....	100
(8) Time stamp machines.....	33

LIST B

(1) Accounting and bookkeeping machines .....	70
(2) Addressing machines, including, but not limited to embossing machines for plates and stencil cutting machines for fibre stencils.....	30
(3) Billing machines, accounting principle, and collateral equipment, except autographic registers.....	75
(4) Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression) .....	80

LIST B—continued

	Percent
(5) Pay roll denominating machines and collateral equipment.....	100
(6) Punched card tabulating and accounting machines and collateral equipment.....	70
(7) Time recording machines, except watchmen's clocks.....	75

[F. R. Doc. 42-5120; Filed, June 1, 1942; 12:01 p. m.]

PART 933—COPPER

[Conservation Order M-9-c as amended May 7, 1942]

Corrections

In the first line of § 933.4 (a) (2) (ii) "manufacture" should read "manufacturer" (7 F.R. 3424). In paragraph (e) (5) the reference to paragraph (2) should be to paragraph (e) (7 F.R. 3425). Under "Miscellaneous" in List A-1 the entry for domestic vacuum cleaners should refer to Order L-18 instead of Order L-16 (7 F.R. 3428).

PART 1188—RAILROAD EQUIPMENT

[Amendment 1 to Supplementary General Limitation Order L-97-a-1]

Correction

In paragraph (c) of § 1188.3 the reference to Preference Order P-18 in the fifth line should be to Preference Order P-8 (7 F.R. 3574).

PART 1209—HAND TRUCKS

[General Limitation Order L-111]

Correction

In paragraph (b) (1) (ii) of § 1209.1 the word "thereof" in the third line should read "of explosives" (7 F.R. 3429).

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

Subchapter K—Seamen

PART 132—ALLOTMENTS OF SEAMEN

WAGE BASIS TO BE USED

§ 132.4<sup>1</sup> *Wages upon which allotments may be based* is amended to read as follows:

§ 132.4 *Wages upon which allotments may be based.* Allotments may be made by seamen upon the amount of the wages for which they are signed on, plus the "Low Bonus" as provided for in Maritime War Emergency Board Decision No. 7 Revised. (Section 10, 23 Stat. 55, as amended; 46 U.S.C., 1940 ed., 599; E.O. 9083, February 28, 1942, 7 F.R. 1609)

R. R. WAESCHE,  
Vice Admiral, U. S. Coast Guard,  
Commandant.

MAY 29, 1942.

[F. R. Doc. 42-5132; Filed, June 2, 1942; 9:25 a. m.]

<sup>1</sup> 7 F.R. 2515.

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-219]

FREEBROOK CORPORATION

NOTICE OF FILING OF AMENDED APPLICATION FOR DISPOSITION OF COMPLIANCE PROCEEDING WITHOUT FORMAL HEARING

In the matter of Freebrook Corporation, code member, defendant.

Notice is hereby given that an Amended Application dated April 30, 1942, for the disposition of this proceeding without formal hearing was filed with the Bituminous Coal Division (the "Division") on April 30, 1942, pursuant to § 301.132 of the Rules of Practice and Procedure before the Bituminous Coal Division (the "Admission Rules") by Freebrook Corporation, the above-named code member.

The Amended Application was filed in respect to the written complaint dated February 4, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), filed with the Division on February 10, 1942, by Bituminous Coal Producers Board for District No. 1, a district board, complainant, alleging that the code member which operated the Freebrook No. 7 Mine, Mine Index No. 664, located in Indiana County, Pennsylvania, in Subdistrict 5 of District No. 1, and the McWilliams Mine, Mine Index No. 583, located in Armstrong County, Pennsylvania, in Subdistrict 11 of District No. 1, wilfully violated the provisions of the Act, the Code, and the effective minimum prices as follows:

(A) By selling for resale during the period October 1, 1940 to February 28, 1941, both dates inclusive, approximately 27,249.35 tons of run of mine coal produced at said mines, to Pittsburg & Shawmut Coal Company, a registered distributor, Registration No. 7349, Kittanning, Pennsylvania, (the "Distributor") at prices below the minima therefore established by the Division and allowing said Distributor which physically handled said coal, excessive and unauthorized distributors' discounts, in wilful violation of Rule 1 of section III of the Marketing Rules and Regulations, section 4 Part II (e) of the Act and Part II (e) of the Code;

(B) By filing on March 31, 1941, for the period of October 1, 1940 to February 28, 1941, copies of false and untrue invoices with the Statistical Bureau for District No. 1, for the coal described in paragraph (A) above in wilful violation of section 4 Part II (i) (8) of the Act, Part II (i) (8) of the Code, Rule 3 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations;

(C) By failing to file with the Statistical Bureau for District No. 1, during the period October 1, 1940 to February 28, 1941; both dates inclusive, (1) copies of certain contracts within 15 days after entering into said contracts and (2) copies of certain spot orders within ten (10) days from accepting said spot orders in wilful violation of the provisions of

Order No. 14 of the Division, Rule 3 of section V and Rule 7 of section VI of the Marketing Rules and Regulations.

(1) In the Amended Application the code member admits that it wilfully violated section 4, Part II (e) of the Act, Part II (e) of the Code, and Rule 1 of section III of the Marketing Rules and Regulations by selling coal to the Distributor at prices less than the minima therefor established by the Division, and allowing to the Distributor which physically handled coal, excessive and unauthorized discounts in the form of commissions, deductions for reject coal, amounts paid for railroad car stopovers, transfers, and cleaning and sizing charges and that these amounts represent the difference between the effective minimum prices for said coal of \$2.05 per net ton f. o. b. said mine for use as railroad locomotive fuel and the \$1.50 and \$1.65 per net ton f. o. b. said mines received by the code member as follows:

(a) During the period January 11, 1941 to January 15, 1941, both dates inclusive, 810.45 net tons of run of mine coal produced at its Freebrook No. 7 Mine at \$1.50 per net ton f. o. b. said mine, upon the basis of which the code member consents to the entry of a cease and desist order;

(b) During the period January 16, 1941 to February 28, 1941, both dates inclusive, 3,178.90 net tons of run of mine coal produced at its Freebrook No. 7 Mine, at prices of \$1.50 and \$1.65 per net ton f. o. b. said mines, upon the basis of which the code member consents to the entry of an order of revocation of its code membership;

(c) During the period November 25, 1940 to January 15, 1941, both dates inclusive, 9,765.80 net tons of run of mine coal produced at said McWilliams Mine at \$1.50 per net ton f. o. b. said mine, upon the basis of which the code member consents to the entry of a cease and desist order; and

(d) During the period January 16, 1941 to February 28, 1941, both dates inclusive, 4,995.85 net tons of run of mine coal produced at said McWilliams Mine at a price of \$1.50 per net ton f. o. b. said mine, upon the basis of which the code member consents to the entry of an order of revocation of its code membership.

(2) With respect to the allegation contained in the complaint that the code member wilfully violated section 4 II (i) (8) of the Act, Part II (i) (8) of the Code, and Rule 3 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations as set forth in paragraph (B) above, the code member neither admits nor denies said allegation but does admit that it wilfully violated the Act, the Code, and the Marketing Rules and Regulations by failing to file proper invoices for the transactions referred to in said allegation.

(3) With respect to the allegation contained in the complaint that the code member wilfully violated Order No. 14 of the Division, Rule 3 of section V, and Rule 7 of section VI of the Marketing Rules and Regulations as set forth in paragraph (C) above, the code member neither admits nor denies said allega-

tion but does admit that it wilfully violated the above-mentioned Order and Marketing Rules and Regulations by failing to sell said coal in accordance with said Order and Marketing Rules and Regulations and by failing to file copies of certain contracts and spot orders as required by said Order and Marketing Rules and Regulations.

(4) That in addition to the violations alleged in the complaint, the code member in its Amended Application admits that it wilfully violated the Order of the Director entered in General Docket No. 19, dated October 9, 1940, effective October 14, 1940, by selling to the Distributor during the period November 25, 1940 to December 24, 1940, both dates inclusive, approximately 2,457 tons of run of mine coal produced at its aforesaid Freebrook No. 7 Mine at the price of \$1.50 per net ton f. o. b. the mine, whereas effective minimum prices, temporary or final, had not been established for such coal by the Division, upon the basis of which the code member consents to the entry of an order of revocation of its code membership.

(5) In its Amended Application, the code member states that to the best of its belief and knowledge it has not committed any violations of the Act, the Code, or rules and regulations thereunder, including the Marketing Rules and Regulations, either before or after the above-admitted violations occurred, whether of the same or of any other character other than these referred to in paragraphs (1), (2), (3), and (4) hereof.

(6) Upon the basis of the foregoing admitted violations, the code member consents to the entry of an order revoking and cancelling its membership in the Code, and to an order directing it to cease and desist from further violations of the Act, the Code, and rules and regulations thereunder, and agrees that the Acting Director may impose a tax under section 5 (b) of the Act in the amount of \$8,500.08 on the tonnage referred to in (1) (b) and (d), and (4) hereof, as a condition precedent to the restoration of its membership in the Code.

All interested parties may, if they desire to do so, file with the Division recommendations or requests for informal conferences in respect to such Amended Application within fifteen (15) days from the date of this Notice.

Dated: June 1, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5138; Filed, June 2, 1942;  
10:58 a. m.]

[Docket No. B-187]

PHILIP SCHULTHIES, JR.

CEASE AND DESIST ORDER

In the matter of Philip Schulthies, Jr., code member.

District No. 11 having filed a complaint with the Bituminous Coal Division on January 13, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, alleging wilful violation of the Code or rules and regulations by Philip Schulthies, Jr., a

code member, operating the Lambert Mine, Mine Index No. 892, located in Spencer County, Indiana, in that during the period from July 1, 1941, to October 31, 1941, both dates inclusive, said code member sold approximately 150 tons of 1¼" x 0 screenings at a price of 50 cents per ton f. o. b. the mine, whereas the effective minimum price established for said coal was \$1.40 per ton f. o. b. the mine, thereby violating section 4 II (e) of the Act, and that said code member failed to keep proper records of these sales in accordance with the Director's Order No. 312;

Pursuant to appropriate orders of the undersigned and after notice to interested persons, a hearing having been held in this matter on March 6, 1942, before W. A. Shipman, a duly designated Examiner of the Division, at a hearing room thereof at Terre Haute, Indiana, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard; the complainant and code member having appeared, and all parties having joined in waiving the preparation and filing of a report by the Examiner; the record of the proceeding thereupon having been submitted to the undersigned for consideration; the undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion which are filed herewith;<sup>1</sup>

Now, therefore, it is ordered, That Philip Schulthies, Jr., a code member, his representatives, servants, agents, employees, attorneys, heirs, administrators, and successors or assigns 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 violating the provisions of the Schedule of Effective Minimum Prices for District No. 11 for Truck Shipments or from otherwise violating the Bituminous Coal Act, the Bituminous Coal Code, and the rules and regulations issued thereunder.

It is further ordered, That code member be warned that if he shall fail or neglect to comply with this Order, the Division may forthwith apply to circuit court of appeals of the United States or take other action appropriate to the enforcement of the Order.

Dated: May 30, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5139; Filed, June 2, 1942;  
10:59 a. m.]

[Docket No. B-150]

CONCO BUILDING PRODUCTS, INC.

ORDER REVOKING AND CANCELLING  
REGISTRATION OF DISTRIBUTOR

In the matter of Conco Building Products, Inc., a corporation, registered distributor, Registration No. 1763, respondent.

This proceeding having been initiated by the Bituminous Coal Division, pur-

suant to section 4 II (h) of the Bituminous Coal Act of 1937 and § 304.14 of the Rules and Regulations for the Registration of Distributors, in order to investigate and determine whether Conco Building Products, Inc., a registered distributor (Registration No. 1763), Box 111, Mendota, Illinois, has violated provisions of the Act, the Rules and Regulations for the Registration of Distributors, the Marketing Rules and Regulations incidental to the Sale and Distribution of Coal, and the Agreement by Registered Distributor signed by respondent;

A Notice of and Order for Hearing having been issued and the respondent having submitted an answer;

Pursuant to an appropriate Order, a hearing in this matter having been held on January 22, 1942, before W. A. Shipman, a duly designated Examiner of the Division, at a hearing room thereof in Chicago, Illinois, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard, and at which the respondent appeared;

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

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion, which are filed herewith;<sup>1</sup>

Now, therefore, it is ordered, That the registration of Conco Building Products, Inc., as a registered distributor (Registration No. 1763) be, and it hereby is, suspended for a period of sixty (60) days beginning fifteen (15) days after the date of this Order: *Provided, however,* That if the respondent shall not have complied with the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors at least five days prior to the expiration of said suspension period, said suspension shall continue in full force and effect until five days after the affidavit required by said § 304.15 shall have been filed with the Division.

It is further ordered, That the effect of such suspension shall not be evaded directly or indirectly by the use of any device such as a sales agency agreement or any other device; and that such suspension shall not excuse Conco Building Products, Inc., from all duties and functions imposed upon it by the Bituminous Coal Act of 1937 and the rules, regulations and orders thereunder.

It is further ordered, That the respondent return to the producers all improperly collected discounts and that a statement by the respondent that such refunds have been made shall be included in the affidavit filed by the respondent, pursuant to § 304.15 of the Distributors' Rules.

Dated: May 30, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5140; Filed, June 2, 1942;  
11:00 a. m.]

<sup>1</sup> Not filed as part of the original document.

[Docket Nos. 490-FD, 1227-FD, 1560-FD, 1613-FD, 1877-FD, C-1, C-4, C-10]

PUBLIC SERVICE COMPANY OF INDIANA

ORDER OF CONSOLIDATION AND NOTICE OF AND ORDER FOR HEARING

In the matters of the applications of Public Service Company of Indiana for a determination of the status of the coal produced at the Dresser Mine, Vigo County, Indiana, in District 11, pursuant to section 4-A of the Bituminous Coal Act of 1937.

Applications for a determination of the status of coal produced at the Dresser Mine in Vigo County, Indiana, in District No. 11, were filed by Public Service Company of Indiana in Docket Nos. 490-FD, 1227-FD, 1560-FD, 1613-FD, 1877-FD, C-1, C-4 and C-10, pursuant to section 4-A of the Bituminous Coal Act of 1937; and

Applications for a determination of the status of coal produced at the Dresser Mine in Vigo County, Indiana, in District No. 11, were filed by Walter Bledsoe & Company in Docket Nos. 491-FD, 1226-FD, 1561-FD, 1614-FD, 1876-FD, C-1, C-3 and C-11, pursuant to section 4-A of the Bituminous Coal Act of 1937. The applications of Walter Bledsoe & Company allege that all of said coal will be produced by Public Service Company of Indiana. Since said applications were not filed by the alleged producer of the coal, as required by the second paragraph of the said section 4-A, such applications will be treated as petitions of intervention and Walter Bledsoe & Company will be deemed to be a party in interest, within the meaning of Rule VII (I) of the Rules of Practice and Procedure before the Bituminous Coal Division;

It appearing that the above-entitled matters raise related and analogous issues;

Now, therefore, it is ordered, That Docket Nos. 490-FD, 1227-FD, 1560-FD, 1613-FD, 1877-FD, C-1, C-4, and C-10 be, and they hereby are, consolidated.

It is further ordered, That a hearing in the above-entitled matters under the applicable provisions of said Act and the rules of the Division be held on June 29, 1942, at 10:00 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 days 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 Charles O. Fowler or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matters. 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 said applicants and to all other parties herein and to all persons and entities having an interest in these proceedings and eligible to become a party herein. Any person or entity desiring to be admitted as a party to the proceedings herein and eligible under the said section VII (I) shall file a petition of intervention not later than fifteen (15) days after the date of the issuance of this Order of Consolidation and Notice of and Order for Hearing.

Notice is hereby given that:

(1) Within fifteen (15) days from the date of the issuance of this Order of Consolidation and Notice of and Order for Hearing, the applicant or other interested party shall file with the Division a concise statement in writing of the facts expected to be proved at the hearing. Other interested parties shall also file a written petition of intervention, in compliance with Rule VIII of the said Rules of Practice and Procedure. The statements of facts shall be considered as pleadings and not as evidence of the facts therein stated. The affirmative evidence adduced by the parties at the hearing shall be limited to their respective statements of facts;

(2) If no written statement of the facts expected to be proved at the hearing is filed by the applicant within the fifteen-day period, in the absence of extenuating circumstances, the applications of such applicant shall be deemed to have been withdrawn on the expiration of said period, in accordance with section VII (g) of the said Rules of Practice and Procedure;

(3) If the applicant does not appear and offer evidence in support of its statement of facts, in the absence of extenuating circumstances, the applications shall be deemed to have been withdrawn, in accordance with the provisions of section VII (g) of the aforesaid Rules of Practice and Procedure;

(4) The burden of proof in this proceeding shall be on the applicant.

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

The matters concerned herewith are in regard to the applications of Public Service Company of Indiana, pursuant to section 4-A of the Act, for a determination of the status of the coals produced at the Dresser Mine, Vigo County, Indiana, in District No. 11. The applications allege that such coals are exempt from section 4 of the Act because they are consumed by applicant, the producer thereof, or transported by applicant to itself for consumption by it, within the meaning of section 4 II (1) of the Act. The applications further allege that the transactions in the coals

produced at the said mine are in interstate commerce and do not, as between persons and localities in such commerce on the one hand and interstate commerce in coal on the other hand, result in any undue, unreasonable or unjust discrimination between interstate commerce in coal or in any manner directly affect interstate commerce in coal, pursuant to the first paragraph of section 4-A of the Act.

Dated: May 30, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5141; Filed, June 2, 1942; 11:00 a. m.]

[Docket No. B-69]

CLAUDE E. TAYLOR

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT AND PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER AND DISMISSING PROCEEDING

In the matter of Claude E. Taylor, code member.

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on October 4, 1941, by the Bituminous Coal Producers Board for District No. 8 pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937. The complaint alleges that Claude E. Taylor, a code member in District No. 8, wilfully violated the Bituminous Coal Code and the rules and regulations thereunder and prays that the Division either cancel and revoke code member's code membership or, in its discretion, direct the code member to cease and desist from violations of the Code or rules and regulations thereunder.

After due notice to interested persons, a hearing in this matter was held December 15, 1941, before Charles S. Mitchell, a duly designated Examiner of the Division in a hearing room thereof at Middlesboro, Kentucky. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered by complainant and by code member.

Examiner Mitchell submitted on April 23, 1942, his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation. The Examiner found that Claude E. Taylor, a code member in District No. 8, sold on April 17, 1941, 226.4 tons of  $\frac{3}{8}$ " x 0 coal produced at Mine Index No. 1556 at a price substantially below the minimum price that would have been applicable had the coal been sold for truck shipment. Examiner Mitchell found, however, that although the coal had been moved from the mine by truck the coal had been ultimately shipped by rail and that, therefore, since such coal was not priced for rail shipment, code member had violated the Order in General Docket No. 19. Since Taylor had been charged only with having sold coal below the minimum price established for truck shipment, the Examiner recommended that the proceeding be dismissed.

An opportunity was afforded to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner and supporting briefs. No exceptions or supporting briefs have been filed.

The undersigned has determined the proposed findings of fact and proposed conclusions of law in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That this proceeding be and it hereby is dismissed without prejudice.

Dated: May 30, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5142; Filed, June 2, 1942;  
11:00 a. m.]

[Docket No. B-245]

DOWLING COAL COMPANY

NOTICE OF AND ORDER FOR HEARING

In the matter of Lawrence H. Dowling, doing business as Dowling Coal Company, registered distributor, Registration No. 2472.

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

A. Whether or not Lawrence H. Dowling, doing business as Dowling Coal Company, registered distributor, Registration No. 2472 (hereinafter sometimes referred to as the "registered distributor"), whose address is 424 Bell Building, Manchester, New Hampshire, has violated any provisions of the Act, the Code, and Orders and regulations of the Division, including the marketing Rules and Regulations, Rules and Regulations for the Registration of Distributors and the Distributor's Agreement (the "Agreement") dated April 23, 1940, and filed by Lawrence H. Dowling, doing business as Dowling Coal Company, pursuant to an Order of the National Bituminous Coal Commission dated March 24, 1939, entered in General Docket No. 12 which was adopted as an Order of the Division on July 1, 1939, and more particularly whether or not subsequent to September 30, 1940, said registered distributor:

1. During the period January 20, 1941 to March 28, 1941, both dates inclusive, purchased for resale to the Emerson Manufacturing Company, approximately 274 net tons of run of mine coal produced by Forks Coal Mining Company, a code member in District No. 1, at its Hughes No. 11 Mine (Mine Index No. 219) at \$2.20 per ton, the applicable minimum f. o. b. mine price for said coal,

and in said transaction accepted and retained a discount of 25¢ per net ton from said mine price, which discount was in excess of the maximum allowable discount of 12¢ per net ton prescribed by the Division in the Order of the Director entered in General Docket No. 12 dated June 12, 1940, the acceptance and retention of which resulted in a violation of paragraph (a) of his Agreement.

2. On or about January 9, 1941, resold to Tilton Worsted Mills, Tilton, New Hampshire, approximately 54.15 net tons of run of mine coal produced by J. Bruce Anderson, an individual doing business as Helen Jennings Coal Company, a code member producer at his Helen Jennings Mine, Mine Index No. 660, located in District No. 1 and purchased for resale by said registered distributor from said code member, whereas minimum prices, temporary or final, had not been established by the Division for said coal, thereby participating in a violation by said code member of the order entered in General Docket No. 19, dated October 9, 1940, resulting in violation of paragraph (e) of his Agreement.

3. During the period January 20, 1941, to February 25, 1941, both dates inclusive, purchased for resale to said Tilton Worsted Mills, Tilton, New Hampshire, approximately 110 net tons of run of mine coal produced by said J. Bruce Anderson, at his aforesaid mine, at \$2.45 per net ton, the applicable minimum f. o. b. mine price for said coal, and in said transaction accepted and retained a discount of 17¢ per net ton from said minimum price, which discount was in excess of the maximum allowable discount of 12¢ per net ton prescribed by the Division in the Order of the Director entered in General Docket No. 12, dated June 12, 1940, the acceptance and retention of which resulted in a violation of paragraph (a) of his Agreement.

4. On or about September 23, 1941, granted settlements or allowances of twenty-five (25) cents per net ton to Manchester Gas Company, Manchester, New Hampshire, and to Public Service Company, Manchester, New Hampshire, on claims for alleged substandard preparation on the resale to said purchaser of approximately 486 net tons of 1¼" nut and slack coal produced by said J. Bruce Anderson an individual doing business as Helen Jennings Coal Company at his aforesaid mine, and purchased for resale by said registered distributor from said code member, the granting of which settlements or allowances by said registered distributor resulted in the resale of said coal to said purchasers at prices below the minimum therefor established by the Division in the Schedule of Effective Minimum Prices for District No. 1 For All Shipments Except Truck, as amended and supplemented by Order of the Director entered in Docket No. A-663, dated April 18, 1941, without complying with the provisions of Section X of the Marketing Rules and Regulations, which resulted in violations of Rule 1 subparagraphs (a), (b), (c) and (d) of said section X, section 4 Part II (e) of the Act, Part II (e) of the Code, and para-

graphs (b), (e) and (f) of his Agreement.

5. In granting the settlements or allowances described in paragraph 4 hereof, (1) adjusted claims with said purchasers in such manner as to grant secret allowances, secret rebates or secret concessions, or other price discriminations; (2) granted adjustments, allowances, discounts, credits or refunds to said purchasers for the purposes or with the effect of altering retroactively prices agreed upon, in such manner as to create price discriminations, and (3) paid or allowed rebates, refunds, credits or unearned discounts, which resulted in violations of Rules 2, 4 and 6, respectively, of section XIII of the Marketing Rules and Regulations, section 4 Part II (i) paragraphs 2, 4 and 6 respectively of the Act, Part II (i) paragraphs 2, 4 and 6, respectively, of the Code, and paragraphs (c) and (e) of his Agreement.

B. Whether or not the registration of said Lawrence H. Dowling, doing business as Dowling Coal Company, registered distributor, Registration No. 2472, should be revoked or suspended, or other appropriate order should be issued.

It is, therefore, ordered, That a hearing pursuant to Section 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether or not the aforementioned Lawrence H. Dowling, doing business as Dowling Coal Company, has committed violations in the respects heretofore described and whether or not the registration of said distributor should be revoked or suspended, or other appropriate order should be issued, be held on June 30, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at Room "C," Washington Hotel, Washington, D. C.

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

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

Notice is hereby given that answer setting forth the position of the aforementioned Lawrence H. Dowling, with reference to the matters hereinbefore described must be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division, within twenty (20) days after date of service hereof on said Lawrence H. Dowling, and that failure to file an answer herein within such period,

unless the presiding officer shall otherwise order, shall be deemed to be an admission by said Lawrence H. Dowling, of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

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 herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: May 29, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5143; Filed, June 2, 1942; 11:01 a. m.]

[Docket No. 1816-FD]

MILLER COAL COMPANY

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

In the matter of Miller Coal Company (H. P. Miller, owner), defendant.

A written complaint dated July 24, 1941, 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 August 4, 1941, by the Bituminous Coal Producers Board for District No. 3, a district board, complainant, with the Bituminous Coal Division alleging wilful violation by the above-named defendant of the Act, the Bituminous Coal Code, (the "Code"), or rules and regulations thereunder; and

An Order having been issued herein on January 12, 1942, after hearing on said complaint, cancelling and revoking the code membership of Miller Coal Company (H. P. Miller, Owner), effective fifteen (15) days from the date thereof, and said Order having been duly served on the said Miller Coal Company (H. P. Miller, Owner) on January 20, 1942; and

The said H. P. Miller having filed with the Division on May 14, 1942, his application dated May 11, 1942, for the restoration of his membership in the Code; and

It appearing from said application that the said H. P. Miller has paid to the Collector of Internal Revenue at Parkersburg, West Virginia on April 2, 1942, the sum of \$163.16 pursuant to said Order dated January 12, 1942, as a condition precedent to the restoration of his membership in the Code;

Now, therefore, it is ordered, That said application of H. P. Miller dated May 14, 1942 for restoration of membership in the Code be, and the same hereby is, granted and that said restoration shall be effective as of April 2, 1942, the date upon which said tax was paid.

Dated: May 30, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5144; Filed, June 2, 1942; 11:01 a. m.]

[Docket No. B-70]

IN THE MATTER OF JAKE ABBOTT, CODE MEMBER

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDATION AND DISMISSING PROCEEDING

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on October 4, 1941, by the Bituminous Coal Producers Board for District No. 8, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937. Complainant alleges that Jake Abbott, a code member in District No. 8, wilfully violated the Bituminous Coal Code and the rules and regulations thereunder, and prays that the Division either cancel and revoke Abbott's code membership or, in its discretion, direct code member to cease and desist from violations of the Code or rules and regulations thereunder.

After due notice to interested persons, a hearing in this matter was held on December 15, 1941, before Charles S. Mitchell, a duly designated Examiner of the Division, at a hearing room thereof in Middlesboro, Kentucky. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered by complainant and by code member.

Examiner Mitchell submitted on April 23, 1942, his Report, Proposed Findings of Fact, Proposed Conclusions of Law, and Recommendation. The Examiner found that Jake Abbott, a code member in District No. 8, sold on June 2, 1941, about 177.5 tons of 3/8" x 0 coal, Size Group 8, produced at Mine Index No. 1492, at a price substantially below the minimum price that would have been applicable had the coal been sold for truck shipment. Examiner Mitchell found, however, that although the coal had been moved from Abbott's Mine by truck, it had been ultimately shipped by rail. The Examiner concluded therefore that a price established for truck shipment was inapplicable to the sale and recommended that the proceeding be dismissed because code member had been charged only with having violated

the schedule for truck prices and not with having sold unpriced coal.

An opportunity was afforded to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendations of the Examiner and supporting briefs. No exceptions or supporting briefs have been filed.

The undersigned has determined that the proposed findings of fact and proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and proposed conclusions of law of the Examiner be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That this proceeding be, and it hereby is, dismissed without prejudice.

Dated: May 30, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5145; Filed, June 2, 1942; 11:01 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 703]

CHANGE IN DESIGNATIONS OF ALLOCATIONS

MAY 19, 1942.

Inasmuch as Wisconsin Power Cooperative and Tri-State Power Cooperative have transferred all their assets and liabilities to a new cooperative, known as Dairyland Power Cooperative, and Dairyland Power Cooperative has assumed the entire indebtedness to United States of America, of Wisconsin Power Cooperative and Tri-State Power Cooperative, arising out of the loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend the Administrative Orders designated below to change the allocation designations specified therein as follows:

Project designation	Administrative order		Amount of allocation	Amount of allocation		New project designation
	No.	Date		Advanced	Not advanced	
Wisconsin 45G Chippewa.	86	Apr. 14, 1937	\$150,000	\$150,000	-----	Wisconsin 64 La Crosse (Wisconsin 45G Chippewa).
Wisconsin 8045GB Chippewa.	121	Aug. 2, 1937	500,000	500,000	-----	Wisconsin 64 La Crosse (Wisconsin 8045GB Chippewa).
Wisconsin 8045GC Chippewa.	168	Dec. 1, 1937	55,000	55,000	-----	Wisconsin 64 La Crosse (Wisconsin 8045GC Chippewa).
Wisconsin 8045G4 Chippewa.	211	Mar. 11, 1938	10,000	10,000	-----	Wisconsin 64 La Crosse (Wisconsin 8045G4 Chippewa).
Wisconsin 8045G5 Chippewa.	237	Apr. 15, 1938	60,000	60,000	-----	Wisconsin 64 La Crosse (Wisconsin 8045G5 Chippewa).
Wisconsin R9056G1 Crawford.	304	Oct. 26, 1938	500,000	500,000	-----	Wisconsin 64 La Crosse (Wisconsin R9056G1 Crawford).
Wisconsin R9045G6 Chippewa.	306	Nov. 3, 1938	120,000	120,000	-----	Wisconsin 64 La Crosse (Wisconsin R9045G6 Chippewa).
Wisconsin R9045G7 Chippewa.	312	Dec. 12, 1938	200,000	200,000	-----	Wisconsin 64 La Crosse (Wisconsin R9045G7 Chippewa).
Wisconsin R9056G2 Crawford.	337	Apr. 14, 1939	187,500	187,500	-----	Wisconsin 64 La Crosse (Wisconsin R9056G2 Crawford).

Project designation	Administrative order		Amount of allocation	Amount of allocation		New project designation
	No.	Date		Advanced	Not advanced	
Wisconsin R9056G3 Crawford.	337	Apr. 14, 1939	437,500	437,500	-----	Wisconsin 64 La Crosse (Wisconsin R9056G3 Crawford).
Wisconsin R9056G4 Crawford.	337	Apr. 14, 1939	375,000	375,000	-----	Wisconsin 64 La Crosse (Wisconsin R9056G4 Crawford).
Wisconsin 1045G8 Chippewa.	534	Oct. 30, 1940	350,000	95,093.70	-----	Wisconsin 64 La Crosse (Wisconsin 1045G8 Chippewa).
Wisconsin 1056G5 Crawford.	534	Oct. 30, 1940	1,100,000	764,791.16	-----	Wisconsin 1064GT1 La Crosse.
Wisconsin 2056G6 Crawford.	644	Dec. 9, 1941	48,000	-----	335,208.84	Wisconsin 64 La Crosse (Wisconsin 1056G5 Crawford).
					48,000.00	Wisconsin 1064GT2 La Crosse.
						Wisconsin 2064GT3 La Crosse.

[SEAL]

ROBERT B. CRAIG,  
Acting Administrator.

[F. R. Doc. 42-5146; Filed, June 2, 1942; 11:12 a. m.]

[Administrative Order No. 704]

## ALLOCATION OF FUNDS FOR LOANS

MAY 19, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation: Amount  
Wyoming 2023A1 Shoshone----- \$100,000

[SEAL]

ROBERT B. CRAIG,  
Acting Administrator.

[F. R. Doc. 42-5147; Filed, June 2, 1942; 11:12 a. m.]

[Administrative Order No. 705]

## ALLOCATION OF FUNDS FOR LOANS

MAY 19, 1942.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation: Amount  
Oregon 2016S4 Malheur----- \$4,000

[SEAL]

ROBERT B. CRAIG,  
Acting Administrator.

[F. R. Doc. 42-5148; Filed, June 2, 1942; 11:12 a. m.]

[Administrative Order No. 706]

## ALLOCATION OF FUNDS FOR LOANS

MAY 19, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the

sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation: Amount  
Louisiana 2017D1 Claiborne----- \$265,000  
Missouri 2048C1 Newton----- 415,000  
Oklahoma 2031B1 Woodward----- 440,000

[SEAL]

ROBERT B. CRAIG,  
Acting Administrator.

[F. R. Doc. 42-5149; Filed, June 2, 1942; 11:12 a. m.]

[Administrative Order No. 707]

## ALLOCATION OF FUNDS FOR LOANS

MAY 19, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation: Amount  
Kentucky 2026E1 Todd----- \$420,000  
Kentucky 2035E1 Warren----- 218,000  
Kentucky 2050E1 Graves----- 253,000  
Tennessee 2009L1 Macon----- 175,000

[SEAL]

ROBERT B. CRAIG,  
Acting Administrator.

[F. R. Doc. 42-5150; Filed, June 2, 1942; 11:13 a. m.]

## CIVIL AERONAUTICS BOARD.

[Docket Nos. 277 and 383]

AEROVIAS NACIONALES PUERTO RICO, INC.,  
AND CARIBBEAN-ATLANTIC AIRLINES,  
INC.

## NOTICE OF ORAL ARGUMENT

In the matter of the consolidated applications of Aerovias Nacionales Puerto

Rico, Inc., and Caribbean-Atlantic Airlines, Inc., for a certificate of public convenience and necessity to authorize air transportation between San Juan and Ponce, P. R.; San Juan and Mayaguez, via Aguadilla; San Juan and Mayaguez via Ponce; San Juan and Vieques; and, between San Juan and St. Croix, Virgin Islands, via St. Thomas:

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that oral argument is hereby assigned to be held on June 11, 1942, at 10 a. m. (Eastern Standard Time) in Room 5042 Commerce Bldg., 14th St. and Constitution Ave. NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 1, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 42-5134; Filed, June 2, 1942; 10:08 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 3862]

NATIONAL COIN CORPORATION, ET AL.

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

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of June, A. D., 1942.

In the matter of National Coin Corporation, a corporation, and John Romano, an individual.

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

It is ordered, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, June 15, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Council Chambers, City Hall, Daytona Beach, Florida.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 42-5151; Filed, June 2, 1942; 11:25 a. m.]



[Docket No. 4662]

## THE N-A COMPANY

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

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of June, A. D. 1942.

In the matter of Pat V. James, an individual, trading as The N-A Company.

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

*It is ordered*, That Arthur F. Thomas, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Monday, June 22, 1942, at ten o'clock in the forenoon of that day (central standard time) in Room 536, Federal Building, Jackson, Mississippi.

No. 108—3

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.[F. R. Doc. 42-5152; Filed, June 2, 1942;  
11:25 a. m.]

[Docket No. 4753]

F. A. STUART COMPANY, A CORPORATION, AND  
BENSON & DALL, INC., A CORPORATION

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

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of June, A. D., 1942.

This matter being at issue and ready for the taking of testimony, and pursuant

to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A. section 41),

*It is ordered*, That John P. Bramhall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Wednesday, June 10, 1942, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room, Second Floor, Post Office Building, Battle Creek, Michigan.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.[F. R. Doc. 42-5153; Filed, June 2, 1942;  
11:25 a. m.]

