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History

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Washington, Wednesday, April 1, 1942

The President

EXECUTIVE ORDER 9113

TRANSFERRING CERTAIN VESSELS AND PERSONNEL FROM THE COAST AND GEODETIC SURVEY TO THE WAR AND NAVY DEPARTMENTS

By virtue of the authority vested in me by section 16 of the act of May 22, 1917, 40 Stat. 87 (U.S.C., title 33, sec. 855), and as President of the United States, and in view of the existing national emergency, it is hereby ordered as follows:

1. The following-named vessels are transferred from the Coast and Geodetic Survey to the service and jurisdiction of the Navy Department:

**OCEANOGRAPHER
HYDROGRAPHER**

2. The following-named commissioned officers are hereby transferred from the Coast and Geodetic Survey to the service and jurisdiction of the Navy Department:

- Commander Henry B. Campbell
- Lieutenant (jg) Robert A. Marshall
- Lieutenant (jg) Arthur L. Wardwell
- Ensign Robert W. McCarty
- Lieutenant William M. Scaife
- Lieutenant (jg) Edwin C. Baum
- Lieutenant (jg) John Laskowski
- Ensign Charles W. Clark

3. The following-named commissioned officers are hereby transferred from the Coast and Geodetic Survey to the service and jurisdiction of the War Department:

- Lieutenant Philip C. Doran
- Lieutenant Carl I. Aslakson
- Lieutenant (jg) Joseph P. Lushene
- Lieutenant (jg) James C. Tison, Jr.
- Lieutenant (jg) John C. Bull
- Ensign William R. Tucker
- Ensign Don A. Jones
- Ensign David M. Whipp

4. The above-named officers shall, while under the jurisdiction of the War or Navy Department, serve under their commissions in the Coast and Geodetic Survey, and while so serving shall con-

stitute a part of the active military or naval forces of the United States and shall be under direct orders of the War or Navy Department and subject to the laws, regulations, and orders for the government of the Army or Navy so far as they may be applicable.

5. The above-named vessels and officers shall be returned to the Coast and Geodetic Survey when the present national emergency ceases to exist.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 28, 1942.

[F. R. Doc. 42-2823; Filed, March 30, 1942; 3:09 p. m.]

EXECUTIVE ORDER 9114

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

ALASKA

By virtue of the authority vested in me as President of the United States, and by the act of June 4, 1897, 30 Stat. 11, 36 (U.S.C., title 16, sec. 473), it is ordered as follows:

1. Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

TRACT No. 1

Beginning at corner No. 1, which is identical with corner No. 2, U. S. Survey No. 1763, Thence by metes and bounds:

- N. 64°55'50" E., 7108.20 ft. to corner No. 2, identical with corner No. 3, U. S. Survey No. 1763;
- S. 8°25' W., 3811.1 ft. to corner No. 3, identical with corner No. 3, U. S. Survey No. 226;
- S. 46°10' W., 1598.5 ft. to corner No. 4, identical with corner No. 1, U. S. Survey No. 226 and corner No. 7, U. S. Survey No. 225;
- S. 10°30' E., 433.6 ft. to corner No. 5, identical with corner No. 8, U. S. Survey No. 225 and corner No. 6, U. S. Amended Survey No. 6½;
- S. 38°30' E., 739.9 ft. to corner No. 6, identical with corner No. 7, U. S. Amended Survey No. 6½;

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THE PRESIDENT

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S. 25°30' E., 462 ft. to corner No. 7, identical with corner No. 8, U. S. Amended Survey No. 6½;	
S. 39°00' W., 498.3 ft. to corner No. 8, identical with corner No. 9, U. S. Amended Survey No. 6½;	
S. 65°57' W., 1388 ft. to corner No. 9, identical with corner No. 10, U. S. Amended Survey No. 6½ on shore of Sitka Sound;	
Thence northwesterly with meanders of shore of Sitka Sound at mean high tide to corner No. 1, the place of beginning.	
The tract as described, including both public and nonpublic lands, aggregates 481.7 acres.	
TRACT No. 2	
Beginning at corner No. 1, which is identical with corner No. 1, U. S. Survey No. 1763, Thence by metes and bounds:	
N. 52°21' E., 7311.5 ft. to corner No. 2;	
S. 27°59'40" E., 14734.0 ft. to corner No. 3, identical with corner No. 3, U. S. Survey No. 1763;	
S. 64°55'50" W., 7108.20 ft. to corner No. 4, identical with corner No. 2, U. S. Survey No. 1763;	
Thence northwesterly with meanders of shore of Sitka Sound at mean high tide to corner No. 1, the place of beginning.	
The tract contains 2215.7 acres.	
2. Proclamation No. 1742 of June 10, 1925, adding certain lands to the Tongass National Forest, in Alaska, is hereby re-	

voked so far as it affects any of the lands described above as Tract No. 2.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 28, 1942.[F. R. Doc. 42-2821; Filed, March 30, 1942;
2:00 p. m.]

EXECUTIVE ORDER 9115

WITHDRAWING PUBLIC LANDS FOR THE USE
OF THE DEPARTMENT OF STATE

NEW MEXICO

By virtue of the authority vested in me by section 4 of the act of May 13, 1924, c. 153, 43 Stat. 118, as amended by the act of August 19, 1935, c. 561, 49 Stat. 660, by the act of August 29, 1935, c. 805, 49 Stat. 961, and by the act of June 4, 1936, c. 500, 49 Stat. 1463, it is ordered that, subject to valid existing rights, the following-described lands be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Department of State in connection with the Rio Grande Canalization Project, authorized by the above-mentioned acts:

NEW MEXICO PRINCIPAL MERIDIAN

T. 18 S., R. 4 W.,
sec. 20, lot 3;
sec. 29 W½E½, and W½;
sec. 30, E½SE¼ (part of lot 3).
The area withdrawn contains 623.90 acres.

This order supersedes as to any of the above-described lands affected thereby the withdrawal made by Executive Order No. 6910 of November 26, 1934, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 28, 1942.[F. R. Doc. 42-2822; Filed, March 30, 1942;
3:09 p. m.]

Rules, Regulations, Orders

TITLE 24—HOUSING CREDIT

Chapter I—Federal Home Loan Bank
Administration

[Bulletin No. 3]

PART 4—OPERATIONS OF THE BANKS

AMENDMENT RELATING TO DEPOSITARIES FOR
THE BANKS

MARCH 30, 1942.

The second sentence of § 4.9 of the Rules and Regulations for the Federal Home Loan Bank System is hereby amended, effective March 31, 1942, to read as follows:

§ 4.9 *Depositaries.* * * * The board of directors of a Bank shall designate such further depositaries as the convenient operation of the Bank shall require, provided that such depositaries shall be members of the Federal Reserve System or of the Federal Deposit Insurance Corporation and that the amount carried in depositaries other than the

Treasurer of the United States, shall not exceed the deposits of members and the amount paid in by members on account of subscriptions to capital stock. (Sec. 11 (g) of F.H.L.B.A., 47 Stat. 734, as amended by sec. 503, 48 Stat. 1262, sec. 15, 47 Stat. 736, sec. 17, 47 Stat. 736; 12 U.S.C. 1431 (g), 1435, 1437; E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of a minor and procedural character within the provisions of paragraph (b) of § 8.3 of the Rules and Regulations for the Federal Home Loan Bank System.

[SEAL] FRED T. GREENE,
Acting Deputy Governor.
HAROLD LEE,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant to the
Commissioner.

[F. R. Doc. 42-2856; Filed, March 31, 1942;
10:34 a. m.]

Chapter II—Federal Savings and Loan System

[Bulletin No. 2]

PART 202—INCORPORATION, CONVERSION, AND ORGANIZATION

AMENDMENT RELATING TO PERMISSION TO ORGANIZE OR PETITION FOR CHARTER FILED PURSUANT TO SECTION 406 OF NATIONAL HOUSING ACT, AS AMENDED

MARCH 30, 1942.

No hearing having been requested in accordance with the provisions of paragraph (d) of § 201.2 of the Rules and Regulations for the Federal Savings and Loan System after opportunity therefor was allowed in accordance with paragraph (b) thereof, § 202.29 of the Rules and Regulations for the Federal Savings and Loan System is hereby amended, effective March 31, 1942, by adding at the end thereof a new paragraph as follows:

§ 202.29 *Right of hearing.*

(f) *Hearing dispensation.* The Federal Home Loan Bank Administration may dispense with a hearing in connection with any application for permission to organize or petition for charter filed pursuant to section 406 of the National Housing Act, as amended. (Sec. 5 (a), (e) of H.O.L.A. of 1933, 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (e), sec. 406 (b) of N.H.A. 48 Stat. 1260 sec. 26, 49 Stat. 299;

12 U.S.C. 1729 (b) and Sup.; E.O. 9070, 7 F.R. 1529)

[SEAL] FRED T. GREENE,
Acting Deputy Governor.
HAROLD LEE,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant to the
Commissioner.

[F. R. Doc. 42-2855; Filed, March 31, 1942;
10:34 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

Subchapter L—Irrigation Projects; Operation and Maintenance

PART 106—FORT HALL IRRIGATION PROJECT, IDAHO

MARCH 21, 1942.

This order which was promulgated by the Secretary of the Interior on August 3, 1932, is hereby amended by modifying §§ 106.20 and 106.21 to read as follows:

§ 106.20 *Charges.* Bills covering irrigation charges will be issued to the owner of record, taken from the records of Bannock and Bingham Counties as of January 31, preceding the due date. Since some of the land covered by a water right contract has been subdivided into town lots, and small acreage tracts, it is obvious that some additional expense will be incurred in obtaining the record owners, handling individual accounts and issuing bills, that is not an expense which should be applied to the large tract owners. To overcome this additional expense, a schedule of charges will be fixed for each year in the public notice for tracts of 10 acres or less.

§ 106.21 *Charges for small tracts.* For the purpose of eliminating such work and obtaining for the small tract owners the same per acre rate as charged for tracts in excess of 10 acres any number of owners of small tracts may join in a contract appointing an agent with fully authority to enter into such new contract, as may be approved by the Secretary of the Interior, with the project, covering the water right for the entire area of their respective small tracts: *Provided, however,* Such contract must represent not less than 10 acres: *And provided further,* That whether such contract be for 10 or more acres of land,

it must in either event represent contiguous acreages. When the owners of such lands desire to take advantage of the group contract rate herein provided for they shall execute such contract appointing their agent (the form of such contract to be first approved by the Secretary of the Interior) and have their agent execute the contract for them as herein provided for with the project on or before February 1st, preceding any irrigation season.

(34 Stat. 1024, 38 Stat. 583, 45 Stat. 210; 25 U.S.C. 385, 387)

W. C. MENDENHALL,
Acting Assistant Secretary.

[F. R. Doc. 42-2834; Filed, March 31, 1942;
9:22 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1344]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 1 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 1

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

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

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

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

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by

adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice

and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: March 24, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[Docket No. A-1352]

PART 326—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 6

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 6 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 6

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 6; 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, § 326.23 (*General prices; for shipment into all market areas*) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

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

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

Dated: March 25, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R

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

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group Nos.							
								1	2	3	4	5		
1081	Myers, Lee & Sons (Gerald H. Myers).	Best.....	4	B	Reidsburg, Pa..	NYC...	30	G	(†)	(*)	G	(†)		
3432	Thompson, George.....	Thompson #2...	28	E	Blacklick, Pa...	PRR....	82	(†)	(†)	H	(†)	(†)		

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

FOR TRUCK SHIPMENTS

§ 321.24 General prices—Supplement T

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

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam					
						All lump coal double screened top size 2' and over	Double screened top size 2' and under	Run of mine modified R/M	2' and under slack	3/4" and under slack
						1	2	3	4	5
Acc, Stanley.....	962	Acc.....	4	Clarion.....	B.....	240	215	215	200	190
Axelson, J. R.....	3430	Beechwoods #2.....	6	Jefferson.....	D.....	250	225	215	215	
Davis, Benjamin F.....	3390	The Rawlings.....	44	Garrett.....	B.....			210		
Hook & Houston (Charles M. Hook).....	3412	Hook & Houston.....	41	Somerset.....	Pittsburgh.....			220		
Lewis, Cyrus J.....	3411	Lewis #1.....	7	Clearfield.....	D.....			220		
Lowery, Merle E., Elwood W., & Robert H. (Merle E. Lowery).....	3381	Glessner.....	41	Somerset.....	C.....			220		
Mankamyer, Joseph & Irvin Orndoff (Joseph Mankamyer).....	3379	Gnagey.....	41	Somerset.....	Pittsburgh.....			220		
Mays, Roy.....	3416	May's.....	7	Clearfield.....	D.....			220		
Stark, John.....	3431	Stark "F".....	8	Clearfield.....	E.....			225		
Thompson, George.....	3432	Thompson #2.....	28	Indiana.....	E.....			210		
Treese, Elton E. & John Irwin (Elton E. Treese).....	3428	Irwin.....	12	Indiana.....	E.....			215		
Vaughn, Herman.....	3429	Midway.....	14	Clearfield.....	E.....			220		

NOTE: If coals of mine index Nos. 1029 and 3430 of J. R. Axelson are mixed for truck shipment, the price that shall apply to such mixture shall be the price which is listed for the coal in the mixture which has the higher price classification.

[F. R. Doc. 42-2780; Filed, March 30, 1942; 10:35 a. m.]

DISTRICT NO. 6

NOTE: The material in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 326, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR TRUCK SHIPMENTS

§ 326.23 General prices; for shipment into all market areas—Supplement I

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

Code member index	Mine index No.	Seam	Base sizes							
			6" lump	3', 4', 5' lump	2' lump	2' x 4' egg, 2' x 5' egg	1 1/2" lump, 1 1/4" x 4' egg	Mine run out and pea	2' x 0 slack	3/4" x 0 slack
G. & L. Coal Co. (Evelyn Gray)	G. L.	207 Pgh. 8.	285	275	260	235	230	220	200	190

[F. R. Doc. 42-2777; Filed, March 30, 1942; 10:33 a. m.]

[Docket Nos. A-1336 and A-1346]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER OF CONSOLIDATION AND ORDER GRANTING TEMPORARY RELIEF AND CONDITION-

ALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITIONS OF BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT NO. 7 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR

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

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

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

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Sub-district No.	Low volatile seam	Shipping point	Railroad	Freight origin group No.	Price classification by size group Nos.									
								1	2	3	4	5	6	7	8	9	10
303	Lanark Coals, Inc.	Lanark #2	2	Sowell	Lanark, W. Va.	C&O	10	A	A	A	A	A	A	A	A	A	B
570	McClung, C. Witt	McClung	1	Sewell	Quinwood, W. Va.	C&O-NYC	19	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)
582	Ord, John M. & Clarence	Ord's	1	Sewell	Quinwood, W. Va.	C&O-NYC	19	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)
304	Raleigh Coal & Coke Co.	Black Knight #7	2	Beckley	Raleigh, W. Va.	C&O-VGN	18	A	A	A	A	A	A	A	A	A	(t)
604	Smith, J. Austin	J. A. Smith	1	Sewell	Quinwood, W. Va.	C&O-NYC	19	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)
299	Stiltner & DeHart (F. C. Stiltner)	Stiltner & DeHart #1	4	Davy-Sewell	Davy, W. Va.	N&W	30	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)	(t)

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

same hereby is, granted as follows: Commencing forthwith, § 327.11 (*Low volatile coals: Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 327.34 (*General prices in cents per net ton for shipment into any market area*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petitions in the above-entitled matters, and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: March 25, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

DISTRICT NO. 7

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 7; and it appearing that the above-entitled matters raise similar and related issues;

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 this Division in the above-entitled matters; and

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

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

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the

FOR TRUCK SHIPMENTS

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

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump 3/4" or larger, all egg and stove	All nut or pea 1 1/2" top size or smaller	Screened M/R	Straight mine run	1 1/4" screenings	3/4" screenings
						1	2	3	4	5	6
Lanark Coals, Inc.....	303	Lanark #2.....	2	Raleigh.....	Sewell.....	330	250	280	215	195	190
McClung, C. Witt.....	570	McClung.....	1	Greenbrier.....	Sewell.....	290	250	(*)	(*)	190	(*)
Ord, John M. & Clarence..	582	Ord's.....	1	Greenbrier.....	Sewell.....	290	250	(*)	(*)	190	(*)
Raleigh Coal & Coke Company.	304	Black Knight #7.	2	Raleigh.....	Beckley.....	330	250	280	215	200	---
Smith, J. Austin.....	604	J. A. Smith.....	1	Greenbrier.....	Sewell.....	290	250	(*)	(*)	---	(*)
Stiltner & DeHart (F. C. Stiltner).	299	Stiltner & DeHart #1.	4	McDowell.....	Davy-Sewell.....	---	---	280	215	---	---

*When shown under a size group number, this symbol indicates coals previously classified for this size group.

[F. R. Doc. 42-2778; Filed, March 30, 1942; 10:35 a. m.]

[Docket No. A-1204 Part II]

PART 329—MINIMUM PRICE SCHEDULE,
DISTRICT No. 9

FINDINGS OF FACT, CONCLUSIONS OF LAW, MEMORANDUM OPINION AND ORDER IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 9 FOR THE ESTABLISHMENT OF AN ADDITIONAL SHIPPING POINT FOR THE COALS OF MINE INDEX NO. 579 AND FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF MINE INDEX NO. 831 IN DISTRICT NO. 9 FOR ALL SHIPMENTS EXCEPT TRUCK

This proceeding was instituted upon a petition filed with the Bituminous Coal Division by District Board No. 9, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The District Board in its petition proposed the establishment of an additional shipping point for the coals of the Jim Bob Mine (Mine Index No. 579) operated by C. L. Lile, Muhlenberg, Kentucky; the establishment of price classifications and minimum prices for the coals of the Hughes Mine (Mine Index No. 831) operated by Robert R. Rehm, for all shipments except truck; and sought a determination of whether Mine Index Nos. 831 and 622 were the same.¹

Pursuant to an Order of the Acting Director dated January 10, 1942, and after notice to all interested parties, a hearing was held before Joseph A. Huston, a duly

¹The original petition of District Board No. 9 requested the establishment of price classifications, minimum prices and additional shipping points for coals of other mines in District No. 9 for all shipments except truck. On January 10, 1942, 7 F.R. 504, the Acting Director issued an order granting temporary relief and conditionally providing for final relief for all the mines involved, except Mine Index No. 579 and Mine Index No. 831. That portion of the petition dealing with those mines was severed from Docket No. A-1204 and designated Docket No. A-1204 Part II.

designated examiner of the Division, at a hearing room of the Division in Washington, D. C. All interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard.

The petitioner, District Board No. 9 appeared. District Board No. 10 filed a petition of intervention on December 18, 1941, but was not represented at the hearing. The preparation and filing of a report by the Examiner was waived and the record was thereupon submitted to the undersigned.

The petition of District Board No. 9 involved herein, requested of the Division the establishment of Central City, Kentucky, as an additional rail loading point for the coals of the Jim Bob Mine (Mine Index No. 579) operated by C. L. Lile, Muhlenberg, Kentucky, and the establishment of price classifications and minimum prices for the coals of the Hughes Mine (Mine Index No. 831) operated by Robert R. Rehm, for truck shipments. The petitioner, at the hearing, also requested that the Division determine whether Mine Index No. 831 and Mine Index No. 622 are the same mine.

With regard to the request for an additional loading point for the Jim Bob Mine, the testimony of the representative of District Board No. 9 shows that this mine is located approximately 2 miles from Mercer on the Illinois Central Railroad and 5 miles from Central City on the Louisville and Nashville Railroad. The code member desires the privilege of shipping over the two railroads that serve the field in order that it will be in a competitive position with other mines in the vicinity shipping into the various markets. It appears that the Illinois Central Railroad reaches markets not reached by the Louisville and Nashville Railroad. The witness testified that many of the mines in District 9 have shipping points on both the Louisville and Nashville Railroad and the Illinois Central Railroad

and the Jim Bob Mine at the present time needs additional outlets for its coal.

With regard to the establishment of price classifications and minimum prices for the coals of the Hughes Mine (Mine Index No. 831) for all shipments except truck, the witness for the District Board stated that the issuance of Mine Index No. 831 to this mine was the result of confusion. It appears that this mine, originally was owned by Frances and Davis and carried Mine Index No. 622. However, upon a change in ownership to Robert R. Rehm, the Division issued Mine Index No. 831 and the District Board thereupon requested truck prices in Docket No. A-464, which were granted, and rail prices in this Docket, No. A-1204. Later a further investigation by the Board indicated that Mine Index No. 831 was actually the old Frances and Davis Mine, Mine Index No. 622. It appears, therefore, that Mine Index No. 831 should be cancelled and Mine Index No. 622 assigned to Robert R. Rehm which will have the effect of giving the same truck prices heretofore established for the Francis and Davis Mine. The prices established for Mine Index No. 831 were the same as those previously established for Mine Index No. 622. Rail prices could then be established for Robert R. Rehm, Mine Index No. 622.

Upon the basis of the uncontroverted evidence, therefore, I find that the requested establishment of an additional loading point for the Jim Bob Mine (Mine Index No. 579), at Central City, Kentucky, is proper and should be granted. I also find that the request of District Board No. 9 for the establishment of price classifications and minimum prices for the coals of the Hughes Mine (Mine Index No. 622) for all shipments except truck is proper and should be granted. I further find that Mine Index No. 831 should be cancelled and Mine Index No. 622 should be assigned to the Hughes Mine operated by Robert R. Rehm.

The establishment of such classifications and minimum prices will conform in all respects to those established for comparable coals in District No. 9 and will preserve the fair competitive opportunities for the producer of said coal. The granting of the additional loading point requested for the Jim Bob Mine (Mine Index No. 579) will likewise preserve the fair competitive opportunities of this producer and place him on a parity with other producers in the District.

Now, therefore, it is ordered, That commencing fifteen (15) days from the date hereof § 329.5 (Alphabetical list of code members) the Schedule of Effective Minimum Prices for District No. 9 for All Shipments Except Truck be and it hereby is amended in accordance with Supplement R attached hereto and made a part hereof.

Dated: March 20, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 9

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 329.5 Alphabetical list of code members—Supplement R

Mine index No.	Producer	Mine	Seam	Freight origin group	Shipping point	Railroad
579	Lile, C. L.....	Jim Bob.....	9	40	(Mercer.....	IC.
622	Rehm, Robert R.....	Rehm.....	9	20	(Central City.....	L&N-IC.
					(Sturgis.....	IC.

The f. o. b. mine prices for coal shipped by Mine Index Nos. 579 and 622 to any Market Area in any size group and for any use, including Railroad Locomotive Fuel, are the same as the prices shown for Beech Creek Coal Company, Beech Creek Mine, Mine Index No. 1, in Price Schedule No. 1 for District No. 9, for all Shipments Except Truck.

[F. R. Doc. 42-2779; Filed, March 30, 1942; 10:35 a. m.]

[General Docket No. 23]

PART 318—MARKETING RULES AND REGULATIONS

MEMORANDUM OPINION AND ORDER CORRECTING ORDER OF MARCH 16, 1942, IN THE MATTER OF THE MARKETING RULES AND REGULATIONS INCIDENTAL TO THE SALE AND DISTRIBUTION OF COAL BY CODE MEMBERS AS ESTABLISHED BY THE DIVISION FOR DISTRICTS 1 TO 20, INCLUSIVE, 22 AND 23; AND IN RE THE PROPOSAL TO REVIEW AND REVISE THE MARKETING RULES AND REGULATIONS AS ESTABLISHED BY THE DIVISION

Under date of March 16, 1942, 7 F.R. 2159, I issued "Findings of Fact, Conclusions of Law and Opinion" and an "Order Approving and Adopting with Modification, Proposed Findings of Fact and Conclusions of Law of the Examiner and Revising and Modifying the Marketing Rules and Regulations" in this matter. Among other modifications to the Marketing Rules, an amendment to § 318.7 (j) (*Terms of payment*) in Part 318, the Marketing Rules and Regulations, effective April 1, 1942,¹ as amended (with the underscored words indicating amendatory language) is as follows:

"Transportation charges on all-rail shipments or on ex-river shipments of coal from the lifting point shall not be paid by a Code Member, his Sales Agent, or a Distributor, except to prepay stations as published in current railway tariffs or on shipments to the United States Government, States or political subdivisions thereof, and except as authorized in the minimum price schedules or in paragraph 1 of Section 4 II (i) of the Act. Where the transportation charges are thus prepaid, the amount thereof shall, immediately upon receipt of the freight bill or notice of sight draft payment, be invoiced to the buyer for immediate payment, and unless payment for such transportation charges on shipments to prepay stations is received by the seller within ten (10) days from the date of the invoice, the seller shall charge

¹That is, the provisions of the Rules as amended will apply to all coal shipped on or after April 1, 1942.

and the buyer shall pay interest at the rate of five (5%) per centum per annum from the due date commencing on the day following the date payment is due, except as otherwise provided in the minimum price schedules."

Prior to the issuance of the Order in General Docket No. 23, the interest provisions in § 318.7 (i) (*Terms of payment*) in the Marketing Rules and Regulations had been construed as being applicable to transportation charges which had been prepaid by the vendor. The purpose of the amendatory language of § 318.7 (j)² was to reaffirm this ruling as applied to transportation charges on shipments to prepay stations and to relax the previous requirement of immediate repayment of these charges. The effect of this, however, was to cast doubt upon the applicability of the interest provisions to transportation charges on shipments other than to prepay stations and to deny to the vendee of such shipments the benefit of the relaxation afforded customers receiving shipments at prepay stations. I believe that it should be made clear that (1) the interest provisions apply to transportation charges on all shipments where transportation charges may be paid, and (2) that the vendees of all such shipments should be allowed a period of ten days during which to repay the transportation charges without the payment of interest thereon. Of course, this will require also the addition of the same provision concerning the rate of interest to be paid by governmental bodies as appears in § 318.7 (i). Therefore, § 318.7 (j) should be modified by deleting from the last sentence of the Rule the phrase "on shipments to prepay stations." The effect of this amendment will be to extend the provisions of the last sentence of the Section not only to those purchasers who receive coal at prepay stations but also to all others who receive shipments on which transportation charges can lawfully be repaid.

²The amendatory language was proposed by the National Fuel Credit Association. The Examiner recommended its adoption, with a modification in the time period from 5 days to 10. No exceptions to this recommendation were filed.

Now, therefore, it is ordered, That effective April 1, 1942, § 318.7 (j) [Rule 1 (J) of section VII]³ in Part 318 in the Marketing Rules and Regulations be and the same hereby is revised and amended to read as follows:

§ 318.7 Terms of payment.

(j) Transportation charges on all-rail shipments or on ex-river shipments of coal from the lifting point shall not be paid by a Code Member, his Sales Agent, or a Distributor, except to prepay stations as published in current railway tariffs or on shipments to the United States Government, States or political subdivisions thereof, and except as authorized in the minimum price schedules or in paragraph 1 of section 4 II (i) of the Act. Where the transportation charges are thus prepaid, the amount thereof shall, immediately upon receipt of the freight bill or notice of sight draft payment, be invoiced to the buyer for immediate payment, and unless payment for such transportation charges is received by the seller within ten (10) days from the date of the invoice, the seller shall charge and the buyer shall pay interest at the rate of five (5%) per centum per annum from the due date commencing on the day following the date payment is due, except as otherwise provided in the minimum price schedules; *Provided*, however, that in the case of sales made to Federal, State or Local Governments, or any agency thereof, interest need not be paid at a rate in excess of, but shall be paid at a rate of not less than that prescribed by applicable statutes or rules as the maximum rate of interest governing such payments, where that prescribed maximum is less than five (5%) per centum per annum. (sec. 2 (a), 50 Stat. 72; 15 U.S.C., 827)

And it is further ordered, That in all other respects the Order of March 16, 1942, shall remain in full force and effect. Dated: March 26, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-2848; Filed, March 31, 1942; 10:32 a. m.]

[Docket No. A-1349]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

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 AND FOR CHANGE IN SHIPPING POINTS FOR MINE INDEX NOS. 386 AND 639

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

³7 F.R. 2159.

questing the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3 and a change in rail shipping points for Mine Index No. 386 of the Consolidation Coal Company and Mine Index No. 639 of the Teresa Coal Company; 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 supplements are hereinafter set forth and hereby made a part hereof.

Commencing forthwith, the effective minimum prices for shipments from the Consol No. 34-A (strip) mine (Mine Index No. 386) of Consolidation Coal Company shall be applicable only for shipments

ments from Viropa, West Virginia, on the Baltimore & Ohio Railroad and no longer shall be applicable for shipments from Kilarm, West Virginia, on the Baltimore & Ohio Railroad. The adjustments permitted or required of mines in Freight Origin Group 61 shall be applicable to such shipments.

Commencing forthwith, the effective minimum prices for shipments from the Arnold Mine (Mine Index No. 639) of Teresa Coal Company shall be applicable only for shipments from Madsville, West Virginia, on the Monongahela Railroad and no longer shall be applicable for shipments from Morgantown, West Virginia, on the Monongahela Railroad. The adjustments permitted or required of mines in Freight Origin Group 52 shall be applicable to such shipments.

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

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

Dated: March 25, 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 Nos.]

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
537	Campbell, Eugene L.	Campbell	Peerless	Tloka, W. Va.	SC&M	11	A	A	A	A	A	A	A	A	A	A	A	A	A	A
386	Consolidation Coal Company	Consol #34-A (Strip)	Pittsburgh	Viropa, W. Va. 1	R&O	61	F	F	F	F	F	F	F	F	F	F	F	F	F	F
402	Consolidation Coal Company	Consol #34-A (Strip)	Pittsburgh	Josephine, W. Va.	W.M.	65	F	F	F	F	F	F	F	F	F	F	F	F	F	F
403	Consolidation Coal Company	Consol #34-B (Strip)	Pittsburgh	Viropa, W. Va.	R&O	61	F	F	F	F	F	F	F	F	F	F	F	F	F	F
404	Consolidation Coal Company	Consol #90-B (Strip)	Pittsburgh	Josephine, W. Va.	W.M.	65	F	F	F	F	F	F	F	F	F	F	F	F	F	F
405	Consolidation Coal Company	Consol #90-C (Strip)	Pittsburgh	Josephine, W. Va.	W.M.	65	F	F	F	F	F	F	F	F	F	F	F	F	F	F
400	Lazelle, Donald G.	Miljo (Strip)	Redstone	Madsville, W. Va.	Monon	52	J	J	J	J	J	J	J	J	J	J	J	J	J	J
639	Teresa Coal Company	Arnold	Pittsburgh	Madsville, W. Va. 2	Monon	52	J	J	J	J	J	J	J	J	J	J	J	J	J	J

¹ Denotes new shipping point. Shipping point at Kilarm, W. Va., on Baltimore & Ohio Railroad shall no longer be applicable.

² Denotes new shipping point. Shipping point at Morgantown, W. Va., on Monongahela Railroad shall no longer be applicable.

§ 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. Group No. 1: 402, 403, 404, 405, 400 (a); Group No. 5: 537.

§ 323.8 (c) *Special Prices—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: 402, 403, 404, 405, 400; Group No. 5: 537.

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	Team	County	Size groups						
					Lump over 2', egg over 2', bottom size	Lump 2', egg 2', bottom size, but over 1 1/4"	Lump 1 1/4" and under, egg 1 1/4" and under, bottom size	All nut and pea 2' and under	Run of mine resultant over 2'	1 1/4" and 2" slack	3/4" slack
					1	2	3	4	5	6	7
Consolidation Coal Co....	402	Consol #84-A (Strip)...	Pittsburgh...	Harrison....	223	218	218	193	193	178	168
Consolidation Coal Co....	403	Consol #84-B (Strip)...	Pittsburgh...	Harrison....	223	218	218	193	193	178	168
Consolidation Coal Co....	404	Consol #90-B (Strip)...	Pittsburgh...	Harrison....	223	216	218	193	193	178	168
Consolidation Coal Co....	405	Consol #90-C (Strip)...	Pittsburgh...	Harrison....	223	218	218	193	193	178	168
Givens, Dewey S.....	401	Givens.....	Sewell.....	Webster....	253	248	248	223	223	213	193
Lazelle, Donald G.....	400	Miljo (Strip).....	Redstone...	Monongalia..	223	218	218	193	183	178	168

[F. R. Doc. 42-2850; Filed, March 31, 1942; 10:32 a. m.]

[Docket No. A-1258]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT NO. 13

ORDER CORRECTING TYPOGRAPHICAL ERROR 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 Supplement R-I, attached to and made a part of the order in the above-entitled matter, dated January 21, 1942, 7 F.R. 743, granting temporary relief and conditionally providing for final relief, prices were established, among others, for the coals of the Cardwell Mine (Mine Index No. 751) of W. M. Cardwell.

The note in § 333.6 (*General prices*) in the aforesaid Supplement R-I, referring to Mine Index No. 751, reads as follows:

"This mine shall have the same prices in size groups 17, 18 and 26 on all price tables as listed for mine with Index Number 69."

It appears that size group 26 was erroneously written instead of size group 24 and the order should be corrected to read as follows:

"This mine shall have the same prices in size groups 17, 18 and 24 on all price tables as listed for mine with Index Number 69."

Accordingly, it is so ordered.

Dated: March 26, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

[F. R. Doc. 42-2849; Filed, March 31, 1942; 10:32 a. m.]

[Docket No. A-1132]

PART 334—MINIMUM PRICE SCHEDULE, DISTRICT NO. 14

ORDER SUSPENDING EFFECTIVE DATE OF ORDER DATED MARCH 13, 1942 IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 14 FOR REVISION OF THE EFFECTIVE PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS PRODUCED AT MINE INDEX NO 511 OPERATED BY PARIS PURITY COAL CO., A CODE MEMBER IN DISTRICT NO. 14

An Order of the Acting Director in the above-entitled matter having been entered on March 13, 1942, 7 F.R. 2082, granting relief, pursuant to the petition of District Board 14, for revision of the effective price classifications and minimum prices for the coals produced at Mine Index No. 511 operated by Paris Purity Coal Company, Inc., a code member in District 14, and providing that said revision of price classifications and minimum prices be effective fifteen (15) days from the date thereof;

On March 26, 1942, Paris Purity Coal Company, Inc., having filed a motion for fifteen (15) days extension of time from the date thereof within which to file a petition for further hearing, rehearing, or reconsideration, and requesting that the effective date of the Acting Director's Order of March 13, 1942, be stayed pending determination by the Acting Director of the merits of the motion for further hearing, rehearing, or reconsideration;

Said motion for extension of time alleging that the Acting Director's Order of March 13, 1942, was not received by Paris Purity Coal Company, Inc., until March 24, 1942, and that it was the under-

standing of Paris Purity Coal Company, Inc., that the hearing which resulted in the Acting Director's Order of March 13, 1942, was to be decided on the basis of depositions only and that no further testimony would be presented, whereas District Board 14 did appear and present oral testimony at said hearing and Paris Purity Coal Company, Inc., did not appear:

It appearing to the Acting Director that the effectiveness of the order in this matter dated March 13, 1942, should be suspended pending further order of the Acting Director in order to allow Paris Purity Coal Company, Inc., time within which to file a petition for reconsideration; and it further appearing that only one week should be allowed for the filing of such petition for reconsideration;¹

Now, therefore, it is ordered, That the effective date of the Order of the Acting Director of March 13, 1942, which by its terms was to be effective March 28, 1942, be, and it hereby is, suspended pending further order of the Acting Director.

It is further ordered, That Paris Purity Coal Company, Inc., be granted a period of one week from the date of this order within which to file its motion, to be accompanied by affidavits in support thereof, for further hearing, rehearing, or reconsideration of the Acting Director's Order of March 13, 1942.

Dated: March 27, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

[F. R. Doc. 42-2847; Filed, March 31, 1942; 10:32 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PARTS 130 AND 131—APPENDIX

PUBLIC CIRCULAR NO. 18² UNDER EXECUTIVE ORDER NO. 8389, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO FOREIGN FUNDS CONTROL

MARCH 30, 1942.

(a) Reference is made to General Ruling No. 11, relating to transactions involving trade or communication with an enemy national. Inquiry has been made as to the standard of conduct which United States concerns doing business within Latin America are required to follow with respect to transactions involving enemy nationals.

(b) Any person within the Western Hemisphere who is subject to the jurisdiction of the United States shall not engage in any financial, business, trade or other commercial transaction which is directly or indirectly with, by, on behalf of, or for the benefit of an enemy national, except as specifically authorized by the Secretary of the Treasury, by

¹ It is expected that the petition for reconsideration will be accompanied by appropriate affidavits.

² This public circular affects Parts 130 and 131 and will be included in appendices to those parts.

means of regulations, rulings, instructions, licenses or otherwise.

(c) As used herein, the term "person subject to the jurisdiction of the United States" shall include:

(1) Any citizen of the United States whether within the United States or within any foreign country;

(2) Any person within the United States;

(3) Any partnership, association, corporation, or other organization

(i) Which is organized under the laws of the United States; or

(ii) Which has its principal place of business within the United States; or

(iii) Which is owned or controlled by, directly or indirectly, one or more persons subject to the jurisdiction of the United States as herein defined; and

(4) Any agent, subsidiary, affiliate or other person owned or controlled, directly or indirectly, by any person subject to the jurisdiction of the United States as herein defined.

(d) In appropriate cases, United States diplomatic and consular officers in the other American Republics should be consulted with respect to the matters referred to herein and applications for licenses to engage in transactions referred to herein may be filed with such officers in lieu of filing such applications in the United States. The Treasury Department has delegated authority to such officers through the State Department, and accordingly such officers are in a position to take action on applications in certain cases without first referring such applications to the Treasury Department. (Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Public No. 354, 77th Cong.; E.O. 8389, Apr. 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941; E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; Regulations, Apr. 10, 1940, as amended June 14, 1941, and July 26, 1941)

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

[F. R. Doc. 42-2826; Filed, March 30, 1942;
4:47 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Division of Industry Operations

PART 971—ALCOHOL

AMENDMENT NO. 4 TO GENERAL PREFERENCE ORDER NO. M-31¹ AS AMENDED

Paragraph (d) of General Preference Order No. M-31 As Amended (§ 971.1) is hereby amended to read as follows:

§ 971.1 *General Preference Order M-31.*

(d) *Directions with respect to residual supply.* After providing for all

¹ 7 F.R. 469.

deliveries under Defense Orders, giving preference among such deliveries in accordance with any preference ratings specifically assigned thereto, Producers and Distributors shall make deliveries of Methyl Alcohol in accordance with the following directions.

(1) Deliveries of Natural Origin Methyl Alcohol to persons who require the same for use as a denaturant for ethyl alcohol and who, prior to delivery thereof, shall have certified to the Producer or the Distributor that the Natural Origin Methyl Alcohol sought will be used (sold, in the case of a Distributor) for such use only, are hereby assigned preference rating B-4.

(2) Deliveries of Synthetic Methyl Alcohol to persons who require the same for the production of formaldehyde (pursuant to toll agreement or otherwise) for non-defense uses specified in paragraph (c) of General Preference Order No. M-25, as amended, as Classification I and who, prior to delivery thereof, shall have certified to the Producer or the Distributor that the Synthetic Methyl Alcohol sought will be used (sold, in the case of a Distributor) for such purpose only, are hereby assigned preference rating B-2.

(3) Deliveries of Synthetic Methyl Alcohol to persons who require the same for the production of formaldehyde (pursuant to toll agreement or otherwise) for non-defense uses specified in paragraph (c) of General Preference Order No. M-25, as amended, as Classification II and who, prior to delivery thereof, shall have certified to the Producer or the Distributor that the Synthetic Methyl Alcohol sought will be used (sold, in the case of a Distributor) for such purpose only, are hereby assigned preference rating B-3.

(4) Deliveries of Synthetic Methyl Alcohol to persons who require the same for general chemical manufacture, excluding the uses set forth in subparagraph (d) (2), (3) and (5) hereof, and who, prior to delivery thereof, shall have certified to the Producer or the Distributor that the Synthetic Methyl Alcohol sought will be used (sold, in the case of a Distributor) for such purpose only, are hereby assigned preference rating B-4.

(5) Deliveries of Methyl Alcohol to persons who require the same for general denaturant and solvent uses, and who, prior to delivery thereof, shall have certified to the Producer or the Distributor (a) that the Methyl Alcohol sought will be used (sold, in the case of a Distributor) for such purposes only, and (b) that the quantities sought, in any calendar quarter, together with all quantities on order with other producers or Distributors for delivery during such calendar quarter, do not exceed one-quarter of the quantity of Methyl Alcohol used by such persons for such purposes during the twelve month period ended September 30, 1941, are hereby assigned preference rating B-8. Calendar quarter shall mean the several three month periods of the year commencing January 1, April 1, July 1, and October 1.

(6) When a non-defense order for Methyl Alcohol for a use specified in

paragraph (d) (1), (2), (3), (4) and (5) hereof, to which a preference rating has been assigned either by specific certificate or otherwise, is offered to a Producer or a Distributor, it shall be accepted, subject to the same terms and conditions applicable to the acceptance of Defense Orders set forth in Priorities Regulation No. 1; and deliveries shall be made under such an order in accordance with the preference rating assigned thereto and the delivery schedule specified therein even though deferment of deliveries under non-defense orders, bearing a lower preference rating or no preference rating, previously accepted is necessitated thereby. Any person seeking to place a non-defense order to which a preference rating has been assigned must make application for acceptance of such order in the first instance to his regular supplier (if a person has several regular suppliers, the order should be divided among such suppliers in accordance with such person's normal method of placing orders).

(7) The restrictions and requirements set forth in subparagraphs (d) (1), (2), (3), (4), (5) and (6) hereof shall not be applicable with respect to deliveries of Methyl Alcohol to any one person during any one calendar month in quantities aggregating fifty-five (55) gallons or less. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, Jan. 26, 1942, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

This Order shall take effect immediately.

Issued this 31st day of March 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-2858; Filed, March 31, 1942;
10:43 a. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

AMENDMENT NO. 1 TO LIMITATION ORDER NO. L-26¹ TO RESTRICT THE PRODUCTION OF FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

Paragraph (b) (3) (definition of farm machinery and equipment) of § 1029.1 *General Limitation Order L-26*, issued December 31, 1941, is hereby amended to read as follows:

(3) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements used for the production or care of crops, livestock, or other produce on a farm (or elsewhere in the case of poultry) including irrigation and drainage equipment, horseshoes, horseshoe nails and harness hardware, but excluding attachments and repair parts for farm machinery and equipment and also excluding all of the following: track-laying type tractors, hand tools other than those listed on Schedule A described below, special equipment ordered by the United States Department

¹ 7 F.R. 34.

of Agriculture, buildings and repairs thereto, fencing, poultry nettings and wire, gates or wire fencing, bale ties or straps, well casing and water pipe, nails (other than horseshoe nails) and sundry hardware.

Paragraph (b) (5) (definition of "scarce material") of said § 1029.1 is hereby amended to read as follows:

(5) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

Paragraph (b) (definitions) of said § 1029.1 is hereby amended by adding thereto the following:

(6) "Schedule A" means either that schedule of percentages originally issued December 31, 1941, with General Limitation Order L-26, designated as "Schedule A" and made a part thereof, as amended from time to time, or Schedule A-1 attached hereto and made a part hereof, as amended from time to time: *Provided:*

(i) That to be entitled to use the percentages set forth in said Schedule A-1 a producer shall file with the War Production Board prior to March 30, 1942, his election to do so;

(ii) That if such election is filed a producer shall use only those percentages set forth in said Schedule A-1 and that if no such election is filed a producer shall use only those percentages set forth in said Schedule A; and

(iii) That nothing in Schedule A-1 shall entitle a producer to use an amount of any material in excess of the amount he would be entitled to use if limited to the percentages set forth in said Schedule A.

Paragraphs (c) (1) (i) and (c) (1) (ii) (general restrictions) of said § 1029.1 are hereby amended to read as follows:

(i) For sale in the continental United States, manufacture a number of any item of farm machinery and equipment listed in Schedule A in excess of that number obtained by multiplying the quota percentage designated in Schedule A for such item by the number produced by said producer during the calendar year 1940 or sold by him during such calendar year (whichever basis said producer may choose but the basis chosen shall be applied to all farm machinery and equipment manufactured by him): *Provided, however,* That wherever Schedule A lists an item of farm machinery and equipment but in lieu of a quota percentage lists producers by name and their respective quotas by number of units, no such producer shall manufacture more than his respective quota number of such item and a producer not named shall not manufacture any of such item.

(ii) For sale in the continental United States, use in the production of attachments and repair parts listed in Schedule A, an amount of any material in excess of that amount obtained by multiplying the quota percentage designated in Schedule A for each item of attachments and repair parts by the amount of that

material used by said producer in the production of such attachments and repair parts during the calendar year 1940, or so used in such attachments and repair parts sold by him during such calendar year (whichever basis said producer may choose, but the basis chosen shall be applied to all attachments and repair parts manufactured by him), the amount of material being determined by the net weight of each such material physically incorporated in the final product plus a reasonable minimum allowance for loss in any and all stages of the process of manufacture.

"Schedule A of Limitation Order L-26" (Number 16647) issued December 31, 1941, as a part of Limitation Order L-26, is hereby amended in the following particulars:

(1) Delete from each of the Groups, Divisions and Items set forth in said Schedule A and listed below, the respective quota percentage designated below in Column X and insert in lieu thereof the respective quota percentage designated in Column Y.

	Column X	Column Y
	Percent	Percent
Group 1, Division 3: Potato Planters:		
Item 1. Horse or tractor drawn	58	72
Group 1, Division 6: Beet Drills:		
Item 1. Horse or tractor drawn	57	100
Group 2, Division 8: Steel Plow Shapes or Shares:		
Item 1. Steel plow shapes or shares and other plows and listers expressed in terms of total weight of all metals and rubber	71	140
Group 4, Division 1: Cultivators:		
Item 2. Tractor drawn or mounted:		
Type 1. One row tractor drawn or mounted	80	90
Type 2. Two row tractor drawn or mounted		
Group 4, Division 1: Cultivators:		
Item 3. Beet Cultivators	64	100
Group 5, Division 9: Beet Lifters:		
Item 1. Beet lifters, horse or tractor drawn	84	130
Group 7, Division 6: Corn Shellers:		
Item 2. Corn Shellers Power:		
Type 2. Cylinder (150 bu. and under)	38	80
Group 8, Division 1: Tractors—Wheel Type Special Purpose:		
Items 1 and 2 combined. Belt H. P. under 30 with steel tires	59	75
Belt H. P. under 30 with rubber tires	77	
Items 3 and 4. Belt H. P. 30 and over with steel tires	62	76
Belt H. P. 30 and over with rubber tires	81	
Group 8, Division 2: Tractors—Wheel Type, All Purpose:		
Items 1 and 2. Belt H. P. under 30 with steel tires	75	81
Belt H. P. under 30 with rubber tires	81	
Items 3 and 4 combined. Belt H. P. and over with steel tires	76	72
Belt H. P. and over with rubber tires	72	
Group 12, Division 1: Sprayers:		
Item 1. Power sprayers (not including engine)	97	97
Item 2. Traction Sprayers	85	85
Item 3. Hand sprayers (with tank, etc.)	100	100
Item 4. Sprayers with tank, barrel, etc.	98	98

	Column X	Column Y
	Percent	Percent
Group 12, Division 2: Spray Pumps, Power:		
Item 1. Spray Pumps, power	96	96
Group 12, Division 4: Dusters:		
Item 1. Dusters:		
Type 2. Traction	94	103
Type 3. Dusters (hand)	100	110
Group 13, Division 1: Elevators, Portable:		
Item 1. Buckets less than 12 inches	85	74
Item 2. Buckets more than 12 inches	64	74
Group 15, Division 9: Individual Livestock Drinking Cups:		
Item 1. Individual livestock drinking cups	75	100
Group 17, Division 12: Harness Hardware:		
Item 1. Harness Hardware	75	100

(2) Delete from Group 7, Division 3 (Peanut Pickers), Item 1 the quota percentage "208%" and insert in lieu thereof the following:

Name	Quota by number of units
Belle City Mfg. Co., Racine, Wisconsin	400
Turner Mfg. Co., Statesville, North Carolina	500
Benthall Machine Co., Suffolk, Virginia	450
Frick Co., Waynesboro, Pennsylvania	400
Ellis Keystone Agri. Works, Pottstown, Pennsylvania	300
A. B. Farquhart Co., York, Pennsylvania	500
Lilliston Implement Co., Albany, Georgia	800
Doyleston Agri. Co., Doylestown, Pennsylvania	50
Massey Harris, Racine, Wisconsin	50
Harrington Mfg. Co., Lewiston, North Carolina	150

(3) Add to Group 16, Division 1 (Incubators) "Item 2, Commercial (over 1,000 egg capacity) 102%".

(4) Delete from Group 17, Division 9 (Hand Tools) Item 1, the word "etc."

(5) Add immediately following Group 17 the following:

Group 18—Irrigation Equipment	
Division 1: Irrigation Pumps:	Quota Percent
Item 1. Turbine Pumps:	
Type 1. Turbine Pumps 0-to-1200-GPM	80
Type 2. Turbine Pumps 1200GPM and Up	0
Type 3. Repair Parts, all Turbine Pumps	116
Item 2. Centrifugal Pumps:	
Type 1. Centrifugal Pumps	80
Type 2. Repair Parts, Centrifugal Pumps	132
Division 2: Electric Motors for Irrigation Pumps:	
Item 1. Electric Motors for Turbine Pumps:	
Type 1. Electric Motors for Turbine Pumps	80
Type 2. Repair Parts for Electric Motors for Turbine Pumps	100
Item 2. Electric Motors for Centrifugal Pumps:	
Type 1. Electric Motors for Centrifugal Pumps	50
Type 2. Repair Parts for Electric Motors for Centrifugal Pumps	100
Division 3: Distribution Equipment:	
Item 1. Distribution Equipment	100
Item 2. Repair Parts for Distribution Equipment	125

Effective date. This Order shall take effect immediately. (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; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 30th day of March 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-2828; Filed, March 30, 1942;
5:01 p. m.]

PART 1037—COCONUT OIL, BABASSU OIL,
PALM KERNEL OIL AND OTHER HIGH
LAURIC ACID OILS

CORRECTION TO GENERAL PREFERENCE ORDER
M-60

General Preference Order M-60 as published in the FEDERAL REGISTER for March 21, 1942 (7 F.R. 2185), entitled "Part 1032" and "Sec. 1032.1" is hereby corrected to read "Part 1037" and "Sec. 1037.1".

Issued this 31st day of March 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-2857; Filed, March 31, 1942;
10:43 a. m.]

PART 1144—GOATSKINS, KIDSKINS AND
CABRETTAS

CONSERVATION ORDER M-114

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of goatskins, kidskins and cabrettas 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:

§ 1144.1 Conservation Order M-114—

(a) *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.

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

(1) "Goatskin" means the skin of the goat or leather made from it, other than a Kidskin.

(2) "Kidskin" means the skin of the young goat or leather made from it.

(3) "Cabretta" means the skin of a hair sheep or leather made from it.

(4) "Raw skin" means a skin in its original condition when imported, and before depilation.

(5) "India tanned goatskin" means an imported goatskin that has been tanned in Asia.

(6) "Put in process" means:

(i) In the case of raw skins to soak in water or solution before depilation.

(ii) In the case of India tanned goatskins to soak in water or solution before shaving or before retanning.

(7) "Semi-processed or finished" includes all skins that have already been put in process within the United States.

(8) "Tanner" means any person who tans skins from the raw state, or any person who retans India tanned goatskins.

(9) "Basic monthly wettings" shall mean one-twelfth of the sum total of raw goatskins, raw kidskins, raw cabretta skins, and India tanned goatskins put into process by a tanner during the period from January 1, 1941, to December 31, 1941, both inclusive.

(10) Goatskin that "could be made suitable for military requirements" includes any goatskin that could be processed into finished leather by any person into more than five and three-quarters square feet of leather, except extreme rejects, extremely heavy (bull) weights, and India tanned goatskins.

(11) "Blue chrome state" shall mean the state after tanning but before fat-liquoring and coloring.

(c) *Restrictions on sales, deliveries and processing of goatskins, kidskins and cabrettas.* (1) Unless specifically authorized by the Director of Industry Operations, no person shall put in process from April 1, 1942, to April 30, 1942, inclusive, for the aggregate of defense and non-defense use, a sum total of raw goatskins, raw kidskins, raw cabrettas, and India tanned goatskins equal to more than 80 per cent of his basic monthly wettings: *Provided, however,* That the foregoing limitation shall not affect the requirements of section 944.2 of Priorities Regulation No. 1 for compulsory filling and acceptance of defense orders and other orders bearing preference ratings. Any person with whom such orders are placed shall accept and fill the same regardless of the foregoing limitation but, unless specifically authorized by the Director of Industry Operations, shall not thereafter put in process any raw goatskins, raw kidskins, raw cabrettas, and India tanned goatskins for orders other than defense orders or other rated orders, if his total for all orders exceeds such 80 per cent limitation.

(2) Unless specifically authorized by the Director of Industry Operations, no person shall put in process, except to fill defense orders, any raw goatskin on hand as of the effective date of this Order, or thereafter received by him, that in the judgment of his most qualified expert could be made suitable for military requirements by him or by any other person.

(3) No person shall process beyond the blue chrome state, except for military glove or garment use, or for other military orders, any goatskin now or hereafter in process up to that state, which in the judgment of his most qualified expert by further processing from the blue chrome state could be made suitable for military requirements, and no person shall hereafter sell or deliver such suitable skins to any other person, except upon defense orders.

(d) *Prohibitions against sales or deliveries.* No persons shall hereafter sell or deliver any raw goatskins, raw kidskins, raw cabretta skins or India tanned

goatskins, if he knows or has reason to believe such material is to be processed or delivered in violation of this Order.

(e) *Fair distribution of products.* In making sales or deliveries of semi-processed or finished goatskins, kidskins or cabrettas, no tanner shall make discriminatory cuts in amounts or quantities in acceptance of orders or deliveries between former customers who meet such tanner's regularly established prices, terms and credit requirements. Reduction in sales or deliveries proportionate with any curtailment of input established in paragraph (c) hereof shall not constitute a discriminatory cut.

(f) *Appeal.* Any person 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 degree of unemployment which would be unreasonably disproportionate compared with the amount of goatskins, kidskins or cabrettas conserved, or that compliance with this Order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference M-114, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(g) *Reports.* Any person who puts in process goatskins, kidskins or cabrettas shall file with the War Production Board, monthly, beginning April 30, 1942, one copy of report form PD-373; and shall file any additional reports and forms prescribed by the War Production Board, from time to time.

(h) *Records.* Any person who puts in process goatskins, kidskins or cabrettas shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this Order.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: "War Production Board, Washington, D. C., Reference M-114."

(j) *Violations.* Any person who willfully violates any provision of this Order, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this Order, may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under Section 35 (A) of the Criminal Code (18 U.S.C. 80).

(k) *Effective date.* This Order shall take effect immediately. (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; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong.)

Issued this 30th day of March 1942.

J. S. KNOWLSON,
Director of Industry Operations.

[F. R. Doc. 42-2827; Filed, March 30, 1942;
5:01 p. m.]

Chapter XI—Office of Price Administration

PART 1304—IRON AND STEEL SCRAP

AMENDMENT NO. 2 TO REVISED PRICE SCHEDULE NO. 4¹—IRON AND STEEL SCRAP

A statement of the considerations involved in the issuance of this Amendment has been prepared and is issued simultaneously herewith.²

Paragraphs (b) and (f) of § 1304.11, footnote 6 of § 1304.13 (a), Item 1 of § 1304.13 (f), § 1304.14 (c) and footnote 1 appearing in the third paragraph of § 1304.15 (a), are amended to read as follows: Four new Items 7A, 8A, 9A and 11A are added to § 1304.13 (f); paragraph (d) of § 1304.14 is redesignated as paragraph (e) and amended, and a new paragraph (d) is added to § 1304.14, and a new paragraph (b) is added to § 1304.12a, as set forth below:

§ 1304.11 Definitions.

(b) "Iron and steel scrap" means all ferrous materials, either alloyed or unalloyed, of which iron or steel is a principal component, which are the waste of industrial fabrication, or objects that have been discarded on account of obsolescence, failure, or other reasons, and shall include any material, whether reusable or not, which is normally consumed (by way of example but not by way of limitation) in remelting, rerolling, reworking, ballast, or annealing operations, or as a reduction agent.

(f) "Consumer" means a purchaser, for its own consumption of iron or steel scrap—(by way of example but not by way of limitation) smelter, foundry, steel mill, briquetter, forge shop, any governmental agency or sub-division.

§ 1304.13 Appendix A: Maximum prices for iron and steel scrap other than railroad scrap. (a) Basing Point¹ prices from which shipping point prices and consumers' delivered prices are to be computed.

¹ Except upon prior approval by the Office of Price Administration, no special preparation charges may be added to the prices listed above.

(b) Except upon prior approval by the Office of Price Administration, no grade of scrap deemed by buyer or seller or both to be superior to any grade listed above shall be purchased at a premium above the corresponding listed grade, with the following exceptions:

(1) In the case of cast iron borings containing no more than 0.5 percent oil content for chemical use, the basing point price shall be \$5.00 per gross ton over the price of Item 11.

(2) In the case of ingot iron scrap and any alloyed ferrous scrap, except manganese scrap, purchased by an Electric Furnace or Acid Open Hearth for recovery of alloy content, such grades may be purchased at the differential above the corresponding listed grade which the consumer paid during the

period September 1, 1940 to January 31, 1941; *Provided, however*, That this provision does not apply to any alloyed ferrous scrap for which maximum prices are established by any other Price Schedule or Regulation issued by the Office of Price Administration.

(3) In the case of high manganese steel scrap sold for *Electric Furnace use only*, the basing point price shall be \$7.00 per gross ton above the price of No. 1 Heavy Melting Steel. High manganese steel scrap shall be defined as: "Steel scrap containing at least 10% manganese cut 12" x 24" x 8" and under, and suitable without further preparation for direct charging into an electric furnace.

(4) Where a person purchases Item 7 (Machine Shop Turnings), Item 8 (Mixed Borings & Turnings), Item 9 (Shovelling Turnings), or Item 11 (Cast Iron Borings), for briquetting purposes, such person shall, for such purchases, be deemed a "consumer" in accordance with paragraph (f) of § 1304.11 hereof. Where Items 7, 8, 9 or 11 have been briquetted in accordance with the specifications set forth in paragraph (f) for Items 7A, 8A, 9A and 11A, the basing point prices for such material shall be (1) In the case of Items 7A and 9A, \$4.00 per gross ton above the basing point price for Items 7 and 9; and (2) In the case of Items 8A and 11A, \$3.00 per gross ton above the basing point price of Items 8 and 11.

(5) Bundles with less than 50 percent tin-coated material shall be priced at \$5.00 per gross ton under Basic Open Hearth Grades. Bundles with more than 50 percent tin-coated material shall be priced at \$8.00 below Basic Open Hearth Grades.

(c) Inferior grades shall continue to be purchased at the differential below the corresponding listed grade price which the consumer paid during the period September 1, 1940 to January 31, 1941.

(d) Mixed shipments of any grade of scrap whose maximum prices are governed by the provisions of this Schedule shall be deemed shipments of unprepared scrap and shall be priced at \$2.50 per gross ton below the maximum price applicable in this Schedule for the lowest priced grade in the shipment, unless the consumer has authorized a mixed shipment in his purchase order. Where the consumer has authorized a mixed shipment in his purchase order, each grade must be so segregated that upon arrival at the point of delivery, the weight of each grade can be ascertained readily.

(f) Definitions of grades referred to in paragraph (a).

Item 1. "No. 1 heavy melting steel". Steel scrap ¼ inch and over in thickness, not over 18 inches in width, and not over 5 feet long. Individual pieces must be cut into such shape that they will be free from attachments and will lie flat in a charging box. Cut boiler plate must be practically clean and free from stay bolts and not over 3 feet long and lie reasonably flat in charging box. No piece may weigh less than 5 pounds. This grade may include structural shapes, angle bars and plates, steel castings, heavy chain, carbon tool steel, heavy forgings, forge butts, and similar heavy material. This grade may also include new mashed pipe ends, original diameter 4 inches and over, thoroughly flattened, sheet bars, billets, blooms, rail ends, railroad steel, and wrought scrap, such as angles, splices, couplers, knuckles, short rails, drawbars, cut cast-steel bolsters, coil and leaf springs (all coil springs to be ¾ inch or larger in diameter). No needle or skele-

ton plate scrap, agricultural shapes, annealing pots, boiler tubes, grate bars, cast iron, malleable iron, or curly or unwieldy pieces may be included. This grade must be free from dirt, excessive rust or scale, or foreign material of any kinds.

Item 7A. "Briquetted machine shop turnings." Machine shop turnings compressed into a cohesive non-friable solid reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60 per cent.

Item 8A. "Briquetted mixed borings & turnings." Mixed borings & turnings compressed into a cohesive non-friable solid reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60 per cent.

Item 9A. "Briquetted shovelling turnings." Shovelling turnings compressed into a cohesive non-friable solid reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60 per cent.

Item 11A. "Briquetted cast iron borings." Cast iron borings compressed into a cohesive non-friable solid reasonably free from oil, each briquette to weigh not more than 20 pounds and to have a density of not less than 60 per cent.

§ 1304.14 Appendix B: Maximum prices for iron and steel scrap originating from railroads.

(c) Railroad scrap prepared by a dealer. Railroad scrap prepared by a dealer shall be deemed to have lost its railroad origin, and the maximum prices of such scrap shall be governed by paragraph (d) of this section.

(d) Maximum prices for scrap which has lost its railroad origin, scrap originating from mines, logging roads, and similar sources and scrap originating from roads who did not within two weeks after February 9, 1942, file average price information with the Office of Price Administration. In the case of scrap which has lost its railroad origin, scrap originating from mines, logging roads and similar sources, and any grade of scrap originating from a railroad which did not within two weeks after February 9, 1942, file the average price information for such grades as required under paragraphs (a) or (b) hereof and by § 1304.4, the maximum prices shall be as follows:

(1) In the case of scrap rails, scrap rails 3 feet and under, scrap rails 2 feet and under, scrap rails 18 inches and under, and rails for rerolling, the shipping point price shall be computed by application of the provisions of paragraphs (b) and (c) of § 1304.13, Appendix A, to the prices at the most favorable basing point in § 1304.14, Appendix B. In no case need this shipping point price fall below \$14.00 for scrap rails, \$16.00 for scrap rails 3 feet and under, \$16.25 for scrap rails 2 feet and under, \$16.50 for

¹ 7 F. R. 1207, 2155.

² Filed with the Division of the Federal Register; requests for copies should be addressed to the Office of Price Administration.

scrap rails 18 inches and under, and \$15.50 per gross ton for rails for rerolling. The maximum delivered price shall be the shipping point price thus obtained, plus transportation charges from the shipping point to the point of delivery.

(2) All other grades of such scrap shall be classified under § 1304.13, Appendix A, or § 1304.15, Appendix C, and their maximum prices shall be governed by the provisions of the applicable appendix, except that:

(i) In the case of railroad steel axles sold for rerolling or reforging use only, the basing point price for such grade at the applicable basing point under the provisions of § 1304.13, Appendix A, shall be \$6.00 per gross ton over the basing point price for No. 1 Heavy Melting Steel. The definition of "Railroad steel axles" shall be: solid car and/or locomotive axles (free of axles with key-way between wheel seats, no axles of shorter lengths than distances between wheel seats to be included).

(ii) In the case of railroad steel wheels sold for Electric Furnace, Acid Open Hearth and Foundry use only, the basing point price for such grade at the applicable basing point under the provisions of § 1304.13, Appendix A, shall be \$3.50 per gross ton over the basing point price for No. 1 Heavy Melting Steel. The definition of "Railroad steel wheels" shall be: solid cast steel, forged, pressed or rolled steel car and/or locomotive wheels, 36" and under in diameter.

(iii) In the case of railroad couplers and railroad knuckles sold for Electric Furnace, Acid Open Hearth and Foundry use only, the basing point price for such grade at the applicable basing point under the provisions of § 1304.13, Appendix A, shall be \$3.00 per gross ton over the basing point price for No. 1 Heavy Melting Steel. The definition of "Railroad couplers and railroad knuckles" shall be: railroad car and/or locomotive steel couplers, knuckles and/or locks stripped clean of all other attachments.

(iv) In the case of railroad springs sold for Electric Furnace, Acid Open Hearth and Foundry use only, the basing point price for such grade at the applicable basing point under the provisions of § 1304.13, Appendix A, shall be \$3.50 per gross ton over the basing point price for No. 1 Heavy Melting Steel. The definition of "Railroad springs" shall be: coil springs made of material less than 3/8" in diameter and elliptical springs made of material less than 1/4" in thickness, not over 18" width.

(v) In the case of railroad brake shoes, the basing point price for such grade at the applicable basing point under the provisions of § 1304.15, Appendix C, shall be \$4.75 per gross ton below No. 1 Cupola Cast. The definition of "Railroad brake shoes" shall be: cast iron driving and/or car brake shoes of all types except composition filled shoes, suitable for foundry use.

(3) The maximum prices of grades of scrap, which by reason of this paragraph, are classified in § 1304.13, Appendix A, or § 1304.15, Appendix C, shall, in un-

prepared form, be priced at \$3.50 per gross ton "below the corresponding grade or grades of prepared scrap", rather than \$2.50 per gross ton below such grade or grades, but shall be subject to all the other provisions contained in paragraph (e) of § 1304.13, Appendix A, or paragraph (d) of § 1304.15, Appendix C, whichever is applicable.

(e) *Unprepared scrap.* (i) The maximum prices listed in paragraph (a) (1) of this section of Appendix B are for prepared scrap. For such grades, in unprepared form, the maximum prices shall be \$3.50 per gross ton under the maximum prices for the corresponding grade or grades of prepared scrap.

(ii) Pursuant to paragraph (a) (2) and paragraph (b) of this section, Appendix B, the Office of Price Administration has authorized maximum prices for certain prepared grades of scrap originating from railroads that filed the required average price information. For such grades, in unprepared form, the maximum prices shall be \$3.50 under the maximum prices for the corresponding grade or grades of prepared scrap.

(iii) Where scrap is to undergo preparation prior to its arrival at the point of delivery, such scrap is not at its shipping point as that phrase is defined in paragraph (c) of § 1304.13 (c) hereof, until after such preparation has been completed.

§ 1304.15 Appendix C: Maximum price for cast iron scrap other than railroad scrap (all the prices given below are per gross ton). (a) Maximum price at shipping point.

¹ (a) Except upon prior approval by the Office of Price Administration, no special preparation charges may be added to the prices listed above.

(b) Except upon prior approval by the Office of Price Administration, no grade deemed by buyer or seller or both to be superior to any grade listed above may be sold at a premium above the corresponding listed grade.

(c) Inferior grades shall continue to be purchased at the differential below the corresponding schedule grade which the consumer paid during the period September 1, 1940 to January 31, 1941.

(d) Mixed shipments of any grade of scrap whose maximum prices are governed by the provisions of Revised Price Schedule No. 4 shall be deemed shipments of unprepared scrap and shall be priced at \$2.50 per gross ton below the maximum price applicable in Revised Price Schedule No. 4 for the lowest priced grade in the shipment, unless the consumer has authorized a mixed shipment in his purchase order. Where the consumer has authorized a mixed shipment in his purchase order, each grade must be so segregated that upon arrival at the point of delivery, the weight of each grade can be ascertained readily.

(e) Except in the case of items 4 and 7, no Basic Open Hearth (and, in the case of item 8, no consumer other than a malleable foundry) may pay for any grade a price in excess of the price listed for item 6.

§ 1304.12a Effective date of amendments.

(b) Amendment No. 2 (§§ 1304.11 (b), (f), 1304.12a (b), 1304.13 (a), (f), 1304.14

(c), (d), (e), 1304.15 (a)) to Revised Price Schedule No. 4 shall become effective March 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2829; Filed, March 30, 1942; 5:16 p. m.]

PART 1306—IRON AND STEEL

AMENDMENT NO. 1 TO REVISED PRICE SCHEDULE NO 46¹—RELAYING RAIL

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.²

Section 1306.257 is amended to read as follows and a new § 1306.259a is added as set forth below:

§ 1306.257 *Petitions for amendment, adjustment or exception.* (a) Persons seeking any modification of this Revised Price Schedule No. 46 or an adjustment or exception not provided therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

(b) L. B. Foster Company, Inc., New York, N. Y., having shown (1) that said company by contract dated September 2, 1941 agreed to deliver 900 gross tons of relaying rail for export at \$42.50 per gross ton to the Aluminum Company of Canada, Limited, at a port in the United States, (2) that 300 gross tons had not been delivered on March 20, 1942, (3) that the relaying rail for said contract was acquired by said company in August, 1941, and 300 gross tons of this relaying rail is available for delivery under said contract (4) that, because of extenuating circumstances, application for relief was not made under § 1306.254 which was revoked effective February 7, 1942, and (5) that said company will suffer a substantial out-of-pocket loss on said contract if required to make delivery thereunder at prices not in excess of the maximum prices established in this Revised Price Schedule No. 46 prior to March 31, 1942, is permitted to complete delivery of said 300 gross tons of relaying rail under said contract with the Aluminum Company of Canada, Limited, at \$42.50 per gross ton f. o. b. cars Port Newark, New Jersey.

§ 1306.259a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1306.257, 1306.259a) to Revised Price Schedule No. 46 shall become effective March 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2844; Filed, March 31, 1942; 10:17 a. m.]

¹ 7 F.R. 1295.

² Filed with the Division of the Federal Register; requests for copies should be addressed to the Office of Price Administrator.

PART 1306—IRON AND STEEL

AMENDMENT NO. 2 TO REVISED PRICE SCHEDULE NO. 100¹—CAST IRON SOIL PIPE AND FITTINGS

A statement of the considerations involved in the issuance of this Amendment has been prepared and is issued simultaneously herewith.²

Section 1306.309 (b) is amended to read as set forth below, and a new paragraph (b) is added to § 1306.308a.

§ 1306.309 Appendix A: Maximum prices for cast iron soil pipe and fittings.

(b) The maximum delivered price for domestic sales of Cast Iron Soil Pipe and Fittings shall be the maximum f. o. b. Birmingham, Alabama, price established in paragraph (a) of this section, plus a freight and delivery charge computed in accordance with the following provisions (whether shipment is by rail or motor carrier):

(1) Where a shipment of 250 pounds or more moves directly from foundry to purchaser (regardless of whether the seller is a manufacturer, jobber or wholesaler), the delivery charge may not exceed the transportation charge computed on the actual weight of the shipment at the lowest railroad carload rate from Birmingham, Alabama, to the railroad siding nearest to the point of delivery designated by the purchaser.

(2) Where a shipment to a purchaser originates from some place other than a foundry (as where shipment originates at a distribution warehouse operated by a manufacturer, jobber or wholesaler), or where a shipment of less than 250 pounds moves directly from foundry to purchaser (regardless of whether the seller is a manufacturer, jobber or wholesaler), the delivery charge may not exceed the transportation charge computed on the actual weight of the shipment at the lowest railroad carload rate from Birmingham, Alabama, to the place at which the shipment originates: *Provided, however,* That a further delivery charge for transportation from the place at which the shipment originates to the point of delivery designated by the purchaser may be made if (i) the seller on October 1, 1941, did not recognize a free delivery zone for the shipment of the size ordered by the purchaser or (ii) the point of delivery designated by the purchaser is outside of the free delivery zone, if any, recognized by the seller on October 1, 1941, for a shipment of the size ordered by the purchaser. Where such transportation is by common or contract carrier, the further delivery charge may not exceed the actual transportation charge from the place at which the shipment originates to the point of delivery designated by the purchaser. Where such transportation

takes place in a vehicle owned or controlled by the seller, the further delivery charge may not exceed the transportation charge on a shipment of identical weight calculated at the lowest railroad carload rate from the place at which the shipment originates to the point of delivery. All such further delivery charges may be added only when shown as a separate item on any billing or invoice.

(3) For purposes of this paragraph, the seller shall be considered as having completed his delivery obligations when, in the case of a rail shipment, the shipment arrives at the rail siding nearest to the location designated by the purchaser; or when, in the case of shipment by motor carrier, the shipment arrives at the site designated by the purchaser.

(4) Transportation charges from Birmingham, Alabama, to point of delivery, permitted under subparagraph (1) of this paragraph, and transportation charges from Birmingham, Alabama, to point where shipment originates, permitted under (2), above, may be billed or invoiced by deducting from the applicable base (or first) discount ¼ point for every 25¢ ton freight.

§ 1306.308a Effective dates of amendments.

(b) Amendment No. 2 (§§ 1306.309 (b) and 1306.308a (b)) to Revised Price Schedule No. 100 shall become effective March 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2845; Filed, March 31, 1942; 10:16 a. m.]

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

CORRECTION TO AMENDMENT NO. 2 TO REVISED PRICE SCHEDULE NO. 7—COMBED COTTON YARNS AND THE PROCESSING THEREOF

The word "strict" is hereby inserted before the word "middling" in the second paragraph of § 1307.12 (d) (4) (vii) (b); and the words "Agricultural Marketing Service," in footnote 12 thereto, are corrected to read "Agricultural Marketing Administration"; and a new paragraph (j) is added to § 1307.11, as set forth below:

§ 1307.12 Appendix A: Maximum prices for combed yarns and for mercerizing, bleaching, and/or gassing thereof

- (d) * * *
- (4) * * *
- (vii) * * *
- (b) * * *

As used herein, the term "additional cotton cost" means the difference in cents per pound, adjusted for waste,¹⁷ between the market value¹⁸ of the specific kind, grade, and staple of cotton used or to be used in the premium yarn, and the market value¹⁹ of strict middling

American cotton of the staple length specified for the same yarn number in the definition of base-grade yarn.¹⁹

¹⁸ In adjusting for waste, the following net waste factors are to be used:

Cotton	Net waste factor
American:	
1½/32" -----	1.26
1¼/16" and 1¾/32" -----	1.28
1¼/8" and 1½/32" -----	1.31
1¾/16" and 1¼/32" -----	1.33
1¼" to 1½/32", incl. -----	1.36
1¾/8" and over -----	1.38
Sea Island -----	1.43
SXP and Pima -----	1.35
Egyptian -----	1.33

¹⁹ As of the date the contract of sale of premium yarn is made.

²⁰ Determination of the market values referred to herein shall be made from such weekly quotations, appropriately adjusted for location, as are or may hereafter be published by the Agricultural Marketing Administration, Department of Agriculture, or, in the case of kinds, grades, and staples of cotton for which such quotations are not published, from actual quotations or sales made by brokers, shippers, or dealers customarily acting as sources of supply for such cotton.

§ 1307.11 Effective dates of amendments.

(j) Correction (§ 1307.12 (d) (4) (vii) (b)) to Amendment No. 2 shall become effective as of March 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2843; Filed, March 31, 1942; 10:18 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

AMENDMENT NO. 2 TO REVISED PRICE SCHEDULE NO. 97¹—SOUTHERN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.²

Sections 1312.301, 1312.302, 1312.303, and paragraphs (e) and (f) of § 1312.307, and the headnotes of § 1312.309 and paragraph (a) thereof are amended to read as follows. A new paragraph (i) is added to § 1312.307, a new subparagraph (31) is added to § 1312.309 (a), and two new paragraphs (f) and (g) are added to § 1312.309, and a new paragraph (b) is added to § 1312.308a, as set forth below. Section 1312.310 is revoked:

§ 1312.301 Maximum prices for southern hardwood lumber. On and after February 20, 1942, regardless of the terms of any contract of sale or purchase or other commitment, no person shall sell, offer to sell, deliver, or transfer, for domestic use or export use, any southern hardwood lumber, where shipment originates at the mill rather than at a distribution yard, at prices higher

¹⁷ F. R. 1388, 1675.

¹ 7 F. R. 1394, 1795.

² Filed with the Division of the Federal Register; requests for copies should be addressed to the Office of Price Administration.

than the maximum prices set forth in Appendix A, incorporated herein as § 1312.309: *Provided*, That a shipment pursuant to an order of less than 1000 feet of southern hardwood lumber shall not be subject to Revised Price Schedule No. 97: *And provided*, That Revised Price Schedule No. 97 shall not apply where actual delivery has been made to a purchaser, or to a carrier for delivery to a purchaser, prior to February 20, 1942.

§ 1312.302 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1312.309) may be charged, demanded, paid or offered.

§ 1312.303 *Evasion.* The price limitations set forth in Revised Price Schedule No. 97 shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of southern hardwood lumber, alone or in conjunction with any other material; or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege; or by tying-agreement, or other trade understanding; or by making credit terms more onerous than those in effect or available to the purchaser on October 1, 1941; or by unnecessarily routing lumber through a distribution yard; or by unreasonably refusing to ship except in mixed cars or trucks, or under other circumstances entitling the seller to a premium; or by charges for delivery which exceed the actual cost to the seller of such delivery (except as provided in § 1312.309 (e)); or by falsely or wrongly grading or invoicing lumber; or by grading as a special grade lumber which can be graded as a standard grade; or by any other means.

§ 1312.307 *Definitions.*

(e) "Mill" means a manufacturing plant, concentration yard, or other establishment which manufactures and sells lumber and either processes by sawing, planing, kiln drying or other comparable method, or ships to milling-in-transit operations for processing by sawing, planing, kiln drying or other comparable method, at least 25 per cent of the volume of southern hardwood lumber or logs purchased or received by it.

(f) "Distribution yard" means a wholesale or retail lumber yard which purchases or receives southern hardwood lumber from a producer, a mill, or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a stock of lumber, and which neither processes by sawing, planing, kiln drying or other comparable method, nor ships to milling-in-transit operations for processing by sawing, planing, kiln drying or other comparable method, 25 per cent of the volume of southern hardwood lumber purchased or received by it.

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

§ 1312.309 *Appendix A: Maximum prices for southern hardwood lumber.*

(a) The maximum f. o. b. mill prices per 1,000 feet of southern hardwood lumber, rough, air dried, shall be as follows:

(31) TOUGH WHITE ASH

Thickness (inch)	FAS	No. 1 Common and Selects; or No. 1 Common	No. 2 Common	No. 3 Common
1.....	\$70.00	\$40.00	\$29.00	\$16.00
1¼.....	75.00	45.00	30.00	17.00
1½.....	82.00	55.00	31.00	17.00
2.....	90.00	65.00	32.00	18.00
2½.....	105.00	70.00	33.00	-----
3.....	115.00	80.00	35.00	-----

(f) Where the purchaser requests a certificate of inspection issued by the National Hardwood Lumber Association, the seller may make an added charge which does not exceed the cost to the seller of such inspection.

(g) Where southern hardwood lumber is sold on a combination grade (for example, No. 1 Common and Better), the maximum price shall be the maximum price as established in this Revised Price Schedule No. 97 for the lowest grade in the combination; the seller, however, may grade and ship on the standard grades included in the combination grade and invoice the footage in each of the standard grades at a price not to exceed the maximum price as established in this Revised Price Schedule No. 97 for the respective standard grades.

§ 1312.308a *Effective dates of amendments.*

(b) Amendment No. 2 (§§ 1312.301, 1312.302, 1312.303, 1312.307 (e) (f) (i), 1312.308a, 1312.309 (a) (f) (g), and 1312.310) to Revised Price Schedule No. 97 shall become effective April 6, 1942.

(Public Law 421, 77th Cong.)

Issued this 30th day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2842; Filed, March 31, 1942; 10:19 a. m.]

PART 1334—SUGAR

AMENDMENT NO. 1 TO REVISED PRICE SCHEDULE NO. 60¹—DIRECT-CONSUMPTION SUGARS

A statement of the considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.²

Sections 1334.51 and 1334.52 are amended, and §§ 1334.60a and 1334.61 are added, as set forth below.

§ 1334.51 *Maximum prices for sales of direct-consumption sugars by primary distributors.* On and after March 31, 1942, regardless of any contract, agreement, lease, or other obligation, no pri-

¹ 7 F.R. 1320.

² Filed with the Division of the Federal Register; requests for copies should be addressed to the Office of Price Administration.

mary distributor shall sell or deliver direct-consumption sugars, and no person shall buy or receive direct-consumption sugars in the course of trade or business from a primary distributor, at prices higher than the maximum prices set forth in this section; and no person shall agree, offer, solicit or attempt to do any of the foregoing. These maximum prices are gross prices before discounts of any nature are deducted and they include all prevailing commissions and all other charges.

(a) (1) The maximum basis price for fine granulated sugar processed by cane sugar refineries in Pennsylvania, New York, New Jersey, and Massachusetts shall be \$5.60 per one hundred pounds f. o. b. United States seaboard cane sugar refinery nearest freightwise to point of delivery.

(2) The maximum basis price for fine granulated sugar processed by cane sugar refineries in all states other than those specified in paragraph (a) (1) of this section shall be \$5.45 per one hundred pounds f. o. b. United States seaboard cane sugar refinery nearest freightwise to point of delivery.

(3) The maximum basis price for fine granulated beet sugar manufactured in the continental United States shall be \$5.35 per one hundred pounds f. o. b. United States seaboard cane sugar refinery nearest freightwise to point of delivery.

(4) (i) The maximum basis price for fine granulated sugar from off-shore areas, domestic or foreign, shall be \$5.40 per one hundred pounds duty-paid basis f. o. b. United States seaboard cane sugar refinery nearest freightwise to point of delivery.

(ii) The maximum basis price for turbinado, washed-white, or similar sugar for direct consumption from offshore areas, domestic or foreign, shall be \$5.20 per one hundred pounds duty-paid basis f. o. b. United States seaboard cane sugar refinery nearest freightwise to point of delivery.

(5) The maximum basis price for direct-consumption sugars other than those sugars provided for in paragraphs (a) (1), (a) (2), (a) (3), (a) (4), and (b) (1) of this section, processed from United States mainland sugar cane, including but not limited to turbinado, plantation white, and high-washed sugars, shall be \$5.35 per one hundred pounds f. o. b. United States seaboard cane sugar refinery nearest freightwise to point of delivery.

(6) The respective maximum basis prices established in paragraphs (a) (1), (a) (2), (a) (3), (a) (4) (i), and (a) (5), of this section shall each be adjusted for grade and package differentials in accordance with the seller's differential therefor published or in effect on December 1, 1941.

(7) (i) Except as specifically provided in subdivisions (ii) and (iii) of this subparagraph (7), the maximum delivered price for each of the sugars provided for in paragraphs (a) (1), (a) (2), (a) (3), (a) (4), and (a) (5), respectively, of this section, shall be determined by adding to

the applicable maximum basis price as specified in said subparagraphs (as adjusted for grades and packages) f. o. b. United States seaboard cane sugar refinery nearest freightwise to the point of delivery, the transportation charges per one hundred pounds on a shipment of identical quantity from such refinery to the point of delivery. Such refinery shall be that refinery from which the lowest established transportation rate applies to the point of delivery. Such transportation rate shall be based on the mode of transportation and routing employed by such refinery on December 1, 1941, in calculating the "freight application" or "selling prepay" to the point of delivery. If such mode of transportation and routing has been, or shall be, rendered unavailable by action of the United States Government, or any agency thereof, then such transportation rate shall be based on the available mode of transportation and routing resulting in the lowest transportation charge. Sugar is at its point of delivery within the meaning of this subdivision (i) when it has arrived for unloading at a siding or dock at or in the vicinity of the buyer's warehouse or place of business at or from which it is to be used or resold. In case the buyer actually takes delivery f. o. b. seller's refinery, the price paid to the seller plus the cost of transportation borne by the buyer shall not exceed the maximum delivered price as calculated in this subdivision.

(ii) Where the buyer's warehouse or place of business at or from which the sugar is to be used or resold is within a refinery city metropolitan area and the transportation to such place is performed by means of a motor vehicle owned, controlled, or hired by the seller, the maximum delivered price for each of the sugars provided for in paragraphs (a) (1), (a) (2), (a) (3), (a) (4), and (a) (5), respectively, of this section, shall be determined by adding to the applicable maximum basis price as specified in said paragraphs (as adjusted for grades and packages) a delivery charge per one hundred pounds based on the cartage rates employed by the seller on December 1, 1941.

(iii) Where the transportation to the buyer's warehouse or place of business at or from which the sugar is to be used or resold is performed by means of a motor vehicle owned, controlled, or hired by the buyer, the point of delivery shall be the place at which the sugar is loaded on such vehicle. Where such point of delivery is within a refinery city metropolitan area, the maximum delivered price at such place for each of the sugars provided for in paragraphs (a) (1), (a) (2), (a) (3), (a) (4), and (a) (5), respectively, of this section shall be the applicable maximum basis price as specified in said subparagraphs (as adjusted for grades and packages). Where such point of delivery is outside a refinery city metropolitan area, the maximum delivered price shall be calculated and determined under subdivision (i) of this

subparagraph (7) using, however, the point of delivery specified in this subdivision (iii). Where the transportation is to be performed by means of a motor vehicle owned, controlled, or hired by the buyer, no sale of sugar shall be made unless the seller shall have offered to sell and deliver the sugar at a price not in excess of the price as calculated and determined in subdivision (i) of this subparagraph (7) and the buyer shall have refused such offer. All such sales shall be invoiced, and the invoices shall state as separate items the shipping point of the sugar, the location of buyer's warehouse or place of business at or from which the sugars are to be directly used or resold, the price charged, the amount of transportation charges as calculated and determined in subdivision (i) of this subparagraph (7) and the fact that the seller offered to deliver at or at less than said maximum delivered price as calculated and determined in subdivision (i) of this subparagraph (7) and the buyer rejected said offer.

(b) (1) The maximum price for direct-consumption raw cane sugar of 96 degrees polarization, of domestic or foreign origin, shall be \$4.60 per one hundred pounds United States mainland shipping point, including all taxes and duty.

(2) The maximum price specified in paragraph (b) (1) of this section, shall be adjusted by making allowances per pound for each degree of polarization above or below 96 degrees (fractions of a degree in proportion) in accordance with the method customarily used prior to the effective date of Price Schedule No. 60.

§ 1334.52 *Maximum prices for sales of direct-consumption sugars at wholesale by persons other than primary distributors.* On and after March 31, 1942, regardless of any contract, agreement, lease, or other obligation no person shall sell or deliver direct-consumption sugars at wholesale, and no person shall buy or receive direct-consumption sugars at wholesale in the course of trade or business at prices higher than the maximum prices established by this section. These maximum prices are gross prices and include prevailing commissions, discounts, and all other charges.

(a) The basic maximum price shall be the highest price at which the seller sold such sugars of similar grade, package, and amount to a similar purchaser during either the period October 6, 1941, to October 11, 1941, inclusive, or the period December 1, 1941, to December 6, 1941, inclusive. The seller may select either period at his option. However, once having selected a period, the seller must use the period selected for all purposes of this section. The maximum price for sugars acquired subsequently at a higher net purchase cost shall be determined by adding to the basic maximum price the amount, if any, by which the said higher net purchase cost exceeds the net purchase cost of the sugars upon which the basic maximum price was based, provided the seller has first sold his entire

inventory of lower cost sugars, and provided further, in calculating said maximum prices, the amount by which any net purchase cost exceeds the maximum prices established by § 1334.51 shall not be included. In determining the maximum price for a particular grade, the seller shall employ the differential for such grade which he used during the period selected by him. If he made no sale of such grade during the period selected by him, he shall employ the differential for such grade in accordance with the differential for grades and packages published or in effect during such period of the primary distributor from whom the seller purchased such sugar.

(b) These maximum prices shall include at least the same absorption of transportation costs, and other charges, and at least the same rendition of services, as were or would have been absorbed or rendered by the seller on comparable shipments to the same place of destination during the period selected by the seller as provided for in paragraph (a) of this section.

(c) In cases where a person makes sales of such sugars through more than one selling unit, other than salesmen making sales at uniform prices, each such unit shall be deemed to be a separate entity for the purpose of determining the maximum prices established by this section.

(d) In case a person made no sale of direct-consumption sugars during the period October 6, 1941, to October 11, 1941, inclusive, and the period December 1, 1941, to December 6, 1941, inclusive, then such person may sell such sugars at the market price prevailing on the date of sale for sugars of a similar grade, package, and amount to a similar purchaser: *Provided*, That (1) the seller submit to the Office of Price Administration a statement specifying as separate items the grade, package, and amount sold; the name, address, and type of purchaser; the price to be charged; and whether such price includes delivery to the purchaser's place of business; (2) such statement is submitted to and the price is approved by the Office of Price Administration prior to the delivery of the sugar sold.

§ 1334.61 *Provision with respect to direct-consumption sugars to be purchased or sold by Defense Supplies Corporation, or its designee or designees.*

(a) In the case of direct-consumption sugars to be purchased by Defense Supplies Corporation, or its designee or designees, the price shall not exceed the maximum prices established by § 1334.51: *Provided*, That where such maximum prices are below the seller's cost for such sugars to be sold, application may be made by Defense Supplies Corporation for the approval by the Administrator of a price in excess of the maximum prices established by § 1334.51. Where the seller was not subject to the provisions of § 1334.51 prior to March 31, 1942, references in said § 1334.51 to the primary

distributor's differentials for grades and packages and the primary distributor's cartage rates shall be construed to be the differentials for grades and packages, and the cartage rates of the primary distributor nearest freightwise to the seller.

(b) In the case of direct-consumption sugars to be sold by Defense Supplies Corporation, or its designee or designees, the price may not exceed the maximum prices established by § 1334.51: *Provided*, That application may be made by Defense Supplies Corporation for the approval by the Administrator of a price in excess of the maximum prices established by § 1334.51.

(c) With respect to any sale of direct-consumption sugars to or by Defense Supplies Corporation, or its designee or designees, the contract or contracts may provide for the payment of an adjusted price not to exceed the maximum price in effect at the time of shipment.

§ 1334.60a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1334.51, 1334.52, and 1334.61) to Revised Price Schedule No. 60 shall become effective on March 31, 1942. Until such date, Revised Price Schedule No. 60 continues in effect as if not amended by Amendment No. 1.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2846; Filed, March 31, 1942;
10:14 a. m.]

PART 1335—CHEMICALS

AMENDMENT NO. 1 TO REVISED PRICE SCHEDULE NO. 78¹—OXALIC ACID

A statement of considerations involved in the issuance of this amendment has been prepared and is issued simultaneously herewith.²

Section 1335.557 (b) is hereby amended to read as follows and a new § 1335.558a is added as set forth below:

§ 1335.557 *Definitions*

(b) "Oxalic acid" means crystalline and powdered oxalic acid of technical grade;

§ 1335.558a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1335.557 (b), 1335.558a) to Revised Price Schedule No. 78 shall become effective March 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 30th day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2839; Filed, March 31, 1942;
10:21 a. m.]

¹ 7 F.R. 1353.

² Filed with the Division of the Federal Register; requests for copies should be addressed to the Office of Price Administration.

PART 1336—RADIO, X-RAY AND COMMUNICATION APPARATUS

CORRECTION TO AMENDMENT NO. 2³ TO REVISED PRICE SCHEDULE NO. 84⁴—RADIO RECEIVER AND PHONOGRAPH PARTS

Section 1336.101 (d) contains a reference to § 1336 (b). This reference is incomplete and should read § 1336.103 (b).

Issued this 31st day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2840; Filed, March 31, 1942;
10:20 a. m.]

PART 1340—FUEL

MAXIMUM PRICE REGULATION NO. 112—PENNSYLVANIA ANTHRACITE

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

In the judgment of the Acting Price Administrator the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been prepared and is issued simultaneously herewith.²

Therefore, under the authority vested in the Acting Price Administrator, and in accordance with Procedural Regulation No. 1,³ issued by the Office of Price Administration, Maximum Price Regulation No. 112 is hereby issued.

AUTHORITY: §§ 1340.191 to 1340.200, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1340.191 *Maximum prices for anthracite.* On and after April 1, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no person who is a producer or a distributor shall sell or deliver anthracite and no person shall buy or receive anthracite from a producer or distributor, in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1340.200; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1340.192 *Less than maximum prices.* Lower prices than those set forth in Ap-

pendix A (§ 1340.200) may be charged, demanded, paid or offered.

§ 1340.193 *Conditional agreements.* No agreement shall be entered into permitting the adjustment of the selling prices of anthracite to prices which may be higher than the maximum prices provided by § 1340.200 in the event that this Maximum Price Regulation No. 112 is amended or is determined by a court to be invalid or upon any other contingency:

Provided, That if a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or for exception, as the case may be). Requests for such an exception may be included in the aforesaid petition for amendment (or for adjustment or for exception).

§ 1340.194 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 112 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to anthracite, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise.

§ 1340.195 *Records and reports.* (a) Every producer and distributor making a sale of anthracite and every person making a purchase of anthracite from a producer or distributor on and after April 1, 1942 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each such sale or purchase showing the date thereof; the name and address of the buyer and of the person making the sale; the size, brand or trade name and quantity of the anthracite sold or purchased, together with the name of the mine at which it originated; the method of transportation employed in the delivery thereof; and the price received or paid therefor.

(b) Not later than May 1, 1942, every producer and distributor of anthracite shall file with the Office of Price Administration in Washington, D. C. a statement setting forth: (1) the rate of interest, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period October 1-15, 1941, inclusive; (2) the charges, if any, made for any special services during the period October 1-15, 1941, inclusive, together with a description of the special service rendered; and (3) the cash, quantity, and any other allowances or discounts

³ 7 F.R. 2303.

⁴ 7 F.R. 1362.

⁵ 7 F.R. 971.

in effect during the period October 1-15, 1941, inclusive.

(c) Persons affected by Maximum Price Regulation No. 112, shall submit such other reports to the Office of Price Administration and keep such other records as it may from time to time require.

§ 1340.196 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 112 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 112 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1340.197 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 112 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1340.198 *Definitions.* (a) When used in this Maximum Price Regulation No. 112 the term:

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

(2) "Producer" means a person engaged in the business of mining and/or preparing anthracite and any person acting as an agent of a producer in the sale of anthracite.

(3) "Distributor" means a person who purchases anthracite f. o. b. transportation facilities at a mine or preparation plant for resale, and resells the same in not less than cargo or railroad carload lots, without physically handling such anthracite, and any person acting as an agent of a distributor in the sale of anthracite.

(4) "Anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

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

§ 1340.199 *Effective date.* This Maximum Price Regulation No. 112 (§§ 1340.191 to 1340.200, inclusive) shall become effective April 1, 1942.

§ 1340.200 *Appendix A: Maximum prices for anthracite.* (a) The following maximum prices are established for anthracite f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

Domestic:	Size	Price per net ton
Broken, egg, stove and chestnut.....		\$6.75
Pea.....		5.25
Steam:		
#1 Buckwheat.....		3.75
Rice (#2 Buckwheat).....		2.90
Barley (#3 Buckwheat).....		2.15

(b) *Seasonal discounts.* The maximum prices for domestic size coal, as established in paragraph (a) of this section, shall be reduced by not less than the following amounts during the months of April to July, inclusive.

Month:	Discount (cents per ton)
April.....	\$0.50
May.....	.40
June.....	.25
July.....	.10

(c) *Cash discounts, credit terms and special services.* (1) There shall be deducted from the maximum prices established in paragraphs (a) and (b) of this section the cash, quantity or other discounts or allowances (other than freight rate absorptions) in effect during the period October 1-15, 1941, inclusive.

(2) The rate of interest on overdue accounts or on a note, trade acceptance or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the seller on similar transactions during the period of October 1-15, 1941, inclusive.

(3) The charges made for any special service, including (specifically but not exclusively) calcium chloride treatment, specially prepared sizes, split cars (containing more than one size), box car loading, truck loading from pockets at the mine, bags, and bagging, and the making of local or retail deliveries from the mine or preparation plant, shall not exceed the charges made for the same service during the period October 1-October 15, 1941, inclusive.

Issued this 30th day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2830; Filed, March 30, 1942; 5:14 p. m.]

PART 1364—FRESH, SMOKED AND CANNED MEAT PRODUCTS

AMENDMENT NO. 4 TO TEMPORARY MAXIMUM PRICE REGULATION NO. 8¹—DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this Amendment has been prepared and is issued simultaneously herewith.²

Paragraphs (b), (d), (e) and (f) of § 1364.1 are amended, and paragraph (g) of § 1364.1 and paragraph (d) of § 1364.13 are added, as set forth below:

§ 1364.1 *Maximum prices for dressed hogs and wholesale pork cuts.*

* * * * *

¹ 7 F.R. 1841, 2245, 2306, 2307.

² Filed with the Division of the Federal Register; requests for copies should be addressed to the Office of Price Administration.

(b) Except as provided in paragraphs (c) and (g) of this section, the maximum price for each dressed hog or wholesale pork cut shall be the highest price at which such dressed hog or wholesale pork cut was listed in the price list or lists upon which the seller based his price quotations at the delivery point during the period March 3, 1942, to March 7, 1942, inclusive: *Provided*, That (1) where the seller, because of unusual transportation, packaging and handling costs, customarily sold to certain buyers during the ninety day period prior to March 9, 1942 at prices higher than the list prices, he may continue to include such unusual costs as are actually incurred in the sales to those buyers; and (2) the seller must continue to allow all the shading privileges or discounts from his price list or lists which were customary during the ninety day period prior to March 9, 1942 and which were based on cost differentials arising from low transportation or packaging costs or any other saving in the cost of handling; except that the provisions of subparagraph (2) of this paragraph (b) shall not apply to any sales of dressed hogs or wholesale pork cuts to the Federal Surplus Commodities Corporation or to any purchasing agency of the armed forces of the United States.

(d) Except as provided in paragraph (g) of this section, if the maximum price for any dressed hog or wholesale pork cut cannot be determined under paragraphs (b) or (c), the maximum price shall be the highest price at which the seller contracted or agreed, during the period March 3, 1942 to March 7, 1942 inclusive, to sell such dressed hog or wholesale pork cut to a similar purchaser in the locality of the delivery point.

(e) Except as provided in paragraph (g) of this section, if the maximum price cannot be determined under paragraphs (b), (c), or (d), the maximum price shall be the highest price at which the seller contracted or agreed, during the period March 3, 1942 to March 7, 1942 inclusive, to sell such dressed hog or wholesale pork cut to a similar purchaser at the nearest delivery point, making adjustment for the differences between transportation charges from the seller's shipping point to each of the two delivery points.

(f) Except as provided in paragraph (g) of this section, if the maximum price cannot be determined under paragraphs (b), (c), (d), or (e), the maximum price shall be the highest price at which any seller contracted or agreed, during the period March 3, 1942 to March 7, 1942 inclusive, to sell such dressed hog or wholesale pork cut to a buyer in the locality of the delivery point.

(g) The maximum price for any of the items listed below shall not be less than the seller's maximum price for such item during the period February 23 to February 28, 1942, inclusive, as determined by the methods prescribed in paragraphs (b), (d), (e) and (f) of this section, plus the additions listed below:

Item	Additions per pound (cents)
Regular hams up to 16 pounds.....	¼
Regular hams over 16 pounds.....	1
Skinned hams.....	1
Picnics.....	¾
Bellies, square cut seedless and Green American.....	¾
Dry Salt Bellies.....	1½
Smoked slab bacon.....	1
Dry salt fat backs.....	¾

§ 1364.13 *Effective dates of amendments* (d) Amendment No. 4 (§ 1364.1 (b), (d), (e), (f) and (g) to Temporary Maximum Price Regulation No. 8 shall become effective March 31, 1942. Until such date Temporary Maximum Price Regulation No. 8 continues in effect as if not amended by Amendment No. 4.

(Pub. Law No. 421, 77th Cong.)

Issued this 30th day of March 1942.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 42-2841; Filed, March 31, 1942;
10:20 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

PART 202—MINIMUM WAGE DETERMINATIONS

IN THE MATTER OF THE DETERMINATION OF THE PREVAILING MINIMUM WAGES IN THE CHEMICAL AND RELATED PRODUCTS INDUSTRY

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III 35), entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act and hereinafter referred to as the Act.

At my direction the Public Contracts Board, created in accordance with the provisions of section 4 of the Act by Administrative Order dated October 6, 1936, held a public hearing in the matter of the prevailing minimum wages in the above named industry. Notice of the hearing was sent to all members of the industry, to interested labor organizations, trade associations, and trade publications. Notice was also given to interested parties through the national press and by publication in the FEDERAL REGISTER (5 F.R. 1095).

A wage survey, tabulated by the Research Section of the Division of Public Contracts on information voluntarily submitted by members of the industry was introduced in evidence at the hearing. The survey covered 33,650 production workers in 341 plants as of August 1939. The plants were located in 30 states. A comparison between the survey and the Census of Manufactures of 1937, also introduced at the hearing, shows that the tabulation covered about 35 percent of the employees in the industry and is representative both as to size of establishments and number of employees, and that it covers all states

which are significant producers of chemicals and related products.

On the basis of the evidence presented at the hearing, the Board made and submitted its findings and recommendations which have been made available to all interested parties.

Following consideration of the entire record, I caused a notice to be issued by the Administrator of the Division of Public Contracts on December 11, 1941 (6 F. R. 6413), affording interested parties the opportunity to show cause why I should not determine the prevailing minimum wages in the Chemical and Related Products Industry to be 40 cents an hour or \$16.00 per week of forty hours, arrived at either upon a time or piece work basis, for the States of Maryland, Virginia, North Carolina, South Carolina, Tennessee, Arkansas, Mississippi, Alabama, Georgia, Florida, and the District of Columbia, and 50 cents an hour or \$20.00 per week of forty hours, arrived at either upon a time or piece work basis, for the remaining States of the United States.

I indicated my belief then, and I am still satisfied from the facts of record that there is a general similarity in wage structure throughout the States in each of the groupings; that there is a wide spread among the minimum wages paid in the plants of each State; and that the minimum wage which is most generally paid to employees very closely approximates 50 cents in the States of one group and 40 cents in the States of the other. As I pointed out, in practically all of the States in each group, more than 50 percent of the plants have a minimum wage as high or higher than the above mentioned minimum, and these plants employ more employees than those paying a minimum wage less than 50 cents in the one group and 40 cents in the other.

Only one protest has been received in response to the notice of December 11, 1941, and that is from a manufacturer in Louisiana. The objections in substance are that the proposed determination discriminates against Louisiana chemical manufacturers, against small chemical companies, and against those companies which produce low priced chemicals exclusively. No wage data are submitted by the manufacturer in support of its position. The wage survey covering more than one-half the employees in the chemical industry in Louisiana indicates that only approximately 2½ percent of the employees were receiving less than 40 cents per hour and that less than 17 percent of the employees were receiving less than 50 cents per hour, the minimum proposed in the Show Cause Notice for plants located in that State. The data show that plants in Louisiana have a wage structure more closely comparable with that existing in those states in the 50-cent grouping than with that existing in the states in the 40-cent grouping. Upon consideration of the fact that wage data was obtained from large and small plants, it is my view that there is no merit in the objection that the proposed determination would discriminate against small manufacturers. The objection that the proposed determination discriminates

against those plants which produce low priced chemicals exclusively is directed to the scope of the definition of the industry. It is significant to note that the objection does not indicate what chemicals are included in the so-called low priced field. An analysis of the evidence presented before the Public Contracts Board concerning the scope of the definition of the industry does not reveal any basis upon which any distinction can logically be made based upon the price of the chemicals.

Upon consideration of all the facts and circumstances, I hereby determine:

§ 202.44 *Chemical and related products industry.* (a) The Chemical and Related Products Industry, as that term is used in this decision, shall be understood to be that industry which manufactures (1) heavy, industrial, and fine chemicals, including among others, compressed and liquefied gases, and insecticides and fungicides, and (2) the by-products of the foregoing; and B. the manufacture of such commodities as: bluing; bone black, carbon black, and lamblack; cleaning and polishing preparations (except paint and varnish remover, furniture and floor wax and polish, and soap); mucilage, paste, and other adhesives. Omitted from the scope of the definition of this industry are: Ammunition; Drugs and Medicines; Explosives; Fertilizer; Fireworks; Paints, pigments, varnishes and lacquers; and Soap, which have been accorded separate treatment by the Secretary.

(b) The prevailing minimum wage for persons employed in the performance of contracts with agencies of the United States Government subject to the provisions of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Sup. III 35) for the manufacture and furnishing of the products of the Chemical and Related Products Industry shall be:

(1) 40 cents an hour or \$16.00 per week of 40 hours, arrived at either upon a time or piece work basis, for the States of Maryland, Virginia, North Carolina, South Carolina, Tennessee, Arkansas, Mississippi, Alabama, Georgia, Florida, and the District of Columbia;

(2) 50 cents an hour or \$20.00 per week of 40 hours, arrived at either upon a time or piece work basis, for the remaining States of the United States.

This section shall be effective and the minimum wages hereby established shall apply to all contracts subject to the aforesaid Act of June 30, 1936, bids for which are solicited or negotiations otherwise commenced on and after April 28, 1942.

Nothing herein shall be construed to affect such obligations for the payment of minimum wages as an employer may have under the Fair Labor Standards Act of 1938 or any wage order thereunder or under any other law or agreement more favorable to employees than the requirements of this section.

Dated: March 28, 1942.

FRANCES PERKINS,
Secretary.

[F. R. Doc. 42-2817; Filed, March 30, 1942;
1:22 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter III—Grazing Service

PART 502—LIST OF ORDERS CREATING OR MODIFYING GRAZING DISTRICTS¹ADDITION TO UTAH GRAZING DISTRICT NO. 2
MARCH 19, 1942.

Under and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269, 43 U.S. Code, sec. 315, *et seq.*), as amended, commonly known as the Taylor Grazing Act, and subject to the limitations and conditions therein contained, Utah Grazing District No. 2, as established and defined by departmental orders of April 8, 1935, March 10, 1936, and August 7, 1936; Executive Order No. 7429 of August 17, 1936; departmental orders of January 29, 1937, and July 9, 1937; Executive Order No. 7663 of July 17, 1937; departmental order of November 15, 1939; proclamation No. 2387 of March 2, 1940; Executive Order No. 8579 of October 29, 1940; departmental order of January 15, 1942; and Executive Order No. 9053 of February 6, 1942, is hereby augmented to include all vacant, unappropriated, and unreserved public lands, and all lands withdrawn for other purposes which may hereafter be included in the district in accordance with the provisions of section 1 of the Taylor Grazing Act by approval of the head of the Department having jurisdiction thereover, and all lands hereafter acquired by lease under the provisions of the act of June 23, 1938 (52 Stat. 1033, 43 U.S. Code, sec. 315m-1, 2, 3, 4), commonly known as the Pierce Act, not excluding lands withdrawn by Executive order of November 26, 1934 (No. 6910), within the following-described area:

UTAH

Salt Lake Meridian

T. 6 N., R. 9 W., all.

The Federal Range Code, as revised, shall be effective as to the lands embraced herein from and after the date of the publication of this order in the FEDERAL REGISTER.

E. K. BURLEW,

Acting Secretary of the Interior.

[F. R. Doc. 42-2831; Filed, March 31, 1942; 9:22 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter K—Seamen

Subchapter K—*Seamen* is amended by the addition of a new part, Part 132—*Allotments of Seamen*, to follow immediately after Part 131 and to read as follows:

Sec.

- 132.1 Persons by and to whom allotments may be made.
132.2 Seaman may make more than one allotment.

¹ Affects tabulation in § 502.1e.

Sec.

- 132.3 Allotments to be in writing.
132.4 Wages upon which allotments may be based.
132.5 Limitation on amount of allotment.
132.6 Effective date of allotment.
132.7 Execution of voyage clause on Form 722.
132.8 Procedure with respect to allotments.
132.9 Time of payment of allotments.
132.10 Payment of allotments.
132.11 Accounting for payment.
132.12 Cancellation of allotment.

AUTHORITY: §§ 132.1 to 132.12, inclusive, issued under the authority contained in section 10, 23 Stat. 55, as amended; 48 U.S.C., 1940 ed., 599; E.O. 9083, February 28, 1942, 7 F.R. 1609.

§ 132.1 *Persons by and to whom allotments may be made.* (a) Any seaman employed on any vessel (except seamen employed on fishing or whaling vessels or yachts), may stipulate in his shipping agreement for an allotment of any portion of the wages for which he is signed on, to his grandparents, parents, wife, sister, children, or for deposits to be made in an account opened by him and maintained in his name, either at a savings bank or a United States Postal Savings Depository, or to his employer for the exclusive purpose of purchasing for him United States Defense Bonds, or United States Defense Stamps, or both.

(b) No allotments may be drawn in favor of a joint tenant in a savings account unless such joint tenant is a grandparent, parent, wife, sister, or child of the seaman making the allotment.

(c) Allotments by masters of vessels are not authorized and should not be approved.

§ 132.2 *Seaman may make more than one allotment.* Any seaman may stipulate in his articles of agreement for the payment of allotments to any or all of the persons or organizations enumerated in § 132.1: *Provided*, That the total amount of such allotments does not exceed the maximum amount permitted under § 132.5.

§ 132.3 *Allotments to be in writing.* All allotments executed by any seaman shall be in writing in triplicate on Form 722 and shall be approved by a shipping commissioner, or deputy shipping commissioner.

§ 132.4 *Wages upon which allotments may be based.* Allotments may be made by seamen only upon the amount of wages for which they are signed on. No allotments may be made upon any bonus the amount of which is uncertain, or is dependent upon the happening of a condition subsequent.

§ 132.5 *Limitation on amount of allotment.* No allotment which calls for the payment of more than 75 percent of the wages upon which an allotment may be based (see preceding section) shall be approved.

§ 132.6 *Effective date of allotment.* All allotments shall be effective as of the date when the wages of the seamen commence on the articles of agreement.

§ 132.7 *Execution of voyage clause on Form 722.* During the existing war the voyage clause on Form 722 shall be filled in as "one or more ports in any part of the world."

§ 132.8 *Procedure with respect to allotments.* All allotments shall be executed in triplicate by the seaman making the same and after the same are approved, shall be distributed by the shipping commissioner in the following manner:

(a) The original shall be sent to the seaman's employer;

(b) The duplicate shall be sent to the person or bank in whose favor the allotment is drawn; and

(c) The triplicate shall be retained in the file of the official who approves the allotment.

§ 132.9 *Time of payment of allotments.* Allotments may stipulate that the payments may be made for a specified period of time or they may stipulate that the payments be continued for the voyage of the vessel. No allotment which requires the employer of the seaman to commence payments under the same before fifteen days from the date of the allotment, shall be authorized. Allotments can be made for semi-monthly, monthly, or bi-monthly payments.

§ 132.10 *Payment of allotments.* The employer of the seaman shall make payments of the amount or amounts allotted by cash, check, or money order. All such payments shall be made in sufficient time to insure the receipt of the remittance at the time and place specified in the allotment.

§ 132.11 *Accounting for payment.* The employer of the seaman shall produce evidence of the payment of all allotments listed in a vessel's articles of agreement to the shipping commissioner supervising the payment of the wages of the crew, unless this requirement is waived by any or all of the allottees.

§ 132.12 *Cancellation of allotment.* Whenever a seaman, before the expiration of the allotment period, severs his contractual relationship with the vessel upon which he was employed, the master of such vessel should notify the employer of the seaman, by the quickest means of communication available, of this fact. Upon the receipt of such information, the employer should notify both the person in whose favor the allotment is drawn and the shipping commissioner who approved the allotment.

R. R. WAESCHE,

Commandant, U. S. Coast Guard.

MARCH 23, 1942.

[F. R. Doc. 42-2836; Filed, March 31, 1942; 9:36 a. m.]

PART 138—RULES AND REGULATIONS FOR ISSUANCE OF CERTIFICATES AND CONTINUOUS DISCHARGE BOOKS

ORDER WAIVING COMPLIANCE WITH THE PROVISIONS OF CERTAIN NAVIGATION AND INSPECTION LAWS

Pursuant to the authority vested in me by Executive Order No. 8976, dated December 12, 1941 (6 F.R. 6441), as modified by Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), I hereby waive compliance with the provisions of

Section 13 of the Act of March 4, 1915, as amended; Section 1 of the Act of June 16, 1938; the Act of July 8, 1941; and the Act of September 25, 1941 (Title 46 U.S.C., Sections 672, 672b, 672-2, and 672b-1), to the extent necessary to permit the issuance of the following regulations which are hereby declared to be effective upon the conditions therein set forth:

Section 138.3 *Able seamen* is amended by the addition, after paragraph (d) *General*, of a new paragraph to be known as paragraph (e), *Wartime Regulations; Able Seamen*.

§ 138.3 *Able seamen.*

(e) *Wartime regulations; able seamen.* (1) Persons otherwise qualified who are eighteen years old or upward may be rated able seamen.

(2) *Able Seamen Certificates, unlimited (green).* A seaman holding this certificate is eligible to serve thereunder as Able Seaman in any vessel on any waters. A candidate who passes the prescribed professional and physical examination may be certificated as Able Seaman, Unlimited, after nine months' service on deck, at sea, or on the Great Lakes, in vessels (including yachts and whaling vessels) of 100 gross tons or over, or in decked fishing vessels or United States Government vessels of any tonnage. Any seaman lawfully in possession of the One Year (blue) Able Seaman Certificate, or the Eighteen Month Great Lakes Able Seaman Certificate, shall be eligible under the authority of such certificate for the same unlimited employment to which he would be eligible under the Able Seaman, Unlimited (green) certificate.

(3) *Great Lakes Able Seaman Certificate (blue).* A seaman holding this certificate is eligible to serve thereunder as Able Seaman in any vessel on the Great Lakes or lakes, bays, or sounds. A candidate who passes the prescribed professional and physical examination may be certificated as Able Seaman for Great Lakes and lakes, bays or sounds, after six months' service on deck, at sea, or on the Great Lakes or lakes, bays or sounds, in vessels (including yachts and whaling vessels) of 100 gross tons or over, or in decked fishing vessels or United States Government vessels of any tonnage. A holder of Great Lakes Able Seaman Certificate (blue) may, after examination, be certificated as Able Seaman, Unlimited (green) after obtaining six months' service on deck, at sea, or on the Great Lakes, in vessels (including yachts and whaling vessels) of 100 gross tons or over, or in decked fishing vessels or United States Government vessels of any tonnage, in addition to the service required to obtain the Great Lakes Able Seaman Certificate (blue). A holder of Great Lakes Able Seaman Certificate (blue) may qualify for Able Seaman Certificate, Unlimited

(green) as provided in paragraph 2 of this section.

(4) *Able Seamen Certificate, Miscellaneous (blue).* A seaman holding this certificate is eligible to serve thereunder as Able Seaman in freight vessels of 500 gross tons or less on bays or sounds, and in tugs, towboats and barges on any waters. A candidate who passes the prescribed professional and physical examination may be certificated as Able Seaman, Miscellaneous (blue) after six months' service on deck, on any waters, in any vessels of any tonnage. A holder of such certificate may, after examination, be certificated as able Seaman, Unlimited (green) after obtaining six months' service on deck, at sea, or on the Great Lakes, in vessels (including yachts and whaling vessels) of 100 gross tons or over, or in decked fishing vessels or United States Government vessels of any tonnage, in addition to the service required to obtain the Able Seaman Certificate Miscellaneous (blue).

(5) The provisions of § 138.3 (a) to (ccc) in conflict with the provisions of this paragraph are superseded for the duration of the war and six months thereafter.

(6) The certificates issued under the authority of this paragraph shall be marked or stamped: "Unless sooner invalidated this certificate shall expire six months after the termination of the war". (R.S. 161, Sec. 13, 38 Stat. 1169, as amended, Sec. 1, 52 Stat. 753, 55 Stat. 579, 55 Stat. 732, 5 U.S.C., (1940 Ed.) 22; 46 U.S.C. 672, 672b, 672-2, 672b-1; E.O. 8976, E.O. 9083; 6 F.R. 6441, 7 F.R. 1609)

Section 138.5 *Qualified member of the Engine Department* is amended by the addition, after paragraph (f), of a new paragraph to be known as paragraph (g), *Wartime Regulations; qualified member of the Engine Department.*

§ 138.5 *Qualified Member of the Engine Department*

(g) *Wartime Regulations; Qualified member of the Engine Department.* (1) A certificate of service as Qualified Member of Engine Department may be issued in the rating of oiler, watertender, and fireman, after examination and on a showing by the applicant of at least two months' service in the engine department of any vessel on any waters. An applicant for a certificate of service as Qualified Member of Engine Department in any other rating may be examined therefor without a showing of any prior service in vessels.

(2) The certificates issued under the authority of this paragraph shall be marked or stamped: "Unless sooner invalidated this certificate will expire six months after the termination of the war."

(3) The provisions of § 138.5 (a) (c) (d) (f) in conflict with the provisions of this paragraph are superseded for the duration of the war and six months

thereafter (R.S. 161, Sec. 13, 38 Stat. 1169, as amended, Sec. 1, 49 Stat. 1130; 5 U.S.C. 22, 46 U.S.C. 672; E.O. 8976, E.O. 9083; 6 F.R. 6441, 7 F.R. 1609)

FRANK KNOX,
Secretary of the Navy.

MARCH 26, 1942.

[F. R. Doc. 42-2837; Filed March 31, 1942; 9:36 a. m.]

Subchapter N—Explosives or Other Dangerous Articles or Substances, and Combustible Liquids on Board Vessels

PART 147—REGULATIONS GOVERNING USE OF DANGEROUS ARTICLES AS SHIP'S STORES AND SUPPLIES ON BOARD VESSELS²

ORDER EXTENDING EFFECTIVE DATE OF EXISTING RULINGS RE SHIP'S STORES AND SUPPLIES OF A DANGEROUS NATURE

Pursuant to the authority vested in the Commandant, U. S. Coast Guard, by the provisions of Executive Order No. 9083,¹ dated February 28, 1942, §§ 147.01-4 and 147.01-6 of the regulations governing the transportation, storage, stowage or use of explosives or other dangerous articles or substances and combustible liquids on board vessels are hereby amended under authority of the provisions of section 4472 of the Revised Statutes (46 U.S.C., 1940 ed., 170) to read as follows:

§ 147.01-4 *Certificated articles of ships' stores.* (a) On and after April 1, 1943, articles of ships' stores and supplies of a dangerous nature that are required by the provisions of § 147.05-100 to be certified for use on board domestic vessels shall not be offered for such use or used on board domestic vessels subject to the regulations in this part unless so certified.

(b) Certifications issued under authority of the regulations in this part shall become effective immediately upon issue. Articles so certified and bearing the certificate number and legend in accordance with the provisions of § 147.03-6 may then be offered for use and used on board domestic vessels.

§ 147.01-6 *Existing rulings re ships' stores and supplies by trade name.* (a) All rulings in existence on the effective date of the regulations in this subchapter applying to the use of ships' signal and emergency equipment as promulgated by the Board of Supervising Inspectors and also all rulings applying to the use of articles of ships' stores and supplies of a dangerous nature on board domestic vessels subject to the regulations in this subchapter as promulgated under their trade name by the office of the Director of the Bureau of Marine Inspection and Navigation are affirmed and adopted and form part of the regulations in this part, effective until and including March 31, 1943.

¹ 7 F.R. 1609.

² 6 F.R. 516, 5881.

(b) Application may be made at any time for certification covering use of articles of ships' stores and supplies of a dangerous nature by trade name or trade mark. Such application shall not be made or accepted for articles or substances that are described by name in the list of explosives and other dangerous articles and combustible liquids, § 146.04-5.

These amendments are declared effective immediately under the emergency provisions contained in subsection (9) of R.S. 4472, as amended. (R.S. 4472, as amended; 46 U.S.C., 170)

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

MARCH 18, 1942.

Approved: March 19, 1942.

J. V. FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 42-2825; Filed, March 30, 1942;
4:06 p. m.]

Subchapter O—Regulations Applicable to Certain
Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAIVING
APPLIANCES; REGULATIONS DURING
EMERGENCY

EMERGENCY REGULATIONS, AMENDMENTS

MARCH 23, 1942.

By virtue of the authority vested in me by Section 4405, R.S., as amended (46 U.S.C. 375), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments are prescribed:

Section 153.3 is amended to read as follows:

§ 153.3 *Lifeboats on ocean and coastwise vessels.* During the emergency, lifeboats on all vessels operating on ocean or coastwise waters shall comply with the following additional requirements:

(a) *Grab rails.* Grab rails or other suitable means shall be substantially attached to each lifeboat, below the turn of the bilge, where practicable. Grab rails shall extend approximately two-thirds of the length of the lifeboat. Where wires or manila ropes are attached to the lifeboats in lieu of grab rails, they shall be so arranged that they may be detached when the lifeboat is waterborne. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367, and E.O. 9083, Feb. 28, 1942, 7 F.R. 1609)

Section 153.4 is amended to read as follows:

§ 153.4 *Construction of life rafts.* During the emergency, life rafts on all vessels operating on ocean or coastwise waters shall comply with the following additional requirements:

(a) *Stowage.* Life rafts shall be stowed on skids, launching ways or other alternative means to provide quick release of the rafts directly into the water

and, arranged so that they would have the best chance of floating free of the ship if there is no time to launch them. (R.S. 4405, 4417a, 4426, 4488, as amended, secs. 10 and 11 of 35 Stat. 428, 49 Stat. 1544; 46 U.S.C. 375, 391a, 404, 481, 395, 396, 367; and E.O. 9083, Feb. 28, 1942, 7 F.R. 1609)

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

[F. R. Doc. 42-2835; Filed, March 31, 1942;
9:36 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 205—REPORTS

QUARTERLY REPORTS OF CLASS I MOTOR CAR- RIERS OF PASSENGERS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 2d day of December, A. D. 1941.

The matter of statistical reports of Class I motor carriers of passengers being under consideration:

It is ordered, That the order of August 1, 1938, and the applicable provisions of the Code of Federal Regulations be, and they are hereby, amended as follows:

§ 205.11 *Quarterly reports of passenger revenues, expenses and statistics.* All Class I common and contract motor carriers of passengers subject to the provisions of section 220 of the Interstate Commerce Act shall file, under oath, quarterly reports in duplicate, commencing with the period January 1, 1942, to March 31, 1942 (both dates inclusive), of revenues, expenses, and other statistics in accordance with the quarterly form which is made a part of this order.¹ Such reports shall be filed in the office of the Bureau of Motor Carriers of the Interstate Commerce Commission within thirty days after the close of the period to which they relate (Sec. 220, 49 Stat. 563, 54 Stat. 926; 49 U.S.C., Sup., 320)

By the Commission, division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-2860; Filed, March 31, 1942;
11:19 a. m.]

PART 205—REPORTS

QUARTERLY REPORTS OF CLASS I MOTOR CARRIERS OF PROPERTY

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 2d day of December, A. D. 1941.

The matter of statistical reports of Class I motor carriers of property being under consideration:

¹ Filed as a part of the original document; requests for copies should be addressed to the Interstate Commerce Commission.

It is ordered, That the order of August 1, 1938, and the applicable provisions of the Code of Federal Regulations be, and they are hereby, amended as follows:

§ 205.12 *Quarterly report of property revenues, expenses and statistics.* All Class I common and contract motor carriers of property subject to the provisions of section 220 of the Interstate Commerce Act, shall file, under oath, quarterly reports in duplicate, commencing with the period January 1, 1942, to March 31, 1942 (both dates inclusive), of revenues, expenses, and other statistics in accordance with the quarterly form which is made a part of this order.¹ Such reports shall be filed in the office of the Bureau of Motor Carriers of the Interstate Commerce Commission within thirty days after the close of the period to which they relate (Sec. 220, 49 Stat. 563, 54 Stat. 926; 49 U.S.C., Sup., 320)

By the Commission, division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-2859; Filed, March 31, 1942;
11:19 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

Subchapter Y—Cooperation With Other American Republics

PART 295—FISHERY FELLOWSHIPS FOR STUDENTS FROM OTHER AMERICAN RE- PUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships in one or more branches of fishery science in the Fish and Wildlife Service of the United States Department of the Interior will be awarded to qualified applicants from other American Republics:

(a) Public Law 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290) authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American Republics; (See Resolution No. 81 adopted at the Eighth International Conference of American States held at Lima, Peru, December 9-27, 1938, recommending scientific and technical research by institutes, laboratories, and men of science recommended by the American Governments);

(b) The Department of State Appropriation Act, 1942, approved June 28, 1941 appropriating funds for compensation, tuition, monthly allowances while not in travel status, and traveling expenses in the United States and abroad in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, and internes, who are citizens of the United States or the other American Republics; and

(c) Title 5, U.S.C., sec. 22 (R.S., sec. 161) authorizing the head of each department to prescribe regulations for the government of his department and the performance of its business; Title 5, U.S.C., sec. 596 (Act Feb. 14, 1903; 32 Stat. 826) authorizing the Secretary of Commerce to promote and develop the fishery industries; Reorganization Plan No. II (4 Fed. Reg. 2731, 53 Stat. 1433) transferring the Bureau of Fisheries and its functions from the Department of Commerce to the Department of the Interior; and Reorganization Plan No. III (5 Fed. Reg. 2108, 54 Stat. 1232) consolidating the Bureau of Fisheries and the Bureau of Biological Survey and their functions into one agency of the Department of the Interior, to be known as the Fish and Wildlife Service.

Fellowships will be awarded, subject to the following regulations:

Sec.

- 295.1 Type of fellowship.
- 295.2 Qualifications.
- 295.3 Award of fellowships.
- 295.4 Benefits and expenses.
- 295.5 Progress reports.
- 295.6 Duration of fellowships.
- 295.7 Official notification.

AUTHORITY: §§ 295.1 to 295.7, inclusive, issued under the authority contained in R.S. 161, 32 Stat. 826, 53 Stat. 1290, 1433, 54 Stat. 1232, Pub. Law 135, 77th Cong.: 54 U.S.C. 22, 596, 4 F.R. 2731, 5 F.R. 2108.

§ 295.1 *Type of fellowship.* Fellowships shall be of the training-in-research type and may include instruction or practical training in one or more of the following branches of fishery science:

(a) *Fish culture.* Elementary physiology, natural history, ecology and nutrition, artificial propagation, feeding, transportation, and the stocking of fish;

(b) *Aquiculture.* Ecology and natural history of fishes, population studies, lake and stream surveys, nutrition, propagation, selective breeding, pathology, disease control and management practices and other elements related to the conservation, development, or rehabilitation of fresh-water fishery resources;

(c) *Fishery biology.* Ecology and natural history of commercial fishes, studies of populations, indices of abundance, and management practices and other elements related to the conservation, development, or rehabilitation of commercial fishery resources;

(d) *Fishery economics.* Economic research in connection with the production, marketing and transportation of fishery products, the cooperative organization of fishermen for marketing or purchasing, and methods of compiling and analyzing fishery statistics;

(e) *Fishery technology.* Including engineering, chemistry, bacteriology, and pharmacology as applied to the capture and preparation of fishery products for utilization as food, medicinal products, and byproducts; the technological phases of canning, smoking, salting, and drying fishery products, and the preparation and handling of fresh and frozen fish.

Fellows may be assigned to work in fish hatcheries, fishery laboratories, or offices of the Fish and Wildlife Service

on either a full-time or a part-time basis, and may also be afforded opportunities for either full-time or part-time instruction and research at colleges or universities selected by the Fish and Wildlife Service.

§ 295.2 *Qualifications.* Each applicant selected for a fellowship shall be:

(a) A citizen of an American Republic other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within 60 days of the date of application, describing the applicant's physical condition and stating that he is free from any communicable disease, physical deformity, or disability that would interfere with the proper pursuit of studies, research, or any other activity or work incident to the fellowship;

(c) Able to speak, read, write and understand the English language;

(d) Of good moral character and possess intellectual ability and suitable personal qualities; and

(e) Shall have attained the educational qualifications specified in one or more of the following subparagraphs which correspond, respectively, to the fields of study described under § 295.1:

(1) *Fish culture.* At least two years of college training, including at least one course in biology;

(2) *Aquiculture.* At least four years of college training, including courses in biology and chemistry;

(3) *Fishery biology.* At least four years of college training, including courses in biology and mathematics;

(4) *Fishery economics.* At least three years of college training, including courses in economics; (courses in statistics and business administration also are desirable); and

(5) *Fishery technology.* At least three years of college training, including courses in chemistry, bacteriology, pharmacology, or engineering.

§ 295.3 *Award of fellowships.* Fellowships shall be awarded by the Director of the Fish and Wildlife Service with the approval of the Secretary of the Interior and the Secretary of State, or the duly authorized representative of the Secretary of State. Applications shall be transmitted to the Secretary of State by the Government of the American Republic of which the applicant is a citizen through the American diplomatic mission accredited to that Government.

§ 295.4 *Allowances and expenses.* Applicants awarded fellowships may be entitled to any or all of the following:

(a) *Monthly allowances.* An allowance of not exceeding \$150 per month during the entire period of studies in the United States or its Territories or Possessions while the applicant is not in travel status, subject to the approval of the Secretary of State;

(b) *Transportation expenses.* Transportation expenses from the home of the applicant to the place or places in the United States, its Territories, or Possessions, where the studies and researches are to be pursued, and return to the home of the applicant, including

travel via Washington, D. C., en route to the place of study or research and from the place of study or research to Washington, D. C., and return to that place, if necessary, for consultation with reference to the fellowship, and between places of study and research in the United States, its Territories or Possessions, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for items in the following schedule and contingent upon prior authorization:

(1) *Rail fare.* First-class fare. If travel is performed on an extra-fare train, expenses in excess of the first-class fare must be borne by the traveler. No receipts are necessary. (Government transportation requests are to be used, if practicable, within the United States.)

(2) *Pullman fare.* Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash the Pullman stub must be attached to the reimbursement voucher.

(3) *Steamer fare.* Not exceeding the lowest minimum first-class fare of the ship on which travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015). No receipts are necessary.

(4) *Airplane fare.* Transportation by air will be allowed regardless of the cost when authorized or approved by the Secretary of the Interior. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) *Taxicab fare.* At the beginning and termination of the journey and all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) *Excess baggage charges.* For personal effects (not household furniture) which are not carried free by the transportation company. Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance if such an allowance is granted.

(7) *Drayage or transfer of baggage.* For the hauling of personal effects from home to station or dock, et cetera. Receipts are not necessary but should be submitted if possible. Charges by porters for handling bags or baggage will not be allowed.

(8) *Rental of steamer rug and steamer chair.* Receipts are necessary. Charges for rental of steamer cushions will not be allowed.

(9) *Tips and gratuitous fees.* Will not be allowed.

In all cases round trip tickets must be purchased if possible. In the event the return portion of the ticket cannot be used, it should be returned to the Fish and Wildlife Service for refund.

(c) *Per diem while fellow is in travel status.* Per diem in lieu of subsistence at not to exceed the following rates: \$5.00 overland or by air in and outside of the continental limits of the United States, and \$3.00 aboard vessels outside of the United States.

(d) *Other expenses.* Enrollment fees, tuition, medical and infirmary fees, laboratory fees, cost of textbooks and rental of equipment, payable to the institution, person, firm or corporation that may have rendered the services or furnished the supplies, upon prior authorization of the Director of the Fish and Wildlife Service. Such expenses may be billed directly to the Fish and Wildlife Service, Department of the Interior, and shall bear the signature of the fellow receiving the services or using the supplies. However, should that procedure not be practicable, the fellow may pay the bill, if authorized to do so, and render an appropriate account to the Fish and Wildlife Service.

(e) No allowances of any kind shall be authorized for members of the fellow's family or his dependents.

§ 295.5 *Progress reports.* Applicants awarded fellowships under these regulations shall submit written reports of progress in studies and research at such intervals as the Director of the Fish and Wildlife Service may direct.

§ 295.6 *Duration of fellowship.* Fellowships may be awarded for periods of varying length, not exceeding one school year or twelve months of actual studies and research, and may be extended for not exceeding the same periods in the manner prescribed under § 295.3 of these regulations and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Director of the Fish and Wildlife Service, with the approval of the Secretary of the Interior and the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 295.7 *Official notification.* Each applicant selected by the Director of the Fish and Wildlife Service, and approved by the Secretary of the Interior and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall name the fish hatchery, fishery laboratory or office, or the college or university, outline the course and research work, state the duration and type of fellowship, and the allowances authorized; *Provided, however,* That the Director of the Fish and Wildlife Service, with the approval of the Secretary of the Interior, may subsequently amend the course of studies and duration of the fellowship if in his opinion such action would be in the interest of obtaining instruction or research better suited to the needs and capabilities of the fellow than those prescribed in the notification. The amount originally authorized for monthly allowances and other expenses may also be amended, if necessary, with the approval of the Secretary of the Interior and the Secretary of State, or

the duly authorized representative of the Secretary of State.

IRA N. GABRIELSON,
Director.

Approved: January 26, 1942.

HAROLD L. ICKES,
Secretary of the Interior.

Approved: March 5, 1942.

SUMNER WELLES,
Acting Secretary of State.

[F. R. Doc. 42-2833; Filed, March 31, 1942;
9:22 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1942 Dept. Circ. No. 682]

PARTIAL REDEMPTION, BEFORE MATURITY, OF 2¾ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B—SEVENTH CALL

I. NOTICE OF SEVENTH CALL FOR PARTIAL REDEMPTION

MARCH 27, 1942.

The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1942, on which date interest on such debentures shall cease:

Denomination:	Serial Nos. (all numbers inclusive)
\$50	1161 to 1342
\$100	4049 to 4786
\$500	1404 to 1592
\$1,000	5000 to 5922
\$5,000	329 to 411
\$10,000	40 to 44

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1942. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1942, and provision will be made for the payment of final interest due July 1, 1942, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1 to June 30, 1942, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or

after July 1, 1942, or for purchase prior to that date will be given by the Secretary of the Treasury.

II. TRANSACTIONS IN SEVENTH-CALLED DEBENTURES

1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1942, are hereby designated seventh-called 2¾ percent Mutual Mortgage Insurance Fund debentures, Series B, and are hereinafter referred to as seventh-called debentures.

2. Transfers and denominational exchanges in seventh-called debentures will terminate at the close of business on March 31, 1942.

III. REDEMPTION OR PURCHASE

1. Holders of seventh-called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1942, with interest in full to that date, at the rate of \$13.75 per \$1,000. Interest on seventh-called debentures will cease on July 1, 1942.

2. Holders of seventh-called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1942, inclusive, for purchase at par and accrued interest, at the rate of \$0.075967 per \$1,000 per day from January 1, 1942, to date of purchase.

IV. RULES AND REGULATIONS GOVERNING REDEMPTION AND PURCHASE

1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of seventh-called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of seventh-called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Seventh-called debentures presented for redemption on July 1, 1942, or for purchase from April 1 to June 30, 1942, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., accompanied by appropriate written advice. (Use Form PD 1759 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See par. 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Com-

missioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on July 1, 1942, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of -----" inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any seventh-called debentures, whether purchased prior to, or redeemed on or after July 1, 1942, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

7. A seventh-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1942, upon an appropriate assignment for that purpose executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1942, and in case of assignments for redemption on or after July 1, 1942, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted

assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of seventh-called debentures on July 1, 1942, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1942. Such early presentation by holders will insure prompt payment of principal and interest when due.

V. GENERAL PROVISIONS

1. Any further information which may be desired regarding the redemption of seventh-called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of seventh-called debentures.

[SEAL]

D. W. BELL,

Acting Secretary of the Treasury.

[F. R. Doc. 42-2838; Filed, March 31, 1942; 10:00 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1298, Part II]

PETITION OF DISTRICT BOARD NO. 9 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF MINE INDEX NO. 266 AND FOR A CHANGE IN SHIPPING POINT FOR THE COALS OF MINE INDEX NO. 984, IN DISTRICT NO. 9, FOR ALL SHIPMENTS EXCEPT TRUCK, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER POSTPONING HEARING

The original petitioner having moved that the hearing in the above-entitled matter, heretofore scheduled for March 31, 1942, be postponed, and having shown good cause why said motion should be granted,

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is postponed from March 31, 1942, until 10 o'clock in the forenoon of April 15, 1942, at the place and before the officers heretofore designated. Dated: March 30, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-2854; Filed, March 31, 1942; 10:31 a. m.]

[Docket Nos. A-1330, A-1330 Part II]

PETITIONS OF DISTRICT BOARD NO. 13 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 13

MEMORANDUM OPINION AND ORDER SEVERING DOCKET NO. A-1330 PART II FROM DOCKET NO. 1330, GRANTING TEMPORARY RELIEF IN DOCKET A-1330 PART II, AND NOTICE OF AND ORDER FOR HEARING IN DOCKET NO. A-1330 PART II

The original petition in the above-entitled matter which was filed with this Division requests the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 13.

As indicated in an order issued today in Docket No. A-1330, a reasonable showing of necessity has been made for the granting of relief prayed for by the original petitioner except for certain mines as therein set forth and except as to the establishment of price classifications and minimum prices for the coals of the Brewer No. 2 Mine (Mine Index No. 1473) of Paul Isbell Coal Company, for all shipments except truck and for truck shipments, and for the coals of the Mary Frances Mine (Mine Index No. 331), the Big 4 Mine (Mine Index No. 755) and the Mary Ann Mine (Mine Index No. 1454) of Lee Powell (Hillcrest Coal Co.) for railroad locomotive fuel use.

The original petitioner proposed the establishment of price classifications and minimum prices for the coals of Mine Index No. 1473 which had not heretofore been established for any other mines in District No. 13. It appears that this mine is operated in the Gholson seam, that no price classifications and minimum prices have heretofore been established for any mines in that seam and that a hearing should be ordered to determine proper prices for this mine.

The original petitioner proposed price classifications and minimum prices for the coals of Mine Index Nos. 331, 755, and 1454 of \$2.43 for railroad locomotive fuel use, by the AB&C Railroad. It appears that a price of \$2.20 has heretofore been established for coals for railroad locomotive fuel use by this railroad and that a hearing should be ordered therefore to determine whether the price for these coals for railroad locomotive fuel use by this railroad should be \$2.20 or \$2.43.

Now, therefore, it is ordered, That that portion of Docket No. A-1330 relating to the coals of Mine Index No. 1473 and relating to the coals of Mine Index Nos. 331, 755, and 1454 for railroad locomotive fuel use be and it hereby is severed from the remainder of Docket No. A-1330 and designated Docket No. A-1330 Part II.

It is further ordered, That a reasonable showing of the necessity therefore having been made as to the coals of these mines, temporary relief be, and it hereby is, granted as follows: Commencing

forthwith the Schedules of Effective Minimum Prices for District No. 13 For All Shipments Except Truck and for Truck Shipments are supplemented to include the price classifications and minimum prices set forth in the Schedules marked "Supplement R" and "Supplement T" annexed hereto and hereby made a part hereof.

It is further ordered, That a hearing on Docket No. A-1330 Part II under the applicable provisions of said Act and the rules of the Division be held on April 28, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Division, 734 15th Street NW., Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, continue said hearing from time to time, and submit to the undersigned proposed findings of fact, conclusions, and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before April 23, 1942.

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

The matter concerned herewith is in regard to the petition of District Board 13 for the establishment of permanent price classifications and minimum prices for the coals of the Brewer No. 2 Mine (Mine Index No. 1473) of the Paul Isbell Coal Company for all shipments except truck and for truck shipments and for the establishment of permanent price classifications and minimum prices for the coals of the Mary Frances Mine (Mine Index No. 331), the Big 4 Mine (Mine Index No. 755) and the Mary Ann Mine (Mine Index No. 1454) of Lee Powell

(Hillcrest Coal Co.) for railroad locomotive fuel use.

Dated: March 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-2851; Filed, March 31, 1942;
10:30 a. m.]

[Docket No. B-49]

IN THE MATTER OF C. P. FOX, DEFENDANT
ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDATION OF THE EXAMINER, AND CEASE AND DESIST ORDER

A complaint, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been filed with the Bituminous Coal Division on September 24, 1941, by District Board 8, alleging that C. P. Fox, the defendant, a code member in District 8, had wilfully violated the provisions of the Bituminous Coal Code, or rules and regulations thereunder, and praying that the Division either cancel and revoke the defendant's code membership or, in its discretion, direct the defendant to cease and desist from violations of the Code and rules and regulations thereunder;

A hearing having been held before Charles S. Mitchell, a duly designated Examiner of the Division, at a hearing room thereof in London, Kentucky, on December 11, 1941;

The Examiner having made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated February 25, 1942, recommending that an order be entered directing the defendant to cease and desist from violations of the Act, the Code, and rules and regulations thereunder;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs and no such exceptions or supporting briefs having been filed;

The undersigned having considered this matter and having determined that the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner should be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

Now, therefore, it is ordered, That the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner be and they hereby are adopted as the Findings of Fact and Conclusions of Law of the undersigned.

It is further ordered, That the defendant, C. P. Fox, his representatives, agents, servants, employees, and attorneys, and all persons acting or claiming to act in his behalf or interest, cease and desist and they are hereby permanently enjoined and restrained from selling or offering to sell coal below the prescribed minimum price therefor, and from violating the Bituminous Coal Act, the Code, the Schedule of Effective Min-

imum Prices for District No. 8 for Truck Shipments, the Marketing Rules and Regulations, and all appropriate orders of the Division.

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

Dated: March 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-2852; Filed, March 31, 1942;
10:30 a. m.]

[Docket No. B-97]

IN THE MATTER OF JAMES F. EYERLY,
DOING BUSINESS AS THE HILLSIDE COAL
COMPANY, A CODE MEMBER, DEFENDANT

ORDER APPROVING AND ADOPTING PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW AND RECOMMENDATION OF THE EXAMINER, AND CEASE AND DESIST ORDER

This proceeding having been instituted upon a complaint filed with the Bituminous Coal Division on October 16, 1941, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board 1, alleging that James F. Eyerly (Hillside Coal Company), the defendant, a code member in District 1, had wilfully violated the Bituminous Coal Code, the rules and regulations thereunder, and the effective minimum prices, and praying that the Division either cancel and revoke the defendant's code membership, or, in its discretion, direct the defendant to cease and desist from violations of the Code and rules and regulations thereunder;

A hearing in this matter having been held on December 18, 1941, before Joseph A. Huston, a duly designated Examiner of the Division, at a hearing room thereof in Clearfield, Pennsylvania;

The Examiner having made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated February 21, 1942, recommending that an order be entered directing the defendant to cease and desist from violations of the Act, the Code, and rules and regulations thereunder;

An opportunity having been afforded to all parties to file exceptions thereto and supporting briefs and no such exceptions or supporting briefs having been filed;

The undersigned having considered this matter and having determined that the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner should be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned;

Now, therefore, it is ordered, That the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation

of the Examiner be and they hereby are adopted as the Findings of Fact and Conclusions of Law of the undersigned.

It is further ordered, That the defendant, James F. Eyerly (Hillside Coal Company), his representatives, agents, servants, employees, and attorneys, and all persons acting or claiming to act in his behalf or interest, cease and desist and they are hereby permanently enjoined and restrained from selling or offering to sell coal below the prescribed minimum price therefor, and from violating the Bituminous Coal Act, the Code, the Schedule of Effective Minimum Prices for District No. 1 For Truck Shipments, the Marketing Rules and Regulations, and all appropriate orders of the Division.

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

Dated: March 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-2853; Filed, March 31, 1942;
10:30 a. m.]

Bureau of Reclamation.

ANDERSON RANCH RESERVOIR SITE, BOISE
PROJECT, IDAHO

AMENDMENT TO FIRST FORM RECLAMATION
WITHDRAWAL

MARCH 12, 1942.

The SECRETARY OF THE INTERIOR.

SIR: By Departmental Order of February 10, 1942, certain lands described therein were withdrawn from public entry under first form withdrawal, as provided in Section 3, Act of June 17, 1902 (32 Stat. 388), in connection with the Anderson Ranch Reservoir Site, Boise Project, Idaho.

The said withdrawal order of February 10, 1942, inadvertently described the NE $\frac{1}{4}$ Section 14, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, Township 1 South, Range 8 East, Boise Meridian, Idaho, as the NE $\frac{1}{2}$ Section 14 and the NW $\frac{1}{2}$ NE $\frac{1}{4}$ Section 15, Township 1 South, Range 8 East, Boise Meridian, Idaho.

Respectfully,

JOHN C. PAGE,
Commissioner.

I concur: March 17, 1942,

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

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office

and the local land office to be noted accordingly.

JOHN J. DEMPSEY,
Under Secretary.

MARCH 23, 1942.

[F. R. Doc. 42-2832; Filed, March 31, 1942;
9:22 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administra-
tion.

[P. & S. Docket No. 383]

IN THE MATTER OF L. W. CONOVER, GEORGE CONOVER AND DAN O'BRIEN, A PARTNERSHIP DOING BUSINESS AS ALEXANDER CONOVER & COMPANY, THE PRODUCER'S LIVESTOCK COMMISSION ASSOCIATION, THE FARMER'S LIVESTOCK COMMISSION COMPANY ET AL., RESPONDENTS AND PETITIONERS

ORDER AND NOTICE OF REOPENING OF PROCEEDING UPON PETITION FOR MODIFICATION

On March 18, 1942, the petitioners referred to above, market agencies registered under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181) and operating at the St. Louis National Stock Yards, National Stock Yards, Illinois, filed a petition requesting a modification of the orders heretofore entered in this docket on February 28, 1933, November 5, 1936, and December 6, 1937, in which maximum rates and charges for selling and buying livestock were prescribed. The petitioners seek an increase in rates for selling livestock on commission, and a change in the structure of their tariff.

The allegations contained in the petition are, in substance, as follows:

1. The cost of labor, which covers approximately 70 percent of petitioners' costs, has increased and will continue to increase due to higher wages in other industries, increased living expenses, individual taxes and the depletion of their employees occasioned by military demands.

2. Material costs, which cover approximately 30 percent of petitioners' costs, have increased.

3. Taxes of all forms are increasing. Individual income taxes may be doubled and social security taxes, which are an important item in petitioners' costs, will probably be increased materially.

4. A tariff structure, if predicated upon a headage basis instead of a carlot basis, would more nearly fit the business of the petitioners, since the shipments of livestock now come to the market largely by truck instead of by rail.

It appears that an opportunity for a hearing should be afforded to the petitioners and to all other interested persons, including the patrons of the petitioners, for the purpose of determining whether the orders heretofore

entered in this proceeding should be modified.

Therefore, by direction of the Secretary of Agriculture: *It is ordered,* That Packers and Stockyards Docket No. 383 be reopened for the purpose of affording the petitioners and all other interested persons, including patrons of the petitioners, an opportunity to appear and present such evidence as may be relevant and material to the matters alleged in the petition.

It is further ordered, That all interested persons who desire to be heard shall notify the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington, D. C., within twenty days from the date of the publication of this order.

It is further ordered, That a copy of this order and notice shall be served upon the petitioners by registered mail.

It is further ordered, That this order and notice shall be published in the FEDERAL REGISTER.

Done at Washington, D. C., this 30th day of March 1942.

C. W. KITCHEN,
Chief, Agricultural Marketing
Service, Agricultural
Marketing Administration.

[F. R. Doc. 42-2824; Filed, March 30, 1942;
3:49 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

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

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

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

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

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

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

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

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

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

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

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective March 30, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

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

Apparel

The Cap Company, Inc., 133 Bleecker Street, New York, N. Y.; Cloth Advertising Caps; 3 learners (t); September 30, 1942.

Carr, Mears & Dawson, 315 Granby Street, Norfolk, Virginia; White & Khaki Cotton Uniforms, Navy & Marine; 2 learners (T); March 30, 1943.

Chaffee Mfg. Co.; North Main Street, Chaffee, Missouri; Men's & Boy's Trousers; 5 percent (T); March 30, 1943.

Harry Glazer, 23 Beach Street, Boston, Massachusetts; Men's Clothing; 4 learners (T); March 30, 1943.

Harcum, Inc., 126 W. Fayette Street, Baltimore, Maryland; Men's Neckwear; 5 learners (T); March 30, 1943.

Harvard Clothes, Inc., 211 12th Avenue S., Wisconsin Rapids, Wisconsin; Army Wool Service Coats; 5 learners (T); September 30, 1942.

Knickerbocker Manufacturing Co., Inc., West Point, Mississippi; Shorts & Pajamas; 20 learners (E); September 30, 1942.

Macanray Co., Inc., 48 East 21st Street, New York, N. Y.; U. S. Naval Officers' Uniforms; 5 learners (T); July 27, 1942.

H. Magerman, 137 E. 7th Street, Philadelphia, Pennsylvania; Men's Trousers; 10 percent (T); March 30, 1943.

Rugby Knitting Mills Inc., Flannocrat Division, 1021 Main Street, Buffalo, New York; Sportswear, Windbreakers, Lumberjackets, Mackinaws, Jackets, Beachwear; 10 learners (T); September 30, 1942.

Statler Clothing Company, 36 Pleasant Street, Watertown, Massachusetts; Men's Clothing; 5 learners (T); March 30, 1943.

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

Acme Manufacturing Company, 4th and Elm Street, Wentzville, Missouri; Ladies' Woven Underwear Ladies' Underwear & Wearing Apparel; 10 learners (T); March 30, 1943.

Ar-Cel Garment Company, Wilks & Fay Streets, Columbia, Missouri; Wash Dresses & Playsuits, Skirts, Hoverettes, Pajamas, Ladies' & Children's Underwear; 10 percent (T); March 30, 1943.

Bangor Shirt Corp., Inc., Bangor, Pennsylvania; Army Shirts & Field Jackets; 10 learners (T); March 30, 1943.

Bay Ridge Pants Company, 353 39th Street, Brooklyn, New York; Men's Long Pants; 10 percent (T); July 13, 1942.

Bay Ridge Pants Company, 29 Bismark Avenue, New Brighton, S. I., New York; Boys' Knee Pants; 10 percent (T); July 13, 1942.

M. M. Bernstein & Sons, 213 N. Broad Street, Phillipsburg, New Jersey; Ladies' Underwear; 10 percent (T); March 30, 1943.

Blackman-Hazzard Company, Cortland Street, Homer, New York; Children's Playsuits; 10 learners (T); March 30, 1943.

Branch Manufacturing Company, 422 Morris Avenue, Long Branch, New Jersey; Women's & Children's Cotton Beachwear, Children's Snowsuits; 10 percent (T); March 30, 1943.

Brew Schneider Company, Inc., 133 West 21st Street, New York, N. Y.; Washable Service Apparel; 10 percent (T); August 17, 1942.

Carroll Dorn Mfg. Company, 332 West 9th Street, Kansas City, Missouri; Cotton & Rayon Dresses; 10 learners (T); March 30, 1943.

Cohen Brothers Dress Corp., 501 Seventh Avenue, New York, N. Y.; Dresses; 1 learner (T); July 13, 1942.

Duquesne Manufacturing Company, 852 Stanton Avenue, New Kensington, Pennsylvania; Hoverettes, Zipper Dresses, Canteen Cases; 10 percent (T); March 30, 1943.

Eljay Shirt Company, S. W. Cor. 3d & Vine Streets, Philadelphia, Pennsylvania; Men's & Boys' Shirts; 10 percent (T); March 30, 1943.

Excelsior Mfg. Corporation, 12 Pine Grove Avenue, Kingston, New York; Large Women's Dresses; 10 percent (T); March 30, 1943.

Fern Frocks, Inc., 719 Broadway, Kingston, New York; Dresses; 10 percent (T); March 30, 1943.

Film Modes, Inc., 818 S. Broadway, Los Angeles, California; Ladies Ready-to-Wear Slack Suits; 10 learners (T); March 30, 1943.

Florida Sportswear Corporation, Plymouth & Jefferson Streets, Tampa, Florida; Work Pants & Semi Dress Pants, Work Shirts, Sport Shirts; 10 percent (T); March 30, 1943.

Geist Sportwear Co., Inc., 1370 Broadway, New York, N. Y.; Blouses & Sportwear; 10 percent (T); July 13, 1942.

Greenbrier Frocks, Inc., 10 Locust Street, Hudson Falls, New York; Cotton House Dresses & Spun Rayon; 10 percent (T); March 30, 1943.

Greenbrier Frocks, Inc., 26 Exchange Place, Jersey City, New Jersey; Cotton House Dresses, Spun Rayon Dresses; 10 percent (T); March 30, 1943.

The Hallmark Shirt Co., Inc., Davidson St., Clinton, South Carolina; Men's Shirts; 10 percent (T); March 30, 1943.

Her Majesty Underwear Company, Leola, Pennsylvania; Slips; 10 learners (E); September 30, 1942.

Jones Manufacturing Company, 48 First Street, Waterford, New York; Dresses; 5 learners (T); March 30, 1943.

Jones Manufacturing Company, 6 William Street, Albany, New York; Dresses; 10 learners (T); March 30, 1943;

Juniors Inc., 860 South Los Angeles Street, Los Angeles, California; Children's Cotton Sportswear; 3 learners (T); March 30, 1943. (This Certificate replaces the one bearing the expiration date of January 12, 1943.)

H. Lang Company, 245 Ninth Avenue N., Minneapolis, Minnesota; Overalls; 10 learners (T); March 30, 1943.

S. Liebovitz & Sons, Inc., Schuylkill County, Donaldson, Pennsylvania; Men's Shirts; 10 learners (T); March 30, 1943.

E. S. Lurie Mfg. Company, 407 E. Commercial Street, Springfield, Missouri; Single Pants; 10 percent (T); March 30, 1943.

Majestic Mfg. Company, 404 Race Street, Philadelphia, Pennsylvania; Blouses; 10 percent (T); March 30, 1943.

Melbern Manufacturing Corp., 46 East Forrest St., Shrewsbury, Pennsylvania; Men's & Boy's Pajamas; 10 learners (T); March 30, 1943.

Milgrin Manufacturing Co., 128 N. Broad Street, Philadelphia, Pennsylvania; Ladies' Undergarments; 10 learners (T); March 30, 1943.

Minersville Dress Mfg. Co., Inc., 117 Front Street, Minersville, Pennsylvania; Ladies' Dresses; 50 learners (E); September 30, 1942.

Mode O'Day Corporation, 155 W. Washington Blvd., Los Angeles, California; Women's & Children's Dresses, Women's Lingerie; 10 percent (T); March 30, 1943.

E. B. Myers Company, 511 Venice Blvd., Los Angeles, California; 10 percent (T); Cotton Sportswear, Gym Clothes; March 30, 1943.

National Glove & Sportswear Co., 209 Clay Street, San Francisco, California; Leather Jackets; 1 learner (T); September 30, 1942.

Philadelphia Sportswear Mfg. Co., 806 Arch Street, Philadelphia, Pennsylvania; Jackets, Shirts & Slacks; 2 learners (T); March 30, 1943.

Pyramid Clothing Mfg. Co., 2211 Pine Street, St. Louis, Missouri; Overalls, Work Pants, Work Shirts; 10 learners (T); March 30, 1943.

Rhea Manufacturing Company, 1983 South Allis Street, Milwaukee, Wisconsin; Ladies' Street & House Dresses, Sportswear; 10 percent (T); March 30, 1943.

Rutledge Mfg. Co., Leadenhall & Ostend Sts., Baltimore, Maryland; Ladies' Pajamas, Men's Pajamas; 8 learners (T); March 30, 1943.

S. Salis, 521 Vine St., Philadelphia, Pennsylvania; Ladies' Cotton Uniforms; 10 percent (T); March 30, 1943.

Samar Manufacturing Company, 24 West 25th Street, New York, N. Y.; Ladies' Undergarments; 10 learners (T); July 27, 1942.

Schramm & Schmieg Company, 3rd & Valley Streets, Burlington, Iowa; Overalls, Pants, Jackets, Wool Coats; 10 learners (T); March 30, 1943.

W. Shanhouse Sons, Inc., 1916 11th Street, Rockford, Illinois; Trousers, Jackets; 10 percent (T); March 30, 1943.

The Stamford Shirt Co., Inc., 377 Fairfield Avenue, Stamford, Connecticut; Shirts & Sportwear; 40 learners (E); September 30, 1942.

B. Sussman Company, Inc., 149 Wooster Street, New York, N. Y.; Blouses, Sportswear; 10 percent (T); July 27, 1942.

E. Webster Strouse, 39 Belmont Avenue, Quakertown, Pennsylvania; Single Pants; 5 learners (T); March 30, 1943.

The Weil Corset Company, Inc., 125 Hill Street, New Haven, Connecticut; Corsets, Girdles, Suspensories; 5 learners (T); March 30, 1943.

Winer Manufacturing Co., Inc., 231 Condit Street, Hammond, Indiana; Army Field Jackets, Mackinaws, Rayon & Cotton Shirts & Trousers; 10 learners (T); September 30, 1942.

Gloves

Fried, Ostermann Company, 1645 S. 2d Street, Milwaukee, Wisconsin; Leather Dress & Work Gloves; 20 learners (E); September 30, 1942.

Fried, Ostermann Company, 1645 S. 2d Street, Milwaukee, Wisconsin; Leather Dress Gloves & Work Gloves; 10 percent (T); March 30, 1943.

Montpelier Glove Co., Inc., 129 E. Main Street, Montpelier, Indiana; Work Gloves; 5 learners (T); March 30, 1943.

National Glove & Sportswear Company, 209 Clay Street, San Francisco, Calif.; Work Gloves; 1 learner (T); September 30, 1942.

Proper Maid Silk Mfg. Co., Inc., 3 Yeoman Street, Amsterdam, New York; Unit Fabric Gloves; 15 learners (E); September 30, 1942.

Scotsmoor Company, Inc., Broadalbin, New York; Knit Wool Gloves; 5 learners (T); March 30, 1943.

Wells Lamont Corporation; 110 S. College St., Aledo, Illinois; Knit & Work Gloves; 5 percent (T); March 30, 1943.

W. N. Zimmer & Son, 31-33 S. Arlington Avenue, Gloversville, New York; Leather Work Gloves; 5 learners (T); March 30, 1943.

Hosiery

Aberdeen Hosiery Mills, Inc., Aberdeen, North Carolina; Full fashioned; 20 learners (E); November 30, 1942.

Asheville Hosiery Company, Deaver-view Rd., Asheville, N. C.; Full-fashioned; 5 learners (T); March 30, 1943.

Bell Hosiery Corporation, 200 Johnson Ave., Suffolk, Virginia; Seamless; 10 percent (T); March 30, 1943.

Brownhill & Kramer, Inc., Coudersport, Pennsylvania; Full fashioned; 10 percent (T); March 30, 1943.

Cohen Hosiery Company, 228 East Sycamore Street, Greensboro, North Carolina; Seamless; 5 learners (E); November 30, 1942.

Crown Hosiery Mills, Inc., 426 S. Hamilton Street, High Point, N. C.; Seamless Hosiery; 5 percent (E); November 30, 1942.

Debonair Full Fashioned Mills, Inc., Waterhouse Street, Cleveland, Tennessee; Full Fashioned Hosiery; 10 percent

(T); March 30, 1943. (This certificate replaces the one bearing the expiration date of August 4, 1942.)

Doster Hosiery Mill, Milton, Delaware; Full Fashioned Hosiery; 5 learners (T); March 30, 1943.

Hattiesburg Hosiery Company, Tuscan Avenue, Hattiesburg, Mississippi; Full Fashioned Hosiery; 35 learners (E); November 27, 1942.

Hope Hosiery Mills, Willow Street, Adamstown, Pennsylvania; Seamless Hosiery; 2 learners (T); March 30, 1943.

Industrial Hosiery Mills, Inc., 424 Guilford Street, Lebanon, Pennsylvania; Seamless Hosiery; 10 percent (T); March 30, 1943. (This certificate replaces one issued to you bearing the expiration date of October 27, 1942.)

Kreider Manufacturing Company, White Oak Street, Annville, Pennsylvania; Seamless Hosiery; 5 percent (T); March 30, 1943.

Lyerly Full Fashioned Mills, Inc., 8th Street, Hickory, North Carolina; Full Fashioned Hosiery; 10 percent (T); March 30, 1943.

Morristown Knitting Mills, Dandridge, Tennessee; Seamless Hosiery; 20 learners (E); November 30, 1942.

Myrna Lee Hosiery Mills, Inc., Fourth & Elm Streets, Towanda, Pennsylvania; Full Fashioned Hosiery; 5 learners (T); March 30, 1943.

Newport Hosiery Mills, N. Fourth Street, Newport, Pennsylvania; Seamless Hosiery; 2 learners (T); March 30, 1943.

Princeton Hosiery Mills, Washington Street, Princeton, Kentucky; Seamless Hosiery; 10 percent (T); March 30, 1943. (This certificate replaces the one bearing the expiration date of December 18, 1942.)

Troxler Hosiery Mending Company, 908 Highland Avenue, Greensboro, North Carolina; Mending runs in Full Fashioned Hosiery; 2 learners (T); September 30, 1942.

Van Raalte Company, Inc., Willingham Circle, Blue Ridge, Georgia; Full Fashioned Hosiery; 10 percent (T); March 30, 1943.

Wadesboro Full Fashioned Hosiery Mills, Wadesboro, North Carolina; Full Fashioned Hosiery; 5 percent (T); March 30, 1943.

Walker County Hosiery Mills, LaFayette, Georgia; Seamless Hosiery 10 percent (T); March 30, 1943. (This certificate replaces the one bearing the expiration date of July 24, 1942.)

Knitted Wear

Ashland Knitting Mills, 11th & Pine, Ashland, Pennsylvania; Cotton Knit Underwear; 5 learners (T); March 30, 1943.

Coopers Inc., 2318 60th St., Kenosha, Wis.; Knitted Underwear; 5 percent (T); March 30, 1943.

Gilbert Knitting Co., Inc., Elizabeth St., Little Falls, N. Y.; Knitted Underwear & Outerwear; 5 percent (T); March 30, 1943.

William Gorse Co., Inc., 31 Thorpe Rd., Needham Heights, Mass.; Knit Elastic

Fabric for Surgical Trade; 5 learners (T); March 30, 1943.

Textile

Gilbert Knitting Company, Inc., Elizabeth St., Little Falls, New York; Cotton Yarn; 3 learners (T); March 30, 1943.

Worcester Braiding Company, 161 Summer Street, Worcester, Massachusetts; Elastic & Non-Elastic Braids; 6 learners (T); March 30, 1943.

Signed at New York, N. Y., this 28th day of March, 1942.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 42-2819; Filed, March 30, 1942; 1:51 p. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective March 30, 1942.

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

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

Brooke Welding Service, 49 E. Main Street, Chicago Heights, Illinois; Welding, Repair Work; 1 learner; 8 weeks for any one learner; 30 cents per hour; Welder; June 8, 1942.

Signed at New York, N. Y., this 28th day of March, 1942.

PAULINE C. GILBERT,
Authorized Representative of the
Administrator.

[F. R. Doc. 42-2818; Filed, March 30, 1942; 1:51 p. m.]

NOTICE OF CANCELLATION OF SPECIAL CERTIFICATE FOR THE EMPLOYMENT OF LEARNERS IN THE APPAREL INDUSTRY

Notice is hereby given that a special certificate for the employment of learn-

ers not to exceed at any one time five workers issued to the Dainty Frocks Company, 618 Cherry Street, Philadelphia, Pennsylvania, on December 12, 1940, has been ordered cancelled as of the first date of violation because of violations of its terms.

The order of cancellation shall not become effective and enforceable until after

the expiration of a fifteen day period following the date on which this Notice appears in the FEDERAL REGISTER. During this time petitions for reconsideration or review may be filed by any directly interested and aggrieved party pursuant to Section 522.13 of the Regulations. If a petition is properly filed, the effective date of the order of cancellation shall be

postponed until final action is taken on the petition.

Signed at New York, New York this 28th day of March 1942.

ALEX G. NORDHOLM,

*Duly Authorized Representative
of the Administrator.*

[F. R. Doc. 42-2820; Filed, March 30, 1942;
1:51 p. m.]