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*Washington, Thursday, January 1, 1942*

**The President**

**ESTABLISHING THE HAWAIIAN MARITIME CONTROL AREA AND PRESCRIBING REGULATIONS FOR THE CONTROL THEREOF**

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

**A PROCLAMATION**

WHEREAS the United States is now at war, and the establishment of the maritime control area hereinafter described is necessary in the interests of national defense:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the authority vested in me as President of the United States, and as Commander-in-Chief of the Army and Navy of the United States, and in accordance with the principle of self-defense of the Law of Nations, do hereby proclaim and establish the following-described area as the Hawaiian Maritime Control Area, and prescribe the following regulations for the control thereof:

**HAWAIIAN MARITIME CONTROL AREA**

All waters contained within the area delimited by lines connecting successively the following points:

- Latitude 22°30' N. Longitude 158° W.
- Latitude 21° N. Longitude 155°30' W.
- Latitude 20°30' N. Longitude 155°30' W.
- Latitude 20° N. Longitude 156°30' W.
- Latitude 21° N. Longitude 159° W.
- Latitude 22° N. Longitude 159° W.
- Latitude 22°30' N. Longitude 158° W.

*Regulations for the Control of Hawaiian Maritime Control Area*

1. A vessel not proceeding under United States naval or other United States authorized supervision shall not enter or navigate the waters of the Hawaiian Maritime Control Area except during daylight, when good visibility conditions prevail, and then only after

specific permission has been obtained. Advance arrangements for entry into or navigation through or within the said Area must be made, preferably by application at a United States Naval District Headquarters in advance of sailing, or by radio or visual communication on approaching the seaward limits of the area. If radio telegraphy is used, the call "NQO" shall be made on a frequency of 500 kcs, and permission to enter the port requested. The name of the vessel, purpose of entry, and name of master must be given in the request. If visual communications are used, the procedure shall be essentially the same.

2. Even though permission has been obtained, it is incumbent upon a vessel entering the said Area to obey any further instructions received from the United States Navy, or other United States authority.

3. A vessel may expect supervision of its movements within the said Area, either through surface craft or aircraft. Such controlling surface craft and aircraft shall be identified by a prominent display of the Union Jack.

4. These regulations may be supplemented by regulations of the local United States naval authority as necessary to meet local circumstances and conditions.

5. Should any vessel or person within the said Area disregard these regulations, or regulations issued pursuant hereto, or fail to obey an order of the United States naval authority, or perform any act threatening the efficiency of mine or other defenses, or take any action therein inimical to the defense of the United States, such vessel or person may be subjected to the force necessary to require compliance, and may be liable to detention or arrest, or penalties or forfeiture, in accordance with law, the law applicable to violations committed on the high seas being international law.

The Secretary of the Navy is charged with the enforcement of these regulations.

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 27th day of December in the year of our Lord nineteen hundred and [SEAL] forty-one, and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,  
*Secretary of State.*

[No. 2532]

[F. R. Doc. 41-9898; Filed, December 31, 1941; 10:19 a. m.]

## EXECUTIVE ORDER

## AMENDING SCHEDULES A AND B OF THE CIVIL SERVICE RULES

By virtue of and pursuant to the authority vested in me by the Constitution, by Section 1753 of the Revised Statutes (5 U.S.C. 631), by the Civil Service Act of January 16, 1883 (22 Stat. 403), and as President of the United States, Schedules A and B of the Civil Service Rules are hereby amended to read as follows:

## SCHEDULE A—POSITIONS EXCEPTED FROM EXAMINATION UNDER SECTION 3, CIVIL SERVICE RULE II

## I. ENTIRE EXECUTIVE CIVIL SERVICE

1. Chaplains.
2. Cooks, when in the opinion of the Commission it is not expedient to make appointment upon competitive examination; but this paragraph shall not apply to positions of cook at fixed locations, such as hospitals, quarantine stations, or penal institutions.

3. Positions to which appointments are made by the President without confirmation by the Senate.

4. Special attorneys employed on a temporary basis for specific litigation or other legal work where knowledge of local values or conditions or other specialized qualifications not possessed by the attorneys regularly employed by the department are required for successful results. Such temporary employment shall be only for such time as is required to complete the specific assignment for which the original appointment was approved.

5. Chinese, Japanese, and Hindu interpreters.

6. Any person receiving from one department or establishment of the Government for his personal salary compensation aggregating not more than \$540 per annum whose duties require only a portion of his time, or whose services are needed for very brief periods at intervals, provided that employment under this provision shall not be for job work such as contemplated in section 4 of rule VIII. Appointments under this paragraph for duty in Washington, D. C. may be made only with the express prior approval of the Commission when in the opinion of the Commission the use of existing registers or the establishment of new registers is impracticable. The name of the employee, designation, duties, rate of pay, and place of employment shall be shown in the periodical reports of changes; and in addition, when payment is not at a per annum rate, the total service rendered and the distribution of such service during the year shall be shown in the report of changes at the end of each year or when the employee is separated from the service. The additional employment under similar conditions of such a person by another department or establishment of the Government will be subject to the approval of the Commission.

7. Any person employed in a foreign country or in the Virgin Islands, or in Puerto Rico when public exigency warrants, or in any island possession of the United States in the Pacific ocean (except the Hawaiian Islands), or in the Philippine Islands, when in the opinion of the Commission it is not practicable to treat the position as in the competitive classified service; but this paragraph shall not apply to any person employed in Canada or Mexico in the service of the Immigration and Naturalization Service, Department of Justice, or to any person employed in any foreign country, or in the Virgin Islands, by the Bureau of Customs of the Treasury Department.

8. Officers and employees in the Federal service on the Isthmus of Panama, except accountant, bookkeeper, clerk, draftsman, physician, play-ground director, statistician, stenographer, surgeon, trained nurse, typist, and harbor personnel in the Quartermaster Corps of the War Department. Appointments to clerical positions on the Isthmus of Panama paying \$100 in United States

currency per month or less may be made without examination.

9. Positions in Alaska when, in the opinion of the Commission, the use of existing registers or the establishment of new registers is considered impracticable. Former employees who served in positions excepted under this paragraph may be reinstated to positions in Alaska in the department in which they served upon recommendation of the appointing officer and approval of the Civil Service Commission.

10. Temporary, part-time, or intermittent employments of mechanics, skilled laborers, and tradesmen on construction or repair work in the field services, in places where there is no local board of examiners of the Civil Service Commission for the employing establishment, and where the Commission deems it impracticable to establish registers of eligibles. Seasonal employments of a recurring nature are not authorized under this paragraph.

11. Any position directly concerned with the protection of the life and safety of the President and the members of his family.

12. Any person appointed without compensation or at a compensation of \$1.00 per annum, provided such employments meet the requirements of applicable laws relating to compensation.

13. Professional, scientific and technical experts for temporary, part-time or intermittent employment for consultation purposes.

14. Unskilled laborers at any city, locality or establishment where the Labor Regulations were not in effect on July 1, 1941. The Commission, with the concurrence of the department or agency concerned, may include within the classified civil service unskilled laborer positions at any such city, locality or establishment.

## II. STATE DEPARTMENT

1. Five special assistants to the Secretary of State.

2. All employees of international commissions, congresses, conferences, and boards, except the International Joint Commission; the International Boundary Commission, United States and Mexico; and the International Boundary Commission, United States, Alaska, and Canada.

3. Chief and two assistant chiefs of the foreign service buildings office.

4. Two private secretaries or confidential assistants to the Secretary of State, and one to each Assistant Secretary of State.

5. One private secretary or confidential assistant to the head of each bureau in the State Department appointed by the President.

6. One chauffeur for the Secretary of State.

7. Gage readers employed part-time or intermittently by the International Boundary Commission, United States and Mexico, at such isolated localities that in the opinion of the Commission

the establishment of registers is impracticable.

## III. TREASURY DEPARTMENT

1. Two private secretaries or confidential assistants to the Secretary of the Treasury, and one to each Assistant Secretary of the Treasury.

2. Special employees in the field service of the Bureau of Narcotics; and special employees for temporary detective work in the field service of the Bureau of Internal Revenue under the appropriation for detecting and bringing to trial and punishment persons violating the internal revenue laws. Appointments under this paragraph shall be limited to persons whose services are required because of individual knowledge of violations of the law, and such appointments shall be continued only so long as the personal knowledge possessed by the appointee of such violation makes his services necessary. This exemption from competition is for special and unusual cases only and report shall be made to the Commission by letter as soon as the appointment is made.

3. Bureau of Customs: Positions in foreign countries designated as "interpreter-translator" and "special employee," when filled by appointment of persons who are not citizens of the United States; and positions in foreign countries of messenger and janitor.

4. Coast Guard: Lamplighters in the Lighthouse Service.

5. Five Assistants to the Secretary of the Treasury.

6. Receivers of insolvent national banks and other financial institutions which are filled by appointment by the Comptroller of the Currency and whose salaries are paid directly from the funds of insolvent institutions.

## IV. WAR DEPARTMENT

1. Two private secretaries or confidential assistants to the Secretary of War and one to each Assistant Secretary of War.

2. One chauffeur for the Secretary of War.

3. United States Army Transport Service: Longshoremen employed at ports in the United States; and the following positions on transport ships: Seaman, water tender, oiler, fireman, wiper, room-bath and deck steward, messman, mess-boy, dishwasher, janitor, porter, scullion, silver and glass man, watchman, head-waiter, waiter, bellboy, barber, laundryman, Post Exchange steward, administrative assistant-Post Exchange, soda dispenser; and all grades of the following: Cook, baker, butcher, pantryman.

4. Positions the duties of which are of a quasi-military nature and involve the security of secret or confidential matter, when in the opinion of the Commission they cannot be filled from registers of eligibles.

5. One consulting architect for work of reconstructing the United States Military Academy, West Point, N. Y.

6. In the Philippine Islands: Artisans engaged in a recognized trade, craft or

skilled (manual) occupation; helpers in such occupations; and other subordinate employees in similar manual occupations; when, in the opinion of the Commission, the establishment of registers is impracticable.

7. Caretakers of abandoned military reservations or of abandoned or unoccupied military posts when the positions are filled by retired noncommissioned officers or enlisted men.

8. Civilian professors, instructors, and teachers at the United States Military Academy, West Point, N. Y., except the following: Civilian instructor of wrestling, civilian instructor of boxing, civilian instructor of gymnastics, chapel organist and choirmaster, teacher at the children's school, and librarian.

9. Physicians and surgeons employed on a fee basis or under contract when, in the opinion of the Commission, the establishment of registers is impracticable.

10. Employees at Army hospitals in the Philippines and in Puerto Rico when, in the opinion of the Commission, the establishment of registers is impracticable.

11. Messenger boys employed on the Alaska Communications System.

12. Interns (medical and dental) in Army hospitals.

13. During the emergency declared by the President to exist on May 27, 1941, employees of the Army Motion Picture Service and positions of hostess and librarian under the Morale Branch of the Office of the Adjutant General assigned to Army posts.

14. During the emergency declared by the President to exist on May 27, 1941, all positions in the War Department on the Isthmus of Panama.

#### V. NAVY DEPARTMENT

1. Two private secretaries or confidential assistants to the Secretary of the Navy, and one to each Assistant Secretary of the Navy.

2. Professors, instructors, and teachers in the United States Naval Academy.

3. Positions the duties of which are of a quasi-naval character and involve the security of secret or confidential matter when, in the opinion of the Commission, they cannot be filled from registers of eligibles.

4. Positions of attendant and orderly at the United States Naval Home when filled by the appointment of beneficiaries of the Home.

5. At the naval stations at Cavite, Olongapo, and Guantanamo: Artisans engaged in a recognized craft, trade, or skilled (manual) occupation; helpers in such occupations; other subordinate employees in similar manual occupations; supervisory employees over workers in these occupations; when, in the opinion of the Commission, the establishment of registers is impracticable.

#### VI. DEPARTMENT OF JUSTICE

1. Director and three assistant directors of prisons.

2. Two private secretaries or confidential assistants to the Attorney General, and one to each of the following: Assistant to the Attorney General, Solicitor General, Assistant Solicitor General, and each Assistant Attorney General.

3. One chauffeur for the Attorney General.

4. Eight positions in the immediate office of the Attorney General in addition to those excepted under paragraph 2 of this subdivision.

5. Members of the board of parole.

6. All positions in the Federal Bureau of Investigation.

7. One private secretary to the Commissioner of Immigration and Naturalization.

8. Federal Prison Industries, Inc.: The Commissioner of Industries.

9. Three Deputy Commissioners of Immigration and Naturalization.

10. Court reporters employed by courts outside continental limits of the United States.

11. Deputy United States Marshals paid on a fee basis.

12. Positions of bailiff in the United States Courts.

#### VII. POST OFFICE DEPARTMENT

1. Two private secretaries or confidential assistants to the Postmaster General, one to each Assistant Postmaster General, and one to the Solicitor of the Post Office Department.

2. One private secretary or confidential assistant to the head of each bureau (or office) in the Post Office Department in Washington, D. C., who is appointed by the President.

3. All employees in post offices of the third and fourth class, except postmasters and village delivery carriers.

4. One chauffeur for the Postmaster General.

5. Five special assistants to the Postmaster General.

6. Substitute rural carriers.

7. Special delivery messengers.

8. Unskilled laborers employed as janitors and cleaners at a compensation less than \$720 per annum.

#### VIII. DEPARTMENT OF THE INTERIOR

1. Two private secretaries or confidential assistants to the Secretary of the Interior and one to each Assistant Secretary of the Interior.

2. One chauffeur for the Secretary of the Interior.

3. Office of the Secretary: One assistant to the Secretary.

4. Engineers, geologists, economists, architects and appraisers in a consulting or advisory capacity for temporary, part-time, or intermittent employment. Employments under this paragraph shall not exceed four months in any one calendar year, unless prior permission is given by the Commission for the extension of an additional four months.

5. Positions in the Bureau of Indian Affairs, Washington, D. C., and in the

field, when filled by the appointment of Indians who are of one-fourth or more Indian blood.

6. One private secretary or confidential assistant to the head of each bureau in the Interior Department who is appointed by the President, and one each to the Governors of Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

7. All employees of the Neopit Lumber Mills on the Menominee Indian Reservation in Wisconsin.

8. Agricultural extension agents and home demonstration agents employed in field positions in the Indian Service, the work of which is financed jointly by the Indian Service and cooperating persons, organizations or governmental agencies outside the Federal service.

9. Local physicians and dentists employed in the Indian Service on a part-time or fee basis or under contract, when, in the opinion of the Commission, the establishment of registers is impracticable.

10. Temporary, intermittent, or seasonal positions in the National Park Service when filled by the appointment of persons who are certified as maintaining a permanent and exclusive residence within, or contiguous to, a National Park and as being dependent for livelihood primarily upon employment available within the National Park, subject to the approval of the Commission.

11. Seaman, deckhand, fireman, cook, mess attendant, and water tender on vessels of the Fish and Wildlife Service.

12. Housekeepers in the Indian Service, at a gross salary not in excess of \$600 per annum.

13. Agents in the Fish and Wildlife Service and the Grazing Service employed in field positions, the work of which is financed jointly by the Interior Department and cooperating persons or organizations outside the Federal Service.

14. Positions in the field service of the Fish and Wildlife Service concerned with scientific fishery investigations when filled by the appointment of students at colleges and universities of recognized standing: Provided, that substantial contributions to the investigations are made by such colleges or universities in money, services, or materials or in the use of buildings, laboratories, equipment, or facilities or otherwise. Such employments may be continued under this authority only so long as the appointee is a bona fide student at the particular college or university and receives academic credit toward a degree for the work which he is performing for the Fish and Wildlife Service.

15. Office of the Secretary: Director and Assistant Director of the Division of Power.

16. Office of the Secretary: One private secretary or confidential assistant to the Director of the Division of Power.

17. National Power Policy Committee: The General Counsel.

18. Temporary or seasonal caretakers at temporarily closed camps or improved areas to maintain grounds, buildings or other structures and prevent damage or theft of government property. Such appointments shall not extend beyond six months without the prior approval of the Commission.

19. Temporary seasonal field assistants in forestry and range management at salaries not to exceed a rate of \$1,440 a year and for not to exceed four months in any one calendar year.

20. Puerto Rico Reconstruction Administration: One administrator and one head administrative officer.

21. Petroleum Conservation Division: A director, a secretary to the director, and three members of Federal Tender Boards.

22. Office of Indian Affairs: The executive director of the Indian Arts and Crafts Board.

23. Bituminous Coal Division: The director of the division, one administrative assistant to the Director, and ten special assistants in the Bituminous Coal Division.

24. Bonneville Power Administration: One administrator and one assistant administrator.

25. Division of Territories and Island Possessions: The director of the division.

26. Territory of Hawaii: One Hawaiian Homes Representative.

27. Virgin Islands: The administrator of St. Croix, Virgin Islands.

28. Office of the Secretary: Six field representatives whose duties are of a confidential nature.

29. Office of the Secretary: Six special agents in the Division of Investigations to investigate fraudulent entries and other matters of a criminal nature.

#### IX. DEPARTMENT OF AGRICULTURE

1. (a) Agents employed in field positions the work of which is financed jointly by the Department and cooperating persons, organizations, or governmental agencies outside the Federal service.

(b) Local agents, except veterinarians, employed temporarily outside of Washington in demonstrating in their respective localities the necessity of eradicating cattle ticks, scabies, hog cholera, and animal tuberculosis, and other contagious or infectious animal diseases.

(c) Positions the duties of which require a speaking knowledge of one of the Indian languages.

In making appointments under this paragraph, a full report shall be submitted immediately by the Department to the Commission setting forth the name, designation, and compensation of the appointee and a statement of the duties to which he is to be assigned and of his qualifications for such duties, in such detail as to indicate clearly that the appointment is properly made under one of the above classes. The same procedure shall be followed in case of the

assignment of any such agent to duties of a different character.

2. One chauffeur for the Secretary of Agriculture.

3. Two private secretaries or confidential assistants to the Secretary of Agriculture, and one to each Assistant Secretary of Agriculture.

4. Student assistants whose salaries shall not exceed a rate of \$480 a year while employed. Only bona fide students at high schools or colleges of recognized standing shall be eligible for appointment under this paragraph. Appointments shall not exceed 6 months in any 1 calendar year, except in exceptionally meritorious cases, and then only upon prior approval of the Commission. Appointments under this paragraph shall be reported to the Commission in such form as the Commission may prescribe.

5. Temporary, intermittent or seasonal positions in the Forest Service when filled by the appointment of persons who are certified as maintaining a permanent and exclusive residence within, or contiguous to, a national forest and as being dependent for livelihood primarily upon employment available within the national forest, subject to the approval of the Commission.

6. Two assistants to the Secretary in the office of the Secretary of Agriculture.

7. Any local veterinarian employed on a fee basis or a part-time basis where, in the opinion of the Commission, the establishment of registers is impracticable.

8. Farm Credit Administration: One private secretary or confidential assistant each to the Governor of the Farm Credit Administration, the Land Bank Commissioner, the Intermediate Credit Commissioner, the Production Credit Commissioner, and the Cooperative Bank Commissioner.

9. Farm Credit Administration: Positions in the Federal Intermediate Credit Banks and the Production Credit Corporations.

10. Farm Credit Administration: Positions in the Regional Agricultural Credit Corporations.

11. Farm Credit Administration: The General Counsel and the General Solicitor.

12. Commodity Credit Corporation: Members of the Board of Directors.

13. Commodity Credit Corporation: The President, two Vice Presidents, Assistant to the President, and five Regional Directors.

14. Rural Electrification Administration: One private secretary or confidential assistant to the Administrator.

15. Rural Electrification Administration: Two Deputy Administrators.

16. Rural Electrification Administration: The General Counsel.

17. Forest Service: Temporary emergency forest guards employed for fire prevention or suppression for periods not to exceed an aggregate of 120 days in any one calendar year.

18. Agricultural Adjustment Administration: The Administrator, Assistant Administrator, Special Assistant to the

Administrator, Regional Directors and Assistant Regional Directors.

19. Agricultural Adjustment Administration: Members of State committees.

20. Agricultural Adjustment Administration: Farmer fieldmen and farmer fieldwomen to interpret, explain and supervise farm programs.

21. Agricultural Adjustment Administration: Temporary, intermittent and seasonal employees to check allotments, whose aggregate employment shall not exceed 120 days in any one calendar year.

22. Crop Insurance Corporation: The manager, branch managers, and farmer fieldmen.

23. Farm Security Administration: The Administrator and three assistant administrators.

24. Surplus Marketing Administration: The President and three Vice Presidents of the Federal Surplus Commodities Corporation.

25. The Solicitor of the Department of Agriculture.

26. Technical or professional consultants or advisors, at salary rates of \$4600 or more, employed for not to exceed six months in any one calendar year.

27. Temporary, seasonal field assistants in forestry and range management, at salaries not to exceed a rate of \$1440 a year, and for not to exceed four months in any one calendar year.

28. Temporary, seasonal clerical or custodial positions in the Field Service of the Department of Agriculture, at places other than Civil Service District headquarters, paying not to exceed a rate of \$1800 a year, for periods not to exceed six months in any one calendar year, whenever in the opinion of the Commission such positions can not be filled from existing registers.

29. Temporary or seasonal caretakers at temporarily closed camps or improved areas. Such appointments shall not extend beyond a period of six months, except with the prior approval of the Commission's District Managers.

#### X. EXECUTIVE OFFICE OF THE PRESIDENT

1. Bureau of the Budget: One private secretary or confidential assistant each to the Director and Assistant Director.

2. National Resources Planning Board: Professional, scientific and technical experts (including part-time advisors, part-time chairmen of field offices, and part-time chairmen and members of technical advisory committees) employed for short periods for consultation purposes.

3. National Resources Planning Board: Employees in field positions the work of which is financed jointly by the Board and cooperating organizations or Governmental agencies outside the Federal Service.

4. National Resources Planning Board: Student assistants whose salaries shall not exceed a rate of \$480 a year while employed. Only bona fide students at high schools and colleges of recognized standing shall be eligible for appointment under this paragraph. Appointments shall not exceed six months in any one

calendar year, except in exceptionally meritorious cases and then only upon prior approval of the Commission. Appointments under this paragraph shall be reported to the Commission in such form as the Commission may prescribe.

5. Office of Government Reports: Two assistant directors.

6. Office of Government Reports: The Executive Officer.

7. Office of Government Reports: Eight technical consultants.

8. Office of Government Reports: One State Director in each State.

9. Office of Government Reports: One private secretary or confidential assistant to the Director, to each Assistant Director, and to the Executive Officer.

#### XI. DEPARTMENT OF COMMERCE

1. Two private secretaries or confidential assistants to the Secretary of Commerce, and one to each Assistant Secretary of Commerce.

2. One private secretary or confidential assistant to the head of each bureau in the Department of Commerce who is appointed by the President.

3. One chauffeur for the Secretary of Commerce.

4. Student assistants in the National Bureau of Standards whose salaries shall not exceed a rate of \$480 a year each while employed. Only bona fide students at high schools or colleges of recognized standing pursuing technical or scientific courses shall be eligible for appointment under this paragraph. Appointments shall not exceed 6 months in any one calendar year, except in especially meritorious cases, and then only upon prior approval of the Commission. Appointments under this paragraph shall be reported to the Commission in such form as the Commission may prescribe.

5. Seaman, deckhand, fireman, cook, mess attendant, and water tender on vessels of the Department of Commerce.

6. Office of the Secretary of Commerce: Six assistants to the Secretary.

7. Temporary appointments to such positions required in connection with the surveying operations of the field service of the Coast and Geodetic Survey as may be authorized by the Commission after consultation with the Department of Commerce. Appointments to such positions shall not exceed 8 months in any one calendar year.

8. Caretakers and helpers at magnetic and seismological observatories outside continental United States.

9. Caretakers and light attendants employed on emergency landing fields and other air navigation facilities.

10. One private secretary or confidential assistant to the Administrator of the Civil Aeronautics Administration.

11. Agents to take and transmit meteorological observations in connection with airways, whose duties require only part of their time, and whose compensation does not exceed \$100 a month.

12. Weather Bureau: Agents employed in field positions the work of which is

financed jointly by the Department of Commerce and cooperating persons, organizations, or governmental agencies outside the Federal Service.

In making appointments under this paragraph, a full report shall be submitted immediately by the Weather Bureau to the Commission, setting forth the name, designation and compensation of the appointee and a statement of the duties to which he is to be assigned and of his qualifications for such duties in such detail as to indicate clearly that the appointment is properly made under the above paragraph. The same procedure shall be followed in case of the assignment of any such agent to duties of a different character.

13. Bureau of the Census: Supervisors, Assistant Supervisors, and supervisors' clerks and enumerators in the field service for temporary, part-time, or intermittent employment for not to exceed one year.

14. Bureau of the Census: Employments of individuals, firms, or corporations for not to exceed four months in any one calendar year for special statistical studies and statistical compilations, the compensation for which is derived from funds deposited with the United States under the Act of May 27, 1935 (49 Stat. 292), provided that such employments may, with the approval of the Commission, be extended for not to exceed four additional months.

#### XII. INTERSTATE COMMERCE COMMISSION

1. One private secretary or confidential assistant to each commissioner.

#### XIII. DEPARTMENT OF LABOR

1. Commissioners of conciliation in labor disputes whenever in the judgment of the Secretary of Labor the interests of industrial peace so require.

2. Office of the Secretary: Three special assistants to the Secretary.

3. One private secretary or confidential assistant to the head of each bureau in the Department of Labor who is appointed by the President.

4. Two private secretaries or confidential assistants to the Secretary of Labor, and one to each Assistant Secretary of Labor.

5. Division of Public Contracts: The Administrator, the Assistant Administrator, and three Members of the Public Contracts Board.

#### XIV. GENERAL ACCOUNTING OFFICE

1. One private secretary or confidential assistant to the Comptroller General.

2. Two assistants to the Comptroller General.

#### XV. MARITIME LABOR BOARD

1. One private secretary or confidential assistant to each member of the Board.

#### XVI. BOARD OF TAX APPEALS

1. One private secretary or confidential assistant to each member of the Board.

#### XVII. FEDERAL LOAN AGENCY

1. Electric Home and Farm Authority: Members of the Board of Trustees.

2. Export-Import Bank of Washington: Members of the Board of Trustees.

3. Export-Import Bank of Washington: One private secretary or confidential assistant to each member of the Board of Trustees.

4. Electric Home and Farm Authority: The President and the Vice President.

5. Electric Home and Farm Authority: The Secretary and Assistant Secretary.

6. Electric Home and Farm Authority: The Treasurer and Assistant Treasurer.

7. Electric Home and Farm Authority: The General Manager, the Assistant General Manager, and five District Managers.

8. Electric Home and Farm Authority: The General Counsel.

9. Electric Home and Farm Authority: The Commercial Manager and Assistant Commercial Manager.

10. Electric Home and Farm Authority: The Credit Manager.

11. Federal Home Loan Bank Board: One Assistant to the Board.

12. Federal Home Loan Bank Board: One Executive Assistant to the Board and one Assistant to the Chairman of the Board.

13. Federal Home Loan Bank Board: One position of Assistant to the Chairman of the Board and to the General Manager of the Home Owners' Loan Corporation.

14. Federal Home Loan Bank Board: One Deputy or Assistant to the Vice Chairman of the Board and to each of the remaining three members of the Board.

15. Federal Home Loan Bank Board: One private secretary or confidential assistant to each of the five members of the Board.

16. Federal Home Loan Bank Board: One General Counsel and one Associate General Counsel in charge of the legal work of the Board.

17. Federal Home Loan Bank Board: A governor, two deputy governors and one assistant governor of the Board.

18. Federal Savings and Loan Insurance Corporation: One Assistant to the Board of Directors.

19. Federal Savings and Loan Insurance Corporation: One Associate General Counsel in charge of the legal work of the Corporation.

20. Federal Savings and Loan Insurance Corporation: The General Manager and one Deputy Manager of the Corporation.

21. Home Owners' Loan Corporation: One Assistant to the Board of Directors.

22. Home Owners' Loan Corporation: One Associate General Counsel in charge of the Legal Department of the Corporation and one Assistant to the General Counsel in charge of financial matters and matters of financial policy referred to the Legal Department.

23. Home Owners' Loan Corporation: The General Manager of the Corporation

and three Deputy General Managers, one in charge of appraisal and reconditioning, one in charge of loan service, and one in charge of property management.

24. Reconstruction Finance Corporation: One secretary, two assistants to the secretary, four assistant secretaries, one treasurer, one assistant to the treasurer, and four assistant treasurers of the Corporation.

25. Reconstruction Finance Corporation: One private secretary or confidential assistant each to the Secretary and the Treasurer of the Corporation.

26. Reconstruction Finance Corporation: One assistant to the Directors.

27. Reconstruction Finance Corporation: Twelve special assistants to the Board of Directors.

28. Reconstruction Finance Corporation: One assistant to each member of the Board of Directors.

29. Reconstruction Finance Corporation: Six administrative assistants in the Office of the Board of Directors.

30. Reconstruction Finance Corporation: Two junior administrative assistants in the Office of the Board of Directors.

31. Reconstruction Finance Corporation: Six special representatives (field).

32. Reconstruction Finance Corporation: Two private secretaries or confidential assistants to the Chairman and one private secretary or confidential assistant to each of the other members of the Board of Directors.

33. Reconstruction Finance Corporation: One private secretary or confidential assistant to the General Counsel.

34. Reconstruction Finance Corporation: Two private secretaries or confidential assistants assigned to the Federal Loan Administrator.

35. Reconstruction Finance Corporation: Four chauffeurs for the Chairman and members of the Board of Directors.

36. Reconstruction Finance Corporation: All directors, trustees, and officers (President, Vice President, General Counsel, Assistant General Counsel, Secretary, Assistant Secretary, Treasurer, and Assistant Treasurer) of subsidiary or affiliated corporations.

37. Reconstruction Finance Corporation: Any position when the incumbent thereof is serving as director, trustee, President, Vice President, General Counsel, Assistant General Counsel, Secretary, Assistant Secretary, Treasurer or Assistant Treasurer of a subsidiary or affiliated corporation.

38. Reconstruction Finance Corporation: One general counsel, one special counsel, and six assistants general counsel.

39. Reconstruction Finance Corporation: Position of Chief Accountant.

40. Reconstruction Finance Corporation: Position of division chief in the following divisions: Auditing, Agency, Examining, Railroad, Self-Liquidating, Statistical and Economic, and Information and Personnel.

41. Reconstruction Finance Corporation: Position of section chief in the fol-

lowing sections of the Self-Liquidating Division: Engineering, Mining, Bond Service, and Drainage and Irrigation.

42. Reconstruction Finance Corporation: Positions of six Assistant Chiefs of the Examining Division.

43. Reconstruction Finance Corporation: Position of three administrative assistants in the Examining Division.

44. Reconstruction Finance Corporation: Positions of two special examiners in the Railroad Division.

45. Reconstruction Finance Corporation: Not to exceed 32 positions of Loan Agency Manager.

46. Reconstruction Finance Corporation: Not to exceed 36 positions of Assistant Loan Agency Manager.

47. Reconstruction Finance Corporation: Inventory custodians, watchmen, caretakers, and laborers engaged in the care and preservation of property held by the Corporation or its Subsidiaries as security for loans, or property to which title has been acquired by the Corporation or its Subsidiaries.

48. Federal Housing Administration: Four assistant administrators, two special assistants to the administrator, and five deputy administrators.

49. Federal Housing Administration: An executive secretary of the Administration.

50. Federal Housing Administrator: Two private secretaries or confidential assistants to the administrator.

51. Federal Housing Administration: One chauffeur for the administrator.

52. Federal Housing Administration: A general counsel.

53. Federal Housing Administration: One position of executive assistant and budget officer.

54. Federal Housing Administration: One assistant to the administrator on public relations.

55. Federal Housing Administration: Eighteen district directors, two territorial directors, and thirty-six State directors.

#### XVIII. VETERANS' ADMINISTRATION

1. Five special assistants to the Administrator.

2. One private secretary or confidential assistant to the Administrator.

3. Positions in Veterans' Administration facilities when filled by the appointment of members of such facilities receiving domiciliary care if, in the opinion of the Veterans' Administration, the duties can be satisfactorily performed by such members.

4. Any local physician or dentist employed on a fee basis or a part-time basis when, in the opinion of the Commission, the establishment of registers is impracticable.

#### XIX. FEDERAL SECURITY AGENCY

1. Two private secretaries or confidential assistants to the Administrator of the Federal Security Agency.

2. Social Security Board: One private secretary or confidential assistant to each member of the Board.

3. Public Health Service: Special escorts to accompany patients of the Public Health Service in accordance with existing laws and regulations. Employments under this paragraph shall be only for the period of time necessary for the escort to deliver the patient to his destination and to return.

4. Public Health Service: Classified positions at Government sanatoria when filled by patients during treatment or convalescence.

5. Public Health Service: All persons employed in leprosy, yellow fever, and psittacosis investigation stations.

6. Public Health Service: Any local physician or dentist employed on a fee basis or a part-time basis when, in the opinion of the Commission, the establishment of registers is impracticable.

7. Public Health Service: Employees engaged on problems in preventive medicine financed or participated in by the Federal Security Agency and a cooperating State, county, municipality, incorporated organization, or an individual, in which at least one-half of the expense is contributed by the cooperating agency either in salaries, quarters, materials, equipment, or other necessary elements in the carrying on of the work.

8. Public Health Service: Professional, technical, or scientific specialists when employed on a fee basis or part-time basis as consultants in connection with problems in preventive medicine, such appointments to be subject to the prior approval of the Commission.

9. Public Health Service: Interns (medical and dental).

10. Public Health Service: Research associates holding fellowships for a fixed term of service in the National Institute of Health under the act approved May 26, 1930. The qualifications for such research associates shall be subject to approval by the Commission.

11. Public Health Service: One position of cook (oriental style), one position of kitchenman-waiter, and one position of attendant-messenger-interpreter at the Immigration Hospital, Angel Island, California.

12. Freedmen's Hospital: Pupil nurses, interns, and resident physicians.

13. St. Elizabeth's Hospital: Visiting physicians and organist.

14. Food and Drug Administration: Professional, technical or scientific specialists when employed intermittently for short periods, not to exceed a total of 60 days in any one year, as members of the Standards Committee for duty in connection with the formulation of definitions and standards of identity and quality for food products, or as consultants upon problems in their specialized fields having to do with the enforcement of the Food, Drug and Cosmetic Act.

15. National Youth Administration: All positions.

16. Public Health Service: Members of the National Advisory Health Council.

17. Public Health Service: Members of the National Advisory Cancer Council.

18. Public Health Service: Trainees in cancer research.

19. Public Health Service: Research Fellows appointed under Section 5 (b) of the Act of August 5, 1937.

20. Office of Education: Specialists engaged on a study of higher education for Negroes.

**XX. EMPLOYEES' COMPENSATION COMMISSION**

1. One private secretary or confidential assistant to each Commissioner.

**XXI. U. S. MARITIME COMMISSION**

1. All positions on Government-owned ships operated by the U. S. Maritime Commission.

2. Twelve positions of Director of Division, and seven positions of Regional Director.

3. One assistant to each member of the Commission and two assistants to the Chairman of the Commission.

4. Ten special assistants to the United States Maritime Commission.

5. The Secretary of the Commission.

6. The General Counsel.

7. One private secretary or confidential assistant to each Commissioner and to the General Counsel.

8. The Executive Director.

9. The Financial Assistant to the Chairman.

**XXII. FEDERAL POWER COMMISSION**

1. One private secretary and one confidential assistant to each Commissioner.

2. A secretary to the Commission.

3. Consultants, experts and special counsel whose employments and compensation are fixed by contract within the limits of special funds appropriated by Congress for this purpose.

**XXIII. SECURITIES AND EXCHANGE COMMISSION**

1. One private secretary or confidential assistant to each member of the Commission.

2. One General Counsel.

3. Director of Trading and Exchange Division, Director of Public Utilities Division, Director of Registration Division, Director of Reorganization Division, and Director of Investment Companies Division.

4. One Chief Accountant.

5. One Foreign Expert.

**XXIV. NATIONAL RAILROAD ADJUSTMENT BOARD**

1. One private secretary or confidential assistant to each member of the Board.

**XXV. NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

1. Architectural or engineering consultants, land appraisers and land purchasing officers for temporary, intermittent, or part-time service.

**XXVI. FEDERAL DEPOSIT INSURANCE CORPORATION**

1. One private secretary or confidential assistant to each member of the Board of Directors.

2. All field positions concerned with the work of liquidating the assets of closed banks or the liquidation of loans to banks, and all temporary field positions the work of which is concerned with paying the depositors of closed insured banks.

**XXVII. ADVISORY COMMISSION TO COUNCIL OF NATIONAL DEFENSE**

1. One private secretary or confidential assistant to each member of the Advisory Commission to Council of National Defense.

**XXVIII. ALLEY DWELLING AUTHORITY**

1. The Executive Officer of the Alley Dwelling Authority.

**XXIX. INLAND WATERWAYS CORPORATION**

1. Until June 30, 1943, all positions in or under the Inland Waterways Corporation.

**XXX. FEDERAL WORKS AGENCY**

1. Agents employed in field positions the work of which is financed jointly by the Federal Works Agency and cooperating persons, organizations, or governmental agencies outside the Federal service.

In making appointments under this paragraph, a full report shall be submitted immediately by the Federal Works Agency to the Commission, setting forth the name, designation and compensation of the appointee and a statement of the duties to which he is to be assigned and of his qualifications for such duties in such detail as to indicate clearly that the appointment is properly made under the above paragraph. The same procedure shall be followed in case of the assignment of any such agent to duties of a different character.

2. Office of the Administrator: Two expert assistants to the Administrator.

3. United States Housing Authority: One private secretary or confidential assistant to the Administrator.

4. Public Buildings Administration: The Commissioner of Public Buildings.

5. Public Buildings Administration: One private secretary or confidential assistant to the Commissioner.

6. Public Roads Administration: The Commissioner of Public Roads.

7. Public Roads Administration: One private secretary or confidential assistant to the Commissioner.

8. Public Works Administration: The Commissioner of Public Works.

9. Public Works Administration: One private secretary or confidential assistant to the Commissioner.

**XXXI. FEDERAL COMMUNICATIONS COMMISSION**

1. A secretary to the Commission.

2. One private secretary or confidential assistant to each Commissioner.

3. A general counsel and three assistant general counsels.

4. A chief engineer and three assistant chief engineers.

5. A chief accountant and three assistant chief accountants.

**XXXII. UNITED STATES TARIFF COMMISSION**

1. The secretary of the Commission and one private secretary or confidential assistant to each Commissioner.

**XXXIII. RAILROAD RETIREMENT BOARD**

1. Two members of the Actuarial Advisory Committee to be selected by the Board, one from recommendations made by representatives of the employees, and one from recommendations made by the carriers.

2. Two members of each District Board which may be established by the Railroad Retirement Board, one member to be appointed from recommendations made by the representatives of the employees, and one from recommendations made by the carriers.

**XXXIV. CIVIL AERONAUTICS BOARD**

1. A secretary to the Board.

2. A general counsel and two assistant general counsels.

3. Two permanent expert consultants.

4. Professional, technical and scientific consultants for temporary, part-time or intermittent employment for periods not to exceed six months in any one calendar year, but such employment may be extended for an additional six months with the approval of the Commission.

5. One special Canadian representative and counsel.

6. Examiners employed on a temporary, part-time, or intermittent basis for periods not to exceed four months in any calendar year.

7. One confidential assistant to each member of the Board.

8. A director and assistant director of the Economic Bureau and a director and assistant director of the Safety Bureau.

**XXXV. NATIONAL LABOR RELATIONS BOARD**

1. One private secretary or confidential assistant to each member of the board.

**XXXVI. NATIONAL GALLERY OF ART**

1. A director, an assistant director, a secretary, and a chief curator.

**XXXVII. UNITED STATES SOLDIERS' HOME**

1. All positions.

**XXXVIII. FEDERAL RESERVE SYSTEM**

1. All positions under the Board of Governors of the Federal Reserve System.

**XXXIX. FEDERAL TRADE COMMISSION**

1. Seven Chiefs of Divisions.

**XL. BOARD OF INVESTIGATION AND RESEARCH**

(Transportation Act of 1940)

1. One position of Secretary to the Board.

2. One private secretary or confidential assistant to each member of the Board.



**SCHEDULE B—POSITIONS WHICH MAY BE FILLED UPON NONCOMPETITIVE EXAMINATION**

**I. INTERIOR DEPARTMENT**

1. Any competitive position at an Indian school when filled by the wife of a competitive employee of the school, when because of isolation or lack of quarters, the Commission deems it in the interest of the service to have appointment made upon noncompetitive examination.

2. Twelve field representatives to act as the immediate and confidential representatives of the Commissioner of Indian Affairs, subject to such evidence of qualifications as the Commission may prescribe after consultation with the Commissioner of Indian Affairs.

3. Civilian Conservation Corps: Civilian field positions in Civilian Conservation Corps camps at not to exceed a rate of \$1,320 per annum, when filled by the promotion of active enrollees.

**II. FEDERAL WORKS AGENCY**

1. Administrative or custodial positions in the field service of the United States Housing Authority relating to the management or maintenance of Federal low-rent housing projects which, in the opinion of the Commission, cannot be filled satisfactorily through open competitive examinations; provided, that no position shall be filled under this paragraph unless it is clearly demonstrated that the best interests of the service will be served thereby.

**III. DEPARTMENT OF COMMERCE**

1. Not to exceed six specialists who may be employed in the United States for the purpose of promoting the foreign and domestic commerce of the United States.

2. Special agents employed in collecting cotton statistics.

**IV. WAR DEPARTMENT**

1. Positions of military storekeeper in the Signal Service at Large when filled by retired noncommissioned officers of the Signal Corps.

2. Four positions of headquarters messenger at the headquarters of the Philippine Department, when filled by honorably discharged enlisted men who have been on duty at those headquarters.

3. Any person employed in an area outside the continental limits of the United States (except the Canal Zone and Alaska), when in the opinion of the Secretary of War the best interests of the service so require.

4. Classified positions in the field service of the War Department when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

5. Civilian Conservation Corps: Civilian field positions in Civilian Conservation Corps camps at not to exceed a rate of \$1,320 per annum, when filled by the promotion of active enrollees.

6. Civilian Conservation Corps: Positions of subaltern in Civilian Conservation Corps camps when filled by the promotion of active enrollees who have satisfactorily completed a prescribed course of instruction of the subaltern school.

**V. DISTRICT OF COLUMBIA**

1. Surgeons of the police and fire departments of the District of Columbia.

**VI. TREASURY DEPARTMENT**

1. Classified positions in the field service of the Treasury Department, when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

**VII. STATE DEPARTMENT**

1. Specialists in foreign relations, political, economic, and financial, whose proposed compensation is \$3,200 or more, and whose training and experience along the lines of their proposed duties meet the standard minimum qualifications set up in open competitive examinations for positions in the professional service for corresponding grades.

2. Persons formerly employed abroad as United States diplomatic or consular officers of career or foreign-service officers of career for the period of at least 4 years, for service in the Department of State as administrative officers or executive advisers in positions comparable in salary with the associate professional grade or higher.

**VIII. NAVY DEPARTMENT**

1. Such positions of a professional, scientific, technical, or supervisory nature under the Naval Establishment in the Philippine Islands, as may be agreed upon by the Secretary of the Navy and the Commission.

2. Any person employed in an area outside the continental limits of the United States (except the Canal Zone and Alaska), when in the opinion of the Secretary of the Navy the best interests of the service so require.

3. Classified positions in the field service of the Navy Department and the Marine Corps when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

**IX. POST OFFICE DEPARTMENT**

1. One postal rate expert.

2. Classified positions in the Custodial Service and in the Division of Equipment and Supplies under the Fourth Assistant Postmaster General when filled by the promotion of unclassified laborers subject to the approval of the Civil Service Commission.

**X. VETERANS' ADMINISTRATION**

1. Classified positions in the Veterans' Administration when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

**XI. DEPARTMENT OF AGRICULTURE**

1. Classified positions in the field service of the Department of Agriculture when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

2. Farm Credit Administration: The Deputy Governor, Deputy Commissioners and Assistant Commissioners, the Director and Assistant Director of the Regional Agricultural Credit Division, the Director of the Credit Union Section, the Director and Assistant Director of the Emergency Crop and Feed Loan Section, and the Director of the Mortgage Corporation Service Section.

3. Farm Credit Administration: Special field representatives who serve as Vice Presidents of the Federal Farm Mortgage Corporation.

4. Commodity Credit Corporation: Technical or professional consultants or advisors, at salary rates of \$4,600 or more, for periods not to exceed 18 months.

5. Civilian Conservation Corps: Civilian field positions in Civilian Conservation Corps camps at not to exceed a rate of \$1,320 per annum, when filled by the promotion of active enrollees.

**XII. THE NATIONAL ARCHIVES**

1. Classified positions in the National Archives when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

**XIII. DEPARTMENT OF JUSTICE**

1. National Training School for Boys: Assistants to cottage officers when filled by the appointment of bona fide students at colleges or universities at salaries not in excess of \$540 per annum, subject to the approval of the Commission.

2. Special experts employed on a temporary basis for specific litigation or other legal work in which technical knowledge of particular industries, or knowledge of other highly technical matters not possessed by regular employees of the Department, is required for successful results. Such temporary employment shall be only for such time as is required to complete the specific assignment for which the original appointment was approved.

**XIV. SMITHSONIAN INSTITUTION**

1. Classified positions in the Smithsonian Institution when filled by the promotion of unclassified laborers appointed under the Labor Regulations, subject to the approval of the Commission.

**XV. FEDERAL POWER COMMISSION**

1. A general counsel and two assistant general counsels.

2. A chief examiner and a chief engineer.

3. Five regional directors.

4. A chief and an assistant chief of the following bureaus: Bureau of Accounts,

Finance & Rates, Bureau of Electrical Engineering, Bureau of Water Power.

**XVI. ALLEY DWELLING AUTHORITY**

1. Architectural or engineering consultants, construction supervisors, landscape planners, surveyors and related positions for temporary, intermittent, or part-time service.

**XVII. FEDERAL SECURITY AGENCY**

1. Civilian Conservation Corps: Civilian field positions in Civilian Conservation Corps camps at not to exceed a rate of \$1,320 per annum, when filled by the promotion of active enrollees.

**XVIII. FEDERAL LOAN AGENCY**

1. Federal Housing Administration: A director of each of the following divisions: Technical Division, Land Planning Division, Research and Statistics Division, and Underwriting Division.

2. Federal Housing Administration: A comptroller.

3. Federal Housing Administration: Two land use planners.

**XIX. FEDERAL TRADE COMMISSION**

1. Not to exceed five special experts.

The Civil Service Commission with the concurrence of the department or agency concerned may revoke in whole or in part any paragraph of Schedule A or B.

Final decision as to whether the duties of any position in the executive civil service are such that appointments there-to are authorized under any paragraph of Schedule A or B shall rest with the Civil Service Commission.

This order shall be effective July 1, 1941.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

December 30, 1941.

[No. 9004]

[F. R. Doc. 41-9909; Filed, December 31, 1941; 11:15 a. m.]

**EXECUTIVE ORDER**

PERMITTING CERTAIN POSITIONS TO BE FILLED BY PROMOTION, TRANSFER, OR ASSIGNMENT OF CERTAIN EMPLOYEES AND AUTHORIZING SUCH EMPLOYEES TO ACQUIRE A CLASSIFIED STATUS

By virtue of the authority vested in me by the Civil Service Act (22 Stat. 403) and by section 1753 of the Revised Statutes of the United States, it is hereby ordered as follows:

**SECTION 1.** The incumbent of any position (other than a temporary position) in the Government who on June 30, 1941, held a permanent, indefinite, or emergency appointment and whose compensation was paid from funds allotted to any agency of the Government (other than the Work Projects Administration) in accordance with the

provisions of section 6 (a) of the Emergency Relief Appropriation Act, Fiscal Year 1942, for administrative expenses of such agencies incident to the operation, planning, or review of Work Projects Administration projects and who is still so employed on the date of this order, may be promoted, transferred, or assigned to any position in the Government which on or after July 1, 1941, is required to be filled in accordance with the Civil Service Rules.

**SECTION 2.** Any employee of the Government who is promoted, transferred, or assigned under section 1 of this order may acquire a competitive classified civil-service status in accordance with the applicable provisions of the act of November 26, 1940, 54 Stat. 1211, extending the classified civil service.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

December 30, 1941.

[No. 9005]

[F. R. Doc. 41-9908; Filed, December 31, 1941; 11:15 a. m.]

**Rules, Regulations, Orders**

**TITLE 8—ALIENS AND NATIONALITY**

**CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE**

**SUBCHAPTER C—CHINESE REGULATIONS**

**PART 210—THE ADMISSIBLE CLASSES OF CHINESE**

**PART 222—APPEALS**

[Chinese General Order No. C-2]

*Changes in Form Numbers and Other Provisions of Title 8, Chapter I, Subchapter C, Code of Federal Regulations*

DECEMBER 30, 1941

Pursuant to the authority contained in section 8 of the Act of September 13, 1888, as amended (25 Stat. 478, 32 Stat. 176, 33 Stat. 428; 8 U.S.C. 278); section 2 of the Act of April 29, 1902, as amended (32 Stat. 176, 33 Stat. 591; 8 U.S.C. 296); section 7 of the Act of February 14, 1903 (32 Stat. 828; 8 U.S.C. 261); section 3 of the Act of March 4, 1913 (37 Stat. 737; 5 U.S.C. 616); section 23 of the Act of February 5, 1917 (39 Stat. 892; 8 U.S.C. 102); section 24 of the Act of May 26, 1924 (43 Stat. 166; 8 U.S.C. 222); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 90.1, Title 8, Chapter I, Code of Federal Regulations (5 F.R. 3503), and all other authority conferred by law, the following changes in Title 8, Chapter I, Subchapter C of the said regulations are hereby promulgated.

The references to form numbers which appear in the following sections of Subchapter C of the said regulations are

changed in accordance with the following table. The changes in such form numbers, however, shall not preclude the use of the old forms until such time as present supplies of such forms are exhausted.

Sections:	Old Form Nos.	New Form Nos.
205.2	430	I-130
210.1 (e)	432	I-142
235.7	633	I-133
240.2	432	I-142
240.4	432	I-142
240.5	432	I-142
240.6	432	I-142
240.10	432	I-142
240.12	432	I-142
245.1	430	I-130
245.3	430	I-130
250.2	631	I-131
270.3	535	I-235
275.4	573	I-273

§ 205.3 *Ports of entry from Mexico: persons who may enter through.* (a) Chinese claiming United States citizenship, but who have not been preinvestigated by the Service and issued Form I-130, may apply for admission or readmission to the United States at the port of Calexico, California, and have their status determined at that port. United States citizens of the Chinese race who possess Form I-130, issued after investigation by the Service, and who desire to make visits to Mexico may reenter at any of the regular immigration ports of entry upon presentation of such documentary evidence of their status.

(b) Alien Chinese of the exempt classes (merchants, etc.), domiciled either in Mexico or the United States in towns immediately adjacent to the border, who need to make regular and frequent visits to Mexico or the United States, respectively, upon establishing exempt status and satisfying the officer in charge of the United States border port that they are dependable, may have the privilege of crossing and recrossing the border at the ports of El Paso, Eagle Pass, or Laredo, Texas; Nogales, Douglas, or Naco, Arizona; or Calexico or San Ysidro, California, for the purpose of transacting legitimate business, if they are properly documented. Chinese aliens permitted the crossing privilege under this subsection may remain in the United States only for such length of time as in the opinion of the inspector in charge is reasonably necessary to enable them to transact their business (in no event to exceed 30 days), their entry being in every sense temporary and conditional. Under this provision the exempt status must be established each six months. Chinese falling within the purview of this subsection, entering at Calexico, California, may be permitted to travel to El Centro, California, and those entering at San Ysidro, California, may be permitted to travel to San Diego, California, for the purpose and under the conditions hereinbefore stated.

Section 210.1 (a) is amended by changing the word "children" to "families".

Section 210.1 (b) is amended by deleting the last five sentences and substituting in lieu thereof the following:

The alien wives and unmarried children under 21 years of age of such Chinese merchants are not required to present certificates as prescribed in section 6 of the said Act of 1884 but must comply with the other applicable requirements of the immigration and other laws, regulations and Executive Orders prescribing documents required for the admission to the United States of aliens.

Section 210.1 (h) is amended by deleting the sentence "Such alien is not required to present any documents".

Section 210.1 (i) is amended by deleting the words "and is not required to present any documents".

Section 210.1 (j) is amended to read as follows:

§ 210.1 *What Chinese persons may be admitted.*

(j) *Alien seamen.* A bona fide alien seaman of the Chinese race is admissible and is not required to present any documents insofar as the Chinese exclusion laws are concerned to be granted shore leave. Such Chinese seamen, however, are required to comply with the same documentary and other requirements as are prescribed for alien seamen other than Chinese.

The citation of authority at the end of § 210.1 is amended by deleting "E.O. 7797, Jan. 26, 1938, 3 F.R. 216" and by substituting in lieu thereof "E.O. 8429, June 5, 1940, 5 F.R. 2145".

Section 222.4 is amended by deleting "When necessary to telegraph, the code word "Renvoy" shall be used. It means: "For the purpose of receiving new material evidence, recommend reopening case of -----".

Section 235.3 is amended by deleting "(R. S. 1993, sec. 1, 48 Stat. 797; 8 U.S.C. 6)" appearing at the end thereof.

Section 235.4 is canceled.

Section 237.4 is canceled.

Section 240.6 is amended by changing the words "District Commissioner" to "District Director" and by changing "Newport, Vt." to "St. Albans, Vt."

Section 240.11 is amended by changing the references to district commissioners contained therein to District Directors.

Section 245.4 is amended by changing the reference contained therein to "district commissioner" to "District Director".

Section 245.10 is amended by changing the reference made therein to "district commissioners" to "District Directors".

Section 250.5 is amended by deleting the sentence "Re-entry permits issued to aliens who are to call for them in New York City and San Francisco, Calif., will be delivered to the inspector in charge, United States Barge Office, New York City and the immigration city office at San Francisco, instead of at Ellis Island and Angel Island respectively".

Section 257.1 is amended by deleting "Key West, Fla." and substituting "Miami, Fla."

Section 275.4 is canceled.

Section 280.1 is amended by deleting "shown in §§ 28.1, 28.2".

FRANCIS BIDDLE,  
Attorney General.

Approval recommended:

LEMUEL B. SCHOFIELD,  
Special Assistant to the Attorney General.

[F. R. Doc. 41-9907; Filed, December 31, 1941; 10:24 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

CHAPTER VII—PERSONNEL<sup>1</sup>

PART 79—PRESCRIBED SERVICE UNIFORM<sup>2</sup>

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<sup>1</sup> §§ 79.1 to 79.64 are added. The regulations contained in §§ 79.1 to 79.64 are also contained in AR 600-35, Nov. 10, 1941, as amended by Cir. 264, W.D., Dec. 19, 1941. The particular paragraphs are shown in brackets at the end of sections.

<sup>2</sup> Many of the articles of uniform are illustrated in AR 600-35, Prescribed Service Uniform, which can be purchased from the Superintendent of Documents, Government Printing Office, Washington, D. C.

Sec.	
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79.60	Belts.
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MISCELLANEOUS

79.63	Colors of arms, services, bureaus, etc.
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GENERAL

§ 79.1 *General.* (a) Samples of the adopted shades and standard cloths for uniforms will be maintained on display in the office of The Quartermaster General and at the headquarters of all corps areas and stations. Samples of the several issue articles of the prescribed uniform and other clothing, as approved by the Secretary of War, will be maintained on display in the office of The Quartermaster General, and in such other offices as he may prescribe. Specifications for the several articles of uniform and other clothing, as approved by the Secretary of War, are published by The Quartermaster General. Descriptions for certain of such articles are published herein.

(b) Prescribed articles of service uniforms or other clothing, except such articles specified as of "commercial pattern", will conform in quality, design, and color to the corresponding approved samples and published specifications.

(c) Whenever changes in design or material of uniforms are made, the old style may be continued to be worn as authorized in AR 600-40.<sup>3</sup> \* [Par. 1]

\* §§ 79.1 to 79.64 issued under authority contained in R.S. 1296; 10 U.S.C. 1391.

§ 79.2 *Adopted standards of cloths.* The standards of cloths are as follows:

(a) *For officers, warrant officers, and contract surgeons—*(1) *For winter uniform—*(i) *Coats; breeches; trousers; caps, service; caps, garrison.* Wool, elastic, olive-drab (dark shade), 18-26-ounce.

(ii) *Breeches and trousers.* Wool, elastic, drab (light shade), 18-26-ounce.

(iii) *Shirts.* (a) Flannel, olive-drab, 10½-ounce.

(b) Worsteds, olive-drab, 10½-ounce.

(c) Gabardine, olive-drab, 10½-ounce.

<sup>3</sup> Administrative regulations of the War Department relative to wearing of the service uniform.

(d) Broadcloth, cotton, olive-drab or khaki.

(e) Poplin, cotton, olive-drab or khaki.

(iv) *Overcoats.* (a) Beaver, olive-drab, 26-32-ounce.

(b) Doeskin, olive-drab, 26-32-ounce.

(c) Kersey, olive-drab, 26-32-ounce.

(d) Melton, olive-drab, 26-32-ounce.

(v) *Jacket, field.* Cotton cloth, olive-drab, wind resistant and water repellent.

(2) *For summer uniform.* Breeches; trousers; shirts; caps, service; caps, garrison.

(i) Cotton, khaki, 8.2-ounce.

(ii) Rayon, plain weave, khaki, 7-8-ounce.

(iii) Cotton warp, mohair filling, khaki.

(iv) Worsted, tropical, khaki.

(b) *For enlisted men, aviation cadets, and Army nurses.* As issued.\* [Par. 2]

§ 79.3 *Adopted shade of leather.* The adopted shade of all leather in clothing and articles of equipment as listed herein, except as noted, will be known as "Army russet."\* [Par. 3]

§ 79.4 *Fitting of uniforms.* The correct fitting of uniforms is so necessary to the military appearance of a command that it is made the distinct duty of all commanding officers of every grade personally to see that each member of his command is properly fitted with a smart uniform. The company or detachment commander will be held responsible by all inspectors that his men have properly fitting uniforms.\* [Par. 4]

#### VARIOUS ARTICLES OF CLOTHING

§ 79.5 *Application of regulations contained in §§ 79.6 to 79.21.* Except as otherwise specifically prescribed, the regulations contained in §§ 79.6 to 79.21 apply to, and only to, articles for officers, Army nurses when applicable, warrant officers, and contract surgeons. All articles of uniform for wear by the General of the Armies, the Chief of Staff, and former Chiefs of Staff are such as each may prescribe for himself.\* [Par. 5]

§ 79.6 *Belt, waist.* A 1¼-inch olive-drab web belt equipped with tongueless strap buckle.\* [Par. 6]

§ 79.7 *Breeches, service—(a) Material of adopted standard.* (1) to match the service coat (§ 79.2 (a) (1) (i) and (2)).

(2) Lighter color than service coat (§ 79.2 (a) (1) (ii)).

(b) *In general.* To be cut snug at the waist, top about 2 inches above the hip bone, full in the seat and loose in the thigh, with sufficient length from waist to knee to permit wearer to assume a squatting position without binding at the seat or knee, breeches to present an appearance of fullness when standing; cut tight for about 3 inches immediately below the knee and easy for the balance of the length so as not to bind the muscles of the calf. To have a strapping of the same material or buckskin of similar

color on the inside of the leg at the knee, extending to a little below the top of boot and from 6 to 8 inches above the knee.\* [Par. 7]

§ 79.8 *Buttons—(a) Coat—(1) Except for officers of the Corps of Engineers.* Of gold or gold color metal, of suitable composition and weight, circular and slightly convex, with raised rim, coat of arms of the United States in clear relief against a horizontally lined background. To be 36 ligne (¾ inch) for large, 25 ligne (⅝ inch) for small.

(2) *For officers of the Corps of Engineers.* Of gold or gold color metal, of suitable composition and weight, circular and slightly convex, with raised rim and lined background, having for the device a flying eagle holding in its beak a ribbon scroll bearing the word "Essayons," in the distance a bastion with embrasures surrounded by water, and on the horizon a rising sun. Same size as prescribed in subparagraph (a) (1) of this section.

(b) *Overcoat.* Of vegetable ivory or horn, conforming in color to the material of the coat. Two sizes—45 ligne (1⅛ inches) for large, 25 ligne (⅝ inch), for small.

(c) *Cap, service.* Same as small size on coats in subparagraph (a) (1) of this section.

(d) *For enlisted men.* Same description as in subparagraph (a) (1) of this section. For coats 36 ligne (¾ inch) and 25 ligne (⅝ inch); for caps 25 ligne (⅝ inch); for overcoats 45 ligne (1⅛ inches) of gold color metal.\* [Par. 8]

§ 79.9 *Coat—(a) Service; for officers and warrant officers—(1) Material.* Of adopted standard (§ 79.2 (a) (1) (i)).

(2) *General description—(1) In general.* A single-breasted collar and lapel coat; lining, if desired, to be same color as coat. To fit easy over the chest and shoulders and to be fitted slightly at the waist to conform to the figure, so as to prevent wrinkling or rolling under the leather belt when worn. The back to have two side plaits not less than 3 inches in depth at shoulders and to extend from the shoulder seam where it joins the armhole seam to waistline, buttoned down the front with four large regulation coat buttons equally spaced. The crossing of the lapels will be approximately 1¾ inches above the top button.

To support the belt, except for officers of the Army Air Forces, two metal hooks of the same material as the metal trimmings on the leather belt will be let into the side seams at the waistline.

For officers of the Army Air Forces, the coat will have a belt approximately 2 inches wide of the same material as the coat, sewed down all around the waistline, with the bottom button placed slightly below the sewed-on belt.

(ii) *Collar and lapel.* The collar to be approximately 15½ inches for a 36-inch chest (relative measurements) and to be measured along the outside edge, with the ends cut back slightly, and not

to be wider than 1¾ inches at the back seam nor wider than 2⅞ inches at the junction with the lapel.

The top line of the lapel to be horizontal and the peak to extend approximately to the collar line prolonged.

The opening notch between the collar and lapel to be approximately 1¾ inches in depth.

(iii) *Pockets.* There will be four outside pockets, two upper and two lower, covered with flaps, buttoned with small regulation coat buttons at the center and placed so that the upper lines are horizontal. The two upper pockets to be patch pockets, slightly rounded at the lower corners, with a box plait 1½ inches in width on the vertical center line. The flaps to be rounded slightly at the corners and reaching to a slight point at the center. The flap buttons to be on line with the top button of coat.

The two lower pockets to be hung inside the body of the skirt, covered by flaps with the lower corners slightly rounded and the lower edge horizontal. The pockets to be attached to the body of the skirt only at the mouth. The top lines of the lower pocket flaps to be placed slightly below the waistline.

The pockets will be of suitable size according to the size of the coat, but in no case will they exceed the following dimensions:

*Upper pockets.* Depth 6½ inches; width at top 5¾ inches, at bottom 5¾ inches.

*Lower pockets.* Depth 10 inches; width at top 8½ inches, at bottom 12 inches.

(iv) *Shoulder loops.* On each shoulder a loop of same material as the coat, let in at the sleeve head seam and reaching to approximately ¾ inch beneath the collar, buttoning at the collar edge with a small regulation coat button. Loops to be about 2½ inches in width at lower end and 1½ inches in width at collar edge and cross-stitched down to shoulder for a distance of about 2 inches from the lower end.

(v) *Skirt.* The skirt to be full with a slight flare, and to extend 1 to 2 inches below the crotch, according to the height of the wearer, with a slit in the back extending from the waistline to the bottom of the skirt following the back seam with an underlap of approximately 2½ inches. The front overlapping left edge of coat to be cut with a pronounced flare to the right from the bottom button to the bottom of the skirt, so as to appear straight from the lapel opening to the bottom of the coat and to remain overlapped not less than 4 inches when in a standing position, without the use of hooks and eyes, the fullness necessary to accomplish this result being over the hips.

(vi) *Ornamentation.* For officers a band of olive-drab braid ½ inch in width on each sleeve, the lower edge 3 inches from end of sleeve. For warrant officers and enlisted men who served honorably as commissioned officers in the World

War a similar band of forest green braid similarly placed. Other warrant officers will have no braid on the sleeves.

(b) *Overcoat*—(1) *Long, for officers and warrant officers*—(i) *Material*. Of adopted standard (§ 79.2 (a) (1) (iv)).

(ii) *General description*—(a) *In general*. A double-breasted ulster with convertible style roll collar and notch lapel, lining of same color as ulster; buttoned down the front with a double row of large regulation overcoat buttons, three on each side below the roll of the lapel with top buttons approximately 6½ to 7 inches apart; a button placed under the right collar and a buttonhole at the top of each lapel, one for use when collar is converted and the other for appearance; the lining slit and fastened to pocket openings to allow the hand to go through to pocket of breeches or trousers; slit closed with a small button and buttonhole. Back to be plaited and to have back straps let into the side seams at the waistline, fastened together with two large regulation buttons and buttonholes. Skirt not longer than 10 inches or shorter than 3 inches below the knee; slit in the back extending from bottom of back strap to bottom of skirt and closing with small concealed buttons and buttonholes. The front corners to be provided with buttons and buttonholes so that the corners may be turned back to facilitate marching.

(b) *Pockets*. Two outside welted pockets, one on each side, with vertical openings; the center of the pocket about opposite lower button and placed on a line with front seam of sleeve.

(c) *Shoulder loops*. On each shoulder a loop about 5 inches in length, 2½ inches in width at the lower end and 1½ inches in width at the upper end, which is slightly pointed, same material as the coat, let in at the sleeve head seam, buttoning at the upper end with a small regulation overcoat button.

(d) *Ornamentation*—*For general officers*. Two bands of black braid, the lower band to be 1¼ inches in width and about 2½ inches from the lower edge of the sleeve, the other to be ½ inch in width and 1½ inches above the lower band.

*For all other officers and warrant officers*. Sleeves to be plain.

(2) *Short; for officers and warrant officers*. (i) *Material*. Of adopted standard (§ 79.2 (a) (1) (iv)).

(ii) *General description*—(a) *In general*. A double-breasted coat, lined or unlined, with a shawl roll collar approximately 5 inches in width, buttoned down the front with a double row of large regulation overcoat buttons, three on each side below the roll of collar with additional buttons or loops so that the coat can be buttoned to the neck. A detachable belt of same material as coat, held in place with loops sewed on at side seams.

(b) *Pockets*. Two outside patch pockets, one on each side.

(c) *Shoulder loops*. On each shoulder a loop about 5 inches in length, 2½

inches in width at the lower end and 1½ inches in width at the upper end, which is slightly pointed, of same material as coat, let in at the sleeve head seam and buttoned at the upper end with small regulation overcoat button.

(d) *Skirt*. Skirt to extend to 6 inches above the knee. Slit in back extending about 15 inches from the bottom.

(e) *Ornamentation*—*For general officers*. Two bands of black braid, the lower band to be 1¼ inches in width and about 2½ inches from the lower edge of the sleeve, the other to be ½ inch in width and 1½ inches above the lower band.

*For all other officers and warrant officers*. Sleeves to be plain.

(c) *Raincoat for officers and warrant officers*. A waterproof coat of commercial pattern, with shoulder loops, as nearly as practicable olive-drab color.\* [Par. 9]

§ 79.10 *Footgear* — (a) *Boots* — (1) *Officers and warrant officers*—(i) *Dress*. Army russet leather of commercial pattern without lacing.

(ii) *Semidress*. Army russet leather of commercial pattern laced at the instep for a distance not to exceed 10 inches, may have an opening not to exceed 4 inches at the top closed with lacing or strap.

(iii) *Field*. Army russet leather, legging top pattern, with three buckles on the side or with laces.

(iv) *Rubber*. Russet, waterproof, commercial pattern.

(2) *Enlisted men*. As issued.

(b) *Leggings, canvas*. For officers, warrant officers, and enlisted men to be of adopted standard and design.

(c) *Shoes*—(1) *Officers and warrant officers*. Commercial pattern, high or low, Army russet leather.

(2) *Enlisted men*. As issued.\* [Par. 10]

§ 79.11 *Gloves*—(a) *Dress*.

(1) Chamols leather or chamols color material.

(2) White cotton or lisle.

(b) *Service*. (1) Leather of light russet color, lined or unlined, snap fastener, pull on or buckle type.

(2) Wool, olive-drab.\* [Par. 11]

§ 79.12 *Headgear*—(a) *Cap, garrison*. For officers, warrant officers, and enlisted men.

(1) *Material*. Of adopted standard (§ 79.2 (a) (1) (i) and (2)).

(2) *General description*. A standard adopted design with curtain and with a cord edge braid as indicated in § 79.23.

(b) *Cap, service*—(1) *Officers except of the Army Air Forces and warrant officers*—(i) *Material*. Of adopted standard (§ 79.2 (a) (1) (i) and (2)).

(ii) *General description*. Of adopted design about 11¼ inches from front to rear and 10½ inches from side to side, based on size 7½, stiffened in front by springs and falling without stiffening to the rear; two eyelets ½ inch from the welt seam and about ¾ inch on each side of side seam of quarters. Top to

be stiffened at rim with grommet and cloth on top of crown to be slack. The grommet used to stiffen the rim will be flat ⅜ inch in width (measurements of crown above to be made with grommet in position in cap), inside of top to have waterproof material cut to the size of the crown.

Top of visor of Army russet leather lined with embossed green hatters' leather, waterproofed. Greatest width of visor about 2¾ inches and slope from vertical about 55 degrees.

Chin strap of Army russet leather, ¾ inch in width and 9½ inches in length fastened at each end of visor with small regulation cap button.

A band of olive-drab braid about 1⅞ inches in width around entire cap.

(2) *Officers of Army Air Forces*—(i) *Material*. Of adopted standard (§ 79.2 (a) (1) and (2)).

(ii) *General description*. A cap of similar design to that described in subparagraph (b) (1) of this section except front spring stiffening may be omitted and the grommet may be removed.

(3) *Enlisted men*. As issued; similar type of cap without band or braid.

(c) *Cap, winter*. For officers, warrant officers, and enlisted men.

(1) *Material*. Duck, olive-drab.

(2) *General description*. A standard adopted design with visor and shawl, equipped with a double bar bronze finished buckle with billet and chape.

(d) *Cap, winter, lambskin lined*. For officers, warrant officers, and enlisted men.

(1) *Material*. Serge, olive-drab.

(2) *General description*. A standard adopted design with shawl and adjustable nosepiece.

(e) *Hat, field, cotton, khaki*. For officers, warrant officers, and enlisted men.

(1) *Material*. Of adopted standard (§ 79.2 (a) (2) (i)).

(2) *General description*. A standard adopted design with brim.

(f) *Hat, service*. For officers, warrant officers, and enlisted men.

(1) *Material*. Felt, beaver color.

(2) *General description*. A standard adopted design with "Montana peak", four indentations, crown 5¼ inches high for size 7½, with an olive-drab band and bow 1⅝ inch in width. Hat to be equipped with a leather chin strap ⅝ inch in width for officers and ¾ inch in width for enlisted men.

(g) *Helmet, fiber, cloth covered*. For officers, warrant officers, and enlisted men.

(1) *Material*. Pressed fiber covered with light weight twill, khaki colored.

(2) *General description*. A standard adopted design with brim and an adjustable sweat band.

(h) *Helmet, steel and liner*. For officers, warrant officers, and enlisted men.\* [Par. 12]

§ 79.13 *Jacket, field*. For officers, warrant officers, and enlisted men.

(a) *Material*. Of adopted standard (§ 79.2 (a) (1) (v)).

(b) *General description*. A six- or seven-button jacket, depending upon

length, with a two-piece adjustable collar with tab to button, semipeaked lapels, one-piece back with stitched-on belt (side body to side body) and side plaits; two diagonal inside hanging pockets, slide fastener to close front in addition to buttons and buttonholes; adjustable tabs to button at cuff of sleeves and bottom of jacket; on each shoulder a loop of same material as the coat let in at the sleeve head seam and reaching to approximately  $\frac{3}{4}$  inch of collar, buttoning at the upper end. Loops to be about  $2\frac{1}{2}$  inches in width at lower end and  $1\frac{1}{2}$  inches in width at collar end, and cross-stitched down to shoulder for a distance of about  $1\frac{1}{2}$  inches from lower end. All buttons to be olive-drab 24 ligne.\* [Par. 13]

§ 79.14 *Necktie*. For officers, warrant officers, and enlisted men.

(a) *Material*. Without stripe or figure.  
(1) Khaki.  
(2) Black.

(b) *General description*. Of adopted four-in-hand type.\* [Par. 14]

§ 79.15 *Shirt*—(a) *Service*—(1) *Material*. Of adopted standard (§ 79.2 (a) (1) (iii) and (2)).

(2) *General description*. Of adopted pattern. For officers only, on each shoulder a loop of same material as the shirt let into the sleeve head seam and reaching to the edge of the collar, buttoning at the upper end with a small regulation shirt button. Loops about 2 inches in width at lower end and  $1\frac{1}{2}$  inches in width at collar end, and cross-stitched down to shoulder for a distance of 2 inches from lower end.

(b) *For shirts when worn with coats*—(1) *Material*. Of adopted standard (§ 79.2 (a) (1) (iii) and (2)).

(2) *General description*. Of adopted pattern, or of commercial pattern.\* [Par. 15]

§ 79.16 *Trousers, service*—*Material*. Of adopted standard.

(1) To match the service coat (§ 79.2 (a) (1) (i) and (2)).

(2) Lighter color than service coat (§ 79.2 (a) (1) (ii)).

(b) *General description*. Of adopted standard, cut on the lines of civilian trousers, without cuffs and without plaits.\* [Par. 16]

§ 79.17 *Aviation cadet clothing and insignia*. Articles as issued.

(a) *Belt*. Leather, enlisted men.  
(b) *Cap*—(1) *Garrison*—(i) Cotton, khaki, aviation cadet.

(ii) Olive-drab, aviation cadet.  
(2) *Service*. Olive-drab, aviation cadet, with detachable braid.

(c) *Coat*. Wool elastique, olive-drab, dark, aviation cadet.

(d) *Gloves*. (1) Cotton, white.  
(2) Leather, Army russet, aviation cadet.

(e) *Insignia*—(1) *Metal*—(i) *Cap*—

(a) Garrison, aviation cadet.  
(b) Service, aviation cadet.

(ii) U. S.  
(iii) Air Corps.

(2) *Sleeve*. (i) Aviation cadet.

(ii) Chevrons, aviation cadet officers and noncommissioned officers, according to grade.

(f) *Necktie*. (1) Black.  
(2) Cotton, khaki.  
(g) *Overcoat*. Short, aviation cadet.  
(h) *Raincoat*. Rubberized, M1938, dismantled.

(i) *Shirt*. (1) Cotton, khaki, 8.2-ounce, aviation cadet.

(2) Serge, olive-drab, aviation cadet.

(j) *Shoes*. Low, Army russet leather, aviation cadet.

(k) *Trousers*. (1) Cotton, khaki, 8.2-ounce, aviation cadet.

(2) Wool, elastique, olive-drab, aviation cadet. [Par. 17]

§ 79.18 *Army nurses' clothing*. Articles as issued.

(a) Cap, garrison, blue.

(b) Cap, fur.

(c) Cap, white.

(d) Cape, wool, blue.

(e) Coat, wool, serge, dark blue.

(f) Gloves, fur.

(g) Gloves, suede, gray.

(h) Gloves, wool, blue.

(i) Muffler, wool, olive-drab.

(j) Overcoat, wool, blue, removable lining.

(k) Shoes, low, black.

(l) Shoes, low, white.

(m) Skirt, wool, blue.

(n) Sweater, wool, blue, coat style.

(o) Uniform, cotton, blue.

(p) Uniform, white.

(q) Waist, cotton, powder blue.

(r) Waist, cotton, white.\* [Par. 18]

§ 79.19 *Parachutists' clothing*. Articles as issued.

(a) Boots, jumping, parachute.

(b) Helmets, parachute jumper.

(c) Suits, parachute jumper.

(d) Supporters, athletic.\* [Par. 19]

§ 79.20 *Combat winter clothing*. Articles as issued.

(a) Gloves, leather lined.

(b) Helmet.

(1) Cloth, motorcyclist.

(2) Combat, winter.

(c) Jacket, combat, winter.

(d) Trousers, combat, winter.\* [Par. 20]

§ 79.21 *Work clothing, herringbone twill*. Articles as issued.

(a) Cap.

(b) Hat.

(c) Jacket.

(d) Suit, one piece.

(e) Trousers.\* [Par. 21]

#### INSIGNIA

§ 79.22 *General*. (a) Except as otherwise prescribed, insignia for wear upon uniform clothing will be made of gold or gold color metal.

(b) Elements superimposed on insignia of officers, except as otherwise prescribed, will be of bronze finish or brown enamel.

(c) Elements superimposed on insignia of enlisted men will be of the same material as the insignia.

(d) Certain insignia which involve the use of heads will be made to face to dexter.

(e) Metal insignia will have screw backs or similar attachments so that they will be held closely without turning or flopping.

(f) Insignia of grade for shoulder loops may be embroidered.

(g) Metal insignia of grade may be knurled or smooth.\* [Par. 22]

§ 79.23 *Insignia and ornamentation for headgear*—(a) *Cap, garrison*—(1) *Ornamentation*—(i) *General officers*. Cord edge braid of gold bullion or metallized cellophane of gold color.

(ii) *Other officers*. Cord edge braid of gold bullion or metallized cellophane of gold color and black silk intermixed.

(iii) *Warrant officers*. Cord edge braid of silver bullion or metallized cellophane of silver color and black silk intermixed.

(iv) *Enlisted men*. Cord edge braid of the color of arm, service or bureau.

(2) *Metallized cellophane*. Metallized cellophane should not be used on caps which will be washed.

(b) *Cap, service*—(1) *Officers*. The coat of arms of the United States  $2\frac{3}{8}$  inches in height.

(2) *Warrant officers*. The warrant officers' insignia  $1\frac{1}{2}$  inches in height.

(3) *Enlisted men*. A plain disk  $1\frac{1}{2}$  inches in diameter, in a separate piece superimposed thereon the coat of arms of the United States of the same material as the disk.

(c) *Hat, service*—(1) *General officers*. A double cord of gold bullion or metallized cellophane of gold color  $\frac{3}{16}$  inch in diameter, with an acorn of same material  $1\frac{1}{4}$  inches in length with cup  $\frac{5}{8}$  inch in diameter and kernel  $\frac{3}{8}$  inch in diameter. Keeper to be of same material  $\frac{5}{8}$  inch in length and  $\frac{5}{8}$  inch in diameter with inside diameter of  $\frac{3}{8}$  inch to hold both ends and one loop of cord.

(2) *Other officers*. Same as for general officers except the cord to be of gold bullion or metallized cellophane of gold color and black silk intermixed. The acorns and keeper to be of gold bullion or metallized cellophane of gold color.

(3) *Warrant officers*. Same dimensions as for general officers, the cord to be of silver or metallized cellophane of silver color and black silk intermixed. The acorns and keeper to be of black silk.

(4) *Enlisted men*. To be a double cord of the color of the arm, service, or bureau. When two colors are prescribed for an arm, service, or bureau, the cord will be in the first named color and the acorns and keeper will be in the second named color. Except when detailed for temporary duty during field training, Regular Army enlisted personnel on duty as instructors with the National Guard will wear hat cord of the color of the National Guard Bureau.\* [Par. 23]

§ 79.24 *Insignia for collar and lapel of coat*—(a) *General of the Armies of the United States, Chief of Staff, former*

*Chiefs of Staff, and generals.* Insignia will be such as they may prescribe.

(b) *Other officers, Army nurses, and warrant officers*—(1) *U. S.* The block letters "U. S."  $\frac{7}{16}$  inch in height, each letter to be followed by a period. To designate officers of the Federally recognized National Guard the letters forming the abbreviation of the name of the State, as prescribed in § 79.64,  $\frac{3}{16}$  inch in height superimposed on the "U. S."

(2) *Insignia of arm, service, and bureau*—(i) *Adjutant General's Department.* An enameled shield 1 inch in height, a chief of blue with 1 large and 12 small white stars thereon, and 13 vertical stripes, 7 white and 6 red.

(ii) *Aides.* An enameled shield  $\frac{3}{4}$  inch in height, surmounted by an eagle displayed with wings reversed  $\frac{1}{2}$  inch in height, on the blue chief or shield a white star or stars, according to the grade of the general officers on whose staff the aide is serving, and 13 vertical stripes, 7 white and 6 red.

(iii) *Air Corps.* A pair of wings with vertical silver propeller  $\frac{3}{4}$  inch in height.

(iv) *Cavalry.* Two crossed sabers in scabbards, cutting edge up  $\frac{11}{16}$  inch in height. When applicable, the regimental number  $\frac{1}{4}$  inch in height in the upper angle.

(v) *Chaplains*—(a) *Christian.* A silver Latin cross 1 inch in height.

(b) *Jewish.* A double tablet bearing Roman numerals from I to X surmounted by two equilateral triangles interlaced, all silver, 1 inch in height.

(vi) *Chemical Warfare Service.* A benzene ring of cobalt blue enamel, superimposed in the center of crossed retorts,  $\frac{1}{2}$  inch in height and  $1\frac{3}{16}$  inches over all.

(vii) *Coast Artillery Corps.* Two crossed cannon with an oval-shaped raised center of red enamel, superimposed on which a projectile, point up, of the same material as the cannon,  $\frac{3}{4}$  inch in height. When applicable, the regimental number  $\frac{1}{4}$  inch in height in the upper angle.

(viii) *Corps of Engineers.* A triple-turreted castle  $1\frac{1}{16}$  inch in height. When applicable, the regimental number  $\frac{1}{4}$  inch in height over the center turret.

(ix) *Field Artillery.* Two crossed field guns  $\frac{3}{4}$  inch in height. When applicable the regimental number  $\frac{1}{4}$  inch in height in the upper angle.

(x) *Finance Department.* A diamond 1 inch by  $\frac{3}{4}$  inch, short axis vertical.

(xi) *General Staff Corps.* The coat of arms of the United States  $\frac{5}{8}$  inch in height, of gold or gold color metal, superimposed on a 5-pointed star 1 inch in diameter. The shield and glory to be in enameled color stripes of white and red, chief of blue, and the sky of the glory blue.

(xii) *Infantry.* Two crossed muskets  $\frac{3}{4}$  inch in height. When applicable the regimental number  $\frac{1}{4}$  inch in height in the upper angle.

(xiii) *Inspector General's Department.* A sword and fasces  $\frac{3}{4}$  inch in height,

crossed and wreathed with the inscription "Droit Et Avant" in blue enamel on upper part of wreath.

(xiv) *Judge Advocate General's Department.* A sword and pen crossed and wreathed  $1\frac{1}{8}$  inch in height.

(xv) *Medical Department.* Device 1 inch in height, letters  $\frac{3}{8}$  inch in height.

(a) *Medical Corps.* A caduceus.

(b) *Dental Corps.* A caduceus with the letter "D" superimposed thereon.

(c) *Veterinary Corps.* A caduceus with the letter "V" superimposed thereon.

(d) *Medical Administrative Corps.* A caduceus with the letter "A" superimposed thereon.

(e) *Army Nurse Corps.* A caduceus with the letter "N" superimposed thereon.

(f) *Contract Surgeons.* A caduceus with the letter "C" superimposed thereon.

(g) *Sanitary Corps Reserve.* A caduceus with the letter "S" superimposed thereon.

(xvi) *National Guard Bureau.* Two crossed fasces of the same material as the eagle, superimposed on an eagle displayed with wings reversed,  $\frac{3}{4}$  inch in height.

(xvii) *Military Intelligence Division.* An eared shield  $\frac{3}{4}$  inch in height, bearing a circle connected with the border by thirteen radial ribs, within the circle a sphinx in profile couchant.

(xviii) *Military Police.* Two crossed pistols  $\frac{3}{4}$  inch in height. When applicable the battalion number  $\frac{1}{4}$  inch in height in upper angle.

(xix) *Officers not members of an arm or service, Specialist Reserve.* The coat of arms of the United States  $\frac{9}{16}$  inch in height within a ring  $\frac{3}{4}$  inch in diameter.

(xx) *Ordnance Department.* A shell and flame 1 inch in height.

(xxi) *Permanent professors, master of the sword, and civilian instructors, United States Military Academy.* The coat of arms of the United States Military Academy 1 inch in height, the shield of the United States bearing the helmet of Pallas over a Greek sword and surmounted by an eagle displayed with scroll and motto.

(xxii) *Quartermaster Corps.* A sword and key crossed on a wheel surmounted by a flying eagle, the felloe of the wheel set with 13 stars. The felloe of the wheel is to be of blue enamel, hub center red edged with white. Insignia  $\frac{3}{4}$  inch in height.

(xxiii) *Signal Corps.* Two signal flags crossed; in enameled colors, dexter flag white with red center; the other flag red with white center, with a flaming torch upright at center of crossed flags. Insignia  $\frac{7}{8}$  inch in height.

(xxiv) *Warrant officers.* An eagle rising with wings displayed standing on a bundle of two arrows, all inclosed in a wreath. Insignia  $\frac{3}{4}$  inch in height.

(xxv) *Members of the United States Army Band.* A lyre  $1\frac{3}{16}$  inches in height with the letters "U. S." in block letters of the same material as the lyre,  $\frac{3}{8}$  inch in height, superimposed thereon.

(c) *Enlisted men.* A disk 1 inch in diameter, of the screw-post, two-piece type.

(1) The right collar insignia will have the letters "U. S." on a plain solid circular background. The number of the regiment will be added when applicable. The number to be below the "U. S."; when there is no regimental number the "U. S." to be in the center of the disk. To designate enlisted men of the Federally recognized National Guard, the letters forming the abbreviation of the name of the State, as prescribed in § 79.64 will be superimposed on the "U. S."

(2) The left collar insignia will have the insignia of the arm, service, or bureau on a plain solid circular background, except as follows:

(i) *Detached Enlisted Men's List, except Indian Scouts.* The coat of arms of the United States.

(ii) *Indian Scouts.* Two crossed arrows with points up.

(iii) *Army Mine Planter Service.* Same as Coast Artillery Corps, with the addition of a mine case in lower angle, maneuvering ring up.

(iv) *Unassigned.* As prescribed for right collar in subparagraph (c) (1) of this section.\* [Par. 24]

§ 79.25 *Insignia of grade*—(a) *Officers*—(1) *General.* Four silver stars 1 inch in diameter.

(2) *Lieutenant general.* Three silver stars 1 inch in diameter.

(3) *Major general.* Two silver stars 1 inch in diameter.

(4) *Brigadier general.* One silver star 1 inch in diameter.

(5) *Colonel.* A silver spread eagle  $\frac{3}{4}$  inch in height and  $1\frac{1}{2}$  inches between tips of wings. Insignia to be made in pairs so, when worn, head of eagle will face to the front.

(6) *Lieutenant Colonel.* A silver oak leaf 1 inch in height and 1 inch across.

(7) *Major.* A gold oak leaf 1 inch in height and 1 inch across.

(8) *Captain.* Two silver bars each  $\frac{3}{8}$  inch in width and 1 inch in length. Bars to be  $\frac{1}{4}$  inch apart.

(9) *First lieutenant.* One silver bar  $\frac{3}{8}$  inch in width and 1 inch in length.

(10) *Second lieutenant.* One gold bar  $\frac{3}{8}$  inch in width and 1 inch in length.

(b) *Warrant officers, Army Mine Planter Service*—(1) *Master.* Four bands of brown braid  $\frac{1}{2}$  inch in width and an embroidered brown fowl anchor 1 inch in length for each sleeve.

(2) *Chief engineer.* Four bands of brown braid  $\frac{1}{2}$  inch in width and an embroidered brown three-bladed propeller 1 inch in diameter for each sleeve.

(3) *First mate.* Three bands of brown braid  $\frac{1}{2}$  inch in width and an embroidered brown fowl anchor 1 inch in length for each sleeve.

(4) *Assistant engineer.* Three bands of brown braid  $\frac{1}{2}$  inch in width and an embroidered brown three-bladed propeller 1 inch in diameter for each sleeve.

(5) *Second assistant engineer.* Two bands of brown braid  $\frac{1}{2}$  inch in width

and an embroidered brown three-bladed propeller 1 inch in diameter for each sleeve.

(6) *Second mate.* Two bands of brown braid  $\frac{1}{2}$  inch in width and an embroidered brown fowl anchor 1 inch in length for each sleeve.

(c) *Warrant officers other than the Army Mine Planter Service.* See § 79.24 (b) (2) (xxiv).

(d) *Enlisted men.* (1) Noncommissioned officers and first class privates will have insignia of grade on a background forming an edging around the entire insignia and between each chevron, as follows:

(i) Cotton, khaki chevrons, arcs, and lozenges on a dark blue cotton background.

(ii) Olive-drab wool chevrons, arcs, and lozenges on a dark blue wool background.

(2) *Master sergeant (first grade).* Three chevrons and an arc of three bars, the upper bar of arc forming a tie to the lower chevron.

(3) *Technical sergeant (second grade).* Three chevrons and an arc of two bars, the upper bar of arc forming a tie to the lower chevron.

(4) *First sergeant (second grade).* Three chevrons and an arc of two bars, the upper bar of arc forming a tie to the lower chevron. In the angle between the lower chevrons and the upper bar, a hollow lozenge.

(5) *Staff sergeant (third grade).* Three chevrons and an arc of one bar forming a tie to the lower chevron.

(6) *Sergeant (fourth grade).* Three chevrons.

(7) *Corporal (fifth grade) and acting corporal.* Two chevrons.

(8) *First class private (sixth grade).* One chevron.

(e) *Army Nurse Corps.* Insignia for officers of corresponding grade.\* [Par. 25]

§ 79.26 *Insignia to denote excellence, Coast Artillery Corps.* The letter "E" 1 inch in height, in scarlet, embroidered upon an olive-drab wool disk 2 inches in diameter.\* [Par. 26]

§ 79.27 *Insignia to denote wounds and service—(a) Chevrons, wound.* Of gold lace or bullion. To be chevrons reversed, arms  $2\frac{1}{2}$  inches in length,  $\frac{5}{16}$  inch in width, on a background of olive-drab cloth forming a border  $\frac{1}{8}$  inch around each arm.

(b) *Chevrons, war service—(1) Of gold lace or bullion.* As in paragraph (a) of this section.

(2) *Of sky blue cloth.* As in paragraph (a) of this section, except that the chevron will be of sky blue cloth instead of gold lace or bullion.

(c) *Stripes, service.* Olive-drab stripes,  $2\frac{1}{4}$  inches in length,  $\frac{5}{16}$  inch in width, on a background forming a border  $\frac{1}{8}$  inch around the stripe.

(1) *Federal service.* Background dark blue.

(2) *National Guard service.* Background buff.\* [Par. 27]

§ 79.28 *Insignia, shoulder sleeve.* Of cloth as per pattern approved by the War Department.\* [Par. 28]

§ 79.29 *Insignia or trimmings, distinctive.* Specifications of distinctive insignia or trimmings will be given in each case by The Adjutant General in the letter authorizing them to be worn.\* [Par. 29]

§ 79.30 *Brassards.* All brassards to be of cloth 18 inches in length and 4 inches in width of the color specified. When the brassard consists of more than one color, the colors will be of equal width and will run lengthwise of the brassard.

(a) *General Staff Corps.* The letters "G. S. C." in rounded block type 1 inch in height to be placed in the center of the brassard. The colors for the various headquarters will be as follows:

(1) *Divisions.* Red with white letters.

(2) *Army corps and corps areas.* Blue and white, blue uppermost, with red letters.

(3) *Armies.* White and red, white uppermost, with blue letters.

(4) *Headquarters of field forces and War Department.* Blue, white, and red, in order from top to bottom, with blue letters.

(b) *Military police.* The letters "M. P." in block type in white  $2\frac{1}{2}$  inches in height on a dark blue background.

(c) *All persons in the military service rendered neutral by the terms of the Geneva Convention in time of war.* A red Geneva cross on a white background.

(d) *Men on recruiting duty.* The words "Recruiting Service" in white block letters 1 inch in height on a dark blue background.

(e) *Members of fire truck and hose companies.* The word "Fire" in white block letters  $2\frac{1}{4}$  inches in height on a red background.

(f) *Port officers.* The letters "A. T. S." in black  $1\frac{1}{4}$  inches in height, followed immediately below by designation of position of department, as provided in AR 30-1115,\* on a buff background.

(g) *Members of the veterinary service.* A green cross on a white background.

(h) *Newspaper correspondents, photographers, and broadcasters attached to and authorized to accompany forces of the Army of the United States in the theater of operations, and their chauffeurs and messengers.* The appropriate word, "Correspondent," "Photographer," "Radio Commentator," "Correspondent Chauffeur," "Photographer Chauffeur," "Radio News Chauffeur," "Correspondent Messenger," "Photographer Messenger," or "Radio News Messenger," in white block letters  $1\frac{1}{4}$  inches in height on a green background.

(i) *Acting noncommissioned officer, Replacement Training Center.* Sergeant, three chevrons; corporal, two chevrons; in olive-drab on dark blue background.

\*Administrative regulations of the War Department relative to transports in port.

(j) *Civilian employees in forces of the Army of the United States in theater of operations having a status recognized by the War Department as part of the forces.* The appropriate word, "Chauffeur," "Messenger," etc., in dark blue block letters  $1\frac{1}{4}$  inches in height on a white background.\* [Par. 30]

#### DECORATIONS, SERVICE MEDALS, BADGES, ETC.

§ 79.31 *Medal of Honor.* A bronze five-pointed star  $1\frac{1}{16}$  inches in diameter, surrounded by a laurel wreath in green enamel, suspended by two links from a bronze bar bearing the inscription "Valor," and surmounted by an eagle. In the center of the star is the head of Minerva surrounded by the inscription "United States of America." Each ray of the star bears an oak leaf in green enamel. On the reverse of the bar are stamped the words "The Congress to," and on the reverse of the medal are engraved the grade, name, and organization of the recipient, with the place and date of the act for which the medal is awarded. The medal is suspended by a ribbon passed through a ring fastened to the eagle. The head of the eagle hangs 2 inches below the top of the ribbon. This, in turn, is suspended from a neckband of ribbon 20 inches in length, on which is placed a hook. A hanger attachment, consisting of a ring through which the hook is placed when the medal is worn on neckband, may be added on the back of pin bar of medal. The ribbon is of light blue watered silk  $1\frac{1}{16}$  inches in width. Midway between the ends of the neckband and on the ribbon supporting the medal are 13 white stars arranged in the form of a triple chevron, the upper chevrons consisting of 5 stars each and the lower one of three stars.\* [Par. 31]

§ 79.32 *Distinguished-Service Cross.* A cross of bronze 2 inches in height and  $1\frac{3}{16}$  inches in width with an eagle on the center, and a scroll below the eagle bearing the inscription "For Valor." On the reverse, in the center of the cross, is a space for the name of the recipient (which is to be engraved) within a wreath. The cross is suspended by a ring from a watered-silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a band of red ( $\frac{1}{8}$  inch), white ( $\frac{1}{16}$  inch), blue (1 inch), white ( $\frac{1}{16}$  inch), and red ( $\frac{1}{8}$  inch). All crosses to be serially numbered on the side of the upright of the cross.\* [Par. 32]

§ 79.33 *Distinguished-Service Medal.* The coat of arms of the United States in bronze surrounded by a circle of dark blue enamel  $1\frac{1}{2}$  inches in diameter, bearing the inscription "For Distinguished Service —" (year to be shown in Roman numerals). On the reverse is a scroll for the name of the recipient (which is to be engraved) upon a trophy of flags and weapons. The medal is suspended by a bar from a watered-silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a band of scarlet



( $\frac{5}{16}$  inch), a stripe of dark blue ( $\frac{3}{16}$  inch), a band of white ( $\frac{5}{8}$  inch), a stripe of dark blue ( $\frac{1}{16}$  inch), and a band of scarlet ( $\frac{5}{16}$  inch). All medals to be serially numbered on the rim.\* [Par. 33]

§ 79.34 *Silver Star*. A bronze star  $1\frac{1}{2}$  inches in circumscribing diameter. In the center thereof a  $\frac{3}{16}$ -inch diameter raised silver star, the center lines of all rays of both stars coinciding. The reverse to have the inscription "For gallantry in action" and a space for the name of the recipient (which is to be engraved). The star is suspended by a rectangular-shaped metal loop with corners rounded from a silk moire ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of stripes of blue ( $\frac{3}{32}$  inch), white ( $\frac{3}{64}$  inch), blue ( $\frac{7}{32}$  inch), white ( $\frac{7}{32}$  inch), red ( $\frac{1}{32}$  inch), white ( $\frac{7}{32}$  inch), blue ( $\frac{7}{32}$  inch), white ( $\frac{3}{64}$  inch), and blue ( $\frac{3}{32}$  inch). All stars to be serially numbered on lower sinister edge.\* [Par. 34]

§ 79.35 *Purple Heart*. On a purple enameled heart within a bronze border a profile head in relief of General George Washington in military uniform. Above the enameled heart the shield of Washington's coat of arms between two sprays of leaves in green enamel. On the reverse below the shield and leaves without enamel, a raised bronze heart with the inscription, "For Military Merit", with a space for the name of the recipient (which is to be engraved). The entire device is  $1\frac{1}{16}$  inches in length. The medal is suspended by a rectangular-shaped metal loop with corners rounded from a silk moire ribbon  $1\frac{3}{8}$  inches in width and  $1\frac{3}{8}$  inches in length, consisting of a purple (pansy) center with  $\frac{1}{8}$ -inch white edges. All hearts to be serially numbered on the lower left hand rim.\* [Par. 35]

§ 79.36 *Soldier's Medal*. On a  $1\frac{3}{8}$ -inch bronze octagon an eagle displayed, standing on a fasces, between two groups of stars of six and seven, above the group of six a spray of leaves. On the reverse a shield paly of 13 pieces on the chief, the letters "U. S." supported by sprays of laurel and oak, around the upper edge the inscription "Soldier's Medal" and across the face the words "For Valor." In the base a panel for the grade, name, and organization of the recipient, with date of order awarding the decoration (which is to be engraved). The medal is suspended by a rectangular-shaped metal loop with corners rounded from a silk moire ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width composed of two outside stripes of blue  $\frac{3}{8}$  inch in width, the center containing 13 white and red stripes of equal width (7 white and 6 red). All medals to be serially numbered on the lower rim.\* [Par. 36]

§ 79.37 *Distinguished-Flying Cross*. On a bronze  $1\frac{1}{2}$ -inch cross patee a four-bladed propeller  $1\frac{1}{16}$  inches across blades; in the reentrant angles, rays

forming a 1-inch square. On the reverse are engraved the grade, name, and organization of the recipient, with date of order awarding the decoration. The cross is suspended by a plain straight link from a silk moire ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of stripes of blue ( $\frac{1}{8}$  inch), white ( $\frac{1}{8}$  inch), blue ( $1\frac{1}{32}$  inch), white ( $\frac{1}{32}$  inch), red ( $\frac{3}{32}$  inch), white ( $\frac{1}{32}$  inch), blue ( $1\frac{1}{32}$  inch), white ( $\frac{1}{8}$  inch), and blue ( $\frac{1}{8}$  inch). All crosses to be serially numbered on the rim.\* [Par. 37]

§ 79.38 *Oak-leaf Cluster*. A bronze twig of four oak leaves with three acorns on the stem  $1\frac{3}{32}$  of an inch in length.\* [Par. 38]

§ 79.39 *Citation Star*. A silver star  $\frac{3}{16}$  of an inch in diameter.\* [Par. 39]

§ 79.40 *Fourragere*—(a) *General*. A single cord braided and knotted, of yellow with green threads for four citations and of dark green with scarlet threads for

two citations, terminated at the shoulder end with a buttonhole and at the free end with a ferret of blue metal. A loop is provided above the ferret for attachment. Total length to end of ferret is 36 inches, length of brading  $22\frac{1}{2}$  inches, knot  $1\frac{1}{4}$  inches.

(b) *Distinctive marks*—(1) *For divisions*—(i) *1st Division*. The numeral 1, to be approximately  $\frac{3}{8}$  inch in height.

(ii) *2d Division*. A five-pointed star with Indian head, to be contained in a circle approximately  $\frac{1}{2}$  inch in diameter.

(2) *Arm or service*. Insignia of arm or service with numerical designation when applicable, to be integral and similar to the officers' lapel insignia, of suitable size, number of regiment or battalion not to exceed  $\frac{3}{16}$  inch in height.

(3) *Organizations to which awarded*. The organizations of the Army to which the fourragere has been awarded and the distinctive marks therefor are as follows:

Organizations	Distinctive marks
Army Ambulance Service Section No. 646.....	646—caduceus.
1st Division—	
16th Infantry.....	1—16—crossed muskets.
18th Infantry.....	1—18—crossed muskets.
26th Infantry.....	1—26—crossed muskets.
28th Infantry.....	1—28—crossed muskets.
1st Machine-Gun Battalion.....	1—1—crossed muskets, with M and G in horizontal angles.
2d Machine-Gun Battalion.....	1—2—crossed muskets, with M and G in horizontal angles.
3d Machine-Gun Battalion.....	1—3—crossed muskets, with M and G in horizontal angles.
5th Field Artillery (now 5th Field Artillery Battalion).	1—5—crossed cannon.
6th Field Artillery (now 6th Field Artillery Battalion).	1—6—crossed cannon.
7th Field Artillery (now 7th Field Artillery Battalion).	1—7—crossed cannon.
1st Engineers (now 1st Engineer Battalion)..	1—1—castle.
2d Field Signal Battalion (now 1st Signal Company).	1—2—crossed flags and torch.
2d Division—	
Headquarters Detachment.....	Star and Indian head.
Headquarters Troop.....	Star and Indian head.
4th Machine-Gun Battalion.....	Star and Indian head—4—crossed muskets, with M and G in horizontal angles.
Brigade Headquarters Detachment, 3d Infantry Brigade.	Star and Indian head—crossed muskets.
9th Infantry.....	Star and Indian head—9—crossed muskets.
23d Infantry.....	Star and Indian head—23—crossed muskets.
5th Machine-Gun Battalion.....	Star and Indian head—5—crossed muskets, with M and G in horizontal angles.
Brigade Headquarters Detachment, 4th Infantry Brigade.	Star and Indian head—crossed muskets.
Brigade Headquarters Detachment, 2d Field Artillery Brigade.	Star and Indian head—crossed cannon.
12th Field Artillery (now 12th Field Artillery Battalion).	Star and Indian head—12—crossed cannon.
15th Field Artillery (now 15th Field Artillery Battalion).	Star and Indian head—15—crossed cannon.
17th Field Artillery.....	Star and Indian head—17—crossed cannon.
2d Trench Mortar Battery.....	Star and Indian head—2—crossed muskets, with T and M in horizontal angles.
2d Engineers (now 2d Engineer Battalion)---	Star and Indian head—2—castle.
2d Engineer Train.....	Star and Indian head—castle.
1st Field Signal Battalion (now 2d Signal Company).	Star and Indian head—1—crossed flags and torch.
2d Train Headquarters and Military Police Company (now Headquarters and Military Police Company).	Star and Indian head.
2d Supply Train (now 2d Quartermaster Battalion).	Star and Indian head—quartermaster wheel and eagle.
2d Ammunition Train.....	Star and Indian head—crossed cannon.
2d Sanitary Train (now 2d Medical Battalion).	Star and Indian head—caduceus.
2d Mobile Ordnance Repair Shop (now 2d Ordnance Company Medium Maintenance).	Star and Indian head—flaming bomb.
Mobile Veterinary Section No. 2.....	Star and Indian head—caduceus.

Organizations	Distinctive marks
2d Division—Continued.	
Veterinary Field Unit No. 1.....	Star and Indian head—caduceus.
Veterinary Field Unit No. 2.....	Star and Indian head—caduceus.
Machine Shop Truck Unit 303.....	Star and Indian head—quartermaster wheel and eagle.
Machine Shop Truck Unit 363.....	Star and Indian head—quartermaster wheel and eagle.
Foden Disinfecting Squad No. 17.....	Star and Indian head—caduceus.
Sales Commissary Unit No. 1.....	Star and Indian head—quartermaster wheel and eagle.
Salvage Squad No. 2.....	Star and Indian head—quartermaster wheel and eagle.
Military Postal Express Service Detachment.	Star and Indian head—adjutant general's shield.
Mobile Surgical Unit No. 3.....	Star and Indian head—caduceus.
103d Aero Squadron (now 94th Pursuit Squadron (F)).	103—Wings and propeller.
Army Ambulance Service Section No. 539.....	539—caduceus.
Army Ambulance Service Section No. 625.....	625—caduceus.

\* [Par. 40]

§ 79.41 *Civil War Campaign Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is the head of Lincoln, nearly in profile, facing to the right, surrounded by the words, "With malice toward none, with charity for all." On the reverse are the words "The Civil War," and below this the dates "1861-1865," the whole surrounded by a wreath formed by a branch of oak on the left and a branch of olive on the right, the stems joined at the bottom by a conventional knot. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of two bands of blue and gray of equal width. All medals to be serially numbered on the rim.\*† [Par. 41]

§ 79.42 *Indian Campaign Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is a mounted Indian facing to the right, wearing a war bonnet, and carrying a spear in his right hand. Above the horseman are the words "Indian Wars," and below, on either side of a buffalo skull, the circle is completed by arrowheads, conventionally arranged. On the reverse is a trophy, composed of an eagle perched on a cannon supported by crossed flags, rifles, an Indian shield, spear, and quiver of arrows, a Cuban machete, and a Sulu kriss. Below the trophy are the words "For Service." The whole is surrounded by a circle composed of the words "United States Army" in the upper half and 13 stars in the lower half. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a band of red ( $\frac{1}{4}$  inch), a band of black ( $\frac{1}{8}$  inch), a band of red ( $\frac{1}{2}$  inch), a band of black ( $\frac{1}{8}$  inch), and a band of red ( $\frac{1}{4}$  inch). All medals to be serially numbered on the rim.\* [Par. 42]

§ 79.43 *Spanish Campaign Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is a conventional castle with the addition of two round-corner towers within a circle composed of the words "War with Spain" in the upper half and in the lower half the date "1898" at the bottom, with a branch of the tobacco plant on the left and a stalk of sugarcane on the right. The reverse is the same as that of the Indian cam-

paign medal. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of two bands of blue (each  $\frac{3}{8}$  inch), separated by a band of yellow ( $\frac{3}{8}$  inch), with a border of yellow on each edge ( $\frac{1}{8}$  inch). All medals to be serially numbered on the rim.\* [Par. 43]

§ 79.44 *Spanish War Service Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is a sheathed Roman sword hanging on a tablet on which is inscribed "For service in the Spanish War." The tablet is surrounded by a wreath. On the reverse is the coat of arms of the United States, with a scroll below, all surrounded by a wreath displaying the insignia of the Infantry, Artillery, and Cavalry. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, of green, with a band of yellow ( $\frac{1}{4}$  inch),  $\frac{1}{8}$  inch from each edge. All medals to be serially numbered on the rim.\* [Par. 44]

§ 79.45 *Army of Cuban Occupation Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is the coat of arms of the Cuban Republic, with wreath and fasces. Around the circumference are the words "Army of Occupation, Military Government of Cuba," and above the shield the dates "1898" and "1902." The reverse is the same as that of the Indian Campaign Medal. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a band of red ( $\frac{3}{8}$  inch), a yellow stripe ( $\frac{1}{8}$  inch), a band of blue ( $\frac{3}{8}$  inch), a yellow stripe ( $\frac{1}{8}$  inch) and a band of red ( $\frac{3}{8}$  inch), with a border of blue ( $\frac{1}{8}$  inch) on each edge. All medals to be serially numbered on the rim.\* [Par. 45]

§ 79.46 *Army of Puerto Rican Occupation Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is a conventional castle with the addition of two round-corner towers, the whole in a circle composed of the words "Army of Occupation, Porto Rico," in the upper half and in the lower half the date "1898" at the bottom, with a branch of the tobacco plant on the left and a stalk of sugarcane on the right. The reverse is the same as that of the Indian Campaign Medal. The medal is suspended by a

silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a band of blue ( $\frac{3}{8}$  inch), a yellow stripe ( $\frac{1}{16}$  inch), a band of red ( $\frac{3}{8}$  inch), a yellow stripe ( $\frac{1}{16}$  inch), and a band of blue ( $\frac{3}{8}$  inch), with a border of red ( $\frac{1}{16}$  inch) on each edge. All medals to be serially numbered on the rim.\* [Par. 46]

§ 79.47 *Philippine Campaign Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is a conventional coconut-palm tree. On the left of it is a lamp of knowledge and on the right the scales of justice. The whole is in a circle composed of the words "Philippine Insurrection," and the date of "1899" at the bottom. The reverse is the same as that of the Indian Campaign Medal. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a broad band of blue ( $\frac{5}{8}$  inch), between bands of red ( $\frac{5}{16}$  inch), with a narrow strip of blue ( $\frac{1}{16}$  inch) on each edge. All medals to be serially numbered on the rim. For engraving see AR 600-65<sup>5</sup> and §§ 78.29 and 78.30.\* [Par. 47]

§ 79.48 *Philippine Congressional Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is a group composed of a color bearer holding a United States flag and supported by two men with rifles on their shoulders, the three facing the left. The flag extends to the rim between the words "Philippine" and "Insurrection." Below the group is the date "1899." On the reverse are the words "For patriotism, fortitude, and loyalty" in a wreath composed of a branch of pine on the left and a branch of palm on the right, the stems joined by a conventional knot. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a band of blue ( $\frac{5}{8}$  inch) with a stripe of white ( $\frac{1}{8}$  inch) separating it from bands of red ( $\frac{1}{8}$  inch), white ( $\frac{1}{16}$  inch), and blue ( $\frac{1}{16}$  inch) on each edge. All medals to be serially numbered on the rim.\* [Par. 48]

§ 79.49 *China Campaign Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is the Imperial Chinese five-toed dragon with the head in full face in the middle, within a circle composed of the words "China Relief Expedition," with the dates "1900-1901" at the bottom. The reverse is the same as that of the Indian Campaign Medal. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a band of yellow ( $1\frac{1}{4}$  inches) with edges of blue ( $\frac{1}{16}$  inch). All medals to be serially numbered on the rim.\* [Par. 49]

§ 79.50 *Army of Cuban Pacification Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is the coat of arms of the Cuban Republic with wreath and fasces, supported by two American soldiers with rifles, at parade

<sup>5</sup> Administrative regulations of the War Department relative to award and supply of service medals.

rest. Above the group are the words "Cuban Pacification," below are the dates "1906-1909." The reverse is the same as that of the Indian Campaign Medal. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a band of olive-drab ( $\frac{5}{8}$  inch) with a blue stripe ( $\frac{1}{8}$  inch) separating it from bands of white ( $\frac{1}{8}$  inch) and red ( $\frac{1}{8}$  inch) on each edge. All medals to be serially numbered on the rim.\* [Par. 50]

§ 79.51 *Mexican Service Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse is the Mexican yucca plant in flower, with mountains in the background. Above the yucca plant are the words "Mexican Service" in the upper half and in the lower half the dates "1911-1917" arranged in a circle. The reverse is the same as that of the Indian Campaign Medal. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, composed of a green stripe ( $\frac{1}{8}$  inch), a band of yellow ( $\frac{3}{8}$  inch), a band of blue ( $\frac{3}{8}$  inch), a band of yellow ( $\frac{3}{8}$  inch), and a green stripe ( $\frac{1}{8}$  inch). All medals to be serially numbered on the rim. For engraving see AR 600-65\* and §§ 78.29 and 78.30.\* [Par. 51]

§ 79.52 *Mexican Border Service Medal.* A medal of bronze  $1\frac{1}{4}$  inches in diameter. On the obverse a sheathed Roman sword hanging on a tablet on which is inscribed "For service on the Mexican border." The tablet is surrounded by a wreath. The reverse is the same as that of the Spanish War Service Medal. The medal is suspended by a silk ribbon  $1\frac{3}{8}$  inches in length and  $1\frac{3}{8}$  inches in width, of green with a yellow band ( $\frac{1}{2}$  inch) in the center. All medals to be serially numbered on the rim.\* [Par. 52]

§ 79.53 *Victory Medal.* (a) A medal of bronze 36 millimeters in diameter. On the obverse is a winged Victory standing full length and full face. On the reverse is the inscription "The Great War for Civilization" and the coat of arms of the United States surmounted by a fasces, and on either side the names of the allied and associated nations. The medal is suspended by a ring from a watered-silk ribbon  $1\frac{3}{8}$  inches in length and 36 millimeters in width, representing two rainbows placed in juxtaposition and having the red in the middle with a white thread along each edge, according to standard sample.

When clasps are worn, the ribbon will be lengthened when necessary, so as to provide at least  $\frac{3}{4}$  inch of ribbon above the top clasp.

(b) *Clasps.* Bronze bars  $\frac{1}{8}$  inch in width, to be placed on the ribbon of the medal and bearing the following inscriptions:

- (1) Cambrai.
- (2) Somme Defensive.
- (3) Lys.
- (4) Aisne.

\* Administrative regulations of the War Department relative to the award and supply of service medals.

- (5) Montdidier-Noyon.
- (6) Champagne-Marne.
- (7) Aisne-Marne.
- (8) Somme Offensive.
- (9) Oise-Aisne.
- (10) Ypres-Lys.
- (11) St. Mihiel.
- (12) Meuse-Argonne.
- (13) Vittorio-Veneto.
- (14) Defensive sector.
- (15) France.
- (16) Italy.
- (17) Siberia.
- (18) Russia.
- (19) England.\* [Par. 53]

§ 79.54 *Badges, aviation—(a) In general.* A device consisting of a pair of wings of oxidized silver approximately  $3\frac{1}{8}$  inches from tip to tip.

(b) *Pilot.* The shield of the United States without stars in the chief at the center of the wings.

(c) *Senior pilot.* Same as for pilot with the addition of a star  $\frac{1}{2}$  inch in diameter,  $\frac{1}{8}$  above the shield.

(d) *Command pilot.* Same as for senior pilot with the addition of a wreath encircling the star.

(e) *Technical observer.* The letter "O" in front of the letter "T" at the center of the wings.

(f) *Aircraft observer.* The letter "O" at the center of the wings.

(g) *Balloon pilot.* A balloon and basket at the center of the wings.

(h) *Senior balloon pilot.* Same as for balloon pilot with the addition of a star  $\frac{1}{2}$  inch in diameter above the balloon.

(i) *Balloon observer.* The letter "O" in front of a balloon and basket at the center of the wings.\* [Par. 54 as amended by Cir. 264, W. D., Dec. 19, 1941]

§ 79.55 *Badge, parachutist.* A badge of oxidized silver consisting of a parachute  $\frac{3}{4}$  inch in height with a pair of wings attached at base displayed and curved inward to touch body of parachute,  $1\frac{1}{2}$  inches in length.\* [Par. 55]

§ 79.56 *Badges for marksmanship, gunnery, bombing, etc.—(a) Badges for qualification in the use of arms—(1) Basic badges.* To be of silver.

(i) *Marksmen and second-class gunners.* A cross patee.

(ii) *Sharpshooters and first-class gunners.* A cross patee with the representation of a target placed on the center thereof.

(iii) *Expert riflemen, pistol experts, expert gunners, expert bombers, bayonet experts, expert grenadiers, expert submachine gunners, and expert armored-car gunners.* A cross patee with the representation of a target placed on the center thereof and encircled by a wreath.

(2) *Bars—(i) Original qualification.* To be of silver suspended from the basic badge and marked as follows to show the weapon, or weapon and course, and without showing the date of qualification:

- (a) Rifle.
- (b) Pistol-D.
- (c) Pistol-M.

- (d) Auto Rifle.
- (e) Machine Gun.
- (f) Inf. Howitzer.
- (g) Coast Arty.
- (h) Mines.
- (i) Field Arty.
- (j) Bayonet.
- (k) Tank Weapons.
- (l) C. W. S. Weapons.
- (m) Machine Rifle.
- (n) Aerial Gunner.
- (o) Aerial Bomber.
- (p) Grenade.
- (q) Small Bore Rifle.
- (r) Small Bore Pistol.
- (s) Submachine Gun.
- (t) Small Bore M. G.

(ii) *Requalification in the same course or with the same weapon.* (a) For the third, sixth, ninth, twelfth, etc., requalification in the same course or with the same weapon, an additional bar appropriate to the course or weapon will be attached in each case without showing the date of requalification.

(b) For each intervening requalification the year thereof will be engraved on the back of the bar last received, e. g., for the first and second requalifications, the date of each will be engraved on the back of the appropriate bar received in connection with the original qualification. For the fourth and fifth requalifications, the date of each will be engraved on the back of the appropriate bar received in connection with the third requalification.

(b) *Badges for excellence in marksmanship and bombing—(1) Badges for distinguished designations.* To be of gold and to consist of two parts.

(i) *Distinguished marksman—(a) Bar.* Bearing a shield of stars and stripes with the letters "U. S." thereon.

(b) *Pendant.* A shield bearing an enameled target between the words "Distinguished" and "Marksman."

(ii) *Distinguished pistol shot—(a) Bar.* Bearing a shield of stars and stripes with the letters "U. S." thereon.

(b) *Medal.* A shield bearing an enameled target between the words "Distinguished" and "Pistol Shot."

(iii) *Distinguished automatic rifleman—(a) Bar.* Bearing the word "Distinguished" between two groups of oak leaves.

(b) *Pendant.* A Browning automatic rifle across a square, one point up, formed by a circular target and four groups of laurel leaves.

(iv) *Distinguished aerial gunner and distinguished aerial bomber.* To be of gold and to consist of two parts:

(a) *Bar.* Of clouds with the word "Distinguished" thereon, indicating the type of award.

(b) *Medal.* Indicating the weapon fired, and consisting of a circular target within a laurel wreath; a winged projectile, point down, superimposed thereon for the aerial gunner's badge, or a drop bomb, point down, superimposed thereon for the aerial bomber's badge.

(2) *Army team and corps area team marksmanship badges*—(1) *General*. Badges to consist of three parts:

(a) A bar indicating the army or corps area.

(b) A clasp indicating rifle, automatic rifle, or pistol.

(c) A medal on which, for army teams, is indicated the arm or service by color.

(i) *Army team badge*—(a) *Bar*. Of bronze with square ends and ornamented with oak leaves.

(b) *Clasp*. Crossed muskets or crossed pistols of bronze for rifle team or pistol team, respectively.

(c) *Medal*. Of bronze and enamel, the center displaying crossed Indian bow and arrows within a ring of enamel, bearing 13 stars and surrounded by an oak leaf. The enameled ring will be of the color of the arm or service. When the arm or service has two colors the stars will be enameled in piping color. For the Philippine Scouts the ring will be blue and the stars red.

(ii) *Corps area team badge*—(a) *Bar*. Of bronze with rounded ends, plain surface with disk for Roman numeral indicating the corps area or device indicating the department; for the Hawaiian Department a dolphin, for the Philippine Department a sea lion, and for the Panama Canal Department a portcullis.

(b) *Clasp*. Crossed muskets for rifle teams, crossed pistols for pistol teams, crossed Browning automatic rifles for automatic rifle teams; to be of gold for first grade shots, silver for second grade, and bronze for third grade.

(c) *Medal*. The same as for army team badges, except that the ring bearing 13 stars is not enameled.

(c) *Engraving*—(1) *Badges for qualification in the use of arms*.

(i) See subdivision (a) (2) (ii) of this section.

(ii) Badges with attached bars to be engraved for requalification will be turned over to the local quartermaster to be forwarded by requisition as follows:

(a) Within the continental limits of the United States to the commanding officer, Philadelphia Quartermaster Depot.

(b) In the Philippine, Hawaiian, and Panama Canal Departments to the department quartermaster.

(2) *Badges for distinguished designations*. These badges will have engraved on the reverse side thereof the name of the recipient, his grade and organization at the time he attained the distinguished classification, followed by the year of such attainment; or as may be authorized by The Adjutant General in individual cases.

(3) *Army team and corps area team marksmanship badges*. To be engraved as prescribed in subparagraph (c) (2) of this section.

(4) *Duplicates*. See § 44.4 of this title.\* [Par. 56]

§ 79.57 *Badges, corps, division, and World War shoulder sleeve insignia*. To represent corps and divisions of the Civil and Spanish-American Wars, and shoulder sleeve insignia of the World War. To be made of metal, not exceeding  $\frac{3}{4}$  inch in largest dimension, and enameled in colors.\* [Par. 57]

§ 79.58 *Service ribbons, bronze stars, miniatures, lapel buttons, lapel ribbons*—

(a) *Service ribbons*. A service ribbon is a short strip of ribbon identical with that from which is suspended a decoration or service medal. Ordinarily the length will be  $\frac{3}{8}$  inch. When, however, the number of stars worn is more than 5 and not more than 10, the length will be  $\frac{1}{2}$  inch; when the number of stars is more than 10, the length will be  $\frac{3}{4}$  inch.

(b) *Bronze stars*. Bronze stars,  $\frac{3}{16}$  inch in diameter to denote possession of certain clasps.

(c) *Miniatures*. Miniature replicas of decorations and service medals, each on a scale of one-half, and of the oak-leaf cluster  $\frac{5}{16}$  inch in length.

(d) *Lapel buttons*—(1) *For decorations and service medals*.

(i) For the Medal of Honor, to consist of a hexagonal rosette of light blue silk with white stars.

(ii) For the Victory Medal, a 5-pointed star  $\frac{3}{8}$  inch in diameter on a wreath with the letters "U. S." in the center. To be made of silver for men wounded in action, of bronze for all others. When citation stars have been awarded they may be placed on the wreath between the points of the star specified below, the points being numbered in a clockwise direction, beginning with the point at the top as No. 1:

One star—between the first and fifth points.

Two stars—same as one star, and also between the first and second points.

Three stars—same as two stars, and also between the fourth and fifth points.

Four stars—same as three stars, and also between the second and third points.

See also §§ 78.54 to 78.58 of this title.

(iii) For all other medals, a button  $2\frac{1}{32}$  inch in width and  $\frac{1}{8}$  inch in length, in colored enamel, being a reproduction in miniature of the service ribbon. When Oak-Leaf Clusters have been awarded in lieu of additional decorations, the miniature Oak-Leaf Cluster may be placed on the lapel button denoting possession of the decoration. When citation stars have been awarded for gallantry in action prior to the World War, the stars may be placed on the lapel button denoting possession of the service medal issued for service in the war or campaign in which the gallantry occurred. See also §§ 78.51 to 78.58 of this title.

(2) *Officers' Reserve Corps*. A gold or gold color button  $\frac{1}{2}$  inch in diameter, enameled in the color of the arm or service in which commissioned, with the letters "U. S. R." in gold or gold color. Where there are two colors, the letters

will be in the color of the piping. For general officers the button will be gold with the letters in relief.

(3) *Enlisted Reserve Corps*. Same as Officers Reserve Corps, except in bronze instead of gold or gold color.

(4) *Corps and division badges*. Corps and division badges of the Civil and Spanish-American Wars, and badges of the shoulder sleeve insignia of the World War, worn in the form of pins or lapel buttons. See § 79.57.

(5) *For service*. A dexter eagle with wings displayed perched within a ring which displays seven white and six red vertical striped with a blue chief bearing the words "National Defense," the dexter wing of the eagle behind the ring, the sinister wing in front of the ring.

(e) *Lapel ribbons*. Miniature replicas of the suspension ribbons of decorations (except Medal of Honor) and service medals,  $\frac{1}{8}$  inch in width and of suitable length, for wear as authorized by AR 600-40.\* [Par. 58]

§ 79.59 *War Department General staff identification*. The coat of arms of the United States, of gold or gold color metal, superimposed on a five-pointed black enameled star; in each reentrant angle of the star, three transparent green enameled laurel leaves; the shield and glory to be in enameled colors, stripes of white and red, chief of blue, and the sky of the glory blue.

(a) *Regular, additional, and former members of the War Department General Staff*. Star 2 inches in diameter.

(b) *Chief of Staff and former Chiefs of Staff*. Star 3 inches in diameter.\* [Par. 59]

#### VARIOUS ARTICLES OF EQUIPMENT

§ 79.60 *Belts*—(a) *Officers*. The officers' belt, M1921, of Army russet leather and brass trimmings with single shoulder strap.

(b) *Warrant officers*. A belt of Army russet leather  $1\frac{3}{4}$  inches in width, fastened with a brass center bar buckle, and provided with a russet leather keeper.

(c) *Enlisted men*. A leather waist belt same as in paragraph of this section.\* [Par. 60]

§ 79.61 *Spur straps*. To consist of a single strap or an upper and a lower strap of Army russet leather. In lieu of the lower strap there may be worn a polished nickel steel, nonrusting, round laid link wire chain with a loop attachment at each end; to have approximately three links to the inch. Size of chain to be, length over all, 8 to  $8\frac{1}{2}$  inches, 9 to  $9\frac{1}{2}$  inches, and 10 to  $10\frac{1}{2}$  inches; width minimum 0.61 inch, maximum  $1\frac{1}{16}$  inch. Stirrup guard straps of approved pattern will be attached to the upper strap when spurs are worn with semidress boots, field boots, or leggings.\* [Par. 61]

\*Administrative regulations of the War Department relative to wearing of the service uniform.

§ 79.62 Tag, identification. (a) Of monel metal, approximately 2 inches long by 1½ inches wide, and about 0.025 inch thick, the corners rounded and the edges smooth.

(b) Each tag has a capacity of five lines of type, 18 spaces to the line and will be embossed by a machine provided for that purpose.\* [Par. 62]

MISCELLANEOUS

§ 79.63 Colors of arms, services, bureau, etc.—(a) *Adjutant General's Department*. Dark blue piped with scarlet.

(b) *Air Corps*. Ultramarine blue piped with golden orange.

(c) *Cavalry*. Yellow.

(d) *Chaplains*. Black.

(e) *Chemical Warfare Service*. Cobalt blue piped with golden yellow.

(f) *Coast Artillery Corps*. Scarlet.

(g) *Corps of Engineers*. Scarlet piped with white.

(h) *Detached Enlisted Men's List*. Green.

(i) *Field Artillery*. Scarlet.

(j) *Finance Department*. Silver gray piped with golden yellow.

(k) *Infantry*. Light blue.

(l) *Inspector General's Department*. Dark blue piped with light blue.

(m) *Judge Advocate General's Department*. Dark blue piped with white.

(n) *Medical Department*. Maroon piped with white.

(o) *Military Intelligence Reserve*. Golden yellow piped with purple.

(p) *Military police*. Yellow piped with green.

(q) *National Guard Bureau*. Dark blue.

(r) *Ordnance Department*. Crimson piped with yellow.

(s) *Permanent professors of United States Military Academy*. Scarlet piped with silver gray.

(t) *Quartermaster Corps*. Buff.

(u) *Signal Corps*. Orange piped with white.

(v) *Specialists' Reserve*. Brown piped with golden yellow.

(w) *Warrant officers*. Brown.\* [Par. 63]

§ 79.64 State abbreviations for insignia for National Guard. Abbreviations to be all capitals with no periods.

Alabama.....	ALA
Alaska.....	ALASKA
Arizona.....	AZ
Arkansas.....	ARK
California.....	CAL
Colorado.....	COLO
Connecticut.....	CT
Delaware.....	DEL
Florida.....	FLA
Georgia.....	GA
Idaho.....	IDA
Illinois.....	ILL
Indiana.....	IND
Iowa.....	IOWA
Kansas.....	KAN
Kentucky.....	KY
Louisiana.....	LA

Maine.....	ME
Maryland.....	MD
Massachusetts.....	MASS
Michigan.....	MICH
Minnesota.....	MINN
Mississippi.....	MISS
Missouri.....	MO
Montana.....	MONT
Nebraska.....	NEB
Nevada.....	NEV
New Hampshire.....	NH
New Jersey.....	NJ
New Mexico.....	NM
New York.....	NY
North Carolina.....	NC
North Dakota.....	ND
Ohio.....	OHIO
Oklahoma.....	OK
Oregon.....	OR
Pennsylvania.....	PENN
Rhode Island.....	RI
South Carolina.....	SC
South Dakota.....	SD
Tennessee.....	TENN
Texas.....	TEX
Utah.....	UTAH
Vermont.....	VT
Virginia.....	VA
Washington.....	WN
West Virginia.....	WVA
Wisconsin.....	WIS
Wyoming.....	WYO
District of Columbia.....	DC
Hawaii.....	TH
Puerto Rico.....	PR

\*[Par. 64]

[SEAL]

E. S. ADAMS,  
Major General,  
The Adjutant General.

[F. R. Doc 41-9878; Filed, December 31, 1941;  
10:07 a. m.]

TITLE 16—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 3536]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF KAS-MO REMEDY CO.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product*: § 3.6 (x) *Advertising falsely or misleadingly—Results*. In connection with offer, etc., in commerce, of respondent's "Kas-Mo Salve" medicinal preparation, or any other substantially similar preparation, representing, (1) that respondent's preparation, "Kas-Mo Salve", is a cure or remedy for pimples, boils, carbuncles, skin risings, external eruptions of the skin, cuts, chronic sores, irritations caused by bad blood, or insect bites, or that said preparation constitutes a competent or effective treatment for any of such conditions; (2) that said preparation has any therapeutic value in the treatment of rectal irritations in excess of furnishing temporary relief; and (3) that the use of respondent's preparation will prevent the spread of infection; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15

U. S. C., Supp. IV, sec. 45b) [Cease and desist order, Kas-Mo Remedy Co., Docket 3536, December 23, 1941]

*In the Matter of G. J. Tritico, Doing Business Under the Trade Name of "Kas-Mo Remedy Co."*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23rd day of December, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiners upon the evidence, and brief filed in support of the complaint; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

*It is ordered*, That the respondent, G. J. Tritico, doing business under the trade name of "Kas-Mo Remedy Co.", his representative, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of his medicinal preparation designated "Kas-Mo Salve", or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from representing;

(1) That respondent's preparation, "Kas-Mo Salve," is a cure or remedy for pimples, boils, carbuncles, skin risings, external eruptions of the skin, cuts, chronic sores, irritations, caused by bad blood, or insect bites, or that said preparation constitutes a competent or effective treatment for any of such conditions;

(2) That said preparation has any therapeutic value in the treatment of rectal irritations in excess of furnishing temporary relief;

(3) That the use of respondent's preparation will prevent the spread of infection.

*It is further ordered*, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order. By the Commission.

[SEAL]

JOE L. EVINS,  
Acting Secretary.

[F. R. Doc. 41-9917; Filed, December 31, 1941;  
11:36 a. m.]

[Docket No. 4571]

PART 3—DIGEST OF CEASE AND DESIST  
ORDERS

## IN THE MATTER OF LIFE SAVERS CORPORATION

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Cumulative discounts.* In connection with offer, etc., in commerce, of respondent's "Life Savers" candy confection, and among other things, as in order set forth, selling goods of like grade and quality to some purchasers at a price which is 10% different than to other purchasers, and selling goods of like grade and quality to some purchasers at any different price than to other purchasers unless such difference makes only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered, prohibited. (Sec. 2 (a), 49 Stat. 1526; 15 U.S.C., Supp. IV, sec. 13a) [Cease and desist order, Life Savers Corporation, Docket 4571, December 23, 1941]

§ 3.45 (c) *Discriminating in price—Direct discrimination—Compensatory payments.* In connection with offer, etc., in commerce, of respondent's "Life Savers" candy confection, and among other things, as in order set forth, (1) paying 10% or any other percentage of the net dollar volume of purchases to some mass or multiple retail outlet distributors in consideration of their furnishing services or facilities connected with the sale, and offering for sale of goods purchased from respondent, such as accepting delivery at a central warehouse and distributing to more than one individual retail store, while not making such payment available on proportionally equal terms to other competing mass or multiple retail outlet distributors who accept delivery at a central warehouse and distribute to individual retail stores or while not making such payment available on proportionally equal terms to jobbers competing in the distribution of such products who in fact take delivery at their central warehouse and distribute to individual retail stores; and (2) com-

pensating or paying 10% or any other percentage of the net dollar volume of purchases to any customer for services furnished by or through such customer while not making such compensation or payment in consideration of like services furnished by or through other customers available on proportionally equal terms to such customers competitively engaged in the distribution of such products; prohibited. (Sec. 2 (d), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13d) [Cease and desist order, Life Savers Corporation, Docket 4571, December 23, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of December, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission; the answer of respondent; the stipulation entered into on the record between the attorney for the Commission and the attorney for respondent, in which respondent admits all the material allegations of the complaint and waives further hearings, the filing of briefs, oral argument, and all intervening procedure; and the report of the trial examiner: And the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of section 2 (a) and (d) of the Clayton Act as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C. Title 15, section 13);

*It is ordered,* That the respondent, Life Savers Corporation, its officers, directors, representatives, agents and employees, jointly or severally, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of its candy confection known as "Life Savers", in commerce as "commerce" is defined in the Clayton Act, do forthwith cease and desist from:

(a) Selling goods of like grade and quality to some purchasers at a price which is 10% different than to other purchasers, and from selling goods of

like grade and quality to some purchasers at any different price than to other purchasers unless such difference makes only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(b) Paying 10% or any other percentage of the net dollar volume of purchases to some mass or multiple retail outlet distributors in consideration of their furnishing services or facilities connected with the sale, and offering for sale of goods purchased from respondent, such as accepting delivery at a central warehouse and distributing to more than one individual retail store, while not making such payment available on proportionally equal terms to other competing mass or multiple retail outlet distributors who accept delivery at a central warehouse and distribute to individual retail stores or while not making such payment available on proportionally equal terms to jobbers competing in the distribution of such products who in fact take delivery at their central warehouse and distribute to individual retail stores;

(c) Compensating or paying 10% or any other percentage of the net dollar volume of purchases to any customer for services furnished by or through such customer while not making such compensation or payment in consideration of like services furnished by or through other customers available on proportionally equal terms to such customers competitively engaged in the distribution of such products.

*It is further ordered,* That the respondent Life Savers Corporation shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist herein set forth.

By the Commission.

[SEAL]

JOE L. EVINS,  
Acting Secretary.[F. R. Doc. 41-9918; Filed, December 31, 1941;  
11:36 a. m.]

**TITLE 30—MINERAL RESOURCES**  
**CHAPTER III—BITUMINOUS COAL**  
**DIVISION**

[Docket No. A-922]  
**PART 326—MINIMUM PRICE SCHEDULE,**  
**DISTRICT NO. 6**

ORDER GRANTING PERMANENT RELIEF IN PART IN THE MATTER OF THE PETITION OF DISTRICT BOARD 6 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 6

A petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, hav-

ing been filed on April 17, 1941, with the Bituminous Coal Division by District Board 6, requesting price classifications and minimum prices for shipments other than truck for the coals of three mines in District 6 theretofore classified for truck shipments only;

Temporary relief pending the final disposition of this proceeding having been granted in part by an Order of the Acting Director dated July 18, 1941, 6 F.R. 3693, establishing minimum f. o. b. mine prices for rail shipments only;

Pursuant to an appropriate Order and after due notice to all interested persons, a hearing in this matter having been

held before Edward J. Hayes, a duly designated Examiner of the Division, at a hearing room thereof in Washington, D. C., at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

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

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

Now, therefore, it is ordered, That § 326.5 (Alphabetical list of code members) and § 326.6 (Numerical list of mines) in the Schedule of Effective Minimum Prices for District No. 6 for All Shipments Except Truck be, and they hereby are, amended 15 days from the date hereof, amended in accordance with Supplement R-I and Supplement R-II annexed to and made part of this Order.

It is further ordered, That in all other respects the prayers for relief contained in the petition filed herein be, and they hereby are, denied.

Dated: December 13, 1941.  
 [SEAL] DAN H. WHEELER,  
 Acting Director.

**TEMPORARY EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 6**

NOTE: The material in these supplements 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. 6 and supplements thereto.

**FOR ALL SHIPMENTS EXCEPT TRUCK, RIVER, AND EX-RIVER**

**§ 326.5 Alphabetical list of code members—Supplement R-I**

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

Mine Index No.	Code member	Mine name	Sub-dist. No.	Seam	Type	Shipping points in W. Va.	Railroad	Freight origin group Nos.	Price classifications by size group Nos.															
									1	2	3	4	5	6	7	8	9	10	11	12				
108	Buday, Matt.	Walnut Grove		Pgh. 8	Deep	Wellsburg	PRR	30	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
196	Norman Coal Co. (Alex Larkey)	Norman		Pgh. 8	Deep	Colliers	PRR	30	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
123	Quality Coal Co.	Clarke		Pgh. 8	Deep	Wheeling	PRR	30	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C

**§ 326.6 Numerical list of mines—Supplement R-II**

Refer to § 326.6 in Minimum Price Schedule of the Schedule of Effective Minimum Prices for District No. 6. Add the following:

Mine Index No.	Mine name	Code member	Freight origin group No.	Railroad
108	Walnut Grove	Buday, Matt.	30	PRR
123	Clarke	Quality Coal Co.	30	PRR
196	Norman	Norman Coal Co. (Alex Larkey)	30	PRR

Prices for all Mine Index Numbers except 7, 20, 24 and 26 shown in § 326.7, § 326.8 (a), § 326.8 (b), § 326.8 (c), § 326.8 (d) in Minimum Price Schedule of the Schedule of Effective Minimum Prices apply to Mine Index Numbers 108, 123, and 196.

[F. R. Doc. 41-9842; Filed, December 30, 1941; 11:08 a. m.]

[Docket No. A-1011]

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

FINDINGS OF FACT, CONCLUSIONS OF LAW, MEMORANDUM OPINION, AND ORDER GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 8 REQUESTING REVISION OF THE EFFECTIVE MINIMUM PRICES ESTABLISHED FOR THE COALS PRODUCED AT THE JEANNE ANNE MINE (MINE INDEX NO. 1448) AND THE JEANNE ANNE #3 MINE (MINE INDEX NO. 616) OF THE WEST VIRGINIA COAL & TRANSPORTATION COMPANY, IN MASON COUNTY,

**WEST VIRGINIA, KANAWHA SUBDISTRICT IN DISTRICT NO. 8, FOR SHIPMENT BY TRUCK**

This is a proceeding instituted upon an original petition filed on August 15, 1941, with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board No. 8, requesting and proposing a revision of the effective minimum prices for truck shipments established for the coals of the Jeanne Anne Mine (Mine Inde No. 1448) and the Jeanne Anne No. 3 Mine (Mine Index No. 616) of West Virginia Coal & Transportation Company, located in Mason County, West Virginia.

Pursuant to a Notice of and Order for Hearing of the Director, a hearing on this matter was held in Washington, D. C., on September 29, 1941, at which time a continuance was granted by the Examiner upon receipt of a telegram from West Virginia Coal & Transportation Company that it had not been served with a copy of the Notice of and Order for Hearing.

A petition of intervention was filed by West Virginia Coal & Transportation Company on October 8, 1941, and withdrawn on November 5, 1941, with the statement that West Virginia Coal & Transportation Company would not appear at the hearing and would make no opposition to the petition of District Board No. 8.

In accordance with subsequent orders of the Director, the hearing was resumed on November 5, 1941, before Edward J. Hayes, a duly designated Examiner of the Division, at a hearing room thereof, in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. The petitioner, District Board No. 8, appeared, but no appearance was entered for West Virginia Coal & Transportation Company.

The preparation and filing of a report by the Examiner was waived, and the matter was thereupon submitted to the undersigned.

The only witness at the hearing was John F. Daniel, Director of Compliance and Truck Mining Service for District Board No. 8, who testified to the following effect: The West Virginia Coal & Transportation Company operates the Jeanne Anne, Jeanne Anne No. 2, and Jeanne Anne No. 3 Mines. All three mines are located adjacent to each other near West Columbia, Mason County, West Virginia, and operate in the Pittsburgh No. 8 Seam. The coal produced by each of these mines is comparable to that produced by each of the other two, and to the coals produced by all other mines located in the same county and operating in the same seam. The effective minimum prices for the coals of the Jeanne Anne and Jeanne Anne No. 3 Mines for shipment by truck established, pursuant to proposals of District Board No. 8, in Docket No. A-81 and Docket No. A-615, respectively, were erroneously based on a \$2.45 price level and are not in conformity with the effective minimum prices for the coals of the Jeanne Anne No. 2 Mine for shipment by truck, nor with those established for the coals of any of the other mines located on the Pittsburgh No. 8 Seam, in Mason County, West Virginia, which are based on a \$2.70 price level. Daniel further testified that no revision of the rail prices of the Jeanne Anne and Jeanne Anne No. 3 Mines was sought because all the mines in Mason County, including these two, had effective minimum rail prices properly based on a \$2.45 price level, as a result of coordination with rail prices established for the coals of competitive producers in Put-

nam County. The witness contended that the effective minimum prices for truck shipments for the coals of the Jeanne Anne and Jeanne Anne No. 3 Mines should be increased to the \$2.70 price level, as proposed by the District Board, in order to conform with the effective minimum prices established for comparable coals of the other mines producing from the Pittsburgh No. 8 Seam, in Mason County.

Upon the basis of the uncontroverted testimony in this proceeding, I find and conclude that the revision of the effective minimum prices for truck shipments for the coals produced at the Jeanne Anne Mine and at the Jeanne Anne No. 3 Mine, as requested by the petitioner and as set forth in Supplement T attached hereto, will effectuate the purposes of sections 4 II (a) and 4 II (b) of the Act and that the minimum prices

as set forth comply with all the standards thereof.

Now, therefore, it is ordered, That commencing fifteen (15) days from the date hereof, the minimum prices for truck shipments as set forth in Supplement T annexed hereto and hereby made a part hereof, be and the same are hereby established and made effective for the coals produced at the Jeanne Anne Mine (Mine Index No. 1448) and at the Jeanne Anne No. 3 Mine (Mine Index No. 616) of the West Virginia Coal & Transportation Company, and that § 328.34 (General prices for high volatile coals in cents per net ton for shipment into all market areas) in the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipments be and it is hereby amended accordingly.

Dated: December 13, 1941.

[SEAL] DAN H. WHEELER,  
Acting Director.

EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

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 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL TRUCK SHIPMENTS

§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes									
				Lump over 2', egg 4" x 6"	Lump 2' and under, egg 3" x 6"	Lump 3/4" and under	Egg 2' x 4', egg 2' x 5'	Stove 3' and under, nut 2' and under	Straight mine run 2' and under	Slack 3/4" and under			
				1	2	3	4	5	6	7	8		
SUP-DISTRICT NO. 4, KANAWHA MASON COUNTY, W. VA.													
West Virginia Coal & Transportation Co.	Jeanne Anne....	1448	Pittsburgh #8...	*270	*260	205	*235	180	195	*155	*150		
West Virginia Coal & Transportation Co.	Jeanne Anne #3..	616	Pittsburgh #8...	*270	*200	205	*235	180	195	*155	*150		

\*Indicates change in price classification from previous price classification for the respective size groups.

[F. R. Doc. 41-9845; Filed, December 30, 1941; 11:09 a. m.]

[Docket No. A-1035, Part II]

PART 328—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 8

FINDINGS OF FACT, CONCLUSIONS OF LAW, MEMORANDUM OPINION AND ORDER IN THE MATTER OF THE PETITION OF DISTRICT BOARD 8 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF THE PERKINS MINE (MINE INDEX NO. 2628) OF J. E. WARRICK, A CODE MEMBER IN DISTRICT 8

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board 8. The petition requests and proposes the establishment of price classifications and effective minimum prices for the coals of certain mines

in District 8, including among others, the coals of the Perkins Mine (Mine Index No. 2628) of J. E. Warrick, a code member in District 8.<sup>1</sup> Petitioner proposed that the Perkins Mine be permitted to

<sup>1</sup>On September 30, 1941, 6 F.R. 5315, the Director issued an Order establishing temporary and conditionally final prices for the coals of these District 8 mines, except for (1) the coals of the Daugherty & King Mine (Mine Index No. 2611) of F. J. Daugherty and Carl King (effective minimum prices having already been established for the coals of this mine), and (2) the coals of the Perkins Mine (Mine Index No. 2628) of J. E. Warrick. By an Order of October 7, 1941, 6 F.R. 5397, prices for the coals of the Perkins Mine were temporarily established for shipment via the Louisville & Nashville Railroad only; the matter relating to the coals of the Perkins Mine for shipment via the Southern Railway was severed from Docket No. A-1035 and designated as Docket No. A-1035 Part II.





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

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

FOR TRUCK SHIPMENT

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

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos.																																	
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29					
SECTION NO. 5, SCHUYLER COUNTY																																					
Stirtland, W. D.	1530	Mary's	5	256	260	245	235	230	225	170	165	160	155	155	125	115	60																				
SECTION NO. 6, SHELBY COUNTY																																					
Root, J. G.	1531	Penwell	7	280	275	270	260	255	250	245	165	160	155	155	125	115	60																				
SECTION NO. 7, VERMILION COUNTY																																					
Schmidt, Chas. H. (Schmidt Coal Company)	1524	Schmidt Coal Co.	7	240	235	230	220	215	210	170	165	160	155	155	125	115	60																				

[F. R. Doc. 41-9843; Filed, December 30, 1941; 11:09 a. m.]

[Docket No. A-1190]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD NO. 11 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 11 FOR TRUCK SHIPMENT

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. 11 for truck shipment.

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 § 331.24 (General prices in cents per net ton 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 tempo-

rary 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: December 13, 1941.  
[SEAL] DAN H. WHEELER,  
Acting Director.

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

Note: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR TRUCK SHIPMENT

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

Code member index		Mine index No.	Mine	Seam	Prices and size group Nos.																								
					1	2	3	4	5	6	7	8	9	10, 11, 12	13	14	15	16	17	18, 19, 20	21	22	23	24	25	26	27	28, 29	30
FOUNTAIN COUNTY		179	Morgan	M	310	285	265	255	250	245	215	195	185	155	145	80	50												
MARTIN COUNTY		185	Tredway	SB	310	285	265	255	250	245	215	195	185	155	145	80	50												
OWEN COUNTY		186	Hickory	S	275	270	265	255	250	245	215	195	185	165	155	110	80												
PIKE COUNTY		187	Cooksey	SB	310	285	265	255	250	245	215	195	185	155	145	80	50												
VIGO COUNTY		180	Culbertson	5	250	245	240	230	225	220	180	185	175	170	150	140	85	55											
		178	Lone Star No. 2	3	240	235	230	220	215	210	170	175	170	165	135	125	70	40											

[F. R. Doc. 41-9844; Filed, December 30, 1941; 11:09 a. m.]

TITLE 32--NATIONAL DEFENSE  
CHAPTER IX--OFFICE OF PRODUCTION MANAGEMENT

SUBCHAPTER B--PRIORITIES DIVISION

PART 921--ALUMINUM

Extension of General Preference Order M-1, Supplementary Orders M-1-a and M-1-c, and Preference Rating Order No. P-12

It is hereby ordered, That §§ 921.1, 921.2, 921.4 and 921.5 (General Preference Order M-1 and Supplementary Order M-1-a as extended, Supplementary Order M-1-c, and Preference Rating Or-

<sup>1</sup> 6 F.R. 1598, 2521.

<sup>2</sup> 6 F.R. 1599, 2521.

<sup>3</sup> 6 F.R. 2855.

<sup>4</sup> 6 F.R. 3178.

PART 933--COPPER

Interpretation No. 1 of § 933.4 Conservation Order No. M-9-c, as Amended, Curtailing the Use of Copper in Certain Items

The attached official interpretation is hereby issued by the Director of Priorities with respect to Copper Conservation Order M-9-c.

Issued this 26th day of December, 1941.

DONALD M. NELSON,  
Director of Priorities.

Interpretation With Respect to the Application of Copper Conservation Order M-9-c to the Radio Industry

Copper Conservation Order M-9-c, as amended December 10, 1941, restricts the

<sup>1</sup> 6 F.R. 6354, 6424.

use of Copper and Copper Base Alloy in the manufacture of radios. The Order applies to the manufacture; it does not prohibit the sale of radios if they have been manufactured within the limitations of the Order.

Broadly speaking, after January 1, 1942, manufacturers are prohibited from using Copper or Copper Base Alloy in the manufacture of radios except to the extent necessary for carrying electrical current, and even then only enough may be used to carry the amount of current required, leaving a reasonable factor of safety.

All decorative uses of Copper or Copper Base Alloy are prohibited. The attached table shows the effect the Order has on certain parts of a radio where Copper was used in the past.

der No. P-12 including all the orders of that series issued to individual producers), expiring by their respective terms on December 31, 1941, shall continue in effect until January 31, 1942, unless sooner revoked by the Director of Priorities. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 Amended, Sept. 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9886; Filed, December 31, 1941; 10:12 a. m.]

Use of copper and copper base alloy in parts of radios<sup>1</sup>

Parts of radio	Parts as to which the use is permitted only to the extent necessary for carrying current	Parts as to which use is entirely prohibited
Antennas.....	Wire and contacts.	
Automatic tuning unit.....	Wire and contacts.	
Cabinets.....		Cabinets.
Coils.....	Wire and contacts.	
Current carrying lugs and ground springs.....	Current carrying lugs and ground springs.	
Dials.....		Dials.
Electrolytic condenser.....	Wire and contacts.	
Escutcheons.....		Escutcheons.
High frequency cable shielding.....	High frequency cable shielding.	
Hook-up and wire cables.....	Hook-up and wire cables.	
Knobs.....		Knobs.
Permeability tuning.....	Brass screws.	
Power and radio transformer chokes.....	Wire and contacts.	
Resistors.....	Wire and contacts.	
Small paper condenser.....	Wire and contacts, and copper foil.	
Speakers.....	Wire and contacts.	
Sockets.....	Contacts.	
Vacuum tubes.....	Vacuum tubes.	
Variable condenser tuner.....	Wire and contacts.	Copper shafts.
Vibrators.....	Wire and contacts.	
Volume controls.....	Wire and contacts.	

<sup>1</sup> There are certain specific exceptions where a manufacturer is permitted to use Copper to a greater extent than listed above. These exceptions are contained in sub-paragraph (a) (4) and paragraph (b) of the Order, to which reference should be made.

[F. R. Doc. 41-9893; Filed, December 31, 1941; 10:14 a. m.]

## PART 937—ZINC

## Supplementary Order No. M-11-g

§ 937.8 *Supplementary Order M-11-g.*  
(a) The Director of Priorities hereby determines that the amount of Metallic Zinc, Zinc Oxide and Zinc Dust to be set aside by Producers under paragraph (c)<sup>1</sup> of § 937.1 as extended, for the month of January, 1942 and for each month thereafter until otherwise determined by him, shall be as follows:

- (1) Metallic zinc: An amount equal to 31% of Producer's October 1941 production.
- (2) Zinc oxide: An amount equal to 10% of Producer's October 1941 production.
- (3) Zinc dust: None.

(b) This Order shall take effect on the 1st day of January 1942. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 amended Sept. 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9892; Filed, December 31, 1941; 10:13 a. m.]

## PART 939—HIGH-SPEED STEEL

## Amendment No. 2 to General Preference Order M-14

Paragraph (b) of § 939.1<sup>1</sup> (*General Preference Order M-14*) is hereby amended to read as follows:

<sup>1</sup> 6 F.R. 3179, 5290.  
<sup>2</sup> 6 F.R. 2876, 6207.

§ 939.1 *General preference order M-14.*

(b) *Orders.* No customer of a producer shall place an order with such producer for Class B high-speed steel if Class A high-speed steel would reasonably fulfill his requirements; and no producer shall accept such an order for Class B high-speed steel when he knows or has reason to believe that Class A high-speed steel would reasonably fulfill the customer's requirements. For the period October 28, 1941, to February 1, 1942, and for each quarterly period thereafter, no customer shall place and no producer shall accept orders for Class B high-speed steel which will exceed, in the aggregate, by weight, one-third of the quantities of Class A high-speed steel ordered by such customer from the same producer during the same period. Customers' orders for high-speed steel which are to be filled in whole or in part by the use of material, including tungsten ore, ferro tungsten, and tungsten-bearing scrap, furnished by such customers shall be subject to all the restrictions and provisions of this Order. With respect to orders placed on or after October 28, 1941, no customer shall request cancellation, during the period October 28, 1941, to February 1, 1942, or during any quarterly period thereafter, of any order for Class A high-speed steel, unless such customer shall also request cancellation of an order or orders for one-third of such quantity, by weight, of Class B high-speed steel placed with the same or some other producer during the same period.

This amendment shall take effect immediately.

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9894; Filed, December 31, 1941; 10:14 a. m.]

## PART 941—MATERIAL AND EQUIPMENT ENTERING INTO FREIGHT CAR CONSTRUCTION INCLUDING RAILROAD, INDUSTRIAL AND MINE FREIGHT CARS

## Notice of Extension of Preference Rating Order No. P-8

§ 941.1 *General preference order No. P-8*,<sup>1</sup> has been extended to expire March 31, 1942.

DONALD M. NELSON,  
Director of Priorities.

DECEMBER 31, 1941.

[F. R. Doc. 41-9880; Filed, December 31, 1941; 10:15 a. m.]

## PART 943—MATERIALS ENTERING INTO THE PRODUCTION OF HEAVY BOMBERS

## PART 948—MATERIALS ENTERING INTO THE PRODUCTION OF ELECTRICAL RELAYS AND SOLENOID ASSEMBLIES

## PART 952—MATERIALS ENTERING INTO THE PRODUCTION OF RADIO RECEIVING, TRANSMITTING, AND DIRECTIONAL EQUIPMENT

Notice of Extension of Preference Rating Orders Nos. P-3, P-4, P-9-a, P-9-b, P-9-c, P-9-d, P-9-e, P-9-f, P-9-g, P-15 and P-16

Preference Rating Orders Nos. P-3,<sup>1</sup> P-4,<sup>2</sup> P-9-a,<sup>3</sup> P-9-b,<sup>4</sup> P-9-c,<sup>5</sup> P-9-d,<sup>6</sup> P-9-e,<sup>7</sup> P-9-f,<sup>8</sup> P-9-g,<sup>9</sup> P-15<sup>10</sup> and P-16<sup>10</sup> have been extended to expire January 31, 1942.

Dated: December 31, 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9891; Filed, December 31, 1941; 10:10 a. m.]

## PART 956—MATERIALS ENTERING INTO THE CONSTRUCTION OF SPECIFIED LOCOMOTIVES

## Notice of Extension of Preference Rating Order No. P-20

§ 956.1 *Preference Rating Order No. P-20*,<sup>11</sup> has been extended to expire March 31, 1942.

DONALD M. NELSON,  
Director of Priorities.

DECEMBER 31, 1941.

[F. R. Doc. 41-9884; Filed, December 31, 1941; 10:13 a. m.]

<sup>1</sup> 6 F.R. 3009.

<sup>2</sup> Original Preference Rating Orders P-3, P-4, and P-9-g were not filed with this Division.

<sup>3</sup> 6 F.R. 3114.

<sup>4</sup> 6 F.R. 3115.

<sup>5</sup> 6 F.R. 3116.

<sup>6</sup> 6 F.R. 3235.

<sup>7</sup> 6 F.R. 3236.

<sup>8</sup> 6 F.R. 3238.

<sup>9</sup> 6 F.R. 3404.

<sup>10</sup> 6 F.R. 3405.

<sup>11</sup> 6 F.R. 3646.

**PART 957—MATERIAL ENTERING INTO THE REPAIR AND REBUILDING OF STEAM, ELECTRIC OR DIESEL LOCOMOTIVES WHETHER FOR RAILROAD, MINING OR INDUSTRIAL USE**

**Notice of Extension of Preference Rating Order No. P-21**

§ 957.1 Preference Rating Order No. P-21,<sup>1</sup> has been extended to expire March 31, 1942.

DONALD M. NELSON,  
Director of Priorities.

DECEMBER 31, 1941.

[F. R. Doc. 41-9885; Filed, December 31, 1941; 10:15 a. m.]

**PART 967—FORMALDEHYDE, PARAFORMALDEHYDE, HEXAMETHYLENETETRAMINE AND SYNTHETIC RESINS**

**Amendment No. 5 to General Preference Order No. M-25 to Conserve the Supply and Direct the Distribution of Formaldehyde, Paraformaldehyde, Hexamethylenetetramine and Synthetic Resins Produced Therefrom**

(a) Section 967.1 (General Preference Order No. M-25<sup>1</sup>) is hereby amended in the following particulars:

(1) In paragraph (c) (1) (i), Hand Flashlight Parts shall be included in the enumeration designated Classification I.

(2) Paragraph (i) shall be deleted and there shall be substituted in its place a new paragraph (i) as follows:

(i) *Effective date.* This Order shall take effect on the 23rd day of August, 1941, and continue in effect until terminated by direction of the Director of Priorities.

(b) This Order shall take effect immediately. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 Amended, Sept 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F.R. Doc. 41-9895; Filed, December 31, 1941; 10:14 a. m.]

**PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS**

**Amendment No. 2 to Limitation Order L-1-a, To Restrict the Production of Medium and Heavy Motor Trucks and Passenger Carriers**

Section 976.1 (General Limitation Order No. L-1, and, as amended L-1-a) is hereby amended to read as follows:

Whereas the manufacture of medium and heavy motor trucks and passenger carriers requires the utilization of large quantities of aluminum, chromium, cop-

per, nickel, nickel steel, rubber, steel, tin, tungsten and other critical materials, and national defense requirements have created a shortage of these materials for the combined needs of defense, private account and export; action has already been taken to conserve the supply and direct the distribution of such materials to insure deliveries for defense and for essential civilian requirements; and the present supply of these materials will be insufficient for defense and essential civilian requirements unless the manufacture of medium and heavy motor trucks and passenger carriers is curtailed and the use of critical materials for such manufacture thereby reduced;

Now, therefore, it is hereby ordered, That:

§ 976.1 General Limitation Order L-1-a—(a) *Definitions.* For the purposes of this order:

(1) "Medium and/or Heavy Motor Truck"—means a complete motor truck or truck tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, (as certified to the Office of Production Management by the Producer's Engineering Department and as specified in a published rating in effect prior to August 1, 1941) or the chassis therefor.

(2) "Passenger Carrier"—means a complete motor or electrical coach for passenger transportation, having a seating capacity of not less than fifteen persons, or the chassis or body therefor.

(3) "Producer"—means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of medium and/or heavy motor trucks or passenger carriers.

(b) *General restriction. February quota.* During the period commencing February 1, 1942 and ending February 28, 1942:

(1) Producers shall manufacture not more than the following number of medium and/or heavy motor trucks:

Name of producer	Number of medium and/or heavy motor trucks
Ford Motor Co.....	17,000
Chevrolet Division, General Motors Corp.....	13,320
Chrysler Corporation.....	8,000
International Harvester Co.....	5,945
Yellow Truck & Coach Manufacturing Co.....	3,320
The White Motor Co.....	1,350
Mack Manufacturing Corporation.....	875
Federal Motor Truck Co.....	675
Diamond T. Motor Car Co.....	680
Reo Motors, Incorporated.....	600
The Studebaker Corporation.....	480
Autocar Co.....	310
Brockway Motor Co.....	250
Divco-Twin Truck Co.....	245
Four Wheel Drive Auto Co.....	90
Sterling Motor Truck Co.....	80
Euclid Road Machinery Co.....	65
Kenworth Motor Truck Corporation.....	35
Walter Motor Truck Co.....	30
Oshkosh Motor Truck Co.....	20
Dart Truck Co.....	15
Hendrickson Motor Truck Co.....	7
The Corblitt Co.....	10
Available Truck Co.....	4
Duplex Truck Co.....	6
Walker Vehicle Co.....	6
Hahn Motors, Incorporated.....	3
Stewart Motor Corporation.....	4
The Hug Co.....	3
Coleman Motors Corporation.....	3

Name of producer	Number of medium and/or heavy motor trucks
Federal Le Moon Truck Co.....	1
De Martini Motor Truck Co.....	1
Doane Motor Truck Co.....	1
MacDonald Truck & Manufacturing Co.....	1

(2) Producers shall manufacture not more than the following number of passenger carriers:

Name of producer	Number of passenger carriers
Yellow Truck and Coach Manufacturing Co.....	275
Mack Manufacturing Corporation.....	175
Ford Motor Co.....	130
J. G. Brill Co.....	125
Twin Coach Co.....	115
White Motor Co.....	75
Flxible Co.....	35
General American Aerocoach Co.....	25
C. D. Beck & Co.....	20
Pullman Standard Manufacturing Co.....	15
Beaver Metropolitan Coaches, Inc.....	10
Fitzjohn Body Co.....	10
Superior Coach Co.....	10
Reo Motors, Inc.....	10
St. Louis Car Co.....	10
Kenworth Motor Truck Corporation.....	5
Pen Yan Body Co.....	5
Wayne Body Co.....	5
Wentworth and Irwin, Inc.....	5
Pacific Car & Foundry Co.....	5

(3) The determination of the number of medium and/or heavy motor trucks and passenger carriers produced during the period from February 1, 1942 to February 28, 1942, shall exclude, and the foregoing limitation upon the number of medium and/or heavy motor trucks and passenger carriers which may be produced by any Producer during the month of February, 1942, shall not apply to any such medium and/or heavy motor trucks and passenger carriers produced under contracts or orders for delivery to or for the account of:

(i) the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development;

(ii) the government of any of the following countries; the United Kingdom, Canada, and other Dominions, Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia and Yugoslavia;

(iii) any agency of the United States Government for material or equipment to be delivered to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

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

(d) *Audit and inspection.* All records required to be kept by this Order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Office of Production Management.

<sup>1</sup> 6 F.R. 3647.

<sup>2</sup> 6 F.R. 4301, 4527, 5090, 5848.

(e) *Reports.* All persons affected by this Order shall execute and file with the Office of Production Management such reports and questionnaires as said Office shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the Office of Production Management.

(f) *Violations or false statements.* Any person who violates this Order, or who wilfully falsifies any records which he is required to keep by the terms of this order, or by the Director of Priorities, or otherwise wilfully furnishes false information to the Director of Priorities or to the Office of Production Management may be deprived of priorities assistance or may be prohibited by the Director of Priorities from obtaining any further deliveries of materials subject to allocation. The Director of Priorities may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

(g) *Appeal.* Any person affected by this Order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal to the Division of Priorities by addressing a letter to the Automotive Branch of the Division of Civilian Supply, Office of Production Management, Washington, D. C., setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Director of Priorities may thereupon take such action as he deems appropriate.

(h) *Effective Date.* This Order shall take effect immediately. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3, March 8, 1941, 6 F.R. 1596, as amended Sept. 12, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9888, Filed, December 31, 1941;  
10:12 a. m.]

PART 976—MOTOR TRUCKS, TRUCK TRAILERS  
AND PASSENGER CARRIERS

*Amendment No. 1 to Limited Preference  
Rating Order No. P-54 Material Enter-  
ing Into the Production of Defense  
Products*

Section 976.2 is hereby amended in the following particulars:

The introduction is hereby amended to read as follows:

§ 976.2 *Limited Preference Rating Order P-54.*<sup>1</sup> For the purpose of facili-

<sup>1</sup> 6 F.R. 4731, 5273, 5677.

tating the acquisition of material for the production of certain trucks, truck trailers and passenger carriers, a preference rating is hereby assigned to deliveries for such purposes upon the following terms:

Section 976.2 (a) (2) is hereby amended to read as follows:

(a) *Definitions.*

(2) "Defense Products" means medium and/or heavy motor trucks, truck trailers, and passenger carriers, those terms being defined as follows:

(1) "Medium and/or Heavy Motor Truck"—means a complete motor truck or truck tractor with a maximum gross vehicle weight rating of 9,000 pounds or more, (as certified to the Office of Production Management by the Producer's Engineering Department and as specified in a published rating in effect prior to August 1, 1941), or the chassis, body or cab therefor.

(2) "Truck-Trailer"—means a complete semi-trailer or full trailer having a cargo-carrying capacity (as advertised by the Producer prior to August 1, 1941) of five tons or more, designed exclusively for the transportation of property, or the chassis or body therefor.

(3) "Passenger Carrier"—means a complete motor or electrical coach for passenger transportation, having a seating capacity of not less than fifteen persons, or the chassis or body therefor.

It is also hereby ordered that § 976.2 shall continue in effect until the 28th day of February, 1942, unless sooner revoked by the Director of Priorities. In order to make this extension effective it is hereby ordered that § 976.2 (e) (3) be amended to read as follows:

(e) *Restrictions on application of rating.*

(3) *by a Producer or a Supplier.*

(i) Unless the material to be delivered cannot be obtained when required without such rating,

(ii) To obtain deliveries earlier than required,

(iii) To deliveries of materials on purchase orders placed after February 1, 1942,

(iv) To deliveries of materials on purchase orders calling for delivery after February 28, 1942. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3, March 8, 1941, 6 F.R. 1596, as amended Sept. 12, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9890; Filed, December 31, 1941;

PART 976—MOTOR TRUCKS, TRUCK TRAILERS  
AND PASSENGER CARRIERS

*Supplementary General Limitation Order L-3-d Further Restricting the Production of Light Motor Trucks during the months of December 1941 and January 1942*

In accordance with the provisions of § 976.3<sup>1</sup> (General limitation order L-3 issued September 13, 1941); of § 976.4<sup>2</sup> (Supplementary general limitation order L-3-a, issued October 24, 1941); and of § 976.5<sup>3</sup> (Supplementary general limitation Order L-3-b, issued November 14, 1941); all of which said Orders the following Order supplements,

It is hereby ordered, That:

§ 976.3 *General Limitation Order L-3*  
(a) *Further restricting the production of light motor trucks in December 1941 and January 1942.* Anything contained in the above-mentioned Orders to the contrary notwithstanding, and subject to the qualifications provided for in paragraph (b) below, during the period commencing December 1, 1941 and ending December 31, 1941, the manufacture of light motor trucks by each Producer thereof is hereby restricted to a number equal to three-fourths of seven per cent (¾ of 7%) of such Producer's average annual production of light motor trucks during the three years commencing August 1, 1938 and ending July 31, 1941, and no Producer shall manufacture light motor trucks during said month of December 1941 in excess of such number. Anything contained in the above-mentioned Orders to the contrary notwithstanding, and subject to the qualifications provided in paragraph (b) below, during the period commencing January 1, 1942 and ending January 31, 1942, the manufacture of light motor trucks by each Producer thereof is hereby restricted to a number equal to one-half of seven per cent (½ of 7%) of such Producer's average annual production of light motor trucks during the three years commencing August 1, 1938 and ending July 31, 1941, and no Producer shall manufacture light motor trucks during said month of January 1942 in excess of such number.

(b) *Qualifications on paragraph (a) hereinabove.* In spite of the provisions of paragraph (a) hereinabove any Producer of light motor trucks may produce in the month of December 1941 that number of light motor trucks originally authorized for his December 1941 production by Supplementary General Limitation Order L-3-a, issued October 24, 1941: *Provided,* That such Producer's January 1942 quota as authorized in paragraph (a) hereinabove, shall be reduced by whatever number such Producer's December 1941 production exceeds the December 1941 quota fixed by paragraph (a) hereinabove. Further,

<sup>1</sup> 6 F.R. 4733.

<sup>2</sup> 6 F.R. 5426.

<sup>3</sup> 6 F.R. 5808.

any Producer of light motor trucks may carry over into the month of January 1942 any portion of his December 1941 production which he failed to produce in the month of December 1941: *Provided, however,* That in no event shall any Producer's total production of light motor trucks for December 1941 and January 1942 exceed the total of his production for those two months authorized in paragraph (a) hereinabove.

(c) *Prohibition of use of new spare tires on new light motor trucks.* On and after the effective date of this Order, no Producer shall equip any new light motor truck produced by him with any new tires in excess of those required for the wheels on which said truck is then operated; all new spare or extra new tires being hereby prohibited; nor shall any such Producer or any other person sell, ship or deliver any new light motor truck with any new spare or extra new tire.

(d) *Extension of use of "Bright Work" to December 31, 1941, and further qualifications on the use thereof.* Paragraph (b) of § 976.5 *Supplementary general limitation order L-3-b*, issued November 14, 1941, is amended by changing the date December 15, 1941 to December 31, 1941 and is further amended by inserting therein the following new subparagraphs designated (b) (i), (b) (ii) and (b) (iii);

(b) (i) The provisions of paragraph (b) shall not apply to ventilator window latches, external lock cylinder caps and covers, external windshield wiper arm and blade assemblies, and body trim bright screws.

(b) (ii) Notwithstanding the provisions of paragraph (b) stocks of "bright work" parts (such as, but not limited to, belt moldings, radiator grilles, running board moldings, windshield moldings, window frame moldings and hub caps) which were in process of manufacture or on hand in the form of finished parts on November 14, 1941, may continue to be used after December 31, 1941, if, but only if, such stocks are treated so as permanently to lose their identity as "bright work" by some practical method such as acid etching and sand blasting and are painted or enamelled before being used.

(b) (iii) Each Producer who desires to take advantage of the provisions of paragraphs (b) (i) and (b) (ii) shall on or before January 1, 1942 file with the Automotive, Transportation and Farm Equipment Branch a statement of his November 14, 1941 inventories of "bright work" goods in process and "bright work" finished parts. The January 1, 1942 statement shall also set out the steps such Producer intends to take in order to comply with paragraph (b) (ii). In addition, each Producer shall furnish proof of compliance with paragraph (b) (ii) whenever such proof is requested by the Branch.

(e) *The effect of present order on use of "bright work".* Anything in supplementary General Limitation Order

L-3-b, issued November 14, 1941 and amended by Paragraph (d) hereinabove, to the contrary notwithstanding, any Producer of light motor trucks may use "bright work", "bright finish", metal finish or body trim containing copper, nickel, chrome or aluminum on that number of light motor trucks originally authorized for production in the month of December 1941, by Supplementary General Limitation Order L-3-a, issued October 24, 1941: *Provided, however,* That if any part of such December 1941 production, so authorized, is carried over into the month of January 1942, as authorized by paragraph (b) hereinabove, then and in that event such "bright work", "bright finish", metal finish or body trim containing copper, nickel, chrome or aluminum must be applied on the first light motor trucks produced in January 1942.

(f) *Effective date.* This Order shall take effect immediately. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489, O.P.M. Reg. 3, March 8, 1941, 6 F.R. 1596, as amended Sept. 12, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec 2 (a) Public No. 671, 76th Congress, Third Session as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9883; Filed, December 31, 1941;  
10:11 a. m.]

#### PART 982—MINES

##### *Amendment No. 3 to Preference Rating Order No. P-56*

Schedule A to § 982.1<sup>1</sup> (*Preference Rating Order P-56*) is hereby amended as follows:

(1) "Conveyors—shaking, belt, or chain type, including duckbills and other self-loading heads" is amended to read, "Conveyors—shaking, belt, chain, or gravity type, including duckbills and other self-loading heads."

(2) "Dredges—continuous bucket" is amended to read, "Dredges—continuous bucket, including pumps."

(3) "Hydraulic monitors" is amended to read, "Hydraulic monitors, with feed pipe and fittings."

(4) The following items are added:

(i) Safety and defense equipment.

(ii) Steel sections for support of mine openings.

(iii) Wire rope for haulage and hoisting.

This amendment shall take effect immediately. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 Amended, Sept. 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; Sec. 2 (a), Public No.

<sup>1</sup> 6 F.R. 6207.

671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; Sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9879; Filed, December 31, 1941;  
10:10 a. m.]

#### PART 984—LEAD

##### *Supplementary Order No. M-38-d*

§ 984.5 *Supplementary order M-38-d.* (a) The Director of Priorities hereby determines that the amount of lead to be set aside by each refiner pursuant to paragraph (c) (2)<sup>1</sup> of § 984.1 (*General preference order M-38*) for the month of January, 1942, shall be 15% of the total amount of lead produced by such refiner during the month of November, 1941.

(b) This Order shall take effect on the 1st day of January, 1942. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3, as amended September 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session; as amended by Public 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session.)

Issued this 31st day of December 1941. All reports to be filed, appeals and other communications concerning this order, should be addressed to the Tin, Lead and Iminenite Branch, Office of Production Management, Social Security Building, Washington, D. C., Reference: M-38-d.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9887; Filed, December 31, 1941;  
10:11 a. m.]

#### PART 998—METAL OFFICE FURNITURE AND EQUIPMENT

##### *Amendment No. 1 to Limitation Order L-13 to Restrict the Production of Metal Office Furniture and Equipment*

*It is hereby ordered, That:*

Section 998.1 (*Limitation Order L-13*) is hereby amended to read as follows:

§ 998.1 *General Limitation Order L-13—(a) Definitions.* For the purposes of this Order:

(1) "Steel Used" means

(i) The aggregate weight of steel cut or processed by any manufacturer subject to this order for use in the production of metal office furniture and equipment, plus

(ii) The aggregate weight of steel contained in purchased parts when such parts are put into the production of metal office furniture and equipment.

(2) "Class A Manufacturers" means those manufacturers of metal office fur-

<sup>1</sup> 6 F.R. 5091.

niture and equipment whose steel used in the manufacture of such metal office furniture and equipment for the twelve months ending June 30, 1941, was 12,000 tons or more.

(3) "Class B Manufacturers" means those manufacturers of metal office furniture and equipment whose steel used in the manufacture of such metal office furniture and equipment for the twelve months ending June 30, 1941, was more than 3,000 but less than 12,000 tons.

(4) "Class C Manufacturers" means those manufacturers of metal office furniture and equipment whose steel used in the manufacture of such metal office furniture and equipment for the twelve months ending June 30, 1941, was 3,000 tons or less.

(5) "Group I Product" means any one of the following: insulated metal filing cabinets; safes; metal visible record equipment; metal shelving; metal lockers; stenographic or posture-type office chairs containing metal.

(6) "Group II Product" means any one of the following: metal filing cabinets other than insulated filing cabinets.

(7) "Group III Product" means any one of the following: metal office storage cabinets; metal desks; office chairs containing metal, other than stenographic or posture-type office chairs; metal office tables, including typewriter and office machine stands (except those which are integral parts of the machines which they support); metal bank vault equipment; metal office counters other than filing cabinets; movable metal partitions; doors, etc., for movable metal partitions; other metal office equipment, including wastepaper baskets, metal trays, and wire baskets.

(8) "Preferred Order" means any order or contract for metal office furniture and equipment to be delivered to or for the account of

(i) The Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, and the Office of Scientific Research and Development;

(ii) The government of any of the following countries: The United Kingdom, Canada, and other Dominions, Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia and Yugoslavia;

(iii) Any agency of the United States Government for delivery to, or for the account for the government of any country listed above or any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act)

(b) *General restrictions.* (1) Except as provided in subparagraphs (4) and (5), during each of the months of January, February and March, 1942, no Class

A Manufacturer of metal office furniture and equipment shall use in the production of any Group I Product more than 70% of the monthly average of steel used by him for the manufacture of such Group I Product during the twelve months ending June 30, 1941; nor shall such Class A Manufacturer use in the manufacture of any Group II Product more than 55% of the monthly average of steel used by him for the manufacture of such Group II Product during the twelve months ending June 30, 1941; nor shall such Class A Manufacturer use in the manufacture of any Group III Product more than 40% of the monthly average of steel used by him for the manufacture of such Group III Product during the twelve months ending June 30, 1941.

(2) Except as provided in subparagraphs (4) and (5), during each of the months of January, February and March, 1942, no Class B Manufacturer of metal office furniture and equipment shall use in the production of any Group I Product more than 80% of the monthly average of steel used by him for the manufacture of each Group I Product during the twelve months ending June 30, 1941; nor shall such Class B Manufacturer use in the manufacture of any Group II Product more than 65% of the monthly average of steel used by him for the manufacture of such Group II Product during the twelve months ending June 30, 1941; nor shall such Class B Manufacturer use in the manufacture of any Group III Product more than 50% of the monthly average of steel used by him for the manufacture of such Group III Product during the twelve months ending June 30, 1941.

(3) Except as provided in subparagraphs (4) and (5), during each of the months of January, February and March, 1942, no Class C Manufacturer of metal office furniture and equipment shall use in the production of any Group I Product more than 90% of the monthly average of steel used by him for the manufacture of such Group I Product during the twelve months ending June 30, 1941; nor shall such Class C Manufacturer use in the manufacture of any Group II Product more than 75% of the monthly average of steel used by him for the manufacture of such Group II Product during the twelve months ending June 30, 1941; nor shall such Class C Manufacturer use in the manufacture of any Group III Product more than 60% of the monthly average of steel used by him for the manufacture of such Group III Product during the twelve months ending June 30, 1941.

(4) Any manufacturer of metal office furniture and equipment who manufactures more than one product may, as between such products (whether in the same or in different groups), adjust the permissible amounts of steel to be used, but such adjustment shall be within the following limits: In the production of any one product he may use up to but not exceeding 120% of the amount of

steel permitted for such product under the terms of subparagraphs (1), (2), or (3), but, in such a case, the amount of steel permitted for his other products shall be reduced so that the total amount of steel used by him in the production of metal office furniture and equipment shall not exceed the total permitted under the preceding subparagraphs exclusive of this subparagraph.

(5) A manufacturer having preferred orders may exceed the foregoing restrictions in any month to the extent of the amount of steel required to fill such preferred orders: *Provided*, That his quota under subparagraphs (1), (2), or (3) for the following month shall be reduced by the amount of such excess. In no event, however, shall a quota for any month be reduced below 50% of the quota established under subparagraphs (1), (2) or (3).

(c) *Avoidance of excessive inventories.* Manufacturers of metal office furniture and equipment shall not accumulate inventories of raw materials, semi-processed materials or finished parts for metal office furniture and equipment in quantities in excess of the minimum amount necessary to maintain production of metal office furniture and equipment at the rates permitted by this Order.

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

(e) *Audit and inspection.* All records required to be kept by this Order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Office of Production Management.

(f) *Reports.* Until further notice each manufacturer to whom this Order applies shall file with the Office of Production Management reports on Form PD-134 on or before the fifteenth day of each month, covering the preceding month, and such other reports and questionnaires as said Office shall from time to time request.

(g) *Applicability to manufacturers previously using metals other than steel.* Any manufacturer who, during the twelve months ending June 30, 1941, used metals other than steel in the production of any Group I, Group II, or Group III Products and, who uses or wishes to use steel in lieu of such other metals, may apply on Form PD-136 to the Office of Production Management for permission to convert the weight of such other metals previously used into an equivalent weight of steel for the purpose of computing such manufacturer's "Steel used" during the base period. Permission to make such conversion in a proper case will be granted only upon condition that the manufacturer agrees to use none of the metals formerly used in the production of metal office furniture and equipment.



(h) *Violations or false statements.* Any person who violates this Order, or who wilfully falsifies any records which he is required to keep by the terms of this Order, or by the Director of Priorities, or otherwise wilfully furnishes false information to the Director of Priorities or to the Office of Production Management may be deprived of priorities assistance or may be prohibited by the Director of Priorities from obtaining any further deliveries of materials subject to allocation. The Director of Priorities may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

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

(j) *Routing of correspondence.* Reports to be filed and other communications concerning this Order shall be addressed to the Office of Production Management, Washington, D. C., Ref.: L-13.

(k) *Effective rate.* This Amendment shall take effect January 1, 1942. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 Amended, Sept. 2, 1941; 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 784, 76th Congress, Third Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9896; Filed, December 31, 1941;  
10:15 a. m.]

#### PART 1001—TIN

##### Conservation Order No. M-43-a Curtailing the Use of Tin in Certain Items

Whereas national defense requirements have created a shortage of tin for the combined needs of defense, private account, and export; and the supply now is and will be insufficient for defense and essential civilian requirements unless its use in the manufacture of many products where such use is not absolutely necessary for the defense or essential civilian requirements is curtailed or prohibited as hereinafter provided;

Now, therefore, it is hereby ordered, That:

#### § 1001.2 Conservation Order M-43-a.

(a) *Prohibition on use of tin in articles appearing on list "A":*

No. 1—5

(1) Any person using tin in any Item on List "A" shall reduce his use of tin in any such Item between January 1 and March 31, 1942, to 50% of his use in the base period.

(2) Effective April 1, 1942, no tin shall be used in the production of any Item on List "A".

(b) *Limitation on all other uses of tin.* Any person using tin in any article not covered by paragraph (a) or (c) of this Order shall reduce his use of tin in any such article between January 1 and March 31, 1942, and during each calendar quarter thereafter to 50% of his use in the base period.

(c) *General exception.* Where and to the extent the use of any less scarce material is impracticable, the prohibitions, limitations and restrictions contained in paragraphs (a) and (b) shall not apply to the use of tin in the manufacture of any Item which is being produced:

(1) for delivery under a specific contract or subcontract for the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, the Office of Scientific Research and Development or for any foreign country pursuant to the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States," (Lend-Lease Act) if in any such case the use of tin to the extent employed is required by the specifications of the prime contract, or

(2) to comply with Underwriters Regulations, or Safety Regulations issued under Governmental authority, provided the pertinent provisions of such Regulations were, in either case, in effect both on December 1, 1941, and on the date of such use, and specifically and exclusively require the use of tin to the extent employed, or

(3) by tin plating, terne plating, hot tinning or electroplating for use as containers or cans, or

(4) with the assistance of a preference rating of A-1-j or higher.

(d) *Prohibitions against sales or deliveries.* No person shall hereafter sell or deliver tin to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this Order.

(e) *Limitation of inventories.* No manufacturer shall receive delivery of tin, (including scrap) or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies, nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed

upon the production of tin products by this Order.

(f) *Miscellaneous provisions:* (1) *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.

(2) *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 tin conserved, or that compliance with this Order would disrupt or impair a program of conversion from non-defense work to defense work, may appeal to the Office of Production Management on Form PD-229, Ref.: M-43-a, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Priorities may thereupon take such action as he deems appropriate.

(3) *Applicability of order.* The prohibitions and restrictions contained in this Order shall apply to the use of material in all articles hereafter manufactured irrespective of whether such articles are manufactured pursuant to a contract made prior or subsequent to the effective date hereof, or pursuant to a contract supported by a preference rating. Insofar as any other Order of the Director of Priorities may have the effect of limiting or curtailing to a greater extent than herein provided the use of tin in the production of any article, the limitations of such other Order shall be observed.

(4) *Violations or false statements.* Any person who violates this Order, or who wilfully falsifies any records which he is required to keep by the terms of this Order, or by the Director of Priorities, or who otherwise wilfully furnishes false information to the Director of Priorities or to the Office of Production Management may be deprived of priorities assistance or may be prohibited by the Director of Priorities from obtaining any further deliveries of materials subject to allocation. The Director of Priorities may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

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

(i) "Tin" means tin metal or the tin content of any tin bearing material (except the reuse of such metal in plates or type in the printing, publishing and related service industries) whether or not such material is first converted into tin metal, either imported from foreign

sources, or produced domestically from foreign or domestic ores, scrap or residues.

(ii) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such Inventory is under the control of or under common control with or available for the use of such person.

(iii) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat, or process in any other way, but does not include installation of a finished product for the ultimate consumer.

(iv) "Item" means any article or any component part thereof.

(v) "Use" means both (1) the act of putting tin into process in the manufacture of any item and (2) the act of completing the manufacture of any such item. (Where a person is limited to a percentage of the material used in a base period this limitation applies respectively to (1) the amount of material put into process during the base period and (2) to the total amount of material contained in a completed item or article multiplied by the number of such items or articles completed during the base period. Each restriction must be applied separately.)

(vi) "Base Period" means the corresponding quarterly period in 1940.

(vii) "Put into Process" means the first change by a Manufacturer in the form of material from that form in which it is received by him.

(6) *Effective date.* This order shall take effect upon the date of issuance and shall continue in effect until revoked by the Director of Priorities. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3 Amended, Sept. 2, 1941; 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a) Pub. No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

List "A" of Order M-43-a

The use of tin in the items listed below and in all component parts thereof is prohibited except to the extent permitted by the foregoing Conservation Order.

Advertising specialties.  
Art objects.  
Automobile body solder.  
Band and other musical instruments.  
Beverage dispensing units and parts thereof including tin pipe.  
Britannia metal.  
Buckles.  
Building supplies (except temperature controls and those items appearing on the Defense Housing Critical List).  
Buttons.  
Chimes and bells.  
Emblems and insignia.

Eyelets.

Fasteners.

Foil (except for condensers and electrotyping & moulding lead in printing trades).

Galvanizing (except for food processing equipment).

Household furnishings—Fixtures (including lamp stands and lighting fixtures).

Jewelry.

Novelties and souvenirs.

Ornaments and ornamental fittings.

Pewter.

Plating for decorative purposes.

Powder (decorative).

Refrigerator trays.

Seals and labels.

Slot, game, and vending machines.

Tin coated paper.

Tin oxide in enamelware as an opacifier.

Toys.

White metal.

[F. R. Doc. 41-9897; Filed, December 31, 1941; 10:15 a. m.]

PART 1014—BURLAP AND BURLAP PRODUCTS

*Amendment No. 1 to Order M-47 To Conserve the Supply and Direct the Distribution of Burlap and Burlap Products*

Section 1014.1 (b)<sup>1</sup> is hereby amended to read as follows:

§ 1014.1 *Conservation Order M-47.*

(b) *Stockpiling of imports: Preference for heavy constructions: Releases from stockpile.* (1) Any Importer or Importing Bag manufacturer hereafter accepting delivery of Burlap from any cargo imported to continental United States, shall set aside, out of his receipts from said cargo, two-thirds of the bales he receives, and shall not dispose thereof except as expressly directed by the Office of Production Management. The bales so set aside shall be the heaviest constructions available. The remaining one-third of such receipts, and all existing spot stocks shall be distributed in accordance with the provisions of paragraph (c). Any Person securing shipping space for Burlap in Calcutta or other point of shipment for import to continental United States shall fill such shipping space with ten ounce constructions or heavier to the extent available.

(2) Importers and Importing Bag Manufacturers who have set aside Burlap in accordance with the provisions of paragraph (b) (1), not to be disposed of except as expressly directed by the Office of Production Management, shall deliver, sell, manufacture, process, use or otherwise release Burlap from the quantity so set aside, without further authorization of the Office of Production Management in the following instances:

<sup>1</sup> 6 F.R. 6648.

(i) To fill any order bearing a rating of A-1-j or higher

(ii) To fill any order for Burlap to be used for sandbags or camouflage cloth placed by the Army or the Navy.

(iii) To fill any order by the Defense Supplies Corporation or other corporation, affiliate or other form of enterprise under the control of the Reconstruction Finance Corporation

(iv) To fill an order placed by a Non-Importing Bag Manufacturer or other person for Burlap to be used to fill an order of the kinds specified in subdivision (i) or (ii) hereof: *Provided, however,* That in any such case the Non-Importing Bag Manufacturer or other person placing the order shall certify the use Burlap is to be put to the Importer or Importing Bag Manufacturer. Such certification shall be a representation to the Office of Production Management that the Non-Importing Bag Manufacturer or other person requires such Burlap to fill an order of the kinds specified in subdivision (i) or (ii) above.

This order shall take effect immediately (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O. P. M. Reg. 3, as amended Sept. 12, 1941, 6 F.R. 4865; E. O. 8629, Jan. 7, 1941, 6 F.R. 191; E. O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, First Session)

Issued this 31st day of December 1941.

DONALD M. NELSON,  
Director of Priorities.

[F. R. Doc. 41-9881, Filed, December 31, 1941; 10:11 a. m.]

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

*Limitation Order No. L-26 To Restrict the Production of Farm Machinery and Equipment and Attachments and Repair Parts Therefor*

Whereas the manufacture of Farm Machinery and Equipment and Attachments and Repair Parts therefor consumes large quantities of scarce materials, as hereinafter defined; the requirements of national defense have resulted in a shortage in the supply of such materials for defense, for private account and for export; it is essential to the National Defense Program that such scarce materials be conserved; and to this end, it has become necessary that certain restrictions be placed on the manufacture of Farm Machinery and Equipment and Attachments and Repair Parts therefor;

Now, therefore, it is hereby ordered, That:

§ 1029.1 *Limitation Order L-26—(a) Applicability of Priorities Regulation No. 1.* This Order and all transactions affected thereby are subject to the provi-

sions of Priorities Regulation No. 1, 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 purpose of this Order:

(1) "Person" means any individual, partnership, association, corporation, or other form of enterprise.

(2) "Producer" means any person engaged in the manufacture of Farm Machinery and Equipment or of Attachments and Repair Parts for Farm Machinery and Equipment.

(3) "Farm Machinery and Equipment" means agricultural machinery, mechanical equipment and implements used on a farm for the production or care of crops, live-stock, poultry or other produce, including 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, irrigation and drainage equipment, hand tools other than those listed on Schedule A described below, special equipment ordered by the United States Department of Agriculture, buildings and repairs thereto, fencing, poultry netting and wire, gates or wire fencing, bail ties or straps, well casing and water pipe, nails (other than horseshoe nails) and sundry hardware.

(4) "Attachments and Repair Parts" means all types of attachments to and all types of parts customarily used in conjunction with Farm Machinery and Equipment or for the repair thereof.

(5) "Scarce Material" means steel, iron, aluminum, cadmium, chromium, nickel, lead, tin, zinc, copper, antimony, molybdenum, cobalt, rubber and any other materials added to this list by amendment of this Order or by other direction of the Office of Production Management, and any commodity, equipment, accessory, part, assembly, or product of any kind in which there is contained any of the foregoing materials in any form either alone or in combination with other materials.

(c) *General restrictions.* (1) During the period November 1, 1941 to October 31, 1942, inclusive, no Producer shall:

(i) For sale in the Continental United States, manufacture a quantity of any of the classes or types of Farm Machinery and Equipment listed in Schedule A attached to and considered a part of this Order, which quantity shall be in excess of a designated percentage of said Producer's production for such sale of the same class or type of Farm Machinery and Equipment during the calendar year 1940, the percentage for each class or type being that specifically designated for such class or type in said Schedule A;

(ii) For sale in the Continental United States, use in the production of Attachments and Repair Parts, listed in said Schedule A, an amount of any Material in excess of a designated percentage of said Producer's use of that Material in

the production for such sale of the same class or type of Attachments and Repair Parts during the calendar year 1940, the percentage for each class or type being that specifically designated for such class or type in said Schedule A and 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;

(iii) For export to foreign countries or to territories and possessions of the United States including the Philippine Islands, manufacture a quantity of any class or type of Farm Machinery and Equipment which is in excess of eighty per cent (80%) of the amount of the same class or type of Farm Machinery and Equipment manufactured for such export during the calendar year 1940, or use in the production of Attachments and Repair Parts an amount of any Material in excess of one hundred fifty per cent (150%) of the amount so used for export in the calendar year 1940.

(2) Every Producer shall wherever possible use conservation measures, such as substitution, redesign, and re-specification, to eliminate Scarce Material normally used; and shall plan his production schedule in accordance with the relative urgency and national need for different kinds of Farm Machinery and Equipment and Attachments and Repair Parts, subject to the provisions of this Order. The Office of Production Management may from time to time require the elimination or diminution of the use of any material, with or without the substitution of other materials, and may specify the use in the manufacture of Farm Machinery and Equipment and Attachments and Repair Parts to which specific types of material can be put.

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

(e) *Audit and inspection.* All records required to be kept by this Order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Office of Production Management.

(f) *Reports.* All persons affected by this Order shall execute and file with the Office of Production Management such reports and questionnaires as said Office shall from time to time request.

(g) *Violations or false statements.* Any person who violates this Order or who wilfully falsifies any records which he is required to keep by the terms of this Order, or otherwise wilfully furnishes false information to the Office of Production Management may be deprived of priorities assistance or may be prohibited by the Office of Production Management from obtaining any further deliveries of materials subject to allocation. The Office of Production Management may also take any other action

deemed appropriate, including the making of a recommendation for prosecution under Section 35 (A) of the Criminal Code (18 U.S.C. 60).

(h) *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 serious problem of unemployment in the community, or that compliance with this Order would disrupt or impair a program of conversion from non-defense work, may apply for relief by addressing a letter to the Office of Production Management setting forth the pertinent facts and the reasons such person considers that he is entitled to relief. The Office of Production Management may thereupon take such action, if any, as it deems appropriate by amendment of this Order or otherwise.

(i) *Communications.* All reports to be filed, appeals and other communications concerning this Order shall be addressed to the Office of Production Management, Washington, D. C., Ref.: L-26.

(j) *Revocation or modification.* This Order and Schedule A attached hereto may be revoked, amended or modified by the Office of Production Management at any time as to all or any one or more Producers affected hereby, and by special directions issued to any Producer the Office of Production Management may change any quota of such Producer.

(k) *Effective date.* This Order shall take effect upon the date of the issuance thereof and shall continue in effect through October 31, 1942, subject to such amendments or supplements thereto as may be issued from time to time. (P.D. Reg. 1, Aug. 27, 1941; 6 F.R. 4489; O.P.M. Reg. 3 Amended, Sept. 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session)

Issued this 31st day of December 1941.

J. S. KNOWLSON,  
Acting Director of Priorities.

[F. R. Doc. 41-9882; Filed, December 31, 1941;  
10:10 a. m.]

#### CHAPTER XI—OFFICE OF PRICE ADMINISTRATION

##### PART 1315—RUBBER

##### PRICE SCHEDULE NO. 63—RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

The outbreak of war with the Japanese Empire makes uncertain the future shipment of rubber from the Far East and necessitates for the present time a great curtailment in the consumption of rubber for new rubber tires and tubes so that the rubber stockpile already accumulated may be available for military and essential civilian purposes. There are large stocks of new rubber tires and tubes in the hands of retailers, and sales from these stocks are permitted only to

those consumers who can demonstrate that it is in the national interest for them to have such new tires or tubes.

Since July 3, 1941, the Office of Price Administration with the complete cooperation of the members of the tire and tube industry has stabilized, within maximum levels, the wholesale prices received by manufacturers for new rubber tires and tubes. Stabilization of retail prices is now considered essential to the success of the Government's effort to insure that the limited number of new rubber tires and tubes available are used where they are most needed in our economy.

The maximum retail prices set forth in this Schedule are established, after investigation and conferences with members of both the manufacturing and distributive phases of the industry, on the basis of price lists presently used by the industry and which were so used shortly before the outbreak of the war in the Pacific. Observance of this Schedule will be fair to buyers and to sellers alike, and will further the Government's program for the allocation of rubber tires and tubes to consumers.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1315.101 *Maximum retail prices for new rubber tires and tubes.* On and after January 5, 1942, regardless of the terms of any contract of sale or other commitment, no person shall sell, offer to sell, deliver or transfer, at retail, any new rubber tire or tube, at prices higher than the maximum prices set forth in Appendices A and B, hereof, incorporated herein as § 1315.110 and § 1315.111.\*

\*§§ 1315.101 to 1315.111, inclusive, issued pursuant to authority contained in E.O. Nos. 8734, 8875, 6 F.R. 1917, 4483.

§ 1315.102 *Less than maximum prices.* Lower prices than those set forth in Appendices A and B may be charged or demanded.\*

§ 1315.103 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with the sale, delivery, or transfer of a new rubber tire or tube, alone or in conjunction with any other article or material, or by way of any commission, service, transportation, or other charge, or by tying-agreement or other trade understanding, or by increasing the charges for the extension of credit or for the mounting of a tire or tube on a vehicle or for any other service over those in effect on November 25, 1941, or by making terms and conditions of sale more onerous to purchasers than those available or in effect on November 25, 1941, or by any other means. The purchaser shall always have the option of paying at the time of the purchase the full cash price of the tire or tube, which shall not exceed the maximum price less any trade-in allowance. He shall also have the option of receiving delivery of such tire or tube at the seller's place of business, without having

it mounted on a vehicle or having any other service performed.\*

§ 1315.104 *Posting of prices.* Every person engaged in the business of selling new rubber tires or tubes at retail, shall keep posted in a conspicuous place in each retail establishment at which such tires or tubes are offered for sale, a price list setting forth the maximum retail prices applicable to such tires or tubes. Such statement shall be prepared and posted not later than 8:00 a. m. on January 5, 1942. Lists of maximum prices computed under the terms of this Schedule and prepared by manufacturers of manufacturers' brands and by owners of private brands, may be used for this purpose if received by the seller in time.

If on November 25, 1941 the seller made special charges for the extension of credit or for the mounting of tires and tubes or for any other services, and if he desires to continue such charges after January 5, 1942, such seller shall prepare a notarized statement listing the prices charged on November 25, 1941 for such extra services, and shall post such statement not later than 8:00 a. m. on January 5, 1942 along with the list of maximum tire and tube prices required to be posted by this section.\*

§ 1315.105 *Records and reports.* Every person engaged in the business of selling new rubber tires or tubes at retail shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of every such sale of such articles, showing the date thereof, the name and address of the purchaser, the price, and the brand name, size, and quantity of all new rubber tires or tubes sold.

Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may, from time to time, require.\*

§ 1315.106 *Enforcement.* In the event of refusal or failure to abide by the price limitations, posting or record requirements, or other provisions of this Schedule, or in the event of evasion or attempt to evade the price limitations, or other provisions of this Schedule, the Office of Price Administration will make every effort to assure (a) that the Congress and the public are fully informed thereof; (b) that the powers of Government both state and federal are fully exerted in order to protect the public interest and the interests of those persons who comply with the Schedule; (c) that full advantage will be taken of the cooperation of the various political subdivisions of state, county and local government by calling to the attention of the proper authorities failures to comply with this Schedule which may be regarded as grounds for the revocation of licenses and permits, and (d) that the Rubber Reserve Company and the procurement services of the Government are requested to refrain from selling to or purchasing from those persons who fail to comply with this Schedule. Persons who have evidence of the receipt or demand of prices higher than the maximum prices or of any evasion or effort to evade the

provisions hereof are urged to communicate with the Office of Price Administration.\*

§ 1315.107 *Modification of the schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom: *Provided*, That no application under this section will be considered unless filed by persons complying with this Schedule.\*

§ 1315.108 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity;

(b) "Sale at retail" means any sale to a purchaser for use by such purchaser and not for resale;

(c) "New rubber tire or tube" means any of the new rubber tires or tubes expressly covered by Appendix A hereof, incorporated herein as § 1315.110;

(d) "Manufacturers' brands" of new rubber tires or tubes means all tires or tubes marketed under brand names owned by the manufacturer of such tires or tubes;

(e) "Private brands" of new rubber tires or tubes means all tires or tubes marketed under brand names not owned by the manufacturer of such tires or tubes.\*

§ 1315.109 *Effective date of this schedule.* This Schedule shall become effective on January 5, 1942.\*

§ 1315.110 *Appendix A; maximum retail prices for manufacturers' brands of new rubber tires and tubes.* The following prices are the maximum prices that may be charged at retail for new rubber tires or tubes at the seller's place of business. The maximum prices set forth herein may not be exceeded for any such sale, even though in a particular case no used tire or tube is traded in. If a used tire or tube is traded in, the trade-in allowance shall be deducted from the maximum price.

The actual dollar amount of the Federal Excise Tax paid on any tire or tube may in each case be added to the maximum price established by this Schedule.

(a) The maximum retail prices for manufacturers' brands of passenger-car tires (4 ply) and truck tires (10 ply) listed in paragraph (b) below shall be:

PASSENGER-CAR TIRES	
Size	Price
4.50-12.....	\$9.10
4.00-15.....	7.80
5.00-15.....	10.80
6.50-15.....	17.50
7.00-15.....	19.80
8.25-15.....	28.15
5.00-16.....	10.70
5.50-16.....	13.15
6.00-16.....	14.75
6.25-16.....	16.60
6.50-16.....	17.90
7.00-16.....	20.30
7.50-16.....	25.75
5.25/5.50-17.....	13.55
6.00-17.....	16.00
5.25/5.50-18.....	12.35
6.00-18.....	17.25
4.75/5.00-19.....	11.05
5.25-20.....	15.10

TRUCK TIRES

Size	Price
8.25-15	\$68.50
7.50-18 (32 x 7)	62.10
8.25-18	65.75
9.00-18	78.10
10.50/11.00-18	106.00
7.00-20 (32 x 6)	47.50
7.50-20 (34 x 7)	63.40
8.25-20	67.65
9.00-20	80.75
8.25-22	72.40
9.00-22	84.75
7.00-24 (36 x 6)	55.10
7.50-24 (38 x 7)	71.10
8.25-24	76.40
9.00-24	88.15

(b) The prices set forth in paragraph (a) above apply to tires carrying brand names of manufacturers as follows:

Manufacturers, Brands of Passenger-Car Tires, and Brands of Truck Tires

The Armstrong Rubber Company, Streamline, Heat Master.

Brunswick Tires, Super Quality, Heavy Service.

The Century Tire & Rubber Company, Deluxe, Commercial Service Rib Tread.

Columbia Tire & Rubber Company, First Line Deluxe, Columbia—First Line.

The Cooper Corporation, Soft-Aire, All Duty.

Corduroy Rubber Company, Deluxe, Universal.

The Dayton Rubber Manufacturing Company, Thorobred, Thorobred.

Denman Tire and Rubber Company, Double Duty, Super Truck & Bus Rib Tread.

Diamond Tires, Superlux, Heavy Service.

Dunlop Tire and Rubber Corporation, Super 107 Gold Cup, Gold Cup Heavy Duty Truck & Bus.

The Falls Rubber Company, Road Master, Super Rib Truck & Bus.

Federal Tires, Classic, Commercial Double Blue, Pennant (Cotton).

The Firestone Tire & Rubber Company, Champion Deluxe, Transport Heavy Duty.

Fisk Tires, Air Flight Deluxe, Transportation (Cotton).

Fleetwood Tire & Rubber Company, First Line Deluxe, Fleetwood—First Line.

Ford Motor Company, Ford, Ford.

G & J Tires, Classic, Stalwart.

The Gates Rubber Company, Vulco, Vulco Heavy Duty Truck & Bus.

The General Tire & Rubber Company, New Dual Grip, Super Highway.

The Giant Tire & Rubber Company, Deluxe, Super Rib Truck & Bus.

Gillette Tires, Ambassador (Cotton), Super Ribbed (Cotton).

The B. F. Goodrich Company, Silver-town Deluxe, Speedliner, Heavy Duty.

The Goodyear Tire & Rubber Company, Deluxe All-Weather, High Miler Rib.

Hood Tires, "400", Heavy Service.

The Kelly-Springfield Tire Company, Registered, Registered.

Lee Tire & Rubber Company, Deluxe, Heavy Duty Special.

McCreary Tire & Rubber Company, Super Service, Super Service.

The Mansfield Tire & Rubber Company, Deluxe, Transport—First Line.

Miller Tires, Imperial, Heavy Service.

The Mohawk Rubber Company, Chief, Chief Bus.

The Monarch Rubber Company, Noble Deluxe, Truck & Bus Balloon.

National Tire Stores, Incorporated, National, Heavy Duty Truck & Bus Balloon.

The Norwalk Tire & Rubber Company, N-40, N-6 Rib Traction.

Pennsylvania Rubber Company, Advanced Deluxe, Universal.

The Pharis Tire & Rubber Company, Road Gripper Super, Pharis First Line.

The Richland Rubber Company, Deluxe, Rapid Transit.

F. G. Schenuit Rubber Company, Shenuit Balloon, First Line Truck & Bus.

Seiberling Rubber Company, Special Service Deluxe, Special Service—Heat Vented.

United States Rubber Company, Royal Deluxe, Royal Fleetway.

The United Tire & Rubber Company, Deluxe, Commercial.

(c) The maximum retail prices for manufacturers' brands of passenger-car tubes and truck tubes listed in paragraph (d) below shall be:

(d) below shall be:

PASSENGER-CAR TUBES

Size	Price
4.25-12	\$2.60
4.50-12	2.60
4.00-15	2.40
5.00-15	2.80
6.50-15	4.25
6.50-15	4.25
7.00-15	4.30
7.50-15	5.00
8.25-15	6.60
5.00-16	2.65
5.50-16	3.05
6.00-16	3.65
6.00-16	3.65
6.25-16	3.65
6.50-16	4.30
7.00-16	4.30
7.50-16	5.20
8.25-16	6.75
5.00-17	2.75
5.25-18	2.75
5.50-18 D. C.	2.75
5.25-17	3.30
5.50-17	3.30
6.00-17	3.30
6.50-17	4.40
7.00-17	4.40
7.00-17	4.40
7.50-17	4.40
7.00-18	4.40
7.50-18	4.40
7.50-18	5.40
7.50-17	5.40
5.50-18 FB	3.50
6.00-18	3.50
6.50-18	3.50
5.25-19	3.50
5.50-19	3.50
6.00-19	3.50
6.50-19	3.50
7.50-18	5.45
4.75-19	2.95
5.00-19	2.95
7.50-19	6.00
5.25-20	2.75
5.50-20	2.75
6.00-20	3.90

TRUCK TUBES

Size	Price
7.00-15	\$4.50
7.50-15	6.75
8.25-15	9.85
9.00-15	11.30
9.75-15	11.90
10.00-15	11.90
6.00-16	3.40
6.50-16	4.05
7.00-16	4.65
7.50-16	6.95
6.00-17	3.80
6.00-17	3.80
6.50-17	3.80
6.50-17	3.80
7.00-17	4.75
7.50-17	4.75
7.50-17	4.75
6.50-18	5.00
7.00-18	4.80
7.50-18 (32 x 7)	8.45
8.25-18	10.00
9.00-18	11.55
9.75-18	12.25
10.00-18	12.25
10.50-18	13.75
11.00-18	13.75
11.25-18	18.90
12.00-18	18.90
5.50-20 (30 x 5)	4.15
6.00-20 (30 x 5)	4.15
6.50-20 (32 x 6-8)	5.10
6.50-20	5.10
7.00-20	5.10
7.00-20 (32 x 6-10)	6.30
7.00-20 (32 x 6)	6.30
7.50-20 (34 x 7)	8.90
8.25-20	10.25
9.00-20 (36 x 8)	11.75
9.75-20	12.60
9.75-20 (38 x 9)	12.60
10.00-20 (38 x 9)	12.60
10.50-20	14.95
11.00-20	14.95
11.25-20	20.00
12.00-20	20.00
12.00-20	20.00
12.75-20	26.50
13.00-20	26.50
13.50-20	30.80
14.00-20	30.80
16.00-20	33.40
8.25-22	10.90
9.00-22	12.25
9.75-22	12.95
10.00-22	12.95
10.50-22	16.05
11.00-22	16.05
11.25-22	21.60
12.00-22	21.60
7.00-24	6.80
7.00-24 (36 x 6)	6.80
7.00-24 (36 x 6)	6.80
7.50-24 (38 x 7)	6.60
8.25-24	11.65
9.00-24 (40 x 8)	12.85
9.75-24 (42 x 9)	13.40
10.00-24	13.40
10.50-24 (44 x 10)	17.80
11.00-24 (44 x 10)	17.80
11.25-24	22.30
12.00-24	22.30
12.00-24	22.30
12.75-24	29.50
13.00-24	29.50
13.50-24	35.05
14.00-24	35.05
16.00-24	64.15
18.00-24	78.30
21.00-24	123.00
24.00-32	138.85
18.00-40	78.90
30.00-40	402.20
36.00-40	502.15

(d) The prices set forth in paragraph (c) above apply to tubes carrying manufacturers' brand names as follows:

*Manufacturers, Brands of Passenger-Car Tubes, and Brands of Truck Tubes*

The Armstrong Rubber Company, Heatmaster Deluxe, Heatmaster.

Brunswick Tire & Tubes, Deluxe, Heavy Service (Black).

The Century Tire & Rubber Company, Two Tone Heavy Duty, Century Heavy Duty.

The Cooper Corporation, ———, Long Service.

Corduroy Rubber Company, Universal, Universal.

The Dayton Rubber Manufacturing Company, Thorobred, Thorobred.

Denman Tire and Rubber Company, Mercury, First Line Truck Tube.

Diamond Tires & Tubes, Superlux, Heavy Service.

Dunlop Tire and Rubber Corporation, Extra H. D. (Red), ———.

The Falls Rubber Company, ———, Ebonite.

Federal Tires & Tubes, Classic, Double Blue Pennant.

The Firestone Tire & Rubber Company, Deluxe Champion, Transport.

Fisk Tires & Tubes, ———, Transportation.

Ford Motor Company, Ford, Ford.

G & J Tires & Tubes, Classic, Stalwart.

The Gates Rubber Company, Vulco Heavy Duty Red, Vulco Heavy Duty Black.

The General Tire & Rubber Company, Heavy Duty Molded, Heavy Duty Molded.

The Giant Tire & Rubber Company, ———, Super-Rib Truck & Bus.

Gillette Tires & Tubes, Ambassador, Gillette Heavy Service.

The B. F. Goodrich Company, Silver-town, Silvertown.

The Goodyear Tire & Rubber Company, Heavy Duty (Black), Heavy Duty (Black).

Hood Tires & Tubes, Hood "400", Heavy Service.

The Kelly-Springfield Tire Company, Registered, Kelly Black.

Lee Tire & Rubber Company, ———, Heavy Duty Red.

McCreary Tire & Rubber Company, ———, McCreary.

The Mansfield Tire & Rubber Company, Two Tone Heavy Duty, First Line Heavy Duty.

Miller Tires & Tubes, Imperial, Heavy Service.

The Mohawk Rubber Company, Heavy Duty, Heavy Duty.

The Monarch Rubber Company, Noble, Noble.

National Tire Stores, Inc., Safety Rim Ply, Heavy Duty Black.

Pennsylvania Rubber Company, R/X Pinchproof, Pennsylvania.

The Polson Rubber Company, Super Heavy Duty Pinch Proof, T & B Super H. D.

The Richland Rubber Company, Two Tone, Heavy Duty.

F. G. Schenult Rubber Company, First Line, First Line.

Seiberling Rubber Company, Special Service Black, Special Service Black.

United State Rubber Company, Royal Deluxe, Royal.

The United Tire & Rubber Company, Dual Base, Commercial.

(e) (1) The maximum retail prices for 6.00/6.25-16 passenger-car tubes carrying the brand names of certain manufacturers shall be as follows:

*Manufacturers, Brands of Passenger-Car Tubes, and Maximum Prices*

Carlisle Tire & Rubber Company, Greyhound, One Color, \$2.45.

Columbia Tire & Rubber Company, Hold Tite Heavy Duty, \$1.95.

The Cooper Corporation, Long Service Deluxe, \$3.35.

The Durkee-Atwood Company, Red Wing, \$2.45.

The Falls Rubber Company, Evergreen, \$3.05.

Fisk Tires & Tubes, Safti-Base, \$2.75.

Fleetwood Tire & Rubber Company, Heavy Duty Red, \$1.95.

The Giant Tire & Rubber Company, Deluxe, \$3.20.

Lee Tire & Rubber Company, Heavy Duty Red, \$3.35.

McCreary Tire & Rubber Company, Super Heavy Duty, \$2.75.

The Norwalk Tire & Rubber Company, Extra Heavy Duty Carbon Base Pinch Proof, \$2.57.

The Pharis Tire & Rubber Company, Heavy Duty, \$1.95.

(2) The maximum retail prices for 8.25-20 truck tubes carrying the brand names of certain manufacturers shall be as follows:

*Manufacturers, Brands of Truck Tubes, and Maximum Prices*

Carlisle Tire & Rubber Company, Heavy Duty T & B, \$7.80.

Columbia Tire & Rubber Company, Columbia Black, \$7.80.

Dunlop Tire and Rubber Corporation, Gold Cup, \$9.15.

Fleetwood Tire & Rubber Company, Fleetwood Black, \$7.80.

The Norwalk Tire & Rubber Company, Extra Heavy Duty Carbon Base, \$9.81.

The Pharis Tire & Rubber Company, Heat Proof, \$7.80.

(f) The maximum retail prices for all sizes not included in paragraph (a) shall be calculated for manufacturers' brands of passenger-car tires (4 ply) included in paragraph (b) as follows:

(1) Take the manufacturer's consumer list price in effect November 25, 1941 for the unlisted size of tire and express it as a percentage of the manufacturer's consumer list price of the same date for the 6.00-16 passenger-car tire included in paragraph (b).

(2) Apply this percentage to the maximum price for the 6.00-16 (4 ply) passenger-car tire as shown in paragraph (a).

*Example.* On a November 25, 1941 consumer list for one of the brands of passenger-car tires shown in paragraph (b), the 6.00-16 tire was listed at \$15.00.

On the same date an odd sized tire was listed at \$18.00. Dividing the 18 by the 15, it appears that the odd sized tire was listed at 120 per cent of the 6.00-16 size tire. Since the 6.00-16 tire is now not to sell in excess of \$14.75, the odd sized tire may not sell in excess of 120 per cent of \$14.75, or \$17.70.

(g) The maximum retail prices for all sizes not included in paragraph (a) shall be calculated for manufacturers' brands of truck tires (10 ply) included in paragraph (b) as indicated in paragraph (f), except that the 8.25-20 truck tire shall replace the 6.00-16 passenger-car tire in making the calculations.

(h) The maximum retail prices for all sizes not included in paragraph (c) shall be calculated for manufacturer's brands of passenger-car and truck tubes included in paragraph (d) as indicated in paragraph (f), using the appropriate price for the 6.00-16 size tube in all calculations for passenger-car tubes and the appropriate price for the 8.25-20 size tube for truck tubes. The same calculations shall be made for all sizes not specified in paragraph (e) of the brands included in that paragraph.

(i) The maximum retail prices for all other lines, levels, qualities, or weights of passenger-car and truck tires and tubes sold under manufacturers' brands of the manufacturers listed in paragraphs (b), (d), and (e) for which maximum retail prices are not specifically fixed by this Schedule shall be calculated as follows:

(1) Take the manufacturer's consumer list price in effect November 25, 1941 for the particular brand, line, level, quality, or weight of tire or tube for which no maximum price is specifically fixed by this Schedule and express it as a percentage of the manufacturer's consumer list price of the same date for the corresponding size of the brand of this manufacturer for which a maximum price is specifically fixed by this Schedule.

(2) Apply this percentage to the maximum price, for the corresponding size, set forth in paragraph (a), for tires, and paragraphs (c) and (e), for tubes.

*Example.* On a November 25, 1941 manufacturer's consumer list for one of the brands of passenger-car tires shown in paragraph (b), the 6.00-16 size (4 ply) was listed at \$16.00. On the same date the 6.00-16 size (4 ply) of a lower quality brand of the same manufacturer had a list price of \$12.00. Dividing the 12 by the 16, it appears that the lower quality brand was listed at 75 per cent of the price of the brand listed in paragraph (b). Since the 6.00-16 size (4 ply) of the brand listed in paragraph (b) is now to sell not in excess of \$14.75, the 6.00-16 size (4 ply) of the lower quality brand may not sell in excess of 75 per cent of \$14.75 or \$11.05.

(j) The maximum retail prices for manufacturers' brands of passenger-car tires other than 4 ply and truck tires

other than 10 ply shall be calculated to maintain the relationship expressed in paragraph (l) above.

(k) For manufacturers who do not have a consumer list, the calculations of the percentages called for in paragraphs (f), (g), (h), (i), and (j), shall be made on the basis of the manufacturer's selling price list.

(l) The maximum retail prices for manufacturers' brands of passenger-car and truck tires and tubes owned by manufacturers not listed in paragraphs (b), (d), and (e) shall be those given in paragraph (a) for tires and paragraph (c) for tubes.

§ 1315.111 *Appendix B; maximum retail prices for private brands of new rubber tires and tubes.* The following prices are the maximum prices that may be charged at retail for new rubber tires or tubes at the seller's place of business. The maximum prices set forth herein may not be exceeded for any such sale, even though in a particular case no used tire or tube is traded in. If a used tire or tube is traded in, the trade-in allowance shall be deducted from the maximum price.

The actual dollar amount of the Federal Excise Tax paid on any tire or tube may in each case be added to the maximum price established by this Schedule.

(a) The maximum retail prices for private brands of passenger-car tires (4 ply) and truck tires (10 ply) listed in paragraph (b) below shall be:

PASSENGER-CAR TIRES

Size	Price
4.50-12	\$8.20
4.00-15	7.00
5.00-15	9.70
6.50-15	15.75
7.00-15	17.80
8.25-15	25.35
5.00-16	9.65
5.50-16	11.85
6.00-16	13.25
6.25-16	14.95
6.50-16	16.10
7.00-16	18.30
7.50-16	23.20
5.25/5.50-17	12.20
6.00-17	14.40
5.25/5.50-18	11.10
6.00-18	15.50
4.75/5.00-19	9.95
5.25-20	13.60

TRUCK TIRES

Size	Price
8.25-15	\$61.65
7.50-18 (32 x 7)	55.90
8.25-18	59.15
9.00-18	70.30
10.50/11.00-18	95.40
7.00-20 (32 x 6)	42.75
7.50-20 (34 x 7)	57.05
8.25-20	60.90
9.00-20	72.65
8.25-22	65.15
9.00-22	76.25
7.00-24 (36 x 6)	49.60
7.50-24 (38 x 7)	64.00
8.25-24	68.75
9.00-24	79.35

(b) The prices set forth in paragraph (a) apply to tires carrying brand names of distributors as follows:

Distributors, Brands of Passenger-Car Tires, and Brands of Truck Tires

A-1 Tire Company, Auburn Deluxe,

Abel Sales Corporation, Custombilt,

American Tire Alliance, Aristocrat, All-Service.

Apex Tire, Incorporated, Safety Deluxe, Regular Tread Balloon.

Arkansas Fuel Oil Company, Milemaster, Speedmaster.

Atlas Supply Company, Atlas Grip Safe, Atlas Truck-Coach (Cotton).

Banner Tire Company, Belmont Master,

Bareco Oil Company, Be Square Supreme Rib Tread, Be Square Balloon Truck Extra Heavy Duty Ribbed.

Belknap Hardware & Manufacturing Company, Belknap Deluxe, Traction.

Broadway Tire Corporation, Carnegie Custom-Master,

The Brown Fence & Wire Company, First Line,

Cezan Tires, Limited, Scout,

Certified Brands, Incorporated, Certified Deluxe,

Champlin Refining Company, Super Deluxe Custom Built, Champlin Super Deluxe.

Coast to Coast Stores, Super Safe-Flex,

Cooperative Distributors, Incorporated, "Californian First Liner",

Cooperative G. L. F. Farm Supplies, Incorporated, Super Unico, Unico Truck.

Cooperative Seed & Farm Supply Service, Incorporated, Super Unico, Unico Truck.

Direct Service Oil Company, Viking,

Englert Tire & Rubber Company, Gold Seal Standard, Gold Seal Truck & Bus Balloon.

Farm Bureau Cooperative Association, Incorporated, Super Unico, Unico Truck.

Farm Bureau Services, Incorporated, Super Unico, Unico Truck.

Farmers Cooperative Exchange, Incorporated, Super Unico, Unico Truck.

Fordham Tire Company, Vanderbilt First Line (4 ply), Vanderbilt Deluxe Truck-Bus.

Gamble Stores, Crest Deluxe, Super Crest Speed Special (Cotton).

The Globe Oil & Refining Company, Rocket, Rocket Truck.

Hardware Merchandising Corporation, Ever Best Master Premium, Ever Best Truck & Bus Balloon.

Hibbard, Spencer, Bartlett, and Company, O. V. B. Deluxe,

Hicks Rubber Company, Incorporated, Lone Star, Star Masterpiece.

Illinois Farm Supply Company, Master, Master Rib.

Indiana Farm Bureau Cooperative Association, Incorporated, Heavy Duty Regular Deluxe First Line, Heavy Service Truck & Bus Balloon Deluxe Ribbed Cotton.

Kotzen Tire Company, Mallory Deluxe,

Montgomery Ward & Company, Riverside Deluxe, Riverside First Quality—Non-Skid.

Moore's Auto Accessories, Deluxe,

Ohio Oil Company, Linco Deluxe, Linco J-1 Truck & Bus Balloon.

Pennsylvania Farm Bureau Co-operative Association, Super Unico, Unico Truck.

The Pep Boys, Cornell Clipper,

Richmond Rubber Company, Incorporated, Statesman, Super Miler.

S & M Tire & Auto Supply Company, Gold Medal Deluxe, Gold Medal—100 level.

Sears, Roebuck & Company, Allstate Deluxe, Allstate Deluxe Non Skid.

Shapleigh's Hardware Company, Shapleigh Deluxe, Shapleigh Transport Balloon Truck.

Sobol Brothers, Oxford Deluxe,

Southern States Cooperative, Incorporated, Super Unico, Unico Truck.

Spiegel, Incorporated, Argyle Mainliner, Caravan.

The Standard Rubber Company, Truck Balloon.

Strauss Stores Corporation, Ajax Sawtooth,

Triplex Tire Company, Streamline (4 ply),

Tru Test Marketing & Merchandising Corporation, Tru Test Super, Tru Test Truck & Bus.

United Co-operatives, Incorporated, Super Unico, Unico Truck.

United Tire Company, Savoy "Master",

Vanguard Tire & Rubber Company, Super Vanguard,

Vogue Rubber Company, Ritz,

Western Auto Supply Company, Super Safety, Davis High Speed.

Wisconsin Co-op Farm Supply Company, Master, Master Rib.

World Tire Corporation, Auburn Deluxe,

(c) The maximum retail prices for private brands of passenger-car and truck tubes listed in paragraph (d) below shall be:

PASSENGER-CAR TUBES

Size	Price
4.25-12	\$1.40
4.50-12	1.40
4.00-15	1.30
5.00-15	1.50
6.50-15	2.25
6.50-15	2.25
7.00-15	2.25
7.00-15	2.30
7.50-15	2.65
8.25-15	3.55
5.00-16	1.40
5.50-16	1.65
6.00-16	1.95
6.00-16	1.95
6.25-16	1.95
6.50-16	2.30
7.00-16	2.30
7.50-16	2.80
8.25-16	8.60

PASSENGER-CAR TUBES—Continued

Size	Price
5.00—17	\$1.45
5.25—18	
5.50—18 D. C.	
5.25—17	
5.50—17	
6.00—17	1.75
6.50—17	
7.00—17	2.35
7.00—17	
7.50—17	
7.00—18	2.35
7.50—18	
7.50—18	2.90
7.50—17	
5.50—18 FB	1.85
6.00—18	
6.50—18	
5.25—19	
6.00—19	
6.50—19	2.90
7.50—18	
4.75—19	1.60
5.00—19	
7.50—19	3.20
5.25—20	
5.50—20	1.45
6.00—20	
6.00—20	2.10
6.00—20	

TRUCK TUBES

Size	Price
7.00—15	\$3.40
7.50—15	5.15
8.25—15	7.50
9.00—15	8.60
9.75—15	9.05
10.00—15	
6.00—16	2.60
6.50—16	3.10
7.00—16	3.55
7.50—16	5.30
6.00—17	2.90
6.00—17	2.90
6.50—17	
7.00—17	3.60
7.50—17	
7.50—17	3.60
6.50—18	
7.00—18	3.65
7.50—18 (32 x 7)	6.45
8.25—18	7.60
9.00—18	8.80
9.75—18	9.30
10.00—18	
10.50—18	10.45
11.00—18	
11.25—18	14.40
12.00—18	
5.50—20 (30 x 5)	3.15
6.00—20 (30 x 5)	3.15
6.50—20 (32 x 6-8)	3.90
6.50—20	3.90
7.00—20	
7.00—20 (32 x 6-10)	4.80
7.00—20 (32 x 6)	4.80
7.50—20 (34 x 7)	6.75
8.25—20	7.80
9.00—20 (36 x 8)	8.95
9.75—20	9.60
9.75—20 (38 x 9)	9.60
10.00—20	
10.50—20	11.40
11.00—20	
11.25—20	15.20
12.00—20	
12.00—20	15.20
12.75—20	
13.00—20	20.15
13.50—20	
14.00—20	23.45
16.00—20	
8.25—22	8.30
9.00—22	
9.75—22	9.85
10.00—22	
10.50—22	12.20
11.00—22	
11.25—22	16.45
12.00—22	
7.00—24	5.15

TRUCK TUBES—Continued

Size	Price
7.00—24 (36 x 6)	\$5.15
7.50—24 (36 x 6)	5.15
7.50—24 (38 x 7)	7.30
8.25—24	8.85
9.00—24 (40 x 8)	9.80
9.75—24	10.20
10.00—24 (42 x 9)	
10.50—24	13.55
11.00—24 (44 x 10)	
11.25—24	16.95
12.00—24	
12.00—24	16.95
12.75—24	
12.75—24	22.45
13.00—24	
13.50—24	26.65
14.00—24	
16.00—24	48.80
18.00—24	59.60
21.00—24	93.60
24.00—32	105.65
18.00—40	60.05
30.00—40	306.05
36.00—40	382.10

(d) The prices set forth in paragraph (c) above apply to tubes carrying distributors' brand names as follows:

Distributors, Brands of Passenger-Car Tubes, and Brands of Truck Tubes

- A-1 Tire Company, Defender Heavy Duty Black, -----
- Abel Sales Corporation, "Tube", -----
- Apex Tire, Incorporated, Heavy Duty Red, Truck Tube.
- Arkansas Fuel Oil Company, Standard, Standard.
- Atlas Supply Company, Junior Atlas Red & Black, -----
- Bareco Oil Company, Be Square, Be Square.
- Belknap Hardware & Manufacturing Company, Standard Heavy Duty, Speedmore.
- The Brown Fence & Wire Company, Extra Heavy Red, Extra Heavy Black.
- Champlin Refining Company, Extra Quality, Deluxe.
- Coast to Coast Stores, Safe-Flex Red & Black, Safe-Flex Black.
- Cooperative G. L. F. Farm Supplies, Incorporated, Unico Heavy Duty Tube, Unico Truck.
- Cooperative Seed & Farm Supply Service, Incorporated, Unico Heavy Duty Tube, Unico Truck.
- Farm Bureau Cooperative Association, Incorporated, Unico Heavy Duty Tube, Unico Truck.
- Farm Bureau Services, Incorporated, Unico Heavy Duty Tube, Unico Truck.
- Farmers Cooperative Exchange, Incorporated, Unico Heavy Duty Tube, Unico Truck.
- Gamble Stores, Crest Standard, Crest Truck.
- The Globe Oil & Refining Company, Rocket Passenger-Car Tube, Rocket Truck Tube.
- Hardware Merchandising Corporation, Ever Best Heavy Duty, Ever Best Heavy Duty.
- Hicks Rubber Company, Incorporated, Meteor Red, -----
- Hollander Auto Stores, Victory, -----
- Illinois Farm Supply Company, Ace, Master Truck.

Montgomery Ward & Company, Riverside, Riverside.

Pennsylvania Farm Bureau Co-operative Association, Unico Heavy Duty Tube, Unico Truck.

Pep Boys, Cornell Deluxe, -----

Richmond Rubber Company, Incorporated, Ultra Heavy Duty, Ultra Heavy Duty.

S. & M. Tire & Auto Supply Company, Gold Medal, Gold Medal Heat Resisting Heavy Duty Black.

Sears, Roebuck & Company, -----, Allstate Deluxe.

Shapleigh's Hardware Company, -----, Good Service Truck & Bus.

Sobol Brothers, Oxford Heavy Duty, -----

Southern States Cooperative, Incorporated, Unico Heavy Duty Tube, Unico Truck.

Spiegel, Incorporated, Argyle Heavy Duty, Caravan.

Strauss Stores Corporation, Regal Heavy Duty Black, -----

True Test Marketing & Merchandising Corporation, Standard Red, -----

United Co-operatives, Incorporated, Unico Heavy Duty Tube, Unico Truck.

Vanguard Tire & Rubber Company, Vanguard Red, Vanguard Truck & Bus.

Western Auto Supply Company, Standard, Davis Truck.

Wisconsin Co-op Farm Supply Company, Ace, Master Truck.

World Tire Corporation, Defender Heavy Duty Black, Heavy Duty Red.

(e) (1) The maximum retail prices for 6.00/6.25-16 passenger-car tubes carrying the brand names of certain distributors shall be as follows:

Distributors, Brands of Passenger-Car Tubes, Maximum Prices

- American Tire Alliance, Tri-Flex, \$2.15.
  - Englert Tire & Rubber Company, Red Seal, \$2.60.
  - Fordham Tire Company, Vanderbilt Deluxe, \$2.45.
  - Hibbard, Spencer, Bartlett and Company, Inner Tube, \$2.11.
  - Indiana Farm Bureau Cooperative Association, Incorporated, Heavy Duty, \$2.25.
  - Moore's Auto Accessories, Deluxe, \$2.45.
  - Ohio Oil Company, Regular, \$2.11.
  - Sears, Roebuck & Company, Allstate Extra Heavy Red, \$2.20.
  - Shapleigh's Hardware Company, Good Service, \$2.11.
  - Triplex Tire Company, Extra Heavy Hi-Tex Pinch Proof, \$3.45.
  - United Tire Company, Savoy Red Passenger, \$2.75.
  - Vogue Rubber Company, Red Pinch Proof, \$5.10.
- The maximum retail prices for 8.25-20 truck tubes carrying the brand names of certain distributors shall be as follows:



**Distributors, Brands of Truck Tubes, and Maximum Prices**

American Tire Alliance, All Service Truck & Bus, \$10.25.

Atlas Supply Company, Truck Coach Tube, \$8.95.

Englert Tire & Rubber Company, Gold Seal, \$9.65.

Fordham Tire Company (Vanderbilt Tire Company), Vanderbilt Truck and Bus Tube, \$10.25.

Hicks Rubber Company, Incorporated, Star Deluxe, \$10.25.

Indiana Farm Bureau Cooperative Association, Incorporated, Super Heavy Duty Black, \$10.25.

Ohio Oil Company, Linco Truck & Bus, \$9.32.

Standard Rubber Company, Heavy Black, \$10.25.

Tru Test Marketing & Merchandising Corporation, Heavy Service, \$8.75.

(f) The maximum retail prices for all sizes not included in paragraph (a) shall be calculated for the private brands of passenger-car tires (4-ply) included in paragraph (b) as follows:

(1) Take the consumer list price in effect November 25, 1941 for the unlisted size of tire and express it as a percentage of the consumer list price of the same date for the 6.00—16 passenger-car tire included in paragraph (b).

(2) Apply this percentage to the maximum price for the 6.00—16 (4-ply) passenger-car tire as shown in paragraph (a).

*Example:* On a November 25, 1941 consumer list for one of the brands of passenger-car tires shown in paragraph (b) the 6.00—16 tire was listed at \$12.00. On the same date an odd-sized tire was listed at \$14.40. Dividing the 14.40 by the 12, it appears that the odd-sized tire was listed at 120 per cent of the 6.00—16 size tire. Since this 6.00—16 tire is now not to sell in excess of \$13.25, the odd size may not sell in excess of 120 percent of \$13.25 or \$15.90.

(g) The maximum retail prices for all sizes not included in paragraph (a) shall be calculated for private brands of truck tires (10 ply) included in paragraph (b), as indicated in paragraph (f) except that the 8.25—20 truck tire shall replace the 6.00—16 passenger-car tire in making the calculation.

(h) The maximum retail prices for all sizes not included in paragraph (c) shall be calculated for private brands of passenger-car and truck tubes included in paragraph (d) as indicated in paragraph (f), using the appropriate price for the 6.00—16 size tube in all calculations for passenger-car tubes and the appropriate price for the 8.25—20 size tube for truck tubes. The same calculations shall be made for all sizes not specified in paragraph (e) of the brands included in that paragraph.

(i) The maximum retail prices for all other lines, levels, qualities or weights of passenger-car and truck tires and

tubes sold under private brands by the distributors listed in paragraphs (b), (d), and (e) for which maximum retail prices are not specifically fixed by this schedule shall be calculated as follows:

(1) Take the consumer list price in effect November 25, 1941 for the particular brand, line, level, quality or weight of tire or tube for which no maximum price is specifically fixed by this schedule and express it as a percentage of the consumer list price of the same date for the corresponding size of the brand of this distributor for which a maximum price is specifically fixed by this schedule.

(2) Apply this percentage to the maximum price, for the corresponding size, set forth in paragraph (a), for tires, and paragraphs (c) and (e), for tubes.

*Example:* On a November 25, 1941 consumer list for one of the brands of passenger-car tires shown in paragraph (b), the 6.00—16 size (4 ply) was listed at \$14.00. On the same date the 6.00—16 size (4 ply) of a lower quality private brand tire handled by the same distributor had a list price of \$11.20. Dividing the 11.20 by the 14, it appears that the lower quality brand was listed at 80 per cent of the price of the brand listed in paragraph (b). Since the 6.00—16 size (4 ply) of the brand listed in paragraph (b) is now not to sell in excess of \$13.25, the 6.00—16 size (4 ply) of the lower quality brand may not sell in excess of 80 per cent of \$13.25 or \$10.40.

(j) The maximum retail prices for private brands of passenger-car tires other than 4 ply and truck tires other than 10 ply shall be calculated to maintain the relationship expressed in paragraph (i) above.

(k) For private brand distributors who do not have a consumer list, the calculations of the percentages called for in paragraphs (f), (g), (h), (i), and (j) may be made on the basis of wholesale price lists.

(l) The maximum retail prices for private brands of passenger-car and truck tires and tubes owned by distributors not listed in paragraphs (b), (d), and (e) shall be those given in paragraph (a) for tires and paragraph (c) for tubes.

Issued this 30th day of December 1941.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 41-9873; Filed, December 30, 1941; 12:12 p. m.]

**PART 1351—FOODS AND FOOD PRODUCTS**

**AMENDMENT NO. 3 TO PRICE SCHEDULE NO. 50<sup>1</sup>—GREEN COFFEE**

Paragraph (b) of § 1351.1 and § 1351.6 are hereby amended to read as follows:

§ 1351.1 *Maximum prices for green coffee.*

• • • • •

<sup>1</sup> 6 F.R. 6374, 6803.

(b) The maximum prices shall include all commissions and all other charges, except that:

(1) Increases or decreases in the charges prevailing prior to the opening of business on December 8, 1941 for ocean freight, war risk insurance, and marine insurance shall be added to or subtracted from the maximum prices respectively.

(2) If the services of a broker or brokers are required either at the port of entry or in a secondary market, a commission or commissions which in the aggregate shall not exceed one percent of the maximum price may be added to the maximum price.

§ 1351.6 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of green coffee, or by way of premium, commission, service, transportation, or other charge, or by any other trade understanding, or by making the discounts given or other terms and conditions of sale more onerous to the purchaser than those available or in effect on December 8, 1941, or by any other means.

(Executive Orders Nos. 8734, 8875, 6 F.R. 1917, 4483)

This Amendment No. 3 shall become effective December 29, 1941. Issued this 30th day of December, 1941.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 41-9874; Filed, December 30, 1941; 4:28 p. m.]

**CHAPTER XIII—OFFICE OF PETROLEUM COORDINATOR FOR NATIONAL DEFENSE**

[Recommendation No. 23]

**PART 1504—PROCESSING AND REFINING**

**PRODUCTION OF ALKYLATE FOR USE IN MANUFACTURE OF 100 OCTANE AVIATION GASOLINE**

*To Texaco Development Corporation, Shell Development Company, Standard Oil Development Company, Anglo-Iranian Oil Co. Ltd. of England, Universal Oil Products Company, and the affiliates of said companies:*

The national defense program of the United States requires that the production of 100 octane aviation gasoline be greatly increased.

The Office of Petroleum Coordinator for National Defense has conducted a survey of petroleum refining operations in the United States to determine the processes now employed in the production of 100 octane aviation gasoline, the raw materials available for the further expansion of such production, and the steps that can be taken to meet the vastly increased demands for such 100 octane aviation gasoline;

That survey indicates the following facts, among others:

(a) A large percentage of the 100 octane aviation gasoline currently produced in the United States is made by blending with other components approximately an equal quantity of a synthetic hydrocarbon product known as "alkylate", produced by a process known as "sulfuric acid alkylation";

(b) The raw materials, such as butane, isobutane and olefins, suitable for use in the manufacture of "alkylate" by the "sulfuric acid alkylation process" can be made available in sufficient quantities to meet the greatly expanded demand for "alkylate" induced by the substantially increased demand for 100 octane aviation gasoline if refiners now producing "alkylate" increase their production from existing plants, and if such refiners and other refiners are immediately encouraged to install improvements and additions to existing plants and also new plants to be operated by such refiners on raw materials supplied by them or purchased from others;

(c) The "sulfuric acid alkylation process" was developed contemporaneously along parallel, overlapping and supplementary lines in Holland, England and the United States by the following companies, each of which was engaged independently in extensive research and development work related to said process, namely: Texaco Development Corporation, Shell Development Company, Standard Oil Development Company, Anglo-Iranian Oil Company, Ltd., of England, Universal Oil Products Company, and the affiliates of said companies.

In order to augment immediately and substantially the supply of "alkylate" for the production of 100 octane aviation gasoline it is essential that the most complete technical data with respect to the "sulfuric acid alkylation process" and all necessary patent licenses for the practice of such process be offered at once to all petroleum refiners under such terms and conditions as will facilitate the participation of such refiners in the expanded 100 octane aviation gasoline production program referred to above.

The Office of Petroleum Coordinator for National Defense has been advised by the companies named above that the said companies are willing to revise the terms of the existing licenses issued by them covering the use of the "sulfuric acid alkylation process" in order to aid in obtaining a substantial expansion of the production of "alkylate."

Therefore, in order to aid in increasing the production of 100 octane aviation gasoline by augmenting the production of "alkylate" by use of the "sulfuric acid alkylation process," and pursuant to the President's letter of May 28, establishing the Office of Petroleum Coordinator for National Defense, I do hereby recommend that immediately and until further notice:

§ 1504.19 *Standardize design of alkylation plants.* Texaco Development Corporation, Shell Development Company, Standard Oil Development Company, Anglo-Iranian Oil Company, Ltd. of England, Universal Oil Products Company, and the affiliates of said companies shall immediately negotiate with each other and with competent engineering and contracting firms to standardize as far as is possible the design of and operating and technical data with respect to sulfuric acid alkylation plants, and to make available to the petroleum refining industry, directly or through agents and engineering contractors, such standardized design and operating and technical data so as to permit any petroleum refiner to make or have made prompt and reliable engineering estimates, and obtain technical assistance and data with respect to all matters relating to the cost and operation of sulfuric acid alkylation plants or units best suited to such refiner's needs.\*

\*§ 1504.19 and § 1504.20 issued under the authority contained in the President's letter of May 28, 1941, to the Secretary of the Interior (6 F.R. 2760).

§ 1504.20 *Terms of licenses for use of sulfuric acid alkylation process.* The companies named in § 1504.19 shall unite in offering to petroleum refiners new licenses covering the use of the "sulfuric acid alkylation process" under the patent rights owned by such companies on said process, the terms and conditions of such licenses first to be approved by the Chief Counsel of the Office of Petroleum Coordinator for National Defense, and such licenses shall contain the following terms, among others:

(a) On the normal or unrestricted commercial production of "alkylate" by the refiner-licensee, the royalty to be collected from said refiner-licensee shall be reduced from the present rate of 42 cents per barrel of "alkylate" produced to a rate not in excess of 30 cents per barrel of "alkylate" produced;

(b) On "alkylate" produced and sold by the refiner-licensee either to the armed forces of the United States or upon the direct or indirect request or order of the United States or any agency thereof for the use of the armed forces of the United States or any foreign country, the royalty to be collected from said refiner-licensee shall be reduced from the present rate of 42 cents per barrel to a rate not in excess of 21 cents per barrel of "alkylate" so produced and sold during the period commencing with the date of issuance of this Recommendation and ending July 1, 1943, and not in excess of 15 cents per barrel of "alkylate" so produced and sold from and after July 2, 1943;

(c) All technical data, information, improvements, and technical assistance required or appropriate for the construction and operation of plants for the prac-

tice of the "sulfuric acid alkylation process" shall be made available readily and continuously to licensees.\*

HAROLD L. ICKES,  
Petroleum Coordinator  
for National Defense.

DECEMBER 18, 1941.

[F. R. Doc. 41-9877; Filed, December 31, 1941;  
10:07 a. m.]

## CHAPTER XV—DEFENSE COMMUNICATIONS BOARD

[Order No. 1]

### PART 1700—SHIP RADIO STATIONS

§ 1700.1 *Authorization of Navy Department to use, control, supervise, inspect or close radio stations and facilities aboard vessels.* Whereas The Defense Communications Board has by the Executive Order of December 10, 1941<sup>1</sup> been authorized, if the national security and defense and the successful conduct of the war so demand, to prescribe classes and types of radio stations and facilities or portions thereof which shall be subject to use, control, supervision, inspection, or closure, in accordance with such prescription, by the Department of War, Department of Navy, or other agency of the United States Government, designated by the Board;

And whereas The Defense Communications Board has determined that the national security and defense and the successful conduct of the war so demand;

Now, therefore, by virtue of authority vested in the Board under the aforementioned Executive Order, the Board hereby directs that all radio stations and facilities aboard all vessels, as defined in Title 1, section 3, of the United States Code, domestic and foreign, within the jurisdiction of the United States shall be subject to such use, control, supervision, inspection, or closure by the Navy Department in accordance with the terms of the said Executive Order as may be deemed necessary for the national security and defense and the successful conduct of the war by the Secretary of the Navy, under such regulations as he may prescribe.

Subject to such further order as the Board may deem appropriate. (E.O. 8964, 6 F.R. 6368)

DEFENSE COMMUNICATIONS BOARD,  
JAMES LAWRENCE FLY,  
Chairman.

Attest:

HERBERT E. GASTON,  
Secretary.

DECEMBER 26, 1941.

[F. R. Doc. 41-9876; Filed, December 31, 1941;  
9:59 a. m.]

<sup>1</sup>E.O. 8964, 6 F.R. 6368.

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

## CHAPTER I—COAST GUARD, DEPARTMENT OF THE NAVY

## PART 9—GENERAL LICENSES FOR MOVEMENTS OF VESSELS WITHIN, OR DEPARTURE FROM, TERRITORIAL WATERS

By virtue of the authority vested in me by § 6.6 (d) of this chapter,<sup>1</sup> and in accordance with the provisions of § 9.1 (c) (1),<sup>2</sup> I hereby find that the continuance in force of General License No. 1 (§ 9.1 *General License No. 1*) with respect to the territorial waters herein-after described would be inimical to the interests of national defense and of the safety and protection of vessels or the territorial waters, and accordingly said General License No. 1 (§ 9.1 *General License No. 1*) is hereby revoked to the extent of its applicability to the following described territorial waters of the United States:

The waters of the State of Rhode Island commonly known as the West Passage of Narragansett Bay and the Sakonnet River. (33 CFR 6.6 (d))

R. R. WAESCHE,  
Commandant.

Approved: December 24, 1941.

FRANK KNOX,  
Secretary of the Navy.

[F. R. Doc. 41-9919; Filed, December 31, 1941; 11:42 a. m.]

## TITLE 46—SHIPPING

## CHAPTER I—BUREAU OF MARINE INSPECTION AND NAVIGATION

## SUBCHAPTER A—DOCUMENTATION, ENTRANCE AND CLEARANCE OF VESSELS, ETC.

[Order No. 189]

PART 9—ENTRY AND CLEARANCE OF AIRCRAFT  
*Rescission of Section 9.6*

DECEMBER 31, 1941.

Section 9.6 (*Clearance from Grand Forks, North Dakota*)<sup>3</sup> of Part 9, Entry and Clearance of Aircraft, as filed with the Division of the Federal Register December 11, 1941, is hereby rescinded, effective 12:00 P. M. December 31, 1941. (Section 7 (c), 44 Stat. 572 (49 U.S.C. 177-c))

[SEAL] WAYNE C. TAYLOR,  
Acting Secretary of Commerce.

[F. R. Doc. 41-9906; Filed December 31, 1941; 11:08 a. m.]

<sup>1</sup> 6 F. R. 5222.

<sup>2</sup> 6 F. R. 5342.

<sup>3</sup> 6 F. R. 6377.

## Notices

## DEPARTMENT OF THE INTERIOR.

## Bituminous Coal Division.

[Docket No. 1671-FD]

## IN THE MATTER OF FOREST CITY COAL COMPANY, REGISTERED DISTRIBUTOR, REGISTRATION No. 3092, RESPONDENT

## ORDER FOR RESTORATION OF REGISTRATION

The Director, on November 15, 1941, having made Findings of Fact, Conclusions of Law and Opinion and entered an Order based thereon suspending the Registration as a distributor of the respondent, the Forest City Coal Company, Registration No. 3092, for a period of thirty (30) days from the date of said Order; and

Said Order having been served upon the respondent on November 21, 1941; and

The Forest City Coal Company, the respondent in the above-entitled matter, having filed with the Division on December 17, 1941, an affidavit dated December 15, 1941, pursuant to the provisions of said Order dated November 15, 1941, and § 304.15 of the Rules and Regulations for the Registration of Distributors; and

It appearing to the Acting Director from the affidavit of the respondent dated December 15, 1941 that the respondent, the Forest City Coal Company, has complied with the provisions of said Order and § 304.15 of the Rules and Regulations for the Registration of Distributors;

Now, therefore, it is ordered, That the registration of the Forest City Coal Company as a distributor be, and it hereby is, restored as of December 22, 1941.

Dated: December 27, 1941.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 41-9899; Filed, December 31, 1941; 10:25 a. m.]

[Docket No. A-1202]

## PETITION OF DISTRICT BOARD No. 2 FOR A CHANGE IN SHIPPING POINTS OF MINE INDEX No. 371

## ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, has been duly filed with this Division by the above-named party, alleging that the price classifications and

minimum prices have been established for the coals of El Dorado Mine (Mine Index No. 371) of P & O Construction Company, a code member in District No. 2, for rail shipments on Baltimore & Ohio Railroad from Bruin, Pennsylvania, and on Western Allegheny Railroad from Hooker, Pennsylvania, and that Freight Origin Group No. 17 has been assigned to this mine for such shipments; that conditions beyond the producer's control have made it necessary to discontinue such shipments from Bruin, Pennsylvania; and that the application of the adjustments required or permitted of mines in Freight Origin Group 17, to such shipments, which now must be made only from Hooker, Pennsylvania, denies to this mine its existing fair competitive opportunities. The petition requests that Freight Origin Group No. 21 be assigned to the El Dorado Mine.

It appears that Freight Origin Group No. 21 is the proper freight origin group for mines making rail shipments only from Hooker, Pennsylvania, on the Western Allegheny Railroad.

It appears 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 have been filed with the Division in the above-entitled matter; and

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

*It is therefore ordered,* That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the price classifications and minimum prices effective for the coals of the El Dorado Mine (Mine Index No. 371) of the P & O Construction Company for rail shipments shall be applicable only for shipments on Western Allegheny Railroad from Hooker, Pennsylvania, and shall no longer be applicable for shipments on Baltimore & Ohio Railroad from Bruin, Pennsylvania. All allowances or adjustments required or permitted mines in Freight Origin Group No. 21 shall be applicable for such shipments of the coals of the El Dorado Mine on Western Allegheny Railroad from Hooker, Pennsylvania.

*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 sec-

tion 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: December 29, 1941.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 41-9900; Filed, December 31, 1941;  
10:26 a. m.]

[Docket No. B-95]

IN THE MATTER OF MOHAWK MINING COMPANY, A CORPORATION, A CODE MEMBER, DEFENDANT

ORDER CORRECTING ERROR IN NOTICE OF AND ORDER FOR HEARING

A Notice of and Order for Hearing having been issued in the above-entitled matter on November 10, 1941; and

It appearing in the last paragraph of said Order that the Mohawk Mine (Mine Index No. 326) of the Mohawk Mining Company, defendant in the above-entitled proceeding, is erroneously stated to be located in Clearfield County, Pennsylvania, District No. 1, whereas official files of the Division show said mine as located in Armstrong County, Pennsylvania, District No. 1.

*Now, therefore, it is ordered*, That the last paragraph of the aforesaid Order now reading in part " \* \* \* coal produced at the defendant's Mohawk Mine (Mine Index No. 326) located in Clearfield County, Pennsylvania, District No. 1 \* \* \* " be, and it hereby is, corrected to read " \* \* \* coal produced at the defendant's Mohawk Mine (Mine Index No. 326) located in Armstrong County, Pennsylvania, District No. 1 \* \* \* "

Dated: December 29, 1941.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 41-9901; Filed, December 31, 1941;  
10:26 a. m.]

[Docket No. 1817-7D]

IN THE MATTER OF MALONE COAL COMPANY, (W. R. MALONE), DEFENDANT

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint dated July 24, 1941, having been filed herein by the Bituminous Coal Producers Board for District No. 3 on July 25, 1941, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") alleging wilful violation by the Malone Coal Company (W. R. Malone), Philippi, West Virginia, of the Bituminous Coal Code and rules and regulations thereunder; and

The Acting Director on December 15, 1941, having made Findings of Fact, Conclusions of Law and Opinion and entered an Order based thereon revoking the code membership of Malone Coal Com-

pany (W. R. Malone), effective fifteen (15) days from the date thereof, and said Order of Revocation having been duly served upon the Malone Coal Company (W. R. Malone); and

The Malone Coal Company (W. R. Malone) having filed with the Division its application for restoration of its code membership to become effective simultaneously with the effective date of said cancellation and revocation of its code membership; and

It appearing from said application that the Malone Coal Company (W. R. Malone) paid to the Collector of Internal Revenue at Parkersburg, West Virginia, the sum of Seventy-seven dollars and six cents (\$77.06) as provided in said Order of December 15, 1941, as a condition precedent to restoration of its Code Membership;

*Now, therefore, it is ordered*, That said application of the Malone Coal Company (W. R. Malone) for restoration of its code membership be and the same hereby is granted.

*It is further ordered*, That said restoration of the code membership of the Malone Coal Company (W. R. Malone) shall become effective simultaneously with the effective date of said cancellation and revocation of code membership.

Dated: December 30, 1941.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 41-9902; Filed, December 31, 1941;  
10:26 a. m.]

## DEPARTMENT OF LABOR.

### Wage and Hour Division.

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

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum 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 January 1, 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 employer's representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at sub-minimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

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

Engel Art Corners Manufacturing Company, 4711-17 North Clark Street, Chicago, Illinois; Converted Paper Products; 1 learner; 4 weeks for any one learner; 32 cents per hour; Punch Press Operator; March 12, 1942.

Transparent Cover Company, 2646 West Taylor Street, Chicago, Illinois; Converted Paper Products; 8 learners; 6 weeks for any one learner; 32½¢ per hour; Sewing Machine Operator; February 26, 1942.

Signed at Washington, D. C., this 31st day of December 1941.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 41-9920; Filed, December 31, 1941;  
11:43 a. m.]

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

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum 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 January 1, 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*

J. B. Cumming-Brown Company, North Second Avenue, Rome, Georgia; Men's Clothing; 5 learners (T); January 1, 1943.

H. Daroff and Sons, 11th and Arch Streets, Philadelphia, Pennsylvania; Men's Clothing; 5 percent (T); January 1, 1943.

Peters, Incorporated, 717 First Avenue, Seattle, Washington; Men's Suits, Sport Coats, Topcoats and Slacks; 5 learners (T); January 1, 1943.

Quakertown Shirt Factory, Franklin Street, Quakertown, Pennsylvania; Men's Shorts; 5 learners (T); January 1, 1943.

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

Big Jack Overall Company, Inc., Lee and Sycamore Streets, Bristol, Virginia; Work Pants and Shirts; 74 learners (E); April 30, 1942.

Blossom Products Corporation, 801 Meadow Street, Allentown, Pennsylvania; Underwear; 10 percent (T); January 1, 1943.

Boston Puritan Company, 456 Tremont, Boston, Massachusetts; Washable Garments; 1 learner (T); May 21, 1942.

Brown Garment Manufacturing Company, 603 West Markham Street, Little Rock, Arkansas; Men's and Boys' Cotton Pants; 26 learners (E); June 25, 1942.

Gale-Sobel Company, 1125 Washington Avenue, St. Louis, Missouri; Work Shirts, Overalls, Coveralls; 26 learners (E); July 1, 1942.

Albert Given Manufacturing Company, 1301 W. Chicago Avenue, East Chicago, Indiana; Sport Shirts and Trousers; 18 learners (T); January 1, 1943.

E. Gordon and Company, 1238 Callowhill Street, Philadelphia, Pennsylvania; Dresses and Housecoats; 10 learners (T); January 1, 1943.

The Gotham Shirt Company, 211 W. Fayette Street, Baltimore, Maryland; Dress Shirts, Sport Shirts; 10 learners (T); January 1, 1943.

Hazle Dress Company, Inc., 549 Hazle Street, Hazleton, Pennsylvania; Dresses; 10 percent (T); January 1, 1943.

I. B. S. Manufacturing Company, Second and Clark Streets, New Albany, Mississippi; Shirts; 10 percent (T); January 1, 1943.

B. S. Kahn and Company, 127 N. W. Second Street, Miami, Florida; Slack Sets, Playsuits; 5 learners (T); January 1, 1943.

Lorenz Garment Company, 1144 West Superior Street, Chicago, Illinois; Ladies' Undergarments, Men's Outerwear, Men's Underwear; 7 learners (T); January 1, 1943.

Lowell Uniform Company, 95 Bridge Street, Lowell, Massachusetts; Washable Wearing Apparel; 10 learners (T); January 1, 1943.

M. & S. Dress Corporation, Rodney French Boulevard, New Bedford, Massachusetts; Dresses; 10 learners (T); January 1, 1943.

Miller Manufacturing Company, Inc., 928 Virginia Avenue, Joplin, Missouri; Work Shirts; 10 percent (T); January 1, 1943.

Mitchel Schneider Company, Inc., 50 West 19th Street, New York, New York; Ladies' Rayon Underwear; 10 percent (T); May 18, 1942.

Morrison Garment Company, 189 W. Kellogg Boulevard, St. Paul, Minnesota; Cotton Uniforms; 1 learner (T); January 1, 1943.

The Pyke Manufacturing Company, 154 West 2nd South, Salt Lake City, Utah; Men's Work Pants; 16 learners (E); May 18, 1942.

Quality First Shirt Company, Main Street, Bridgeville, Delaware; Men's Shirts; 10 learners (T); January 1, 1943.

Russell-Newman Manufacturing Company, Denton, Texas; Ladies' and Children's Underwear; 10 learners (E); May 18, 1942.

Seymour-Avery Manufacturing Company, 230 S. Franklin Street, Chicago, Illinois; Woven Underwear; 10 learners (T); January 1, 1943.

Stock Shirt Manufacturing Company, 31 North Cherry Avenue, York, Pennsylvania; Shirts; 10 percent (T); January 1, 1943.

*Independent Branch of the Telephone Industry*

Hoopeston Telephone Company, 416 Willdon Building, Hoopeston, Illinois; to employ learners as commercial switchboard operators at its Hoopeston Exchange until January 1, 1943.

Jasper County Telephone Company, Cullen Street, Rensselaer, Indiana; to employ learners as commercial switchboard operators at its Rensselaer Exchange until December 31, 1942. (This certificate effective December 31, 1941.)

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its York Exchange, York, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Wymore Exchange, Wymore, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Wahoo Exchange, Wahoo, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Tecumseh Exchange, Tecumseh, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Superior Exchange, Superior, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Seward Exchange, Seward, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Plattsmouth Exchange, Plattsmouth, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Nebraska City Exchange, Nebraska City, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Lincoln Exchange, Lincoln, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Humboldt Exchange, Humboldt, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Hebron Exchange, Hebron, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Hastings Exchange, Hastings, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Geneva Exchange, Geneva, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Fairbury Exchange, Fairbury, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its David City Exchange, David City, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Beatrice Exchange, Beatrice, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Auburn Exchange, Auburn, Nebraska, until December 31, 1942.

The Lincoln Telephone and Telegraph Company, 1342 M Street, Lincoln, Nebraska; to employ learners as commercial switchboard operators at its Ashland Exchange, Ashland, Nebraska, until December 31, 1942.

The Montezuma Mutual Telephone Company, Montezuma, Iowa; to employ learners as commercial switchboard operators at its Montezuma Exchange, Montezuma, Iowa, until January 1, 1943.

The Star Telephone Company, 128 Church Street, Ashland, Ohio; to employ learners as commercial switchboard operators at its Ashland Exchange, Ashland, Ohio, until January 1, 1943.

#### Knitted Wear

Holeproof Hosiery Company, 404 West Fowler Street, Milwaukee, Wisconsin; Knitted Underwear and Commercial Knitting; 5 percent (T); January 1, 1943.

Julius Kayser and Company, Walton, New York; Knitted Underwear and Commercial Knitting; 5 percent (T); January 1, 1943.

Midvale Knitting Mill, 554 Ringwood Avenue, Midvale, New Jersey; Infants' Knitted Outerwear; 4 learners (T); January 1, 1943.

Queen Knitting Mills, 2647 N. Howard Street, Philadelphia, Pennsylvania; Sweaters, Bathing Suits, etc., 5 learners (T); January 1, 1943.

#### Textile

Bladenboro Cotton Mills, Inc., Bladenboro, North Carolina; Cotton Yarn; 6 percent (T); January 1, 1943.

The Duplan Corporation, 1245 White Street, Winston-Salem, North Carolina; Manufacturing or Processing of Yarn and Thread; 120 learners (E); June 30, 1942.

Goldin Brothers, 323 West 38th Street, New York, New York; Cotton Yarn; 3 learners (T); January 1, 1943.

The Schwarzenbach Huber Company, Sixth Street, Front Royal, Virginia; Piece Goods; 3 percent (T); January 1, 1943.

Tower Brand Yarn Corporation, 1042 38th Street, Brooklyn, New York; Cotton and Rayon Yarn; 2 learners (T); July 1, 1942.

#### Woolen

Utica Knitting Company, Mill #7, Clayville, New York; Knitted Overcoatings; 3 percent (T); January 1, 1943.

Utica Knitting Company, Mill #4, Erie and Downer Streets, Utica, New York; Hosiery Yarns, Cotton and Wool; 3 percent (T); January 1, 1943.

Utica Knitting Company, Mill #5, Sherburne, New York; Hosiery Yarns, Cotton and Wool; 3 percent (T); January 1, 1943.

Signed at Washington, D. C., this 31st day of December 1941.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 41-9921; Filed, December 31, 1941;  
11:43 a. m.]

### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6223]

IN RE APPLICATION OF WICHITA BROADCASTING CO. (FWFT)

#### NOTICE OF HEARING

Application dated March 2, 1941, for modification of license; class of service, broadcast; class of station, broadcast; location, Wichita Falls, Texas; operating assignment specified: Frequency, 620 kc.; power, 5 kw. (DA—night and day); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the extent of any interference which would result from the simultaneous operation of Station KWFT as proposed herein and Station WROL.

2. To determine the areas and populations which would be deprived of primary service, particularly from Station WROL as a result of the operation of Station KWFT as proposed herein and what other broadcast service is available to these areas and populations.

3. To determine the extent of any interference which would result from the simultaneous operation of Station KWFT as proposed herein and the operation of Station WROL as proposed in Application B3-ML-1062, as well as the areas and populations affected thereby, and what other broadcast service is available to these areas and populations.

4. To determine the extent of the interference which KWFT operating as proposed herein would cause to Station CKCK, Regina, Saskatchewan, and Station XENK, Mexico D.F.

5. To determine the areas and populations which would gain primary service should this application be granted, and

what other broadcast service is available to these areas and populations.

6. To determine whether operation of KWFT as proposed would be consistent with the Standards of Good Engineering Practice, particularly as to population residing within the "blanket area" (250 mv/m contour).

7. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by Section 307 (b) of the Communications Act of 1934, as amended.

8. To ascertain the source of all funds invested in the licensee and the source of all funds to be used in the financing of the proposed construction.

9. To ascertain the relationship, if any, direct or indirect, of the licensee, its officers, directors and stockholders with any persons engaged in the control, ownership, operation or business of Station XEAW, Reynosa, Mexico.

10. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of Section 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

Wichita Broadcasting Co., Radio Station KWFT, 800 Eighth St., Wichita Falls, Texas.

Dated at Washington, D. C., December 29, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 41-9904; Filed, December 31, 1941;  
10:32 a. m.]

[Docket No. 6095]

IN RE APPLICATION OF THE ASSOCIATED BROADCASTERS, INCORPORATED (KSFO)

#### AMENDED NOTICE OF HEARING

Application dated February 26, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, San Francisco, California; operating assignment specified: Frequency,

740 kc.; power, 50 kw. (DA-night & day); hours of operation, unlimited.

Upon further examination of the above described application the Commission has amended the issues on which the hearing will be based, as shown below, and has consolidated the matter with the application of Pacific Agricultural Foundation, Ltd. (KQW), Docket No. 6214.

1. To determine the character of the proposed program service.

2. To determine the relationships, the nature, extent and effect thereof existing between the applicant, its officers, directors and stockholders, and the Educational Broadcasting Corporation, licensee of Station KROW.

3. To determine the areas and populations now receiving primary service from Station KROW which would receive primary service from Station KSFO as proposed.

4. To determine the areas and populations now receiving primary service from Station KSFO which may be expected to lose such service should this application be granted, and what other broadcast service is available to these areas and populations.

5. To determine the areas and populations which may be expected to gain primary service should Station KSFO operate as proposed, and what other broadcast service is available to these areas and populations.

6. To determine whether the operation of Station KSFO, as proposed, would be consistent with the Standards of Good Engineering Practice, particularly as to the population residing within the predicted 250 mv/m contour ("blanket area").

7. To determine whether the granting of this application and the operation, as proposed herein, would serve public interest, convenience and necessity better than the operation of Station KQW as presently authorized, or as proposed in Docket No. 6214.

8. To determine whether public interest, convenience and necessity requires that the license of Station KQW be modified so as to authorize operation on the frequency 560 kilocycles in lieu of its present operation on 740 kilocycles.

9. To determine whether the granting of this application and the application of Pacific Agricultural Foundation Ltd., Docket No. 6214 or either of them would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of

§ 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows:

The Associated Broadcasters, Inc., Radio Station KSFO, Palace Hotel Bldg., 140 Jessie St., San Francisco, Calif.

Dated at Washington, D. C., December 27, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 41-9903, Filed, December 31, 1941; 10:32 a. m.]

[Docket No. 6214]

IN RE APPLICATION OF PACIFIC AGRICULTURAL FOUNDATION, LIMITED (KQW)

NOTICE OF HEARING

Application dated November 2, 1940, for construction permit; class of service, broadcast; class of station, broadcast; location, San Jose, California; operating assignment specified: Frequency, 740 kc.; power, 50 kw. (DA night and day); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing, to be consolidated with the application of The Associated Broadcasters, Inc. (KSFO), Docket No. 6005, for the following reasons:

1. To determine the character of the proposed program service.

2. To obtain full information with respect to the financing of the construction and operation of Station KQW, as proposed, including any and all agreements and understandings, written or oral, with respect thereto and the effect thereof upon the control, operation and finances of the applicant.

3. To determine the financial qualifications of the applicant to construct and operate Station KQW as proposed.

4. To determine the relationships, the nature, extent and effect thereof existing between the applicant, its officers, directors and stockholders, and Julius Brunton & Sons Co., licensee of Station KJBS.

5. To determine the areas and populations now receiving primary service from Station KJBS which would receive primary service from Station KQW as proposed.

6. To determine the areas and populations which may be expected to gain primary service from Station KQW operating as proposed, and what other broadcast service is available to these areas and populations.

7. To determine whether the operation of Station KQW, as proposed, would

be consistent with the Standards of Good Engineering Practice, particularly as to the population residing within the predicted 250 mv/m contour ("blanket area").

8. To determine whether the granting of this application and the application of The Associated Broadcasters, Inc., Docket No. 6005, or either of them would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Pacific Agricultural Foundation, Ltd., Radio Station KQW, 87 East San Antonio St., San Jose, California.

Dated at Washington, D. C., December 27, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 41-9905, Filed, December 31, 1941; 10:32 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5563]

IN THE MATTER OF THE OHIO PUBLIC SERVICE COMPANY

ORDER POSTPONING HEARING

DECEMBER 30, 1941.

It appearing to the Commission that: On December 10, 1941, the Hearing in the above-entitled proceeding was recessed by the Commission's Examiner to reconvene on January 5, 1942;

The Commission finds that:

Good cause exists for postponement of the hearing;

The Commission orders that:

The hearing in this proceeding heretofore set to reconvene on January 5, 1942, be and it is hereby postponed to January 19, 1942, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 41-9922, Filed, December 31, 1941; 11:51 a. m.]

[Docket No. G-217]

PUBLIC SERVICE COMMISSION OF INDIANA v. PANHANDLE EASTERN PIPE LINE COMPANY, MICHIGAN GAS TRANSMISSION CORPORATION, AND NORTHERN INDIANA PUBLIC SERVICE COMPANY

## ORDER POSTPONING HEARING

DECEMBER 30, 1941.

It appearing to the Commission that: Good cause has been shown for the postponement of the hearing in the above-entitled matter;

The Commission orders that:

The hearing in this proceeding, heretofore set to commence on January 6, 1942, be and it is hereby postponed to January 26, 1942, at the same time and place as heretofore fixed.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 41-9923; Filed, December 31, 1941; 11:51 a. m.]

## FEDERAL TRADE COMMISSION.

[Docket No. 4609]

IN THE MATTER OF THE ROYAL TAILORS, INC., A CORPORATION

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

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

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

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

It is further ordered, That the taking of testimony in this proceeding begin on Friday, January 9, 1942, at two o'clock in the afternoon of that day (Central Standard Time), Room 203, Federal Building, Sioux City, Iowa.

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

By the Commission.

[SEAL] JOE L. EVINS,  
Acting Secretary.

[F. R. Doc. 41-9916; Filed, December 31, 1941; 11:36 a. m.]

## OFFICE OF PRODUCTION MANAGEMENT.

## Division of Priorities.

## NOTICE TO MANUFACTURERS OF MINING MACHINERY AND EQUIPMENT

By virtue of the authority vested in me by Office of Production Management Regulations No. 3,<sup>1</sup> and pursuant to § 944.4<sup>2</sup> of Regulation No. 1 of the Division of Priorities, the Director of Priorities will issue on and after December 31, 1941, individual orders directed to manufacturers of mining machinery and equipment assigning preference ratings to material entering into the production of such machinery and equipment.

Any manufacturer of mining machinery and equipment who wishes to qualify for such an order should apply to the Administrator of Mine Priorities, Office of Production Management, Washington, D. C.

DONALD M. NELSON,  
Director of Priorities.

DECEMBER 31, 1941.

[F. R. Doc. 41-9889; Filed, December 31, 1941; 10:10 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-248]

IN THE MATTER OF F. EBERSTADT &amp; CO., INC.

## NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 29th day of December, A. D. 1941.

An application having been filed by the above named applicant under and pursuant to the provisions of the Investment Company Act of 1940 for an order under section 6 (c) of the said Act exempting the applicant from the provisions of section 15 (d) of said Act insofar as the acquisition by F. Eberstadt & Co., a partnership, of a controlling block of the stock of the applicant may operate to terminate an investment advisory contract between the applicant as investment adviser and Chemical Fund, Inc., a registered open-end management investment company.

It is ordered, That a hearing on the matter of this application be held on January 2, 1942, at 10:00 o'clock in the forenoon of that day at the Securities and Exchange Building, 1778 Pennsylvania Avenue Northwest, Washington, D. C. On such day the hearing room clerk in Room 1102 will advise the interested parties where such hearing will be held.

It is further ordered, That Charles S. Lobingier, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at such

<sup>1</sup>6 F.R. 4865.  
<sup>2</sup>6 F.R. 6681.

hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

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

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9925; Filed, December 31, 1941; 11:53 a. m.]

[File No. 1-1953]

IN THE MATTER OF GENERAL INVESTMENT CORPORATION

## ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 29th day of December, A. D. 1941.

The General Investment Corporation, pursuant to section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, \$1 Par Value, from listing and registration on the Boston Stock Exchange; and

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

It is ordered, That the matter be set down for hearing at 10 A. M. on Wednesday, February 4, 1942, at the office of the Securities & Exchange Commission, 120 Broadway, New York City, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

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

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9924; Filed, December 31, 1941; 11:56 a. m.]



[File No. 812-90]

## IN THE MATTER OF COLLATERAL INVESTMENT COMPANY

## ORDER TO REOPEN HEARING AND NOTICE AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

An application, consisting of an original application and two supplemental applications, having been filed by the above named applicant for an exemption from the provisions of sections 28 (a) (2) (A), 28 (a) (2) (C), 28 (b) and 28 (h) of the Investment Company Act of 1940; and

A public hearing on said application having been duly held and closed on July 25, 1941; and

The applicant having amended the foregoing application by filing a further supplemental application on December 22, 1941 under section 8 (f) of said Act for an order declaring that the applicant has ceased to be an investment company;

*It is ordered*, That the supplemental application filed December 22, 1941 be and hereby is consolidated with the previous application filed by the applicant;

*It is further ordered*, That the hearing held and closed on July 15, 1941 be and hereby is reopened and that a further hearing on the application as consolidated be held on January 7, 1942 at 10:00 o'clock in the forenoon of that day at the Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1101 will advise interested parties where such hearing will be held.

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

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

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9926; Filed, December 31, 1941; 11:53 a. m.]

[File Nos. 70-245, 70-254, 70-266, 70-267, 70-292]

## IN THE MATTER OF CENTRAL STATES POWER &amp; LIGHT CORPORATION

## SUPPLEMENTARY ORDER

At a regular session of the Securities and Exchange Commission, held at its

No. 1—7

office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

Central States Power & Light Corporation, a public utility company which is also a registered holding company in the Ogden Corporation holding company system, having filed declarations with respect to the sale of certain of its assets, assets of its subsidiaries and securities of its subsidiaries under section 12 (d) of the Public Utility Holding Company Act of 1935 and having also filed declarations under section 12 (c) of the Act with respect to the utilization of proceeds derived from the sale of such assets and securities to purchase a portion of its First Mortgage and First Lien Gold Bonds, 5½% Series, due 1953; and

The Commission having permitted such declarations to become effective subject, however, to certain conditions including the reservation of jurisdiction with respect to fees to be paid in connection with the consummation of such transaction; and

Central States Power & Light Corporation having filed applications for authority to pay such fees and having also filed a request for authority to make a partial payment prior to December 31, 1941 to their counsel, Matthews, Harmon, Karr & Springer in such amount as the Commission may allow; and

It appearing to the Commission that a partial payment by Central States Power & Light Corporation to Matthews, Harmon, Karr & Springer in the sum of \$15,000 will not be detrimental to the public interest or the interest of investors or consumers;

*It is ordered*, That declarant be, and hereby is, authorized to pay the sum of \$15,000 to the firm of Matthews, Harmon, Karr & Springer in partial payment of their fee for services rendered in connection with the consummation of the transactions hereinabove referred to. Jurisdiction is reserved as to the payment of any and all sums on account of fees and expenses not specifically authorized herein.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9927; Filed, December 31, 1941; 11:55 a. m.]

[File No. 70-21]

## IN THE MATTER OF INTERNATIONAL UTILITIES CORPORATION

## SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

International Utilities Corporation, a registered holding company, having previously made application to acquire by purchase from time to time in the over-the-counter market, not to exceed \$1,442,500 principal amount of the Collateral Trust Bonds, 6½% Series, due July 1, 1945 of its subsidiary Dominion

Gas and Electric Company; such application having been approved, by orders of this Commission dated June 3, 1940, Nov. 27, 1940, January 17, 1941 and May 5, 1941; International Utilities Corporation having acquired, as of December 15, 1941, \$503,500 principal amount of such bonds; International Utilities Corporation having authorization, under the previous orders to acquire an additional \$939,000 principal amount of such bonds; and International Utilities Corporation having made application for the extension of such order of May 5, 1941, which by its terms expires on December 31, 1941; and

It appearing to the Commission that the proposed extension is not detrimental to the public interest or to the interest of investors:

*It is therefore ordered*, That the time for the purchase by International Utilities Corporation in the over-the-counter market of the amount of Collateral Trust Bonds, 6½% Series, due July 1, 1945, of Dominion Gas and Electric Company remaining under the aforesaid authorizations of the Commission be extended to December 31, 1942, subject to the same terms and conditions contained in the aforesaid orders of the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9928; Filed December 31, 1941; 11:53 a. m.]

[File No. 70-468]

## IN THE MATTER OF CENTRAL PUBLIC UTILITY CORPORATION

## NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party; and

Notice is further given that any interested party may, not later than January 10, 1942 at 1:15 p. m., E. S. T., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interests, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as amended, may become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application which is on file in the office of said Commission

for a statement of the transactions therein proposed which are summarized below:

Central Public Utility Corporation, a registered holding company, proposes to transfer 1,000,000 shares of common stock of its subsidiary, Consolidated Electric and Gas Company, presently pledged with The Baltimore National Bank, Trustee, to secure Central Public Utility Corporation's Twenty-year 5½% Income Bonds, into the name of the said Trustee at the request of the said Trustee according to the terms and provisions of the Indenture securing the said Income Bonds.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9929; Filed, December 31, 1941;  
11:56 a. m.]

[File No. 70-473]

IN THE MATTER OF PUBLIC SERVICE COMPANY OF INDIANA, INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested party may, not later than January 14, 1942 at 4:45 P. M., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Public Service Company of Indiana, Inc. ("Public Service") proposes to issue and sell to Indianapolis, Columbus and Southern Traction Company ("Columbus") Public Service's Serial Promissory Notes dated December 7, 1941 in the aggregate principal amount of \$1,520,000 bearing interest at the rate of 4% per annum and maturing serially, each six months from date, over a period of twenty years. Said serial notes are to be issued under an agreement dated

December 1, 1941 between Public Service and Columbus, whereby

(1) the matter of rights and obligations of Public Service and Columbus under a certain lease dated December 7, 1912, covering the leasing of an inter-urban railway line between Indianapolis and Seymour, Indiana, by Columbus to Public Service was settled, and

(2) Public Service is to acquire the property covered by the lease.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9930; Filed, December 31, 1941;  
11:56 a. m.]

[File No. 70-469]

IN THE MATTER OF PUBLIC SERVICE COMPANY OF INDIANA, INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party; and

Notice is further given that any interested party may, not later than January 14, 1942 at 4:45 P. M., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Public Service Company of Indiana, Inc. ("Public Service") proposes to acquire from Consolidated Electric and Gas Company ("Consolidated") all of the outstanding securities of Hoosier Public Utility Company ("Hoosier"). These securities consist of:

(a) 17,270 shares of the common capital stock of no par value of Hoosier,

(b) \$318,750 principal amount of 6% 10-Year Note due July 1, 1945 of Hoosier, and

(c) \$150,000 principal amount of the First Mortgage 5% Sinking Fund Bonds due December 1, 1954 of Hoosier.

The proposed purchase price for the securities of Hoosier is to be as follows:

(a) \$1,100,000 in cash,

(b) Interest on Hoosier's 10-Year Note and First Mortgage Bonds referred to above to the date of closing, and

(c) The net earnings of Hoosier applicable to its common stock for the period from January 1, 1941 to date of closing, less the total amount of all payments made by Hoosier to Consolidated during the same period as dividends.

It is proposed that immediately after Public Service acquires the Hoosier securities it will dissolve Hoosier and acquire the assets of Hoosier.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9931; Filed, December 31, 1941;  
11:54 a. m.]

[File No. 70-418]

IN THE MATTER OF KENTUCKY UTILITIES COMPANY, KENTUCKY POWER & LIGHT COMPANY, THE MIDDLE WEST CORPORATION, AND UNITED PUBLIC SERVICE CORPORATION

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

Kentucky Utilities Company, Kentucky Power & Light Company, The Middle West Corporation and United Public Service Corporation having filed applications and declarations concerning the following:

Kentucky Utilities Company, a public utility subsidiary of The Middle West Corporation, a registered holding company, proposes to purchase from United Public Service Corporation, a registered holding company subsidiary of The Middle West Corporation, a promissory note of Kentucky Power & Light Company, a public utility subsidiary of United Public Service Corporation, said note being payable to United Public Service Corporation in the principal amount of \$1,200,000 due April 1, 1942. Kentucky Utilities Company also proposes to purchase from United Public Service Corporation 16,000 shares of common stock of the par value of \$50 per share of Kentucky Power & Light Company held by United Public Service Corporation. Kentucky Utilities Company proposes to pay for such acquisitions the sum of \$1,200,000, plus accrued interest on said note to the date of delivery and payment.

Upon consummation of such acquisitions Kentucky Utilities Company will hold all of the outstanding securities of Kentucky Power & Light Company except its First Mortgage 5½% Gold Bonds, Series A and Series B, outstanding in the principal amount of \$1,207,400, and Kentucky Utilities Company proposes to acquire all the property and assets of Kentucky Power & Light Company subject to the liabilities of such company,

including said outstanding bonds, in exchange for the securities of Kentucky Power & Light Company to be held by Kentucky Utilities Company.

Kentucky Utilities Company proposes to sell to The Middle West Corporation 31,429 shares of its common stock without par value at \$38.18 per share, or \$1,200,000 in the aggregate, the proceeds thereof to be used by Kentucky Utilities Company in consummating the acquisition of the securities of Kentucky Power & Light Company from United Public Service Corporation.

Kentucky Utilities Company proposes to sell at private sale \$1,000,000 principal amount of its First Mortgage Bonds, Series of 1970, 4% due January 1, 1970, the proceeds of such sale to be used together with general funds of Kentucky Utilities Company to the extent necessary to effect the retirement of the outstanding bonds of Kentucky Power & Light Company by the payment at their maturity on April 1, 1942 of such bonds of Series A outstanding in the principal amount of \$755,500 and the redemption on March 1, 1942, at 101¼ of such bonds of Series B outstanding in the principal amount of \$451,900; and

Kentucky Utilities Company having requested that it be exempted from the operation of paragraphs (b) and (c) of Rule U-50 in respect of the sale of such Bonds; and

A public hearing having been held thereon and the Commission having examined the record and issued its findings herein;

*It is ordered,* That the declarations and applications in respect of such transactions shall be permitted to become effective and be granted forthwith, subject to the condition that complete jurisdiction is reserved with respect to the further liquidation of United Public Service Corporation and that further disposition of its assets or distribution to its stockholders will not be made except upon further order of this Commission.

*It is further ordered,* That Kentucky Utilities Company is exempted from the operation of paragraphs (b) and (c) of Rule U-50 in respect of the issue and sale of its First Mortgage Bonds.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9982; Filed, December 31, 1941;  
11:54 a. m.]

[File No. 43-183]

**IN THE MATTER OF SOUTHWESTERN GAS AND ELECTRIC COMPANY**

**ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

The above named company having filed a supplemental declaration pursuant to the Public Utility Holding Com-

pany Act of 1935, particularly section 7 thereof, regarding the following:

Southwestern Gas and Electric Company, a subsidiary of Central and South West Utilities Company, a registered holding company, proposes (a) to reduce the interest rate on \$1,800,000 principal amount of outstanding 2½% unsecured notes to 2⅞%, effective on December 1, 1941, and (b) to provide for the payment of the unpaid principal amount of said notes in eight semi-annual installments of \$225,000 each, May 1, 1942—November 1, 1945 (instead of four annual installments of \$450,000 each).

Under date of March 29, 1939, the Commission permitted the original declaration herein to become effective with respect to the issue and sale by the company of \$2,250,000 principal amount of the subject notes to the First National Bank of Chicago, Harris Trust and Savings Bank (Chicago, Illinois) and the American National Bank and Trust Company of Chicago. On November 1, 1941, \$450,000 principal amount of said notes matured and were paid by the company.

Said supplemental declaration having been filed on December 2, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The above named company having requested that said declaration, as filed or as amended, become effective as soon as practicable; and

The Commission finding with respect to said supplemental declaration under section 7 of said Act that the requirements of section 7 (c) of said Act are satisfied and that no adverse findings are necessary under section 7 (d) of the said Act, and being satisfied that the effective date of said supplemental declaration should be advanced:

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

By the Commission. (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9933; Filed, December 31, 1941;  
11:55 a. m.]

[File No. 59-39]

**IN THE MATTER OF NORTH AMERICAN LIGHT & POWER COMPANY HOLDING-COMPANY SYSTEM AND THE NORTH AMERICAN COMPANY**

**ORDER REQUIRING LIQUIDATION OF NORTH AMERICAN LIGHT & POWER COMPANY**

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

The Commission having on December 2, 1941, issued its Notice of and Order for Hearing instituting this proceeding pursuant to section 11 (b) (2), 20 (a) and 15 (f) of the Public Utility Holding Company Act of 1935; and

A hearing having been held on the issue whether the Commission should enter an order requiring the liquidation of North American Light & Power Company; Counsel for the Public Utilities Division of the Commission having submitted proposed findings; and Counsel for The North American Company and North American Light & Power Company, Respondents, having waived a trial examiner's report and having waived such rights as they might have to adduce further evidence, request specific findings, make oral argument or file briefs with respect to the issue whether an order should be entered requiring the liquidation of North American Light & Power; and

The Commission having examined the record herein with respect to the said issue and having this day made and filed its Findings and Opinion herein;

*It is ordered,* Pursuant to section 11 (b) (2) of said Act that said North American Light & Power Company shall be liquidated and its existence terminated.

*It is further ordered,* That said North American Light & Power Company and The North American Company shall proceed with due diligence to submit to this Commission a plan or plans for the prompt liquidation of North American Light & Power Company, and the termination of its existence, in a manner consistent with the provisions of said Act.

*It is further ordered,* That, before The North American Company or North American Light & Power Company take any step or action for the divestment of control, securities, or other assets by North American Light & Power Company, for the purpose of enabling North American Light & Power Company to comply with the provisions of Section 11 of said Act or with the provisions of this order, such step or action shall be the subject of an application or applications to this Commission for the entry of necessary or appropriate orders.

*It is further ordered,* That jurisdiction be, and the same hereby is, reserved to enter such further order or orders after hearing on appropriate notice as may be necessary or appropriate for the purpose of ensuring that the liquidation of North American Light & Power Company is accomplished expeditiously and in a manner that is consistent with the provisions of the Act.

*It is further ordered,* That jurisdiction be, and the same hereby is, reserved to enter such further order or orders after hearing on appropriate notice as may be necessary or appropriate with respect to any of the remaining issues in this proceeding and particularly for the purpose of determining what further steps should be taken by any of the Respondents herein to bring about compliance with

the requirements of section 11 (b) (2), 20 (a) and 15 (f) of the Act.

*It is further ordered,* That the terms of this order shall not be deemed to rescind or modify in any way the terms of this Commission's order dated June 3, 1941 in the proceeding entitled *In the Matter of The North American Company and Its Subsidiary Companies.* (File No. 59-10).

*It is further ordered,* That the hearing as to said remaining issues shall be convened by the Trial Examiner without delay.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9934; Filed, December 31, 1941;  
11:55 a. m.]

[File No. 65-2]

IN THE MATTER OF MORGAN STANLEY & Co.,  
INCORPORATED, AND BONBRIGHT & COM-  
PANY, INCORPORATED

ORDER OF SEVERANCE AND DISMISSING PRO-  
CEEDING ETC. AS TO BONBRIGHT & COM-  
PANY, INCORPORATED

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, on the 30th day of December 1941.

Consumers Power Company, a subsidiary of The Commonwealth and Southern Corporation, a registered holding company, having filed on November 17, 1939, a declaration regarding the issuance and sale of its first mortgage bonds and common stock pursuant to the provisions of Section 7 of the Public Utility Holding Company Act of 1935;

Bonbright & Company, Incorporated and Morgan Stanley & Co., Incorporated having severally applied on December 1, 1939 for findings pursuant to Paragraph (a) (3) of Rule U-12F-2, each with respect to its status under said rule as an underwriter of the securities proposed to be issued and sold by said Consumers Power Company;

The Commission having on December 2, 1939, issued its notice of and order for hearing with respect to said applications of Bonbright & Company, Incorporated and Morgan Stanley & Co., Incorporated;

The Commission having on December 28, 1939 issued its order with respect to said declaration of Consumers Power Company permitting the same to become in part effective, upon condition, however, that pending the final determination of the issues raised by said applications of Bonbright & Company, Incorporated and Morgan Stanley & Co., Incorporated no underwriting fees, commissions or any other compensation derived from the issuance and sale of said securities of Consumers Power Company should be paid directly or indirectly to, or retained by, said applicants;

The applicant Bonbright & Company, Incorporated having moved the Commis-

sion for an order dismissing as to it, the proceeding instituted upon its said application, releasing jurisdiction over the underwriting fees, commissions and other compensation payable to Bonbright & Company, Incorporated as an underwriter of said securities of Consumers Power Company, and permitting said Consumers Power Company to pay to Bonbright & Company, Incorporated, its said fees, commissions and other compensation; and the applicant Bonbright & Company, Incorporated having requested that action be taken prior to January 1, 1942;

Hearings having been held on said applications, and the record having been completed as to the said application of Bonbright & Company, Incorporated; and

The Commission having examined the record and finding that the evidence does not establish that the applicant Bonbright & Company, Incorporated is an affiliate of Consumers Power Company within the meaning of section 2 (a) (11) (D) of the Public Utility Holding Company Act of 1935 and Paragraph (a) (3) of Rule U-12F-2;

*It is ordered,* That the proceedings heretofore instituted upon the said applications of Bonbright & Company, Incorporated and Morgan Stanley & Co., Incorporated be severed one from the other; and

*It is further ordered,* That the proceeding instituted upon said application of Bonbright & Company, Incorporated be dismissed; that jurisdiction be released over the underwriting fees, commissions and other compensation payable to Bonbright & Company, Incorporated as an underwriter of the securities of Consumers Power Company as aforementioned; and Consumers Power Company be permitted to pay to Bonbright & Company, Incorporated its said fees, commissions and other compensation.

*It is further ordered,* That the provisions of this order become effective immediately notwithstanding the later issuance by the Commission of its Findings and Opinion herein, which by reason of the request of the applicant Bonbright & Company, Incorporated that its motion be disposed of prior to January 1, 1942, it was not feasible for the Commission to issue herewith. Nothing herein contained shall be construed as affecting the proceeding pending upon the said application of Morgan Stanley & Co., Incorporated or jurisdiction over the underwriting fees, commissions and other compensation deriving to Morgan Stanley & Co., Incorporated by reason of its underwriting of said securities of Consumers Power Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9935; Filed, December 31, 1941;  
11:54 a. m.]

[File No. 70-461]

IN THE MATTER OF STATEN ISLAND EDISON  
CORPORATION

[File No. 70-462]

IN THE MATTER OF NORTHERN PENNSYLVANIA  
POWER COMPANY

[File No. 70-463]

IN THE MATTER OF NY PA NJ UTILITIES  
COMPANY

ORDER PERMITTING DECLARATIONS TO BECOME  
EFFECTIVE AND GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 30th day of December, A. D. 1941.

NY PA NJ Utilities Company, a registered holding company and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, having filed an application and declaration, as amended, pursuant to various sections of the Public Utility Holding Company Act of 1935, concerning, among others, the following transactions:

(1) (Transaction D) The acquisition by NY PA NJ Utilities Company from Northern Pennsylvania Power Company of the following securities, as a dividend in kind, to be paid by Northern Pennsylvania Power Company and to be charged by it to earned surplus:

(a) \$406,100 principal amount of The Mohawk Valley Company 6% Consolidated Refunding Gold Bonds, due 1981, and

(b) \$53,300 principal amount of The Mohawk Valley Company 6% Gold Debentures, due October 1, 2031;

(2) (Transaction G) The acquisition by NY PA NJ Utilities Company from Staten Island Edison Corporation, by purchase for cash and cancellation of open accounts and notes, of \$3,015,000 principal amount Associated Electric Company, 4½% Gold Bonds, Refunding Series, due 1956;

Northern Pennsylvania Power Company, a subsidiary of NY PA NJ Utilities Company, having filed a declaration regarding the declaration and payment of a dividend in kind to NY PA NJ Utilities Company of the said securities of The Mohawk Valley Company listed above and which NY PA NJ Utilities Company proposes to acquire;

Staten Island Edison Corporation, a subsidiary of New York State Electric and Gas Corporation, which in turn is a subsidiary of NY PA NJ Utilities Company, having filed a declaration regarding the sale of \$3,015,000 principal amount of Associated Electric Company 4½% Gold Bonds, Refunding Series, due 1956, at 45% of the principal amount thereof, namely, the sum of \$1,356,750, plus accrued interest thereon from Octo-

ber 1, 1941, to the date of delivery and payment.

A public hearing having been held after appropriate notice and the Commission having considered the record in this matter and having made and filed its findings herein;

*It is hereby ordered,* That the declaration of Staten Island Edison Corporation, as amended, be and hereby is permitted to become effective subject to the terms and conditions prescribed in Rule U-24;

*It is further ordered,* That the declaration of Northern Pennsylvania Power

Company, as amended, be and hereby is permitted to become effective subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that a sum of \$387,000 presently contained in the earned surplus account of said Northern Pennsylvania Power Company be restricted and made unavailable for the payment of common stock dividends until further order of the commission;

*It is further ordered,* That the application and declaration of NY PA NJ Utilities Company, as amended, to

acquire the said bonds as a dividend from Northern Pennsylvania Power Company and said bonds by purchase from Staten Island Edison Corporation, be and are hereby granted and permitted to become effective, respectively, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 41-9936; Filed, December 31, 1941;  
11:56 a. m.]