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The President

IMPOSING QUOTAS ON IMPORTS OF WHEAT AND WHEAT FLOUR

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS pursuant to section 22 of the Agricultural Adjustment Act of 1933 as amended by section 31 of the act of August 24, 1935 (49 Stat. 750, 773), as amended by section 5 of the act of February 29, 1936 (49 Stat. 1148, 1152), as reenacted by section 1 of the act of June 3, 1937 (50 Stat. 246), and as further amended by the act of January 25, 1940 (54 Stat. 17), I caused the United States Tariff Commission to make an investigation to determine whether wheat or wheat products are being or are practically certain to be imported into the United States under such conditions and in sufficient quantities as to render or tend to render ineffective or materially interfere with the program undertaken with respect to wheat under the Soil Conservation and Domestic Allotment Act, as amended, or to reduce substantially the amount of any product processed in the United States from wheat; and

WHEREAS, in the course of the investigation, after due notice, hearings were held, at which parties interested were given opportunity to be present, to produce evidence, and to be heard, and, in addition to the hearings, the Commission made such investigation as it deemed necessary for a full disclosure and presentation of the facts; and

WHEREAS the Commission has made findings of fact and has transmitted to me a report of such findings and its recommendations based thereon, together with a transcript of the evidence submitted at the hearings, and has also transmitted a copy of such report to the Secretary of Agriculture:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby find, on the basis of such investigation and report,

that wheat and wheat flour are practically certain to be imported into the United States under such conditions and in sufficient quantities as to tend to render ineffective and materially interfere with the program undertaken with respect to wheat under the Soil Conservation and Domestic Allotment Act, as amended, and to reduce substantially the amount of flour processed in the United States from wheat produced in the United States. Accordingly, I hereby proclaim that the total quantities of wheat and wheat flour originating in any of the countries named in the following table which may be entered, or withdrawn from warehouse, for consumption in any period of 12 months, commencing May 29, shall not exceed the quantities shown opposite each of said countries, which quantities I hereby find and declare shown by the investigation to be necessary to prescribe in order that the entry of wheat and wheat flour will not render or tend to render ineffective or materially interfere with the program undertaken with respect to wheat under the Soil Conservation and Domestic Allotment Act, as amended, or reduce substantially the amount of any product processed in the United States from wheat produced in the United States:

Country	Import quotas	
	Wheat	Wheat flour, semolina, crushed or cracked wheat, and similar wheat products
	Bushels	Pounds
Canada.....	795,000	3,815,000
China.....		24,000
Hungary.....		13,000
Hong Kong.....		13,000
Japan.....		8,000
United Kingdom.....	100	75,000
Australia.....		1,000
Germany.....	100	5,000
Syria.....	100	5,000
New Zealand.....		1,000
Chile.....		1,000
Netherlands.....	100	1,000
Argentina.....	2,000	14,000
Italy.....	100	2,000
Cuba.....		12,000
France.....	1,000	1,000
Greece.....		1,000

CONTENTS

THE PRESIDENT

Proclamation:	Page
Imposing quotas on imports of wheat and wheat flour.....	2673
Executive Order:	
Necedah Wildlife Management Area, Wis., establishment..	2674

RULES, REGULATIONS, ORDERS

TITLE 7—AGRICULTURE:	
Agricultural Marketing Service:	
Soybeans, official grain standards.....	2675
TITLE 10—ARMY: WAR DEPARTMENT:	
Enlisted Reserve Corps:	
Enlistments.....	2676
Personnel:	
Decorations for individuals..	2676
Procurement and Disposal of Equipment and Supplies:	
Forms of agreement, amendment.....	2678
TITLE 17—COMMODITY AND SECURITIES EXCHANGES:	
Commodity Exchange Administration:	
Delivery of commodities, amendment.....	2678
TITLE 24—HOUSING CREDIT:	
Home Owners' Loan Corporation:	
Loan service, application of miscellaneous credits.....	2679
TITLE 30—MINERAL RESOURCES:	
Bituminous Coal Division:	
Minimum price schedules, relief granted; petitions of:	
District No. 2.....	2679
District No. 4.....	2679
TITLE 32—NATIONAL DEFENSE:	
Office of Price Administration and Civilian Supply:	
Aluminum scrap and secondary ingot, amendment to price schedule	2682
Civilian allocation programs:	
Copper	2681
Cork	2681

(Continued on next page)



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CONTENTS—Continued

TITLE 32—NATIONAL DEFENSE—Continued.	
Office of Production Management:	Page
Copper, conservation of supply; direction of distribution.....	2680
Inventory accumulation of certain materials, restriction order amended.....	2680
TITLE 33—NAVIGATION AND NAVIGABLE WATERS:	
Corps of Engineers, War Department:	
Bridge regulations:	
Potomac River, bridges at Washington, D. C.....	2682
Skagit River, South Fork, Wash.....	2683
NOTICES	
Department of Agriculture:	
Agricultural Adjustment Administration:	
Wheat marketing quotas, referendum instructions, 1941-42.....	2689
Rural Electrification Administration:	
Allocation of funds for loans (2 documents).....	2689
Amendment of prior allocation (2 documents).....	2689
Department of the Interior:	
Bituminous Coal Division:	
Cease and desist orders:	
Jones Bros.....	2684
Smith, Hiram.....	2684
Zacherl Bros.....	2684
District Board No. 4, dismissal order.....	2684
Hearings:	
Bradford Coal Co. (postponement, etc.).....	2685
Distributors as bona fide coal merchants.....	2685
District Board No. 11 (postponements).....	2683

CONTENTS—Continued	
Department of the Interior—Con.	
Bituminous Coal Division—Con.	
Hearings—Continued.	Page
Rider Coal Co. (postponement).....	2685
Solar Fuel Co. (postponement).....	2685
Zward, Martin C. (postponement).....	2685
Department of Labor:	
Wage and Hour Division:	
Learner employment certificates, issuance for various industries (2 documents).....	2689
Women's apparel industry, industry committee resignation and appointment.....	2691
Federal Communications Commission:	
Hearings:	
Gila Broadcasting Co.....	2692
Malmsten, C. J., et al.....	2691
Nebraska Broadcasting Corp. Standiford, Clark, et al.....	2691
Federal Power Commission:	
Camden Gas Corp., et al., hearing postponed.....	2692
United Gas Pipe Line Co., order terminating proceeding.....	2692
Interstate Commerce Commission:	
Bethlehem Steel Co. v. Pennsylvania R. Co., waiver of domestic storage charges.....	2693
Securities and Exchange Commission:	
Applications granted:	
Atlantic Utility Service Corp.....	2693
Dexter Co.....	2693
Central U. S. Utilities Co., et al., amendment filed.....	2693
Minneapolis General Electric Co., declaration permitted to become effective.....	2694
War Department:	
Appointment of chaplains in Regular Army.....	2683

Country	Import quotas	
	Wheat	Wheat flour, semolina, crushed or cracked wheat, and similar wheat products
	Bushels	Pounds
Mexico.....	100	1,000
Panama.....	100	1,000
Uruguay.....	100	1,000
Poland and Danzig.....	100	1,000
Sweden.....	100	1,000
Yugoslavia.....	100	1,000
Norway.....	100	1,000
Canary Islands.....	100	1,000
Rumania.....	1,000	10,000
Guatemala.....	100	1,000
Brazil.....	100	1,000
Union of Soviet Socialist Republics.....	100	1,000
Belgium.....	100	1,000
Total.....	800,000	4,000,000

I find and declare that the total quantity of wheat or wheat flour which may

be entered hereunder with respect to each of the countries named herein is not less than 50 per centum of the average annual quantity of wheat or wheat flour, respectively, which was imported from each of such countries during the period from January 1, 1929, to December 31, 1933, both dates inclusive, and that during the period named no wheat or wheat flour originating in any foreign countries other than those enumerated in the foregoing table was imported into the United States. No wheat or wheat flour originating in any other foreign country shall be permitted to be entered, or withdrawn from warehouse, for consumption during the effectiveness of this proclamation.

As used in this proclamation, "wheat flour" includes semolina, crushed or cracked wheat, and similar wheat products. Except as used in the first paragraph, "wheat" and "wheat flour" do not include wheat or wheat flour unfit for human consumption.

This proclamation shall become effective on the 29th day of May 1941.

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

DONE at the City of Washington this 28th day of May, in the year of our Lord nineteen hundred and forty-one, and of the Independence of the United States of America the one hundred and sixty-fifth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[No. 2489]

[F. R. Doc. 41-3910; Filed, May 31, 1941; 12:44 p. m.]

EXECUTIVE ORDER

ESTABLISHING THE NECEDAH WILDLIFE MANAGEMENT AREA, WISCONSIN

WHEREAS certain hereinafter-described lands in the State of Wisconsin, together with the improvements thereon, have been, or are in process of being, acquired by the United States in connection with the Necedah Land Utilization Project under the authority of Title II of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 200), the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115), and Title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522, 525); and

WHEREAS by Executive Order No. 7908 of June 9, 1938, all the right, title, and interest of the United States in such lands as were acquired, or are in process of acquisition, under Title II of the said National Industrial Recovery Act and the said Emergency Relief Appropriation Act

of 1935 was transferred to the Secretary of Agriculture for use, administration, and disposition in accordance with the provisions of Title III of the said Bankhead-Jones Farm Tenant Act, and the related provisions of Title IV thereof; and immediately upon acquisition of legal title to those lands now in process of acquisition under the said acts, the said Executive order, under the terms thereof, will become applicable to all the additional right, title, and interest thereby acquired by the United States; and

WHEREAS the Secretary of Agriculture has recommended that jurisdiction over such lands be transferred to the Department of the Interior, and that such lands, together with certain intermingled public lands, be reserved as a refuge and breeding ground for native birds and other wildlife, under the conditions hereinafter stated:

NOW, THEREFORE, by virtue of the authority vested in me by section 32, Title III of the said Bankhead-Jones Farm Tenant Act, and by the act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the act of August 24, 1912, c. 369, 37 Stat. 497, it is ordered that, subject to valid existing rights, jurisdiction over the lands, together with the improvements thereon, acquired, or in process of acquisition, by the United States within the following-described area, comprising 114,964 acres, more or less, in Jackson, Juneau, Monroe, and Wood Counties, Wisconsin, be, and it is hereby, transferred to the Department of the Interior, together with such equipment in use in connection with such lands as may be designated by the Secretary of Agriculture; and the lands hereby transferred, together with all of the intermingled public lands, comprising 100 acres, more or less, within such area, are hereby reserved as a refuge and breeding ground for native birds and other wildlife and for research relating to wildlife and associated forest resources, under such conditions of use and administration as will best carry out the purposes of the land-conservation and land-utilization program for which such lands have been, or are being, acquired: *Provided, however,* (1) that such lands shall remain available to the State of Wisconsin for use and management by its Conservation Commission, under the custody of the Fish and Wildlife Service of the Department of the Interior, so long as there remains in force and effect a cooperative and license agreement between the United States and the State of Wisconsin providing for such use and management; and (2) that the Secretary of Agriculture shall retain such jurisdiction over the lands now in process of acquisition by the United States as may be necessary to enable him to complete their acquisition:

Fourth Principal Meridian

- T. 19 N., R. 1 E.,
secs. 1 to 4, inclusive;
sec. 5, fractional NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
sec. 6, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 8, NE $\frac{1}{4}$;
secs. 9 to 16, inclusive;
sec. 17, N $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
sec. 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
sec. 20, S $\frac{1}{4}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
secs. 21 to 28, inclusive;
sec. 29, E $\frac{1}{2}$;
sec. 32, E $\frac{1}{2}$;
secs. 33 to 36, inclusive;
- T. 20 N., R. 1 E.,
secs. 1 to 4, inclusive;
sec. 7, fractional SW $\frac{1}{4}$ SW $\frac{1}{4}$;
secs. 10, 11, and 12;
- T. 21 N., R. 1 E., all;
- T. 18 N., R. 2 E.,
secs. 1 and 2;
sec. 3, E $\frac{1}{2}$;
sec. 6, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
secs. 10 to 15, inclusive;
- T. 19 N., R. 2 E.,
secs. 3, 4, and 5;
sec. 6, fractional E $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
secs. 7 to 10, inclusive;
secs. 15 to 22, inclusive;
secs. 27 to 35, inclusive;
- T. 20 N., R. 2 E.,
sec. 1, lots 3, 4, 5, 6, 11, 12, 13, and 14, and that part of the SW $\frac{1}{4}$ lying north and west of road;
secs. 2 to 10, inclusive;
sec. 11, that part of the NE $\frac{1}{4}$ lying north and west of road, W $\frac{1}{2}$, and that part of the SE $\frac{1}{4}$ lying north and west of road;
sec. 12, that part of the W $\frac{1}{2}$ NW $\frac{1}{4}$ lying north and west of road;
sec. 14, W $\frac{1}{2}$;
secs. 15 to 22, inclusive;
sec. 23, W $\frac{1}{2}$;
secs. 27, 28, and 29;
sec. 30, N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
secs. 32, 33, and 34;
- T. 21 N., R. 2 E., all;
- T. 22 N., R. 2 E.,
sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$;
sec. 36, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
- T. 18 N., R. 3 E.,
secs. 6, 7, 8, 9, and 15, those parts lying south and west of road;
secs. 16, 17, and 18;
- T. 21 N., R. 3 E.,
sec. 16, W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$;
sec. 17, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 28, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
secs. 29, 30, and 31;
sec. 32, N $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$;
sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Executive Order No. 6964 of February 5, 1935, as amended, withdrawing for classification and other purposes all vacant, unreserved, and unappropriated public lands in the State of Wisconsin and certain other States, is hereby amended to exclude from its provisions the public lands in the above-described area.

This reservation shall be known as the Necedah Wildlife Management Area.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

May 28, 1941.

[No. 8763]

[F. R. Doc. 41-3893; Filed, May 29, 1941; 2:49 p. m.]

Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER I—AGRICULTURAL
MARKETING SERVICE

PART 26—GRAIN STANDARDS

SUBPART—OFFICIAL GRAIN STANDARDS OF THE
UNITED STATES FOR SOYBEANS¹

By virtue of the authority vested in the Secretary of Agriculture by the United States Grain Standards Act, approved August 11, 1916, as amended, (U. S. Code, Title 7, ch. 3, sec. 74), I, Paul H. Appleby, Acting Secretary of Agriculture, do hereby fix, establish, promulgate, and give public notice of the following amendment to the official grain standards of the United States, which shall become effective on the first day of September, 1941. Such amendment shall constitute a complete revision of Subpart—Official Grain Standards of the United States for Soybeans, §§ 26.601 to 26.608, inclusive, of Part 26, Chapter I, Title 7, of the Code of Federal Regulations, as follows:

§ 26.601 *Terms defined.* For the purposes of the official grain standards of the United States for soybeans:

(a) *Soybeans.* Soybeans shall be any grain which, before the removal of dockage, consists of 50 percent or more of threshed soybeans and not more than 10 percent of other grains for which standards have been established under the provisions of the United States Grain Standards Act.

(b) *Classes.* Soybeans shall be divided into five classes as follows: Class I, Yellow Soybeans; Class II, Green Soybeans; Class III, Brown Soybeans; Class IV, Black Soybeans; and Class V, Mixed Soybeans.*

* §§ 26.601 to 26.610, inclusive, issued under the authority contained in Part B, sec. 2, 39 Stat. 482, as amended; 7 U.S.C. 74.

§ 26.602 *Yellow soybeans (class I) defined.* This class shall include all varieties of yellow soybeans and may include not more than 10 percent of soybeans of other colors, but may include not more than 5 percent of brown, black, and/or bicolored soybeans, either singly or in any combination. A tinge of green on soybeans otherwise yellow shall not affect their classification as Yellow soybeans.*

§ 26.603 *Green soybeans (class II) defined.* This class shall include all varieties of green soybeans and may include not more than 10 percent of soybeans of other colors, but may include

¹ The specifications of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

not more than 5 percent of brown, black, and/or bicolored soybeans, either singly or in any combination.*

§ 26.604 *Brown soybeans (class III) defined.* This class shall include all varieties of brown soybeans and may include not more than 10 percent of soybeans of other colors.*

§ 26.605 *Black soybeans (class IV) defined.* This class shall include all varieties of black soybeans and may include not more than 10 percent of soybeans of other colors.*

§ 26.606 *Mixed soybeans (class V) defined.* This class shall include all mixtures of soybeans not provided for in the classes I to IV, inclusive. Bicolored soybeans shall be classified as Mixed soybeans.

(a) *Grades.* Soybeans shall be graded and designated according to the respective grade requirements of the numerical grades and Sample grade of the appropriate class and according to the special grade when applicable.*

§ 26.607 *Soybeans; grade requirements.* Grade requirements for Yellow Soybeans, Green Soybeans, Brown Soybeans, Black Soybeans, and Mixed Soybeans.

Grade No.	Minimum test weight per bushel	Maximum limits of—			
		moisture	Splits	Damaged kernels (soybeans and other grains)	Foreign material other than dockage
	Pounds	Percent	Percent	Percent	Percent
1.....	56	13	10	2	1
2.....	54	14	15	3	2
3.....	52	16	20	5	3
4.....	49	18	30	8	5
Sample grade	Sample grade shall include soybeans of any of the classes: Yellow Soybeans, Green Soybeans, Brown Soybeans, Black Soybeans, or Mixed Soybeans, which do not come within the requirements of any of the grades from No. 1 to No. 4, inclusive; or which contain stones and/or cinders; or which are musty or sour or heating or hot; or which have any commercially objectional foreign odor; or which are otherwise or distinctly low quality.				

* The soybeans in Grade No. 1 of each of the classes Yellow Soybeans and Green Soybeans may contain not more than 2 percent, and the soybeans in Grade No. 2 of each of these classes may contain not more than 3 percent of Black, Brown, or bicolored soybeans, singly or combined.

† Soybeans that are badly weathered or badly stained shall not be graded higher than No. 4.

§ 26.608 *Dockage.* Dockage includes weed seeds, weed stems, chaff, straw, grain other than soybeans, sand, dirt, and any other foreign material, which can be removed readily from the soybeans by the use of a 20-gage metal sieve having round-hole perforations $\frac{3}{64}$ inch in diameter; also undeveloped, shriveled and pieces of soybeans removed in properly separating the foreign material.

The quantity of dockage shall be calculated in terms of percentage. The percentage of dockage so calculated, when equal to 1 percent or more, shall be

stated in terms of whole percent, and when less than 1 percent shall not be stated. A fraction of a percent shall be disregarded. The word "Dockage," together with the percentage thereof, shall be added to the grade designation.*

§ 26.609 *Special grade; weevily soybeans. Definition.* Weevily soybeans shall be soybeans that are infested with live weevils or other insects injurious to stored grain.

(a) *Grades.* Weevily soybeans shall be graded and designated according to the grade requirements of the standards otherwise applicable and there shall be added to, and made a part of, the grade designation, the word "Weevily."*

§ 26.610 *Grade factors; definitions—*
(a) *Basis of grade determinations.* Each determination of moisture, dockage, temperature, odor, live weevils or other insects injurious to stored grain, shall be upon the basis of the grain as a whole. All other determinations shall be upon the basis of the grain when free from dockage.

(b) *Percentages.* Percentages, except in the case of moisture, shall be percentages ascertained by weight.

(c) *Percentage of moisture.* Percentage of moisture shall be that ascertained by the water oven and the method of use thereof described in Service and Regulatory Announcements No. 147 of the Agricultural Marketing Service of the United States Department of Agriculture, or ascertained by any device and method which give equivalent results.

(d) *Test weight per bushel.* Test weight per bushel shall be the weight per Winchester bushel, as determined by the testing apparatus and the method of use thereof described in Bulletin No. 1065, dated May 18, 1922, issued by the United States Department of Agriculture, or as determined by any device and method that give equivalent results.

(e) *Splits.* Splits shall be pieces of kernels of soybeans that are not damaged.

(f) *Damaged kernels.* Damaged kernels shall be kernels and pieces of kernels of soybeans and other grains which are heat-damaged, sprouted, frosted, badly ground-damaged, badly weather-damaged, or otherwise materially damaged.

(g) *Other grains.* Other grains shall include wheat, rye, oats, corn, grain sorghums, barley, hull-less barley, flaxseed, emmer, spelt, cinkorn, Polish wheat, poulard wheat, and cultivated buckwheat.

(h) *Foreign material.* Foreign material shall be all matter other than soybeans which is not separated from the soybeans in the proper determination of dockage.*

Done at Washington, D. C., this 31st day of May 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-3900; Filed, May 31, 1941; 10:52 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

CHAPTER VI—ORGANIZED RESERVES

PART 64—ENLISTED RESERVE CORPS

SUSPENSION OF ENLISTMENTS AND REENLISTMENTS IN THE ENLISTED RESERVE CORPS WITH CERTAIN EXCEPTIONS

§ 64.5 *Enlistments.* Enlistments and reenlistments in the Enlisted Reserve Corps are suspended with the following exceptions:

(a) Former enlisted men of the Regular Army, within the age limits for selective training and service registration, who have had more than 2 years' service in any one enlistment, and who have been discharged for the convenience of the Government, by purchase, or for dependency, may be enlisted in the Enlisted Reserve Corps if they are otherwise qualified for enlistment under the provisions of this section.

(b) Members of the Air Corps Enlisted Reserve Corps, who are over 36 years of age and whose reenlistment is recommended by the unit or detachment commander, may be reenlisted. (39 Stat. 195; 41 Stat. 780, 44 Stat. 705; 10 U.S.C. 421, 423-427) [Cir. 104, W.D., May 24, 1941]

[SEAL]

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

[F. R. Doc. 41-3917; Filed, June 2, 1941; 10:19 a. m.]

CHAPTER VII—PERSONNEL

PART 78—DECORATIONS, MEDALS, RIBBONS AND SIMILAR DEVICES¹

DECORATIONS FOR INDIVIDUALS

§ 78.1 *Authorized decorations.* (a) The authorized decorations of the United States awarded by the War Department are:

- (1) Medal of Honor.
- (2) Distinguished-Service Cross.
- (3) Distinguished-Service Medal.
- (4) Silver Star.
- (5) Purple Heart.
- (6) Soldier's Medal.
- (7) Distinguished-Flying Cross.
- (8) Oak-Leaf Cluster.

(b) *Limitation.* Not more than one of the several decorations authorized by Federal law will be awarded for the same act of heroism or extraordinary achievement. Executive Order, March 1, 1927.*† [Pars. 1 and 2]

* §§ 78.1 to 78.8 inclusive, (with exceptions noted in the text) issued under authority contained in 40 Stat. 870-872, 41 Stat. 398, 44 Stat. 789; 10 U.S.C. 1403-1409, 1411, 1429.
† The source of §§ 78.1 to 78.8, inclusive, is AR 600-45, Aug. 8, 1932, as amended by C-2, Aug. 10, 1938.

¹ §§ 78.1 to 78.8 are added.

§ 78.2 *To whom decorations awarded*—(a) *Medal of Honor*. The Medal of Honor is awarded in the name of the Congress to each person who, while an officer or enlisted man of the Army, in action involving actual conflict with an enemy, distinguishes himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty. See act July 9, 1918 (40 Stat. 870; 10 U.S.C. 1403). In order to justify an award of the Medal of Honor, an officer or enlisted man must perform in action a deed of personal bravery or self-sacrifice above and beyond the call of duty, so conspicuous as clearly to distinguish him for gallantry and intrepidity above his comrades, involving risk of life or the performance of more than ordinarily hazardous service, the omission of which would not justly subject him to censure as for shortcoming or failure in the performance of his duty. The recommendations for the medal will be judged by this standard of extraordinary merit, and incontestable proof of the performance of the service will be exacted.

(b) *Distinguished-Service Cross*. (1) The Distinguished-Service Cross is awarded to persons who, while serving in any capacity with the Army of the United States, distinguished themselves by extraordinary heroism in connection with military operations against an armed enemy. See act July 9, 1918 (40 Stat. 870; 10 U.S.C. 1406).

(2) The Distinguished-Service Cross will not be awarded for service rendered by a person who at the time of rendition thereof had no military status.

(c) *Distinguished-Service Medal*. (1) The Distinguished-Service Medal is awarded to persons who, while serving in any capacity with the Army of the United States, distinguish themselves by exceptionally meritorious service to the Government in a duty of great responsibility, and to all enlisted men of the Army to whom the certificate of merit had, on or before July 9, 1918, been granted under the provisions of previously existing law, in lieu of the certificate of merit. See act July 9, 1918 (40 Stat. 871; 10 U.S.C. 1407, 1408).

(2) The Distinguished-Service Medal will not be awarded for service rendered by a person who at the time of rendition thereof had no military status.

(d) *Silver Star*. (1) The Silver Star is awarded to each person who, while an officer or enlisted man of the Army, is cited for gallantry in action in orders, published as prescribed in Army Regulations, which citation does not warrant the award of a Medal of Honor or the Distinguished-Service Cross.

(2) *Citation from more than one headquarters for same conduct*. When an officer or enlisted man is cited in orders from more than one headquarters for acts or deeds that are clearly identical,

the citation in orders from the headquarters of the higher command will be the citation authorizing the award of the Silver Star.

(3) *Time when furnished*. All persons cited for gallantry in action in orders, published as prescribed in Army Regulations, will be furnished the Silver Star at the time the citation is awarded.

(e) *Purple Heart*. (1) The Purple Heart, established by General George Washington in 1782, is awarded to persons who, while serving in the Army of the United States, perform any singularly meritorious act of extraordinary fidelity or essential service in time of war. See War Department General Orders, No. 3, February 22, 1932.

(2) A wound, which necessitates treatment by a medical officer, and which is received in action with an enemy of the United States, or as a result of an act of such enemy, may, in the judgment of the commander authorized to make the award, be construed as resulting from a singularly meritorious act of essential service.

(f) *Soldier's Medal*. (1) The Soldier's Medal will be awarded to the following persons who, subsequent to July 2, 1926, distinguished themselves by heroism not involving actual conflict with an enemy:

(i) All members of the Army of the United States.

(ii) All members of the National Guard not in the Federal service and of the Organized Reserves, including the Officers' Reserve Corps and the Enlisted Reserve Corps, not on active duty, under circumstances directly related to their attendance on occasions of military duty.

(iii) Members of the United States Navy and Marine Corps while serving with the Army of the United States.

(iv) Members of the military, naval, and air forces of foreign governments while serving with the Army of the United States.

(2) Civilians are not eligible for the award of the Soldier's Medal. Op. J. A. G., Oct. 4, 1926.

(3) A Soldier's Medal and a Treasury Department Lifesaving Medal may not be awarded for the same heroic act, and inasmuch as the award of a Soldier's Medal entitles an enlisted man to additional pay at the rate of two dollars per month, this fact should be taken into consideration in the submission of recommendations for acts of lifesaving.

(g) *Distinguished-Flying Cross*. (1) The Distinguished-Flying Cross is awarded to any person, who, while serving in any capacity with the Air Corps of the Army of the United States, including the National Guard and the Organized Reserves, subsequent to April 6, 1917, has distinguished or shall distinguish himself by heroism or extraordinary achievement while participating in an aerial flight. See sec. 12, act July 2, 1926 (44 Stat. 789; 10 U.S.C. 1429).

(2) No person is eligible for the award of the Distinguished-Flying Cross for any act performed prior to November 11, 1918, except:

(i) Officers or enlisted men who have heretofore been recommended for but have not received the Congressional Medal of Honor, the Distinguished-Service Cross, or the Distinguished-Service Medal.

(ii) Officers or enlisted men who displayed heroism while serving as instructors or students at flying schools. See sec. 12, act July 2, 1926 (44 Stat. 789; 10 U.S.C. 1429).

(3) (i) Subject to the other special conditions prescribed in the law, the following classes of persons are eligible for the award of the Distinguished-Flying Cross:

All members of the Army, Navy, Marine Corps, and Coast Guard of the United States, while participating in an aerial flight, as part of the duties incident to such membership. Executive Order, January 8, 1938.

All members of the National Guard not in Federal service, the Organized Reserves, the Officers' Reserve Corps, the Enlisted Reserve Corps, the Naval Reserves, and the Marine Corps Reserves, not on active duty, while participating in an aerial flight as part of the duties incident to such membership.

Members of the military, naval, or air forces of foreign governments while serving with the military or naval forces of the United States and while participating in an aerial flight.

(ii) Civilians are not eligible for the award of the Distinguished-Flying Cross. Executive Order, March 1, 1927.

(h) *Oak-Leaf Cluster*. (1) No more than one Medal of Honor, or one Distinguished-Service Cross, or one Distinguished-Service Medal, or one Soldier's Medal, or one Distinguished-Flying Cross shall be issued to any one person; but for each succeeding deed, act, or achievement sufficient to justify the award of a Medal of Honor, or a Distinguished-Service Cross, or a Distinguished-Service Medal, or a Soldier's Medal, or a Distinguished-Flying Cross, respectively, a bronze Oak-Leaf Cluster shall be awarded in lieu thereof. See act January 24, 1920 (41 Stat. 398; 10 U.S.C. 1411); and secs. 11 and 12, act July 2, 1926 (44 Stat. 789; 10 U.S.C. 1428, 1429).

(2) *Silver Star*. The provisions of (1) above apply also to the Silver Star.

(3) *Purple Heart*. The provisions of (1) above apply also to the Purple Heart.*† [Pars. 7 to 14]

§ 78.3 *Character of service subsequent to distinguished conduct*. No decoration shall be awarded or presented to any individual whose entire service subsequent to the time he distinguished himself shall not have been honorable. See act July 9, 1918 (40 Stat. 872; 10 U.S.C. 1409). See also sec. 12, act July 2, 1926

(44 Stat. 789; 10 U.S.C. 1429).*† [Par. 15]

§ 78.4 *Posthumous award*—(a) *Medal of Honor, Distinguished-Service Cross, and Distinguished-Service Medal.* In case an individual who shall distinguish himself dies before the making of the award to which he may be entitled, the award may nevertheless be made and the medal or cross or the bar or other emblem or device presented, within three years from the date of the act justifying the award thereof, to such representative of the deceased as the President may designate. See act July 9, 1918 (40 Stat. 871; 10 U.S.C. 1409).

(b) *Purple Heart.* The Purple Heart may not be awarded posthumously.

(c) *Distinguished-Flying Cross.* In case an individual who distinguishes himself shall have died before the making of the award to which he may be entitled, the award may nevertheless be made and the cross, bar, or other device presented to the representative of the deceased in the following order: Widow (provided she has not remarried), eldest son, eldest daughter, father, mother, eldest brother, eldest sister, eldest grandchild. Executive Order, March 1, 1927.*† [Par. 17]

§ 78.5 *Cost of engraving.* The cost of engraving any decoration, either original or replacement, will be borne by the War Department.*† [Par. 18]

§ 78.6 *Replacement*—(a) *Medal of Honor, Distinguished-Service Cross, and Distinguished-Service Medal.* (1) In any case where the President of the United States has heretofore, under any act or resolution of Congress, caused any medal to be made and presented to any officer or person in the United States on account of distinguished or meritorious services, on a proper showing made by such person to the satisfaction of the President that such medal has been lost or destroyed through no fault of the beneficiary, and that diligent search has been made therefor, the President is hereby authorized to cause to be prepared and delivered to such person a duplicate of such medal, the cost of which shall be paid out of any money in the Treasury not otherwise appropriated. See Joint Res. 23, Apr. 15, 1904 (33 Stat. 588; 5 U.S.C. 116).

(2) Whenever a medal, cross, bar, ribbon, rosette, or other device presented under the provisions of this act shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the person to whom it was awarded, such medal, cross, bar, ribbon, rosette, or device shall be replaced without charge therefor. See act July 9, 1918 (40 Stat. 871; 10 U.S.C. 1416).

(b) *Silver Star, Purple Heart and Soldier's Medal.* The provisions of (a) (2) apply also to the Silver Star, Purple Heart and Soldier's Medal.

(c) *Distinguished-Flying Cross.* Whenever the Distinguished-Flying Cross, bar, or other suitable device shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the person to whom it was awarded, such cross, bar, or other device shall be replaced without charge therefor by the department by which the award was made. Executive Order, March 1, 1927.

(d) *Engraving.* An authorized replacement will be engraved the same as the original. See also § 78.5.*† [Par. 19]

§ 78.7 *Exhibition purposes.* Upon approval by the Secretary of War, samples of decorations awarded by the War Department will be furnished at cost prices, plus transportation and packing charges (except to the War Department or a governmental agency), to museums, libraries, historical, numismatic, and military societies, or institutions of such a public nature as will insure an opportunity to the public to view the exhibits. Except for a War Department or a governmental agency exhibit, all sample decorations so furnished will be engraved at the expense of the purchaser with the words "For exhibition purposes only."*† [Par. 21]

§ 78.8 *Fourragere*—(a) *Gratuitous issue.* When an individual is authorized by the War Department to wear the fourragere as an individual decoration (AR 600-40¹), the fourragere, together with the distinctive mark prescribed in AR 600-35², will be furnished gratuitously. (See act May 12, 1928 (45 Stat. 500; 10 U.S.C. 1415b).)

(b) *Sale.* Duplicate fourrageres and distinctive marks will be furnished at cost price to former members of the Army, whose separation therefrom was under honorable conditions, and who have lost the original through no fault or neglect on their part. Such persons should make application therefor on a blank form which may be obtained from The Adjutant General, Washington, D. C.*† [Par. 33]

[SEAL]

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

[F. R. Doc. 41-3598; Filed, May 31, 1941;
9:39 a. m.]

CHAPTER VIII—PROCUREMENT AND DISPOSAL OF EQUIPMENT AND SUPPLIES

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS³

§ 81.15 *Forms of agreement.* * * *

(a) *Formal contracts.* Transactions will be evidenced by formal contracts

¹Administrative regulations of the War Department relating to wearing of the uniform.

²Administrative regulations of the War Department relating to prescribed uniform.

³§ 81.15 (a) (1) and (b) (1) (1) is amended.

(1) When the amount involved is more than \$500,000.

(b) *Informal contracts*—(1) *Written bid and acceptance.* * * *

(i) When the amount involved exceeds \$500, does not exceed \$500,000, and delivery or performance time does not exceed 60 days. (R.S. 3744; Sec. 1, 40 Stat. 198; 45 Stat. 985; 46 Stat. 796; 41 U.S.C. 16; 5 U.S.C. 219) [Par. 5, AR 5-200, Jan. 2, 1940, as amended by Proc. Cir. 37, May 20, 1941]

[SEAL]

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

[F. R. Doc. 41-3916; Filed, June 2, 1941;
10:19 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

CHAPTER I—COMMODITY EXCHANGE ADMINISTRATION

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

ORDER AMENDING RULES AND REGULATIONS OF THE SECRETARY OF AGRICULTURE UNDER THE COMMODITY EXCHANGE ACT, AS AMENDED

By virtue of the authority vested in me by section 8a (5) of the Commodity Exchange Act, as amended (7 U.S.C., Sup. V, sec. 12a (5)), I, Paul H. Appleby, Acting Secretary of Agriculture, hereby amend § 1.45, part 1 of the Rules and Regulations of the Secretary of Agriculture under the Commodity Exchange Act, as amended, comprising § 1.45, part 1, chapter I, title 17, Code of Federal Regulations, to read as follows:

§ 1.45 *Delivery of commodities conforming to United States standards.* Each contract market shall require that all contracts of sale of any commodity for future delivery on or subject to the rules of such contract market shall provide for the delivery thereunder of commodities of grades conforming to United States standards if such standards shall have been officially promulgated. In the event of a change in United States standards, all contracts made on and after the effective date of such change shall be made on the basis of the standards as changed: *Provided*, That this shall not be construed to prevent the closing of trades made prior to the effective date of such change. (Sec. 5a (6), as added by sec. 7, 49 Stat. 1498, sec. 8a (5), as added by sec. 10, 49 Stat. 1501; 7 U. S. C., Sup., 7a (6), 12a (5))

Done at Washington, D. C., this 2d day of June 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-3934; Filed, June 2, 1941;
11:35 a. m.]

TITLE 24—HOUSING CREDIT

CHAPTER IV—HOME OWNERS' LOAN CORPORATION

[Administrative Order No. 3-208]

PART 402—LOAN SERVICE DIVISION

MISCELLANEOUS CREDITS

Amending Part 402 of Chapter IV, Title 24 of the Code of Federal Regulations.

Section 402.15-3¹ is amended to read as follows:

§ 402.15-3 *Application of miscellaneous credits.* Miscellaneous credits shall be applied in accordance with Articles 203-63 and 800-26 of the Manual. When the home owner's written direction for the application of funds to taxes or other items is required and has not already been given, such written direction shall be obtained. When miscellaneous credits are used for the payment of taxes, the Tax Section shall prepare the vouchers and certify the amount of such payments. (Effective date June 16, 1941)

(Above procedure promulgated by General Manager and General Counsel pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by section 13 of the Act of April 27, 1934, 48 Stat. 647, 12 U.S.C. 1463 (a), (k).)

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 41-3914; Filed, June 2, 1941; 9:43 a. m.]

TITLE 30—MINERAL RESOURCES

CHAPTER III—BITUMINOUS COAL DIVISION

[Docket No. A-97]

PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2

ORDER OF THE DIRECTOR APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW OF THE EXAMINER, AND GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF C. & S. COAL AND CLAY COMPANY FOR AN ORDER PROVIDING FOR A CHANGE IN PRICE CLASSIFICATIONS AND MINIMUM PRICES ESTABLISHED FOR THE COALS OF ITS WEST MINE, MINE INDEX NO. 239, DISTRICT NO. 2, FOR SHIPMENT BY RAIL TO MARKET AREAS 2, 4-13, INCLUSIVE, 98 AND 99 AND FOR SHIPMENT FOR RAILROAD LOCOMOTIVE FUEL USE

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 having been duly filed on October 8, 1940, by the C. & S. Coal and Clay

¹ 5 F.R. 2268.

Company, a code member in District No. 2, requesting a reduction in the price classifications and minimum prices for the coals in Size Groups 1-9 produced at its West mine (Mine Index No. 239), for all shipments except truck, for steam and railroad fuel use; and

Temporary relief, pending final disposition of this proceeding, having been granted by Memorandum, Opinion, and Order of the Director dated October 28, 1940, to the extent and for the reasons set forth therein; and

A hearing having been held before a duly designated Examiner of the Division in Washington, D. C., on November 15 and 19, 1940; and

The Examiner having made Proposed Findings of Fact and Conclusions of Law in this matter, dated January 31, 1941; and

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

The Director having determined that the Proposed Findings of Fact and Conclusions of Law of the Examiner in this matter should be approved and adopted as the Findings of Fact and Conclusions of Law of the Director;

It is ordered, That the Proposed Findings of Fact and Conclusions of Law of the Examiner be and the same are hereby approved and adopted as the Findings of Fact and Conclusions of Law of the Director; and

It is further ordered, That prayers for relief contained in the original petition of the C. & S. Coal and Clay Company be and they are granted, and that, commencing forthwith, § 322.7 (*Alphabetical list of code members*) in the Schedule of Effective Minimum Prices for District No. 2 For All Shipments Except Truck be and it is amended as follows:

(1) The price classifications by size group numbers for the petitioner's West mine (Mine Index No. 239), as listed in § 322.7 of said Schedule are modified to read as follows:

1	2	3	4	5	6	7	8	9
J	J	H	H	H	H	J	J	J

(2) The table of Mine Index Numbers by Groups to which sizes and prices, listed in § 322.9 (*Special prices—(c) Railroad fuel*) of said Schedule, apply is amended by eliminating Mine Index No. 239 from Group 2 and by inserting Mine Index No. 239 in Group 4, so that the railroad fuel prices listed on that page of the schedule for Group 4 mines will apply to the petitioner's West mine.

Dated: May 29, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-3990; Filed, June 2, 1941; 11:03 a. m.]

[Docket Nos. A-25 & A-183]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER OF THE DIRECTOR CONCERNING PERMANENT RELIEF IN THE MATTER OF PETITION OF THE WARNER COLLIERIES COMPANY, A PRODUCER IN DISTRICT NO. 4, FOR A CHANGE IN THE COORDINATION OF MINIMUM PRICES FOR LAKE CARGO RAILROAD FUEL, LAKE CARGO COAL AND LAKE VESSEL FUEL [DOCKET NO. A-25], IN THE MATTER OF PETITION OF THE INDUSTRIAL COAL & IRON COMPANY, A PRODUCER IN DISTRICT NO. 4, FOR A CHANGE IN THE COORDINATION OF MINIMUM PRICES FOR LAKE VESSEL FUEL [DOCKET NO. A-183]

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been filed by The Warner Collieries Company, on September 6, 1940, and the Industrial Coal & Iron Company, on October 19, 1940, requesting reductions in the effective minimum prices for their coals and those similarly situated for shipment all-rail for vessel fuel use to the docks of the Chesapeake and Ohio and Baltimore and Ohio Railroads at Toledo, Ohio, and requesting reductions in the effective minimum prices for coals of the Warner Collieries Company and those similarly situated for shipment via lake from Toledo and Lorain, Ohio; and

Temporary relief, pending final disposition of this proceeding, having been granted in part by Order of the Director dated November 19, 1940, 5 F.R. 4597; and

A hearing having been held before a duly designated Examiner of the Division at a Hearing Room of the Division, 734 Fifteenth Street NW., Washington, D. C., on January 6, 1941, at which all interested parties were afforded an opportunity to be present, adduce evidence, and otherwise be heard; and

The parties to this proceeding having waived the preparation and filing of an Examiner's Report and the matter having thereupon been submitted to the Director; and

The Director having made Findings of Fact and Conclusions of Law in this matter which are filed herewith;

It is ordered, That, commencing on the tenth (10th) day from the date hereof, the Schedule of Effective Minimum Prices for District No. 4 for All Shipments Except Truck be, and it is, amended by the addition of the following note at the foot of § 324.11 (*Special prices—(d) Prices for all-rail shipment of vessel fuel*):

On all coal actually sold for vessel fuel from all mine index numbers in Freight Origin Group No. 81 for shipment to Toledo, Ohio, when for transfer from cars into vessels over the Baltimore and Ohio Railroad Company docks at Toledo, Ohio, the above prices may be reduced 10 cents per ton f. o. b. mine.

It is further ordered, That the prayers for relief of the Industrial Coal & Iron Company be, and they are, granted to the extent set forth above, and the prayers for relief of the Industrial Coal & Iron Company, The Warner Collieries Company, and all other parties, in all other respects, are denied.

It is further ordered, That commencing on the tenth (10th) day from the date hereof, the temporary relief granted by the Memorandum Opinion and Order of the Director, dated November 19, 1940, except as made permanent by amendment of the schedule as set forth above, be, and it is, hereby terminated.

It is further ordered, That the request of original petitioners to withdraw their joint motion herein dated December 6, 1940, be and it is consented, and the motion is deemed withdrawn.

Dated: May 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc 41-3931; Filed, June 2, 1941;
11:03 a. m.]

TITLE 32—NATIONAL DEFENSE
CHAPTER IX—OFFICE OF PRODUCTION
MANAGEMENT
SUBCHAPTER B—PRIORITIES DIVISION
PART 928—TO RESTRICT INVENTORY ACCUMULATION OF CERTAIN SPECIFIED MATERIALS

Amendment to General Metals Order
No. 1

Part 928 (General Metals Order No. 1¹) is hereby amended by striking from said Part only the word "Copper", wherever it appears.

This Order issued on the 29th day of May 1941, to become effective on the 29th day of May 1941. (O.P.M. Reg. 3, March 7, 1941, 6 F.R. 1596; E.O. 8629, January 7, 1941, 6 F.R. 191; sec. 2 (a) Public No. 671, 76th Congress.)

E. R. STETTINIUS, Jr.,
Director of Priorities.

[F. R. Doc. 41-3905; Filed, May 31, 1941;
11:17 a. m.]

PART 933—COPPER

General Preference Order No. M-9 to
Conserve the Supply and Direct the
Distribution of Copper

Whereas, it is found that there exists a serious shortage of Copper, as herein-after defined, which will increase in the future, by reason of the fact that the present and future domestic supply and probable future imports are now and will be insufficient for all defense and civilian needs, and it is further found that such shortage will prevent the obtaining of priority for deliveries of that material under present and future Naval and

Army contracts and orders and related subcontracts and suborders unless the total present and future supply thereof be conserved and the present and future distribution directed, and it is further found that the best interests of the national defense require the exercise of the power conferred upon me to direct and insure such priority, and

Whereas, the following provisions have been adopted by the Office of Price Administration and Civilian Supply as the basis for its Civilian Allocation Program for Copper issued simultaneously herewith, now, therefore,

It is hereby ordered that:

§ 933.1 General preference order. (a) Deliveries of Copper by any person shall be made only in accordance with the following directions:

(1) Deliveries under all Defense Orders which do not bear a higher preference rating are hereby assigned a preference rating of A-10.

(2) Preference ratings, in order of precedence, are: AA, A-1-a, A-1-b * * * A-1-j; A-2, A-3 * * * A-10; BB, B-1, B-2 * * * B-8.

(3) All deliveries to which a preference rating has been assigned shall be made upon the date or dates required by the Preference Rating Certificate assigned thereto, or, if none, then upon the delivery date or dates specified in the contracts or orders therefor. For that purpose, deliveries bearing no preference rating or a lower preference rating shall be deferred if necessary to assure the deliveries bearing a higher preference rating. This subparagraph shall not apply to deliveries by the Metals Reserve Company.

(4) When there is doubt as to whether a particular contract or order is a Defense Order the matter shall be referred to the Division of Priorities for determination, with a statement of all pertinent facts.

(5) Any person who accepts a delivery of Copper to which a preference rating has been assigned, either by this or any other order or by any preference rating certificate, shall use such Copper or an equivalent amount thereof for the purpose for which such preference rating has been assigned.

(6) Preference ratings may be assigned from time to time by the Director of Priorities to deliveries under contracts or orders other than Defense Orders, or other specific directions may be issued with respect to deliveries under such contracts or orders. Except as hereinafter limited, deliveries may be made under non-defense orders in the absence of such ratings or directions, after compliance with the preference ratings assigned to Defense Orders.

(b) (1) During each calendar month hereafter, each Refiner shall set aside from his production of Copper (including therein Copper refined for his account under toll agreement, but excluding Copper refined by him under toll agreement for the account of others) a quantity

equal to 20 percent of his total production during April 1941 (including therein Copper refined for his account under toll agreement, but excluding Copper refined by him under toll agreement for the account of others) to be delivered only upon express direction of the Director of Priorities. The quantity of Copper to be set aside may be varied from time to time hereafter by Order of the Director of Priorities. Each refiner shall ship the balance of his production in such manner that, except as limited by the provisions of paragraph (c) below, each customer shall receive a percentage of the Refiner's commitments to him for the month, including both Defense and non-defense Orders, equal to the percentage received by every other customer. The restrictions specified in this paragraph (b) (1) shall apply to and limit:

(i) Shipments of Copper to third persons, including affiliates and subsidiaries of the seller, and

(ii) Shipments of Copper from the refining branch, division or section of a single business enterprise to another branch, division or section of the same or any other business enterprise owned or controlled by the same person.

(2) Commencing June 1, 1941, all Copper then or thereafter owned by the Metals Reserve Company will be allocated by the Director of Priorities.

(3) The Director of Priorities on and after June 1, 1941, will, in his discretion, make allocations of the Copper owned by the Metals Reserve Company and the Copper set aside by Refiners as provided in paragraph (b) (1) in accordance with the following provisions:

(i) For delivery to any person whose supplies on hand and on order are insufficient for his Defense Orders;

(ii) Where deemed necessary to expedite deliveries under Defense Orders and such result cannot be adequately obtained by use of preference ratings;

(iii) For fulfillment of other orders which appear to the Director to be directly or indirectly in the interest of national defense;

(iv) Any surplus remaining after fulfillment of the foregoing purposes may be allocated by the Director among other non-defense orders. In making such allocations, the Director will be guided by the Civilian Allocation Program for Copper issued simultaneously herewith by the Office of Price Administration and Civilian Supply. The Director may refuse to allocate to applicants who discriminate against Defense Orders.

(v) For June allocation, applications heretofore made to the Advisory Copper Committee of the Metals Reserve Company shall be treated as applications made to the Director of Priorities under this section; but any person may hereafter file with the Director a new or supplemental application for such allocation. Such applications, and all future applications for allocation of such Copper shall be made to the Director of Priorities only on forms prescribed by him.

(c) In addition to the foregoing limitations, no person shall hereafter knowingly deliver Copper to any customer, and no customer shall accept delivery of Copper in an amount which will increase, for any calendar month, the customer's inventory of such material in the same or other forms, in excess of the quantity necessary to meet required deliveries of such customer's products, on the basis of his usual method and rate of operation.

NOTE: § 928.1—General Metals Order No. 1¹—has this day been amended by separate order by striking therefrom the word "Copper" wherever the same appears.

(d) No person shall hereafter enter into any new contract, or any amendment or extension of any existing contract, for the refining of Copper on a toll basis without specific permission of the Director of Priorities. No existing toll contract shall be hereby invalidated or impaired until further order, but copies of all such contracts must be filed with the Director of Priorities within ten days after the effective date of this Order.

(e) All Refiners and other persons who deliver Copper shall keep accurate records of their inventories, and of all purchases, sales, and deliveries of Copper, including the date thereof, parties involved, and other pertinent information, and shall, upon request, submit such records to audit and inspection by duly authorized representatives of the Priorities Division of the Office of Production Management, and shall execute and file with said Division such reports and questionnaires concerning the foregoing as said Division may from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the Division of Priorities.

(f) Any person who obtains Copper by means of a material or wilful misstatement contrary to any provision of this Order may be prohibited by the Director from obtaining further deliveries of Copper from any source.

(g) For the purposes of this section:

(1) "Person" means any person, firm or corporation.

(2) "Defense Orders" means all contracts or orders for material entering directly or indirectly at any stage of production into deliveries

(i) for the Army or Navy of the United States, or

(ii) for the defense of Great Britain or

(iii) for the Government of any other country whose defense the President deems vital to the defense of the United States under "An Act to Promote the Defense of the United States" (Public No. 11, 77th Congress, First Session, approved March 11, 1941).

(3) "Copper" means Copper metal produced from ores or scrap which has

been refined by any process of electrolysis, or produced from ores by any process of fire refining, to a grade, and in a form (cathodes, wire bars, ingot bars, ingots, cakes, billets, wedge bars or other refined shapes), suitable for fabrication. It shall also include any Copper metal in the production of which Copper scrap has been mixed with electrolytic or fire-refined Copper produced from ores.

(4) "Refiner" means any person who produces Copper, as hereinbefore defined, from ores or scrap by any process of electrolysis or fire refining in grade suitable for fabrication; for the purposes of this Order "Refiner" also includes any person who has such Copper produced for him under toll agreement.

(h) This section shall take effect on the 29th day of May 1941, and unless sooner terminated shall expire on the 30th day of December 1941. This section shall supersede as of the date hereof any special orders or directions for the delivery of any Copper by the Director of Priorities or by the Division of Priorities. (O.P.M. Reg. 3, Mar. 7, 1941, 6 F.R. 1596; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; Sec. 2 (a), Public No. 671, 76th Congress)

Issued this 29th day of May, 1941.

E. R. STETTINIUS, Jr.,
Director of Priorities.

[F. R. Doc. 41-3904; Filed, May 31, 1941; 11:17 a. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION AND CIVILIAN SUPPLY

PART 1309—COPPER

CIVILIAN ALLOCATION PROGRAM FOR COPPER

The total defense and civilian demand for Copper is in excess of the available supply. To insure the obtaining of priority for deliveries of Copper under present and future Naval and Army contracts and orders and related sub-contracts and sub-orders, the Priorities Division, Office of Production Management, has, simultaneously herewith, issued General Preference Order No. M-9¹ to conserve the supply and direct the distribution of Copper. Such Order will further diminish the supply of Copper for civilian purposes. It is necessary, therefore, after military defense needs are satisfied, to provide for the equitable allocation of the residual supply of Copper among competing civilian demands.

Accordingly, pursuant to and under the authority vested in me by Executive Order No. 8734, particularly section 2 (a) thereof, and pending the formulation of a more detailed program in this regard, the following program for the equitable allocation of Copper among competing civilian demands is announced for the interim period.

§ 1309.1 *Factors affecting allocation.* Insofar as the Director of Priorities, pursuant to General Preference Order No. M-9, particularly § 933.1

(b), (1), (2) and (3) thereof, will make allocations of the Copper set aside by Refiners and the Copper owned by the Metals Reserve Company among competing civilian demands, the Director will be guided by general or specific policies and programs formulated by the Administrator. The following factors, among other relevant factors, are to be taken into consideration in allocating Copper among competing civilian demands:

(a) The need to provide adequately for civilian uses of Copper essential to the public welfare.

(b) The degree of hardship upon labor or business resulting from the restrictions contained in General Preference Order No. M-9.

(c) The past rates of consumption of Copper by fabricators.

(d) The objective of achieving an equitable relation with regard to Copper supplies among all Copper fabricators, including those who are, and those who are not, subsidiaries of, affiliated with, owned or controlled by, Refiners.

(e) The availability of substitutes for the particular uses for which the Copper is sought.

(f) The policy of the Administrator to refuse to allocate Copper to any person who, in the conduct of his business, discriminates against defense orders.*

* §§ 1309.1 to 1309.4, inclusive, issued under the authority contained in Executive Order 8734.

§ 1309.2 *Policy.* Insofar as § 933.1 (b), (1), of General Preference Order No. M-9, relating to the shipment of the balance of a Refiner's production over and above the amount required to be set aside, involves the allocation of Copper among competing civilian demands, it is in accord with the policy of the Administrator.*

§ 1309.3 *Objective.* In formulating general and specific policies and programs for the allocation of Copper among competing civilian demands, an objective will be to alleviate any substantial inequities found to exist in the amounts of Copper obtained by fabricators as a result of the restrictions contained in General Preference Order No. M-9.*

§ 1309.4 *Definitions.* The terms used in §§ 1309.1-1309.4, inclusive, shall be defined as they are defined in General Preference Order No. M-9.*

Issued this 29th day of May, 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-3897; Filed, May 29, 1941; 4:03 p. m.]

PART 1310—CORK AND PRODUCTS AND MATERIALS OF WHICH CORK IS A COMPONENT

CIVILIAN ALLOCATION PROGRAM FOR CORK AND PRODUCTS AND MATERIALS OF WHICH CORK IS A COMPONENT

The rapid depletion of stocks of raw cork in the United States and the uncer-

¹ 6 F.R. 2239.

¹ See page 2680.

tainty of future shipments from abroad, seriously threaten a shortage of cork, and of products and materials of which cork is a component, for defense and civilian demands. To insure the obtaining of priority for deliveries of cork, and of products and materials of which cork is a component, under present and future Naval and Army contracts and orders and related sub-contracts and sub-orders, the Priorities Division, Office of Production Management, has, simultaneously herewith, issued General Preference Order No. M-8 to direct the use and distribution of cork, and of products and materials of which cork is a component, in the hands of suppliers. Such Order will curtail the supply of cork, and of products and materials of which cork is a component, for civilian purposes. It is necessary, therefore, after military defense needs are satisfied, to provide for the equitable allocation of the residual supply of cork, and of products and materials of which cork is a component, in the hands of suppliers, among competing civilian demands.

Accordingly, pursuant to and under the authority vested in me by Executive Order No. 8734,¹ particularly section 2 (a) thereof, and pending the formulation of a more detailed program in this regard, the following program for the equitable allocation of such cork, and products and materials of which cork is a component, among competing civilian demands, is announced for the interim period.

§ 1310.1 *Civilian allocations standards.* Insofar as the Director of Priorities, pursuant to General Preference Order No. M-8, particularly § 933.1 (c) and (h) thereof, will make allocations of such cork, and products and materials of which cork is a component, among competing civilian demands, the Director will be guided by general and specific policies and programs formulated by the Administrator. In allocating such cork, and products and materials of which cork is a component, among competing civilian demands, the following factors, among other relevant factors, are to be taken into consideration:

(a) The need to provide adequately for civilian uses of cork, and of products and materials of which cork is a component, essential to the public welfare.

(b) The degree of hardship upon labor or business resulting from the restrictions contained in General Preference Order No. M-8.

(c) The past requirements of users of cork and of products and materials of which cork is a component.

(d) The objective of achieving an equitable relation with regard to supplies of cork and of products and materials of which cork is a component among all users of these materials.

(e) The availability of substitutes for the particular uses for which cork, or products and materials of which cork is a component, is sought.

(f) The policy of the Administrator to refuse to allocate cork, or the products and materials of which cork is a component, to any person who, in the conduct of his business, discriminates against defense orders.*

*§ 1310.1 to § 1310.2, inclusive, issued pursuant to the authority contained in Executive Order No. 8734.

§ 1310.2 *Definitions.* The terms used herein shall be defined as they are defined in General Preference Order No. M-8.*

Issued this 31st day of May 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-3909; Filed, May 31, 1941;
12:32 p. m.]

PART 1302—ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

AMENDMENT OF PRICE SCHEDULE NO. 2

It appearing from investigation made and information received by the Office of Price Administration and Civilian Supply that Price Schedule No. 2,¹ as amended, establishing maximum prices for aluminum scrap and secondary aluminum ingot, should be further amended in order to except therefrom certain special types of aluminum scrap and alloys and to facilitate the accomplishment of the purposes of said Price Schedule.

It is hereby ordered, Pursuant to and under the authority of Executive Order 8734, that Paragraph 5, Appendix A and Appendix B of the said Price Schedule No. 2 be and the same hereby are renumbered as §§ 1302.5, 1302.14, and 1302.15, respectively, and are further amended, effective June 3, 1941, as follows:

Section 1302.5 (Par. 5) is amended to read as follows:

§ 1302.5 *Conversion of scrap on behalf of a maker of the scrap.* A maker of aluminum scrap may sell, deliver, or transfer aluminum scrap to the producer of the material from which the scrap is made and the producer may purchase and receive such scrap, without regard to the maximum prices set forth in Appendix A, attached hereto: *Provided*, That either:

(a) The aluminum scrap so sold, delivered or transferred consists of extrusion butts or ends, redraw tube ends, or rod turnings of not more than one alloy, and such sale, delivery or transfer is made pursuant to a written contract whereby the purchaser of the scrap agrees to convert the scrap to the type of material from which the scrap was made and to deliver to the maker of the scrap an equivalent amount of the same type of material, and such sale, delivery or transfer is made in accordance with an established practice existing between the parties prior to March 24, 1941, and at prices which have not been increased since said date, or

(b) The aluminum scrap so sold, delivered or transferred consists of unpainted and unlacquered strong alloy scrap in the form of sheet clippings or mutilated sheets, tube ends or mutilated tubing, or extrusion ends or mutilated extrusions, and is made by the aircraft industry and segregated as to alloy and sold, delivered or transferred to the producer of the material for conversion in accordance with the terms of the letter of the Director of Priorities to members of the aircraft industry under date of March 6, 1941.

Section 1302.14 *Appendix A, Maximum prices for aluminum scrap*, is amended by:

(a) Deleting therefrom the second footnote and the line "on carload shipments * * *" above the price columns.

(b) Inserting at the end thereof the following: *Special Note: Aluminum foil and light gauge aluminum sheet which does not exceed .006 of an inch in thickness shall not be subject to this Price Schedule.*

Section 1302.15 *Appendix B, Maximum prices for secondary aluminum ingot*, is amended by striking from the second item set forth under the heading "Grade of Secondary Aluminum Ingot," the words, "and Special Alloys."

Dated this 2d day of June 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-3935; Filed, June 2, 1941;
11:40 a. m.]

TITLE 33—NAVIGATION AND NAVI- GABLE WATERS

CHAPTER II—CORPS OF ENGINEERS, WAR DEPARTMENT

PART 203—BRIDGE REGULATIONS¹

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499); Act of March 4, 1909 (35 Stat. 1066), as amended by section 6, Act of March 4, 1915 (38 Stat. 1053), paragraphs (h) and (i) of § 203.325 Potomac River; bridges (highway and railroad) at Washington, D. C., are hereby amended as follows:

§ 203.325 *Potomac River; bridges (highway and railroad) at Washington, D. C.*

(h) *Closed periods.* Between the hours of 7:15 a. m. and 9:00 a. m., and 3:45 p. m. and 6:00 p. m., of each and every day, the drawbridges shall not be opened for the passage of any vessel: *Provided*, That vessels employed or controlled by the United States Government and by the District of Columbia shall be passed without delay through the draws of said bridges at any hour of the day or night upon giving the signal hereinbefore described. In time of freshet or emergency

¹ 6 F.R. 1917.

¹ 6 F.R. 1593, 2335.

¹ § 203.325 (h) and (i) is amended.

the restrictions under this caption will be suspended.

(i) *Habitual users.* Vessels habitually using this waterway shall be entitled to an opening of the drawspan of any of the bridges only during the periods of 10:00 a. m. to 11:00 a. m., 2:00 p. m. to 3:00 p. m., and 8:00 p. m. to 6:00 a. m.: *Provided, however,* That when the gages described in paragraph 4 read less than 16.7 feet, the bridges shall be opened for such craft at all hours, except between 7:15 a. m. and 9:00 a. m., and 3:45 p. m. and 6:00 p. m. (Sec. 5, River and Harbor Act, Aug. 18, 1894, 28 Stat. 362; 33 U.S.C. 499; Act of March 4, 1909, 35 Stat. 1066; as amended by Act of March 4, 1915, 38 Stat. 1053) [Regs. May 20, 1941 (E.D. 6374 (Potomac River) 6/9)]

[SEAL]

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

[F. R. Doc. 41-3919; Filed, June 2, 1941;
10:19 a. m.]

PART 203—BRIDGE REGULATIONS¹

§ 203.811 *Skagit River, South Fork, Wash.; highway bridge at Fir, Washington.* (a) The owner of, or agency controlling, the bridge will not be required to keep a draw tender in constant attendance at the abovenamed bridge.

(b) Whenever a vessel, unable to pass under the closed bridge, desires to pass through the draw, at least 24 hours' advance notice of the time the opening is required shall be given to the authorized representative of, or agency controlling, the bridge.

(c) Upon receipt of such notice, the authorized representative of, or agency controlling, the bridge, in compliance therewith, shall arrange for the prompt opening of the draw at the time specified in the notice for the passage of the vessel.

(d) The owner of, or agency controlling, the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in such manner that it can easily be read at any time, a copy of these regulations together with a notice stating exactly how the representative specified in paragraph (b) may be reached.

(e) The operating machinery of the draw shall be maintained in a serviceable condition, and the draw opened and closed frequent enough to make certain that the machinery is in proper order for satisfactory operation. (Sec. 5, River and Harbor Act, Aug. 18, 1894, 28 Stat. 362; 33 U.S.C. 499) [Regs. May 16, 1941 (E.D. 6371 (Skagit County (Wash.)—Skagit R.—South Fork) 1/2)]

[SEAL]

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

[F. R. Doc. 41-3918; Filed, June 2, 1941;
10:19 a. m.]

¹ § 203.811 is added.

Notices

WAR DEPARTMENT.

APPOINTMENT OF CHAPLAINS

Appointment of chaplains in the Regular Army. 1. Examination of applicants for appointment as chaplains in the grade of first lieutenant in the Regular Army under provisions of AR 605-30 and the following special conditions will be held July 23 to July 30, inclusive, 1941, in Washington, D. C.

2. In order to provide for existing or prospective denominational vacancies, applications will be restricted to clergymen duly accredited to the following denominations:

Baptist, North.
Churches of Christ.
Disciples of Christ.
Lutheran (except Missouri Synod).
Presbyterian in the U. S.
Protestant Episcopal.
Roman Catholic.

3. Eligibility to compete in the examination will be confined to candidates who are at the time of the examination:

a. Male citizens of the United States between the ages of 23 and 34 years.

b. Regularly ordained, duly accredited by, and in good standing with one of the religious denominations listed above.

c. Graduates of both a 4-year college course and a 3-year theological seminary course.

d. Actively engaged in the ministry as the principal occupation in life, and credited with 3 years' experience therein.

4. Formal applications on W.D., A.G.O. Form No. 62, accompanied by at least three letters of recommendation, small photographs of applicants, and proper ecclesiastical indorsements must reach The Adjutant General not later than July 5, 1941. Applications received after that date will not be considered.

[SEAL]

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

[F. R. Doc. 41-3915; Filed, June 2, 1941;
10:19 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-36-Part III]

PETITION OF DISTRICT BOARD NO. 11 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF THE DITNEY HILL MINE OF THE INGLE COAL COMPANY, MINE INDEX NO. 115, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

[Docket No. A-44]

PETITION OF DISTRICT BOARD NO. 11 PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937 FOR THE

ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE ENOS COAL MINING COMPANY'S SEVEN STAR MINE

[Docket No. A-383]

PETITION OF DISTRICT BOARD 11 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF THE CHINOOK MINE OF AYRSHIRE PATOKA COLLIERIES CORPORATION, NOT HERETOFORE CLASSIFIED AND PRICED, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

[Docket No. A-388]

PETITION OF DISTRICT BOARD 11 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR SIZE GROUPS 30 TO 32, WATER DEDUSTED SIZES, MINE INDEX 6, FAYETTE MINE, SNOW HILL COAL CORPORATION, HERETOFORE UNCLASSIFIED AND UNPRICED, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

[Docket No. A-437]

PETITION OF DISTRICT BOARD 11 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF MINE INDEX 117, JULIAN MINE, STANDARD COAL COMPANY, NOT HERETOFORE CLASSIFIED AND PRICED, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

[Docket No. A-761]

PETITION OF DISTRICT BOARD 11 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR SEVENTH VEIN COALS TO BE PRODUCED BY H. A. SIEPMAN COAL COMPANY, A CODE MEMBER PRODUCER IN DISTRICT NO. 11, AT ITS EBONY MINE, MINE INDEX NO. 33, WHICH COALS HAVE NOT HERETOFORE BEEN CLASSIFIED AND PRICED, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

NOTICE OF AND ORDER FOR POSTPONEMENT OF HEARINGS

The above-entitled matters having been assigned for hearings before W. A. Cuff, the duly designated Trial Examiner, on June 4, 1941, at 10 o'clock a. m., at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C.; and

Original petitioner having filed with the Division motions that said hearing be postponed for a period of thirty (30) days, and District Board 10, an intervener, having filed a similar motion with respect to Docket No. A-388; and

The Director finding that a reasonable showing of necessity has been made for the granting of said motions;

It is ordered, That the hearings in the above-entitled matters be, and they are hereby, postponed from June 4, 1941, at 10 o'clock a. m., until July 2, 1941, at 10 o'clock a. m., at the place and before the officers heretofore designated.

It is further ordered, That the time for filing petitions for intervention in the

above-entitled matters be, and it hereby is, extended until June 26, 1941.

Dated: May 29, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3923; Filed, June 2, 1941;
10:58 a. m.]

[Docket No. A-692]

PETITION OF DISTRICT BOARD NO 4 FOR A REDUCTION IN THE LEVEL OF EFFECTIVE MINIMUM PRICES OF COALS IN SIZE GROUPS 7 AND 8, PRODUCED IN DISTRICT 4, FOR SHIPMENT INTO MARKET AREAS 4, 5, 10-13, 15 AND 20-22, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER OF DISMISSAL

The original petitioner in the above-entitled matter having requested that the petition be withdrawn, and there being no opposition to such request,

It is ordered, That the original petition in Docket No. A-692 be dismissed without prejudice.

Dated: May 29, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3929; Filed, June 2, 1941;
11:01 a. m.]

[Docket No. 1517-FD]

IN THE MATTER OF JONES BROS. (WAYNE JONES), DEFENDANT

CEASE AND DESIST ORDER

A complaint dated January 4, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been duly filed on January 9, 1941, by Bituminous Coal Producers Board for District No. 1, a District Board, complainant, with the Bituminous Coal Division alleging wilful violation by the defendant of the Bituminous Coal Code or rules and regulations thereunder, as follows:

Jones Brothers (Wayne Jones), Clarion, Pennsylvania, sold to Lloyd Wilson, Oil City, Pennsylvania, during the period from on or about October 4 to October 10, 1940, both inclusive, approximately 136 tons of Size No. 8 run of mine coal f. o. b. the mine, without setting forth in writing the terms or conditions of such sale, including the price thereof, as required by section V (3) of the Marketing Rules and Regulations and without making and maintaining on file records of said sales as required by Order No. 296 of the Division and failed to file with Statistical Bureau No. 1 of the Division in Altoona, Pennsylvania, copies of the aforesaid sales records as required by section V (3) of the Marketing Rules and Regulations and Order No. 296 of the Division.

The defendant having by stipulation made April 2, 1941, a true copy of which is annexed hereto and made a part hereof, admitted the truth of the allegations of said complaint and consented to the making and entry of this order:

It is ordered, That the defendant, its (or his) officers, representatives, agents, servants, employees, and attorneys, and all persons acting or claiming to act in its (or his) behalf or interest, cease and desist and they hereby are permanently enjoined and restrained from violating the Code, the effective minimum prices and marketing rules and regulations.

It is further ordered, That the Division in its discretion may apply to the Circuit Court of Appeals of the United States within any circuit where such defendant resides and carries on business for the enforcement hereof.

Dated: May 28, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3928; Filed, June 2, 1941;
11:01 a. m.]

[Docket No. 1518-FD]

IN THE MATTER OF ZACHERL BROS.
(BERNARD ZACHERL), DEFENDANT

CEASE AND DESIST ORDER

A complaint dated January 4, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been duly filed on January 9, 1941, by Bituminous Coal Producers Board for District No. 1, a District Board, complainant, with the Bituminous Coal Division alleging wilful violation by the defendant of the Bituminous Coal Code or rules and regulations thereunder, as follows:

Zacherl Bros. (Bernard Zacherl), Clarion, Pennsylvania, sold from their Conner Mine, Mine Index No. 2275 to Lloyd Wilson approximately 175 tons of coal during the period from on or about October 3 through October 12, 1940 and to J. C. Daum, 116 Pine Street, Oil City, Pennsylvania, approximately 88.8 tons of coal during the period from on or about October 1 through October 12, 1940, without setting forth in writing the terms or conditions of such sales including the prices thereof as required in section V (3) of the Marketing Rules and Regulations and without making and maintaining on file records of said sales as required by Order No. 296 of the Division and failed to file with Statistical Bureau No. 1 of the Division in Altoona, Pennsylvania, copies of the aforesaid sales records as required by section V (3) of the Marketing Rules and Regulations and Order No. 296 of the Division.

The defendant having by stipulation made April 2, 1941, a true copy of which is annexed hereto and made a part hereof, admitted the truth of the allegations of the said complaint and consented to the making and entry of this order:

It is ordered, That the defendant, its (or his) officers, representatives, agents, servants, employees, and attorneys, and all persons acting or claiming to act in its (or his) behalf or interest, cease and desist and they hereby are permanently enjoined and restrained from violating the Code, the effective minimum prices and marketing rules and regulations.

It is further ordered, That the Division in its discretion may apply to the Circuit Court of Appeals of the United States within any circuit where such defendant resides and carries on business for the enforcement thereof.

Dated: May 28, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3926; Filed, June 2, 1941;
11:00 a. m.]

[Docket No. 1575-FD]

IN THE MATTER OF HIRAM SMITH,
DEFENDANT

CEASE AND DESIST ORDER

A complaint dated February 7, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been duly filed on February 17, 1941, by W. W. Crick, a member of District Board No. 9, complainant, with the Bituminous Coal Division alleging wilful violation by the defendant of the Bituminous Coal Code or rules and regulations thereunder, as follows: That the defendant, with full knowledge of the requirements of Price Instruction No. 1, contained in the Effective Minimum Price Schedule for Truck Shipments for District No. 9, and with intent to violate the same and in violation thereof, sold during the month of January, 1941, to various independent truckers, 20 tons of 1 $\frac{1}{4}$ " x $\frac{3}{4}$ " coal produced at the defendant's Hiram Smith Mine, located in Butler County, Kentucky, at a price of \$1.25 per ton f. o. b. the mine, the applicable effective minimum price established for such coal being \$1.40 per ton f. o. b. the mine.

The defendant having by stipulation made April 2, 1941, a true copy of which is annexed hereto and made a part hereof, admitted the truth of the allegations of said complaint and consented to the making and entry of this order:

It is ordered, That the defendant, its (or his) officers, representatives, agents, servants, employees, and attorneys, and all persons acting or claiming to act in its (or his) behalf or interest, cease and desist and they hereby are permanently enjoined and restrained from selling coal produced by the defendant at less than the applicable effective minimum prices established therefor, or for which no effective minimum prices have been established.

It is further ordered, That the Division may forthwith and without the requirement of any intervening violation by the defendant, apply to the Circuit Court of Appeals of the United States within any circuit where such defendant resides or carries on business, or the United States Circuit Court of Appeals for the District of Columbia, for the enforcement hereof.

Dated: May 29, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3927; Filed, June 2, 1941;
11:01 a. m.]

[Docket No. 1630-FD]

IN THE MATTER OF BRADFORD COAL COMPANY (R. S. WALKER), DISTRICT NO. 1, DEFENDANT

ORDER POSTPONING AND CHANGING PLACE OF HEARING AND CORRECTING TYPOGRAPHICAL ERROR IN NOTICE OF AND ORDER FOR HEARING

The above-entitled proceeding having been previously scheduled for hearing on June 2, 1941, at the White Swan Hotel, Uniontown, Pennsylvania;

It is ordered, That the aforesaid hearing be postponed to June 18, 1941, at 10 a. m., and that the place of hearing be changed to a hearing room of the Bituminous Coal Division in the Post Office Building, Clearfield, Pennsylvania, before Charles O. Fowler.

It is further ordered, That the word "its" on line 5 of the last paragraph of the Notice of and Order for Hearing in the above-entitled matter, dated April 24, 1941, be and the same hereby is deleted and the word "the" inserted in place thereof.

Dated: May 29, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3924; Filed, June 2, 1941; 10:59 a. m.]

[Docket No. 1631-FD]

IN THE MATTER OF SOLAR FUEL COMPANY, DISTRICT NO. 2, DEFENDANT

ORDER POSTPONING HEARING

Hearing in the above-entitled proceeding having been scheduled for June 2, 1941, at 10 o'clock in the forenoon of that day at the White Swan Hotel, Uniontown, Pennsylvania, before Charles O. Fowler, a Trial Examiner of the Division;

It is ordered, That the hearing in the above-entitled matter be postponed until 10 o'clock in the forenoon of June 16, 1941, at the White Swan Hotel, Uniontown, Pennsylvania, before Charles O. Fowler.

Dated: May 29, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3920; Filed, June 2, 1941; 10:58 a. m.]

[Docket No. 1648-FD]

IN THE MATTER OF RIDER COAL COMPANY, DISTRICT NO. 2, DEFENDANT

ORDER POSTPONING HEARING

Hearing in the above-entitled proceeding having been scheduled for June 3, 1941, at 2 o'clock in the afternoon of that day at the White Swan Hotel, Uniontown, Pennsylvania, before Charles O. Fowler, a Trial Examiner of the Division;

It is ordered, That the hearing in the above-entitled matter be postponed until 2 o'clock in the afternoon of June 17, 1941, at the White Swan Hotel, Union-

town, Pennsylvania, before Charles O. Fowler.

Dated: May 29, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3921; Filed, June 2, 1941; 10:58 a. m.]

[Docket No. 1650-FD]

IN THE MATTER OF MARTIN C. ZWARD, DISTRICT NO. 2, DEFENDANT

ORDER POSTPONING HEARING

Hearing in the above-entitled proceeding having been scheduled for June 3, 1941, at 10 o'clock in the forenoon of that day at the White Swan Hotel, Uniontown, Pennsylvania, before Charles O. Fowler, a Trial Examiner of the Division;

It is ordered, That the hearing in the above-entitled matter be postponed until 10 o'clock in the forenoon of June 17, 1941, at the White Swan Hotel, Uniontown, Pa., before Charles O. Fowler.

Dated: May 29, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-3922; Filed, June 2, 1941; 10:58 a. m.]

[Docket No. 1695-FD]

IN THE MATTER OF PROCEEDINGS TO DETERMINE IF CERTAIN REGISTERED DISTRIBUTORS ARE BONA FIDE MERCHANTS ACTIVELY, REGULARLY AND CONTINUOUSLY ENGAGED IN THE BUSINESS OF PURCHASING COAL FOR RESALE AND ACTUALLY RESELLING IT IN NOT LESS THAN CARGO OR RAILROAD CARLOAD LOTS; AND FOR THE REVOCATION OF THE REGISTRATION OF DISTRIBUTORS WHO ARE NOT SO ENGAGED

ORDER TO SHOW CAUSE AND NOTICE OF HEARING

The Bituminous Coal Division having information in its possession to the effect that the registered distributors, whose names and addresses are set forth in Exhibit A, attached hereto, are not bona fide merchants actively, regularly and continuously engaged in the business of purchasing coal for resale and actually reselling it in not less than cargo or railroad carload lots within the meaning of § 304.13 of the Rules and Regulations for the Registration of Distributors,

It is therefore ordered, That each of said registered distributors be, and is hereby required to show cause why his or its registration as a distributor should not be revoked at a hearing before D. C. McCurtain or any other officer or officers of the Division, duly designated to preside at such hearing, on June 26, 1941, at 10:00 a. m. at a hearing room of the Division, 734 15th Street NW., Washington, D. C. On said day, the chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That each of the said registered distributors shall file an

answer to this Order to show cause, on or before June 20, 1941, at the offices of the Division, 734-15th Street, NW., Washington, D. C., setting forth therein the names and addresses of any code members, sales agents, registered distributors, or other persons from whom he or it may have purchased coal, the tonnage of each kind, quality and size of coal purchased from each, the amount per ton paid therefor, the names and addresses of persons to whom any such coal was resold, the tonnage of each kind, quality and size of coal resold to each, and the price per ton charged or received therefor, and the dates of such purchases and resales. Said answer shall also set forth a statement of the reasons, if any there be, why the registration of such distributor should not be revoked.

Failure to file such answer within the time prescribed will be deemed to be an admission that the person so failing to file is not a bona fide merchant actively, regularly and continuously engaged in the business of purchasing coal for resale and actually reselling it in not less than cargo or railroad carload lots within the meaning of § 304.13 of the Rules and Regulations for the Registration of Distributors, and an Order revoking said registration will be entered.

At the hearing, each of said registered distributors who has filed his or its answer will be afforded opportunity to be heard and offer evidence in support thereof. If, at the hearing, the answering registered distributor fails to establish that he or it is a bona fide merchant actively, regularly and continuously engaged in the business of purchasing coal for resale and reselling it in not less than cargo or railroad carload lots, within the meaning of § 304.13 of the Rules and Regulations for the Registration of Distributors, an Order revoking his or its registration will be entered.

Notice of said hearing is given to each of said registered distributors, and to all other persons who may have an interest in the subject matter of the proceeding. Any person, other than a respondent registered distributor, desiring to be heard at said hearing, shall file a notice to that effect with the Bituminous Coal Division, 734 15th Street NW., Washington, D. C., on or before June 20, 1941, setting forth therein the nature of his interest and a concise statement of the matter or matters which he intends to present.

The matter concerned herewith is in regard to the eligibility of the said registered distributors to retain their registration as distributors in accordance with § 304.13 of the Rules and Regulations for the Registration of Distributors; and in regard to the revocation of the registration of any of said registered distributors who are ineligible to retain their said registration, as provided in § 304.14 of the Rules and Regulations for the Registration of Distributors.

Dated: May 26, 1941.

[SEAL]

H. A. GRAY,
Director.

Number	Name and Address	Number	Name and Address	Number	Name and Address
3738	Griffith, H. A., South Pittsburg, Tenn.	4695	Iowa Atlas Coal Sales Co. (C. E. Lan- ning), 110 N. Court St., Ottumwa, Iowa.	5795	Lytton Fuel Co. (Harry Lytton), 37 W. Van Buren St., Chicago, Ill.
3796	Guion Coal Co., 309 Spruce St., Phillips- burg, Pa.	4704	Irontdale Fuel Co., Clarksburg, W. Va.	5836	MacLoan, W. D., 965 2nd Ave., Salt Lake City, Utah.
3855	Hager, Sr., Robert Barton, 1126 Broad- way, New York, N. Y.	4725	Jackson, J. Alfred, 1901 Manchester Ave., Middletown, Ohio.	5838	Macon County Coal Sales Co., Decatur, Ill.
3865	Halle, B. M. (B. M. Halle Coal Co.), P. O. Box 863, Oklahoma City, Okla.	4746	Jacques, V. J. (Jacques Wood & Coal Co.), 3201 Maple Ave., Los Angeles, Calif.	5932	Manor Coal Co., The, 1006 U. S. Nat'l Bank Bldg., Johnstown, Pa.
3922	Hamilton Coal Co., S. M., 104 Marine Bank Bldg., Baltimore, Md.	4754	James Coal Mining Co., 31 St. James Ave., Boston, Mass.	5934	Manuel, W. S. & J. S., 1540 Rockefeller Bldg., Cleveland, Ohio.
3937	Hampden Color & Chemical Co., 161 Armory St., Springfield, Mass.	4764	Janney Coal Mining Co., Inc., 1 Broad- way, New York, N. Y.	5994	Marchisello, Antonio (Lincoln Fuel Co.), Decatur, Ill.
3955	Hankinson & Co., J. D. (Kenneth B. Hankinson), 18 Pearl St., Utica, N. Y.	4783	Jeddo-Highland Coal Co., Jeddo, Pa.	5950	Margarette Coal Corp., Marfrance, W. Va.
4002	Harman Coal Co., 50 E. Broad St., Co- lumbus, Ohio.	4796	Jenkins & McCall Coal Co., Frostburg, Maryland	5963	Markee Fuel & Ice Co. (C. L. Markee), 319-16th St., Moline, Ill.
4072	Hasler & Co., Inc., Board of Trade Bldg., Norfolk, Va.	5002	Kelley Bros., 2731 S. Salina St., Syra- cuse, N. Y.	5964	Marker, Ernest E., 961 E. Tabor St., Indianapolis, Ind.
4075	Hasler Coal Co., W. Va. (W. V. Hasler), 705 Colonial Trust Bldg., Reading, Pa.	4825	Johns Coal Co., The F. C. (F. C. Johns), 517 Rockefeller Bldg., Cleveland, Ohio.	5966	Markham Coal Co. (John L. Markham), 310 S. Michigan Ave., Chicago, Ill.
4111	Hayden Coal Co., 920 First Nat'l Bank Bldg., Denver, Colo.	5004	Kelley, Edward T., 103 N. 2nd St., Clear- field, Pa.	5972	Marlowe & Co., J. F. (Julius F. Mar- lowe), 645 S. Dudley St., Memphis, Tenn.
4112	Hayden Coal Co., Inc., 1 Broadway, New York, N. Y.	5015	Kempton Coal Co., 519 Rockefeller Bldg., Cleveland, Ohio.	5985	Marshall Lumber & Fuel Co. (Selma H. Marshall), 932 W. State St., Rock- ford, Ill.
4153	Hedges Lumber & Coal Co. (Chas. E. Hedges), Mt. Vernon, Iowa.	5023	Kennedy Coal Co., 3514 S. 25th St., Omaha, Nebr.	5993	Martin & Co., F. S., 307 N. Michigan Ave., Chicago, Ill.
6361	Hennessy, R. E. (Mermec Coal Co.), 3924 Duncan Ave., St. Louis, Mo.	5071	Kibler Milling Co., F. W., Mt. Orab, Ohio.	5992	Martin Coal Agency (N. Bruce & A. F. Martin), Box 552, Elkins, W. Va.
4304	Hibline Co., Inc. J. Edward, 714 Mer- cantile Trust Bldg., Baltimore, Md.	5101	Kirkbride, Helen W. (Fred G. Kirk- bride & Co.), 68 Main St., Massena, N. Y.	5994	Martin, H. B., Elkins, W. Va.
4086	Hattemer Coal & Coke Co. (Henry L. Hattemer), 623 N. Court St., Mont- gomery, Ala.	5104	Kirn Coal & Coke Co. (Marvin G. Kirn), Boulevard Bldg., Detroit, Mich.	5995	Martin Coal Co., Paul S. (Paul S. Mar- tin), Rear, 1267 W. King St., York, Pa.
4311	Higgins Coal & Coke Co., 615 Pyramid Bldg., Little Rock, Ark.	5106	Kirschbaum Coal Co., Frank (Frank Kirschbaum), 417 S. Dearborn St., Chicago, Ill.	5998	Martini, Merle B., 206 N. Washington St., Spokane, Wash.
4313	Highley & Co., Inc., 786 Breed St., Newark, N. J.	5124	Klages Coal & Ice Co., The, 551 S. High St., Akron, Ohio.	6036	Mather Bros. Co., 1028-1044 North F St., Richmond, Ind.
4367	Hirshberg, I. A., 222 Hurt Bldg., P. O. Box 2069, Atlanta, Ga.	5143	Kline Coal Co. (Edward W. Kline), 1031 Lumber Exchange, Minneapolis, Minn.	6052	Matthes Coal & Supply Co. (George C. Matthes), Naves Ave. & N. Depot St., Sandusky, Ohio.
4376	Hitchman Coal & Coke Co., 2215 Mar- shall St., Benwood, W. Va.	5154	Knapp Coal Co., 2716 46th St., Des Moines, Iowa.	6068	Max Coal Co. (Theodore I. Max), 266 Genesee St., Utica, N. Y.
4384	Hobart, M. C. (M. C. Hobart Coal Co.), Middleport, Ohio.	5174	Knouse, Charles W., Colonial Park, Pa.	6069	Maxwell, Ross F., 303 Marshall Bldg., Cleveland, Ohio.
4391	Hodge Coal Co., The (John A. Hodge), Equitable Bldg., Denver, Colo.	5277	Kromer, Fred A. (Kromer Coal Co.), Water & McDonough Sts., Sandusky, Ohio.	6106	McCann Co., John J. (James J. McCann), 471 Main St., Poughkeeps- ie, N. Y.
4403	Hoefler & Stoecklein Co., The, 516 Keo- wee St., Dayton, Ohio.	5341	Lake & Export Coal Corp. of N. Y., 370 Lexington Avenue, New York, N. Y.	6156	McCurdy Coal & Supply Co., 9449 Amer- ican Ave., Detroit, Mich.
4415	Hoffman, Charles P. (Hoffman Coal Co.), 103 N. Robinson Ave., Pen Argyl, Pa.	5343	Lakewood Coal & Coke Co., The, 14236 Detroit Ave., Lakewood, Ohio.	6181	McElligott Fuel Corp., P. O. Box 703, Waterbury, Conn.
4416	Hoffman Coal Co., F. W., 109 S. Ohio Ave., Columbus, Ohio.	5344	Lakewood Ice & Fuel Co., The, 14236 Detroit Ave., Lakewood, Ohio.	6188	McFetridge Bros. Coal Co., Creighton, Pa.
4417	Hoffman, T. J., P. O. Box 283, Buckeye, Lake, Ohio.	5348	Lakewood Supply, Inc., Lakewood, N. Y.	6195	McGlone Coal, T. F. (T. F. McGlone), 617 Montgomery Bldg., Spartanburg, S. C.
4447	Hollister, J. T. (Hollister & Cox), 16 Craven St., New Bern, N. C.	5362	Lanark Coal Co., Hastings, Pa.	6231	McKay & Son, J. H., Estherville, Iowa.
4474	Home Fuel Co., 208 Buckley St. at Century Ave., Grand Rapids, Mich.	5364	Lanark Coal Sales, Hastings, Pa.	6232	McKay, N. J. (McKay Coal Co.), 511 First Ave., Dallas, Tex.
4481	Hood, C. W., 630 Garfield St., Denver, Colo.	5365	Lanark Coal Sales Co., Hastings, Pa.	6245	McKitterick Coal Co. (James J. Mc- Kitterick), 48 Chillicothe St., Jack- son, Ohio.
4483	Hood Coal Co. (Louis H. Hood), Seneca Falls, N. Y.	5371	Lang, Ferdinand (Lang's Coal and Fur- nace Service), 1441 Welton St., Den- ver, Colo.	6264	McManus, David F. (David F. McManus Coal & Fuel Oil Co.), 323 Clinton St., Binghamton, N. Y.
4485	Hooper, K. L., Roanoke, Ala.	5423	Laughner, N. H., High St., Glenwillard, Pa.	6282	McNamara, Wm. J., 419 Robin St., Dunkirk, N. Y.
4507	Horning-Ross Coal Co. (Walter F. Horning), 856 Insurance Bldg., Omaha, Nebr.	5476	Ledebur Ward, The (E. H. Ledebur), Blue Earth, Minn.	6405	Meyer, Felix (Felix Meyer & Co.), 510 West Bldg., Houston, Tex.
4516	Horton, Paul E. (Horton Coal Co.), R. F. D. # 1, Newburgh, Ind.	5511	Leland Coal Co. (James E. Leland), Hamilton, N. Y.	6430	Middle States Fuels, Inc., 310 S. Michi- gan Ave., Chicago, Ill.
4526	Hotchkiss Coal Co., Sheridan, Wyo.	5524	Lerch, George J. (M. F. Lerch & Son), 70 Grandview Blvd., W. Lawn, P. O. Wyomioning Hills, Pa.	6431	Midfield Coal Corp., 404 Akron Savings & Loan Bldg., Akron, Ohio.
4573	Hubbell Coal Co. (Chas. O. Hubbell), 405 Finance Bldg., Kansas City, Mo.	5556	Leyden Lignite Co., The, 801 Tramway Bldg., Denver, Colo.	6437	Middle West Coal Co., Inc., 1114 1st Nat'l Bank Bldg., Cincinnati, Ohio.
4593	Hughes, D. W. (D. W. Hughes & Co.), 618 Land Title Bldg., Philadelphia, Pa.	5562	Liberty Coal Co., Lochrie Bldg., Wind- ber, Ia.	6457	Miller Coal Corp., Rice, P. O. Box 186, Hillsboro, Ill.
4595	Hughes Fuel Co., P. O. Box 400, Henry- etta, Okla.	5565	Liberty Fuel Co., 402 Kearns Bldg., Salt Lake City, Utah.	6460	Milliron Co., Inc., The P., Second St., East Liverpool, Ohio.
4615	Humphreys Coal & Coke Co., Greens- burg, Pa.	5584	Liggett Bros. Coal Co., The, 610 Ingalls Bldg., Cincinnati, Ohio.	6461	Millner Coal Co., W. W. (W. W. Mill- ner), Weir, Kan.
4623	Hunt Coal Co., Big Four Dock, San- dusky, Ohio.	5586	Light Coal Co., B. C. (B. C. Light), 27 S. 8th St., Lebanon, Pa.	6466	Millman Coal Co., 38-40 Park Place, Newark, N. J.
4627	Hunt, Millard (Hunt Fuel Co.), 180 N. Prospect St., Marion, Ohio.	5633	Literat, A. E., 1900 Scranton Rd., Cleveland, Ohio.	6463	Mills, S. E. (Mills Coal & Transfer Co.), 520 Fenwick St., Augusta, Ga.
4629	Hunt Sales Co. (M. L. Hunt), 1821 Texas St., P. O. Box 41, El Paso, Tex.	5676	Logan County Fuel Co., (T. W. Wat- son), Paris, Ark.	6503	Moede, William A., 3423 W. No. North Ave., Milwaukee, Wisc.
4652	Hutchins & Hyatt Co., 502 L St., Lin- coln, Nebr.	5686	Long, Fred E., 1 Broadway, New York, N. Y.	6524	Moline Consumers Co., 314 15th St., Moline, Ill.
4654	Hutchinson Coal Agency (Ernest Hutchinson), 711 Belmont Place, Seattle, Wash.	5716	Lott, Edward M. (Lott Ice & Coal Co.), Carlinville, Ill.	6547	Montana Coal & Iron Co., Washoe, Mont.
4677	Imperial Coal Co., The, 515 Denham Bldg., Denver, Colo.	5737	Loy, A. L., 723 Bingamen St., Reading, Pa.	6567	Moore-Cooney Corp., The, S. E. Cor. Third & Walnut Sts., Cincinnati, Ohio.
4681	Independent Coal & Coke Co. (Donald Lape), Ivas, Racine, Wis.	5752	Luehrs, George B. (Cabin Coal Co.), 5 W. River St., Kankakee, Ill.		
4684	Indian Chief Coal Co., 14 Wall St., New York, N. Y.	5786	Lynch & Co., Inc., B. J., 135 Liberty St., New York, N. Y.		
4683	Indian Creek Coal & Coke Co., 514 Smithfield St., Pittsburgh, Pa.				

Number	Name and Address	Number	Name and Address	Number	Name and Address
6615	Morrisdale Coal Mining Co., The, 1512 Real Estate Trust Bldg., Philadelphia, Pa.	7616	Reeser, Frank E. (Reeser Coal Co.), 431 Woodward Ave., Buffalo, N. Y.	8789	Strietelmeier, H. W., Linton, Ind.
6662	Mudd Coal Co., E. B., Bluff Road, Burlington, Iowa.	7654	Reliance Coal Co., Providence, Ky.	8847	Sunset Fuel & Grain Co., 2020 Brooks St., Houston, Tex.
6677	Mulholland Fuel Co., Inc., 1759 W. Main St., Ft. Wayne, Ind.	7686	Rice, Jr., John W. (J. W. Rice Coal Co.), 213 Seitz Bldg., Syracuse, N. Y.	8873	Sweeney Coal Co., C. F. (Chas. F. Sweeney), 2127 David Stott Bldg., Detroit, Mich.
6733	Myers Coal & Coke Co., The, 713 Fidelity Bldg., Cleveland, Ohio.	7724	Rios & Co., J. M., 11 Broadway, Room 830, New York, N. Y.	8906	Talbot & Co., B. M., Troy, Alabama.
6737	Myers Coal Co., I. R., (Myers, I. R.), 1034 National Bank Bldg., Detroit, Mich.	7726	Rios & Co., Inc., R., 17 Battery Pl., New York, N. Y.	8907	Talbott & Olds, Grinnell, Iowa.
6766	National Fuel Co., 641 Equitable Bldg., Denver, Colo.	7566	Raritan Cnarc coal & Coal Co., Inc., 141-149 S. Second St., Perth Amboy, N. J.	8923	Tarr & McComb, 108 W. 6th St., Los Angeles, Calif.
6767	National Fuel Co., 206 Mutual Bldg., 405 E. 13th St., Kansas City, Mo.	7727	Rios, Rafael, 17 Battery Place, New York, N. Y.	8946	Technicoal Corp., 505 Swetland Bldg., Cleveland, Ohio.
6768	National Fuel Co., P. O. Box 857, Morgantown, W. Va.	7761	Roberts Coal & Coke Co., The, 3752 Doty Drive, Toledo, Ohio.	8944	Telford Coal Co., 543 Vine St., Johnstown, Pa.
6785	Nearing, A. I. (Nearing Coal & Builders Supply Co.), Marianna, Fla.	7762	Roberts Coal Co. (B. S. Roberts), 720 Maury St., Memphis, Tenn.	8955	Terminal Coal & Coke Co., 129 Fancourt St., Pittsburgh, Pa.
6804	Nelson Coal Co. (Camillus H. Nelson), West Pawlet, Vt.	7781	Roche Coal Co., O'Neil (Frank L. Roche), 113-115 River St., Troy, N. Y.	8965	Thermal Coal Sales Co. (R. G. Strand), 408 Johnstown Bank & Trust Bldg., Johnstown, Pa.
6805	Nelson Dowling Coal Co., 922 Elm St., Manchester, N. H.	7805	Rogers, Fred S. (Viroqua Coal Co.), Viroqua, Wis.	8991	Thompson, Charles J., 529 Leverington Ave., Philadelphia, Pa.
6838	Newhouse Coal Co. (Wm. H. Newhouse), 1030 S. Eighth St., Louisville, Ky.	7842	Rosenbaum, E. S., 332 S. La. Salle St., Chicago, Ill.	9112	Troch, H. C. & E. J. (Troch Bros. Coal Co.), 4111 Wrightwood Ave., Chicago, Ill.
6848	Newton Lumber Co., Glen (Glen R. Newton), Nevada, Iowa.	7854	Rosengrant Coal Co. (Rosengrant, G. D.), 332 S. Michigan Ave., Chicago, Ill.	9160	U. S. Coal Co., Inc., 312 Wayne St., Jersey City, N. J.
6865	Niezer Fuel Co., Inc., 1308 Hayden St., Ft. Wayne, Ind.	7861	Ross & Co., J. A., 2015 N. Kolmar Ave., Chicago, Ill.	9171	Union Coal & Coke Co., 47 S. Pennsylvania St., Indianapolis, Ind.
6892	North Coal Co., C. N. (C. R. North), Lower Basin, Lynchburg, Va.	7882	Rouse & Son, W. P., 22 Grahamville St., North East, Pa.	9222	Vanderbilt Coal & Coke Co., 804 Second Nat'l Bank Bldg., Connelisville, Pa.
6895	North Town Fuel Co., 2401 N. Court St., Rockford, Ill.	7903	Rucker Coal Co. (T. T. Rucker), 345 Fourth St., Bristol, Tenn.	9267	Vetterlein Co., (Wayne S. Vetterlein), 1520 Locust St., Philadelphia, Pa.
6924	Nu-Life Coal Co. (E. C. Francis), 309 Felt Bldg., Salt Lake City, Utah.	7939	Russell, Robert, 318 Walnut St., Denver, Colo.	9292	Voelcker, H. B. (Herbert B. Voelcker), 50 Fillmore Ave., Tonawanda, N. Y.
6936	Oakley & Oldfield, 329 S. Pitcher St., Kalamazoo, Mich.	7964	Sadler, Melton (Melton Sadler Coal Co.), Krebs, Okla.	9332	Wade Coal Co., 32 W. Randolph St., Chicago, Ill.
6938	Oates, L. E., Paris, Ark.	7976	St. Louis Coal Co., Coulterville, Ill.	9346	Wagner Coal Co., Harry (Harry Wagner), 545 Fairmount Pl., Ft. Wayne, Ind.
6945	O'Brien, H. J. (Cherry Run Coal Mining Company), Snow Shoe, Pa.	8005	Sander Coal Co. (Paul F. Sander), 11427 Union Ave., Chicago, Ill.	9364	Waldo & Maltby, Inc., 425 Main St., East Aurora, N. Y.
6988	Olds Coal Co., 301 Wallace St., Ft. Wayne, Ind.	8082	Scherer, Inc., Fred, 424 W. Madison St., Ottawa, Ill.	9463	Waterways Fuel & Dock Co., The, Barkley & Gould Aves., Cincinnati, Ohio.
7025	Operators Heat, Inc., 1881 W. 41st St., Baltimore, Md.	8194	Schwab Coal & Oil Co., Inc., 92 Portland Ave., Rochester, N. Y.	9480	Waubun Coal Co., Inc., 820 Hammond Bldg., Detroit, Mich.
7027	Operators Coal Mining Co., 1001 U. S. Bank Bldg., Johnstown, Pa.	8251	Sellards Coal Sales Co. (C. M. Loeser), 907 Robson-Prichard Bldg., Huntington, W. Va.	9501	Webb & Gray Coal Co., 411 E. Marion St., Joliet, Ill.
7142	Parke, Allen J. (Allen J. Parke & Co.), 97 W. Main St., Uniontown, Pa.	8252	Semmes Coal & Ice Co., Pensacola, Florida.	9517	Weddell, Frank E., P. O. Box #135, Scottdale, Pa.
7199	Peaslee Lumber & Coal Co., Laurens, Iowa.	8264	Sergeant Coal Sales Co. (E. M. Sergeant), 542 E. Michigan Ave., Kalamazoo, Mich.	9524	Weel, W. W. (Wm. Neal), 928 N. Lincoln Ave., N. S., Pittsburgh, Pa.
7201	Peck Coal Co., The F. B., 172 Saratoga St., Cohoes, N. Y.	8301	Shaw, John K. (Shaw Bros.), 10 South Street, Baltimore, Md.	9535	Weil, Myron B., 17 Battery Place, New York, N. Y.
7216	Peerless Sales Co., 1107 Newhouse Bldg., Salt Lake City, Utah.	8334	Sheridan-Wyoming Coal Co., Inc., Monarch, Wyo.	9540	Weinberg, Paul (Black Oak Coal Co.), 624 S. Michigan Ave., Chicago, Ill.
7223	Pennsylvania Coal & Coke Corp., 70 E. 45th St., New York, N. Y.	8362	Shriver, Frank C. (Shriver-Neill Coal Co.), 817 Real Estate Trust Bldg., Philadelphia, Pa.	9541	Weinhart Coal Co., C. A. (C. A. Weinhart), 1002 Grand Rapids Trust Bldg., Grand Rapids, Mich.
7224	Pennsylvania Coal Co., 38th St., & A. V. R. R., Pittsburgh, Pa.	8364	Shuler Coal Co., 609 Kahl Bldg., Davenport, Iowa.	9564	Welsh Coal Co., F. B. (F. B. Welsh), 410 Kathmere Road, Upper Darby, Pa.
7243	Perry Coal Co., 1409 Boatmen's Bank Bldg., St. Louis, Mo.	8412	Simons & Son, A. (A. C. Simons), Atlas Bldg., Columbus, Ohio.	9586	Werry Coal Co. (Arthur J. Werry), Vine-land, N. J.
7245	Perry Coal Co. (Frank C. & Bruna Perry), Briartown, Okla.	8422	Simpson Creek Collieries Co., The, Hanna Bldg., Cleveland, Ohio.	9605	West Virginia Coal Co. of Missouri, 1409 Boatmen's Bank Bldg., St. Louis, Mo.
7247	Pershing Fuel Co., 1217 Paramount Bldg., Des Moines, Iowa.	8448	Six States Coal Corp., American Bank Bldg., Pittsburgh, Pa.	9642	Wheeling Coal Co., Box 310, Wheeling, W. Va.
7323	Piedmont Mining Co., 217 E. Redwood St., Baltimore, Md.	8461	Slack Coal Co. (F. W. Slack), 823 Land Title Bldg., Philadelphia, Pa.	9643	Wheeling Valley Coal Corp., River Road, Wheeling, W. Va.
7341	Pitcher Coal Co. (J. O. Pitcher), Perry Bldg., Elmira, N. Y.	8485	Smith Bros. Coal & Oil Co., Inc., 172 West St., Pittsfield, Mass.	9681	Whitney & Kemmerer, Inc., Charlotte, N. C.
7355	W. H. Plant (W. H. Plant Coal Co.), 145 N. High St., Columbus, Ohio.	8495	Smith & Co., J. W. (J. W. Smith), 914 St. Paul St., Baltimore, Md.	9715	Wilcox Coal Co. (Charles E. Wilcox), Bulletin Bldg., Philadelphia, Pa.
7401	Porter, D'Arcy H., (Porter Coal Co.), 2112 Terminal Tower, Cleveland, Ohio.	8496	Smith Co., The Joseph B. (Joseph B. Smith), 803 Edison Bldg., Toledo, Ohio.	9733	Wilkinson, John R. (Wilkinson Coal Co.), 327 N. 2nd St., La Crosse, Wisc.
7416	Potts, D. H. (Potts Coal Co.), Gibsonburg, Ohio.	8560	Southern Coal & Coke Co., Boothton, Ala.	9756	Williams Coal Co., Geo. D. (Geo. D. Williams), 300 Brandeis Theatre Bldg., Omaha, Nebr.
7423	Powell Coal Co., The, 157 Church St., New Haven, Conn.	8572	Southwestern Coal Co., Room 4, Kenney Bldg., Ft. Smith, Ark.	9757	Williams Coal Co. (Geo. F. Williams), 1115 Volunteer Bldg., Chattanooga, Tenn.
7453	Price Coal Co., F. A., 40 Prince St., Montreal, Quebec, Canada.	8577	Spangler, R. E. (Spangler Coal Co.), 616 Continental Oil Bldg., Denver, Colo.	9763	Willis, Dana S. (D. S. Willis Coal Co.), 7 S. Dearborn St., Chicago, Ill.
7472	Producers Sales Co. (Bert Kingan), 717 Merchants Bank Bldg., 11 S. Meridian St., Indianapolis, Indiana.	8579	Speer, Jr., C. P. (Speer & Co.), 254 E. King St., Chambersburg, Pa.	9853	Wood, Frank B. (F. B. Wood Coal Mining Co.), 800 Chestnut St., Barnesboro, Pa.
7493	Puritan Ice Co., 205 Green St., Muscatine, Iowa.	8631	Standard Coal Co., P. O. Box 200, Vincennes, Ind.	9866	Woodruff Coal Co. (Guy B. Woodruff), 802 American Nat'l Bank Bldg., Kalamazoo, Mich.
7535	Rafetto Coal Co., Inc., 407 Finance Bldg., Philadelphia, Pa.	8745	Stineman Coal & Coke Co., 1145 Broad St., Station Bldg., Philadelphia, Pa.	9876	Woodul, W. D. (The Woodul Coal Co.), 408 Martin Bldg., El Paso, Tex.
7536	Rail & Waterways Coal Co. (T. F. McCarthy), 37 W. Van Buren, St., Chicago, Ill.	8753	Stockton Ice & Fuel Co., 33 S. El Dorado St., Stockton, Calif.	9897	Wright Coal Co. (T. Carlton Wright), 1003 E. 13th St., Chattanooga, Tenn.
7574	Rausch Coal Co. (E. B. Rausch), 52 N. Lincoln Ave., Aurora, Ill.	8965	Strand, R. G. (Thermal Coal Sales Co.), 408 Johnstown Bank & Trust Bldg., Johnstown, Pa.		
7614	Reece Coal Co. (Sutton B. Reece), P. O. Box 724, Western Port, Md.	8795	Strickland, A. E. (Strickland Coal Co.), 326 Patterson Bldg., Denver, Colo.		

Number	Name and Address
9904	Wyandanch Lumber Co. (W. Dwight and Elmo T. Nostrand), Long Island Ave., Wyandanch, Long Island, N. Y.
9920	Yarborough Coal Co. (E. C. Yarborough), 428 N. Washington St., Huntsville, Ala.
9940	Yoch, John F., 700 S. Illinois St., Belleville, Ill.
9941	Yoland Coal Co., 208 Jacobs Bldg., Fairmont, W. Va.
9955	Young, J. L. (Young Coal Co.), 307 Nat'l Bank Bldg., Pittsburg, Kans.

[F. R. Doc. 41-3925; Filed, June 2, 1941; 11:00 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[Wheat 500, Supplement No. 2]

INSTRUCTIONS FOR HOLDING REFERENDUM ON WHEAT MARKETING QUOTAS FOR THE 1941-42 MARKETING YEAR

Wheat 500 (Instructions for Holding Referendum on Wheat Marketing Quotas for the 1941-42 Marketing Year, as amended, approved February 19, 1941, is hereby further amended as follows:

1. Paragraph (1) of section A, "Voting Eligibility", is amended to read as follows:

(1) Each farmer engaged in the production of wheat for harvest in 1941 on a farm on which the normal production of the acreage planted to wheat of the current crop¹ is 200 bushels or more, and on which the acreage planted to wheat is in excess of fifteen acres, who is entitled to share in the proceeds of the 1941 wheat crop as owner, landlord (other than a landlord of a standing-rent or fixed-rent tenant), tenant, or sharecropper shall be eligible to vote.

Done at Washington, D. C., this 31st day of May, 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] **CLAUDE R. WICKARD,**
Secretary of Agriculture.

[F. R. Doc. 41-3901; Filed, May 31, 1941; 10:52 a. m.]

Rural Electrification Administration.

[Administrative Order No. 590]

ALLOCATION OF FUNDS FOR LOANS, AMENDMENT

MAY 23, 1941.

I hereby amend:

(a) Administrative Order No. 548, dated December 19, 1940, by reducing the allocation of \$566,000 therein made for "Washington 1018E1 Spokane" by \$100,000, so that the reduced allocation shall be \$466,000.

[SEAL] **HARRY SLATTERY,**
Administrator.

[F. R. Doc. 41-3902; Filed, May 31, 1941; 10:52 a. m.]

¹ 6 F.R. 1093, 2420.
No. 107—3

[Administrative Order No. 591]

ALLOCATION OF FUNDS FOR LOANS

MAY 23, 1941.

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

Project designation:	Amount
Virgin Islands 1001G4 St. Croix	\$50,000

[SEAL] **HARRY SLATTERY,**
Administrator.

[F. R. Doc. 41-3903; Filed, May 31, 1941; 10:52 a. m.]

[Administrative Order No. 592]

ALLOCATION OF FUNDS FOR LOANS

MAY 27, 1941.

I hereby amend:

(a) Administrative Order No. 388, dated September 8, 1939, by reducing the allocation of \$107,000 therein made for "North Carolina 0033B1 Martin" by \$40,000, so that the reduced allocation shall be \$67,000.

[SEAL] **HARRY SLATTERY,**
Administrator.

[F. R. Doc. 41-3932; Filed, June 2, 1941; 11:35 a. m.]

[Administrative Order No. 593]

ALLOCATION OF FUNDS FOR LOANS

MAY 27, 1941.

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

Project designation:	Amount
North Carolina 1-0043B1 Jones	\$99,817
North Carolina 1043B2 Jones	50,183

[SEAL] **HARRY SLATTERY,**
Administrator.

[F. R. Doc. 41-3933; Filed, June 2, 1941; 11:35 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

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

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum 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 June 2, 1941.

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

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

Maurice Auerhan, 183 Monroe Street, Passaic, New Jersey; Hand Machine Embroidery on Handkerchiefs, Linens, and Kindred Products; 2 learners; 6 weeks for any one learner; 28 cents per hour; Spanner-Helper; December 2, 1941.

Augusta Bedding Company, 930 8th Street, Augusta, Georgia; Bed Springs, Mattresses and Sofa Beds; 1 learner; 8 weeks for any one learner; 25 cents per hour; Upholsterer; December 1, 1941.

Augusta Bedding Company, 930 8th Street, Augusta, Georgia; Bed Springs; Mattresses and Sofa Beds; 3 learners; 6 weeks for any one learner; 25 cents per hour; Bed Spring Maker, Mattress Finisher, Tick Maker; December 1, 1941.

D & M Embroidery Company, 57 Kneeland Street, Boston, Massachusetts; Embroidery Manufacturing; 5 learners; 8 weeks for any one learner; 28 cents per hour; Embroidery Machine Operator; August 11, 1941.

Erickson Textile Company, 626 North Locust Street, Momence, Illinois; Minnow Seines and Basketball Goals; 4 learners; 4 weeks for any one learner; 25 cents per hour; Sewing Machine Operator (Minnow Seines); July 14, 1941.

Signed at Washington, D. C., this 2nd day of June 1941.

GUSTAV PECK,
*Authorized Representative
of the Administrator.*

[F. R. Doc. 41-3938; Filed, June 2, 1941; 11:40 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).

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).

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 June 2, 1941. 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

Jack Beckerman, Inc., 608 Union Street, Allentown, Pennsylvania; Apparel; Ladies' Slips; 5 percent (75% of the applicable hourly minimum wage); June 2, 1942.

Ely & Walker Garment Factory, Salem, Missouri; Apparel; Athletic Underwear, Pajamas; 50 learners (75% of the applicable hourly minimum wage); September 15, 1941.

Ely & Walker Garment Factory, Illmo, Missouri; Apparel; Overalls, Pants; 10 percent (75% of the applicable hourly minimum wage); August 25, 1941.

Abe Kahn-Halbreich Company, Front and Hellam Streets, Wrightsville, Pennsylvania; Apparel; Children's Cotton Wash Dresses; 5 learners (75% of the applicable hourly minimum wage); June 2, 1942.

Keansburg Garment Company, Inc., 232 Creek Road, Keansburg, New Jersey; Apparel; Children's Dresses & Blouses; 5 learners (75% of the applicable hourly minimum wage); June 2, 1942.

Kent Manufacturing Company, 611 Walnut Street, Milford, Delaware; Apparel; Children's Dresses; 5 learners (75% of the applicable hourly minimum wage); June 2, 1942.

Anna Kleinman, 2 First Avenue, Raritan, New Jersey; Apparel; Children's

Dresses; 5 learners (75% of the applicable hourly minimum wage); June 2, 1942.

Manhattan Shirt Company, Poplar Hill Avenue, Salisbury, Maryland; Apparel; Men's Shirts; 5 percent (75% of the applicable hourly minimum wage); June 2, 1942.

Middlesex Lace and Embroidery Works, 8 Martin Avenue, South River, New Jersey; Apparel; Handkerchiefs; 5 percent (75% of the applicable hourly minimum wage); June 2, 1942.

Night Comfort, Inc., Fourth Street & Wiconisco Avenue, Tower City, Pennsylvania; Apparel; Shirts & Sleeping Wear; 5 learners (75% of the applicable hourly minimum wage); September 29, 1942.

Oakdale Manufacturing Company, Inc., 47 West Third Street, Williamsport, Pennsylvania; Apparel; Shirts; 8 learners (75% of the applicable hourly minimum wage); September 29, 1941.

Perfect Brassiere Company, Inc., 521 East Fourth Street, Bethlehem, Pennsylvania; Apparel; Brassieres; 5 learners (75% of the applicable hourly minimum wage); June 2, 1942.

Pincus Brothers, Inc., 232 North Eleventh Street, Philadelphia, Pennsylvania; Apparel; Men's Clothing; 5 percent (75% of the applicable hourly minimum wage); June 2, 1942.

Rice-Stix Factory #15, Lebanon, Missouri; Apparel; Overalls, Coveralls, Pants of 100% Cotton; 30 learners (75% of the applicable hourly minimum wage); September 29, 1941.

M. C. Ross Manufacturing Company, Inc., 232 Creek Road, Keansburg, New Jersey; Apparel; Children's Dresses & Blouses; 5 learners (75% of the applicable hourly minimum wage); June 2, 1942.

I. Schneierson & Sons, Inc., 113 West Redwood Street, Baltimore, Maryland; Apparel; Children's Dresses; 25 learners (75% of the applicable hourly minimum wage); August 25, 1941.

Lee J. Sherman & Company, 60 Franklin Street, East Orange, New Jersey; Apparel; Cotton Wash Dresses; 5 learners (75% of the applicable hourly minimum wage); June 2, 1942.

Edward Shuwall Company, Inc., Elizabethtown, Pennsylvania; Apparel; Children's Dresses; 15 learners (75% of the applicable hourly minimum wage); September 29, 1941.

Edward Shuwall Company, Inc., Hanover Street, Pottstown, Pennsylvania; Apparel; Children's dresses; 50 learners (75% of the applicable hourly minimum wage); September 29, 1941.

F. Silverman & Sons, Inc., 85 Coggeshall Street, New Bedford, Massachusetts; Apparel; Dresses; 30 learners (75% of the applicable hourly minimum wage); September 29, 1941.

Star Garment Manufacturing Company, 211 East Fourth Street, St. Paul, Minnesota; Apparel; Pants, Leather-Sheep-lined Garments; 5 learners (75% of the applicable hourly minimum wage); October 6, 1941.

Stuart Manufacturing Company, Inc., 521 South Main Street, South Brewer,

Maine; Apparel; Mackinaws; 4 learners (75% of the applicable hourly minimum wage); June 2, 1942. (This certificate replaces one effective December 19, 1940.)

Waxahachie Garment Company, South Jackson Street Waxahachie, Texas; Apparel; Shirts, Pants; 120 learners (75% of the applicable hourly minimum wage); September 15, 1941.

Yolanda Dress Company, 229 French Street, New Brunswick New Jersey; Apparel; Children's Dresses; 2 learners (75% of the applicable hourly minimum wage); December 16, 1941. (This certificate replaces one effective December 16, 1940, for your plant located at 72 Jersey Avenue.)

Yolanda Dress Company, 229 French Street, New Brunswick New Jersey; Apparel; Children's Dresses; 4 learners (75% of the applicable hourly minimum wage); September 29, 1941.

Canvas Glove Manufacturing Works, Inc., 294 Graham Avenue, Brooklyn, New York; Gloves; Work Gloves; 35 learners; December 2, 1941.

Ross Glove Company, 11th and Alabama Streets, Sheboygan, Wisconsin; Gloves; Work Gloves; 5 per cent; June 2, 1942.

Tioga County Bell Telephone Company, 61 Main Street, Wellsboro, Pennsylvania; Independent Branch of the Telephone Industry; to employ learners as indicated in the Telephone Order as commercial and switchboard operators at its Wellsboro Exchange until June 2, 1942.

Acme Hosiery Mills, Inc., Asheboro, North Carolina; Hosiery; Seamless Hosiery; 3 learners; June 2, 1942.

Chalfont Hosiery Mills, Chalfont, Pennsylvania; Hosiery; Full fashioned hosiery; 5 learners; February 2, 1942.

Climax Hosiery Mills, Inc., Athens, Georgia; Hosiery; Seamless Hosiery; 5 percent; June 2, 1942. (This certificate replaces one effective May 12, 1941.)

Primrose Bedspread Corporation, 1357 Rodney French Boulevard, New Bedford, Massachusetts; Textile; Chenille Bedspreads; 20 learners; October 20, 1941.

Primrose Tapestry Company of Georgia, Route 3, Rome, Georgia; Textile; Tapestry; 6 learners; August 18, 1941.

The Springs Cotton Mills, Fort Mill, South Carolina; Textile; Cotton; 40 learners; June 2, 1942.

J. A. Lamy Manufacturing Company, 108 West Pacific Street, Sedalia, Missouri; Apparel; Rainwear, Single Pants, Breeches, Overalls; 54 learners (75% of the applicable hourly minimum wage); August 25, 1941.

Lebanon Garment Company, Inc., East Market Street, Lebanon, Tennessee; Apparel; Pants; 225 learners (75% of the applicable hourly minimum wage); September 15, 1941.

Signed at Washington, D. C., this 2d day of June 1941.

GUSTAV PECK,
Authorized Representative
of the Administrator.

[Administrative Order No. 110]

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 27 FOR THE WOMEN'S APPAREL INDUSTRY

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, Philip B. Fleming, Administrator of the Wage and Hour Division, Department of Labor,

Do hereby accept the resignation of Mr. Frederick H. Harbison from Industry Committee No. 27 for the Women's Apparel Industry and do appoint in his stead, as representative for the public and Chairman of such Committee, Mr. Charles O. Gregory, of Chicago, Illinois. Signed at Washington, D. C., this 2d day of June 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-3936; Filed, June 2, 1941; 11:40 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6076]

NOTICE RELATIVE TO NEBRASKA BROADCASTING CORPORATION (KORN)

Application dated May 27, 1940; for renewal of license; class of service, broadcast; class of station, broadcast; location, Fremont, Nebraska. Present assignment: Frequency, 1400 kc.; power, 250 w; 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 financial and other qualifications of the licensee to operate the station and the manner in which the corporate activities of the licensee have been conducted.

2. To determine whether the licensee has at any time failed to furnish the Commission with full information regarding the existence and terms of any agreement affecting or concerning any right, title or interest in the station license or the licensee corporation, or control thereof, in violation of the provisions of the Commission's Rules and Regulations, particularly § 43.1 thereof.

3. To determine whether all statements and representations to the Commission, by or on behalf of the licensee, regarding its capital stock and financial qualification truly and accurately reflected the facts, particularly with respect to the number of shares of capital stock issued and outstanding, the ownership thereof, the persons subscribing thereto and the amounts paid therefor.

4. To determine whether any right, title or interest in the station license has at any time been transferred, assigned or in any manner disposed of to any person or concern, directly or indirectly, particularly to the National Investment Corporation in February, 1940, without the knowledge or consent of the Commission, in violation of the provisions of the

Communications Act of 1934, as amended, particularly section 310 (b) thereof.

5. To determine whether Clark Standiford at any time became divested of control of the licensee corporation, or whether control thereof was transferred to any other person or persons without the consent of the Commission in writing, in violation of the provisions of the Communications Act of 1934, as amended, particularly section 310 (b) thereof.

6. To determine whether, in view of the facts found under the foregoing issues, the granting of the application will serve public interest, convenience, or 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:

Nebraska Broadcasting Corporation
Radio Station, KORN,
6th and Broad Sts.
Fremont, Nebraska

Dated at Washington, D. C., May 28, 1941.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3894; Filed, May 29, 1941; 2:56 p. m.]

[Docket No. 6077]

NOTICE RELATIVE TO CLARK STANDIFORD (TRANSFEROR) AND C. J. MALMSTEN, A. C. SIDNER, S. S. SIDNER & ARTHUR BALDWIN (TRANSFEREES)

Application dated October 10, 1940; for transfer of control of Nebraska Broadcasting Corp., licensee of station KORN. Class of service, broadcast; class of station, broadcast; location, Fremont, Nebraska. Present operating assignment: Frequency, 1400 kcs; power, 250 w; 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 financial qualifications of the transferees and their other qualifications to control the affairs of the licensee corporation and to manage and operate the station.

2. To determine the plans of the transferees with respect to the management

and operation of the station and the control and financing of the licensee corporation.

3. To determine whether A. C. Sidner participated in any activities involving a violation of the provisions of the Communications Act of 1934, as amended, particularly section 310 (b) thereof, by virtue of any transactions or agreements with National Investment Corporation.

4. To determine whether all statements and representations made at any time to the Commission by any of the transferee parties either as an individual or as a corporate officer or director, were true and correct, particularly with respect to the capital stock of the licensee corporation.

5. To determine whether control of the licensee corporation was transferred to the transferee parties, or any of them, without the consent of the Commission in writing, in violation of the provisions of the Communications Act of 1934, as amended, particularly section 310 (b) thereof.

6. To determine whether in view of the facts found under the foregoing issues, the granting of the application will serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are 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 applicants 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 applicants addresses are as follows:

Clark Standiford,
Fremont, Nebraska

A. C. Sidner, C. J. Malmsten, S. S. Sidner, Arthur Baldwin,
% A. C. Sidner, Attorney,
Fremont, Nebraska

Dated at Washington, D. C., May 28, 1941.

By the Commission

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3895; Filed, May 29, 1941; 2:56 p. m.]

[Docket No. 6078]

NOTICE RELATIVE TO C. J. MALMSTEN, S. S. SIDNER, A. C. SIDNER, H. A. GUNDERSON, E. J. LEE (TRANSFERORS) AND JOHN F. PALMQUIST & PAUL BOYER D/B AS FREMONT BROADCASTING COMPANY (TRANSFEREES)

Application dated, October 10, 1940; for transfer of control of Nebraska Broadcasting Corp., licensee of station

KORN; class of service, broadcast; class of station, broadcast; location, Fremont, Nebraska. Present operating assignment: frequency, 1400 kc; power, 250 watts; 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 financial qualifications of the transferees and their other qualifications to control the affairs of the licensee corporation and to manage and operate the station.

2. To determine the plans of the transferees with respect to the management and operation of the station and the control and financing of the licensee corporation.

3. To determine whether, in view of the facts under the foregoing issues, the granting of the application will serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are 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 applicants 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 applicants' addresses are as follows:

C. J. Malmsten, S. S. Sidner, A. C. Sidner, H. A. Gunderson, E. J. Lee, c/o A. C. Sidner, Attorney at Law, Fremont, Nebraska.

John F. Palmquist and Paul Boyer, d/b as Fremont Broadcasting Company, c/o John F. Palmquist, 335 E 13th St., Fremont, Nebraska.

Dated at Washington, D. C., May 28, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3896; Filed, May 29, 1941; 2:56 p. m.]

[Docket No. 6064]

NOTICE RELATIVE TO GILA BROADCASTING COMPANY (KGLU)

Application dated May 17, 1940, for renewal of license; class of service,

broadcast; class of station, broadcast; location, Safford, Arizona; present operating assignment: Frequency, 1,450 kc.; power, 250 watts; 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 obtain full information with respect to the issuance and transfer of stock of Gila Broadcasting Company since June 3, 1938, including identification of the persons or entities to whom stock has been issued or transferred.

2. To obtain full information with respect to all understandings, agreements, contracts, associations, and connections among the stockholders of Gila Broadcasting Company since June 3, 1938.

3. To obtain full information concerning the rights and interests, and the character and extent thereof, of the officers, directors and stockholders of Gila Broadcasting Company in that corporation since June 3, 1938.

4. To obtain full information as to the legal, financial and other qualifications of the present officers, directors and stockholders of Gila Broadcasting Company, and their connections with or interests in any other businesses or financial enterprises.

5. To determine whether L. F. Long has acquired control of Gila Broadcasting Company without the written consent of the Commission in violation of section 310 (b) of the Communications Act of 1934, as amended.

6. To determine whether the granting of this application will 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:

Gila Broadcasting Co., Radio Station KGLU, 6th Ave. and Relation St., Safford, Arizona.

Dated at Washington, D. C., May 29, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-3913; Filed, June 2, 1941; 9:22 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-177]

IN THE MATTER OF CAMDEN GAS CORPORATION VS. ARKANSAS LOUISIANA GAS COMPANY

ORDER POSTPONING ORAL ARGUMENT

MAY 29, 1941.

It appearing to the Commission that: Good cause has been shown for a postponement of oral argument in the above-entitled cause; and

The Commission orders that: Oral argument scheduled for June 2, 1941, shall be heard by the Commission sitting *en banc* on June 23, 1941, 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. 41-3911; Filed, June 2, 1941; 9:21 a. m.]

[Docket No. G-205]

IN THE MATTER OF UNITED GAS PIPE LINE COMPANY

ORDER TERMINATING PROCEEDING

MAY 29, 1941.

It appearing to the Commission that:

(a) By order of April 22, 1941, the Commission directed the United Gas Pipe Line Company to show cause at a public hearing to be held on June 2, 1941, why the rate or charge assessed or collected for natural gas furnished to the United Gas Corporation for resale for ultimate public consumption for domestic use as provided in United Gas Pipe Line Company Rate Schedule FPC No. 26, as supplemented, should not be made available to the City of Picayune, Mississippi;

(b) On May 28, 1941, the United Gas Pipe Line Company filed with the Commission an unexecuted form of a revised agreement which, on or about May 14, 1941, had been submitted to the proper authorities of said City of Picayune;

(c) The rates or charges provided in said form of revised agreement are identical with those contained in the aforementioned Rate Schedule FPC No. 26, as supplemented, and the form of revised agreement is substantially the same in all other respects;

(d) The Commission has been advised by the authorities of said City of Picayune that a revised agreement containing the provisions contained in the form submitted to the Commission has been duly executed and accepted as a substitute for the agreement of December 3, 1940, United Gas Pipe Line Company Rate Schedule FPC No. 41;

The Commission orders that: The proceedings herein initiated by the Commis-

sion's order to show cause of April 22, 1941, be and they are hereby terminated, and the hearing set herein to be held on June 2, 1941, be and it is hereby cancelled. By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-3912; Filed, June 2, 1941;
9:21 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Docket No. 196143]

BETHLEHEM STEEL COMPANY V. PENNSYLVANIA RAILROAD COMPANY

At a Session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on May 29, 1941.

An application having been filed to submit this case for hearing and determination on the pleadings and record, the division, after consideration of all the facts, finds that during the period from May 3, 1940, to May 9, 1940, both dates inclusive, complainant shipped over defendant's line from Sparrows Point, Md., 10 carloads of tin plate to New York, N. Y., for export; that upon arrival at New York Harbor the tin plate was unloaded and placed in covered storage at defendant's piers in Manhattan Piers, N. J.; that because of war conditions which could not be foreseen the tin plate could not or cannot be exported; that the tin plate is still in storage by the above-named defendant at Manhattan Piers; that under the applicable domestic rates and rules, storage charges have accrued on the aforesaid shipments up to and including March 22 and March 25, 1941, in the sum of \$13,212.84; that on basis of the export storage rates and rules, the storage charges for the same period would amount to \$1,587.59; that the domestic storage rates include an element of penalty designed to bring about prompt removal of goods from the premises of defendant; that in the circumstances surrounding the storage of this tin plate the penalty charges have hindered rather than induced removal of the goods and release of defendant's premises for other necessary uses in the existing emergency; that under the circumstances surrounding this detention the exaction of the higher domestic rates would result in unjust and unreasonable storage charges, and, therefore,

It is ordered, That the above named defendant be, and it is hereby, authorized to waive collection of domestic storage charges and apply in lieu thereof storage charges on the export basis on the aforesaid shipments.

It is further ordered, That the order entered herein may be availed of by all rail carriers at north Atlantic ports in those instances where export storage charges have accrued under the same circumstances as in the instant case, with the proviso that the carriers report to us

in detail the shipments as to which refunds are made or undercharges waived.

Dated at Washington, D. C.

By the Commission, division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 41-3908; Filed, May 31, 1941;
11:39 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1141]

IN THE MATTER OF THE DEXTER COMPANY ORDER GRANTING 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 May, A. D. 1941.

The Dexter Company, 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 withdraw its Capital Stock, \$5 Par Value, from listing and registration on the Chicago Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on June 9, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3941; Filed, June 2, 1941;
11:50 a. m.]

[File No. 70-305]

IN THE MATTER OF ATLANTIC UTILITY SERVICE CORPORATION

ORDER GRANTING APPLICATION

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 May, A. D. 1941.

Atlantic Utility Service Corporation, a mutual service company for the Associated Gas and Electric System, having filed an application pursuant to the Public Utility Holding Company Act of 1935, particularly section 10 thereof, regarding the acquisition from Trustees Under Pension Trust Agreement Dated December 14, 1937, as amended, for \$1,000 in cash of all the outstanding securities, consisting of ten shares of Class B common stock of Employees Welfare Association, Inc. (Del.); and

Said application having been filed on April 29, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 pro-

mulgated pursuant to said Act, and the Commission not having ordered a hearing thereon; and

The Commission finding with respect to such application under section 10 of said Act that no adverse findings are necessary under section 10 (b) or section 10 (c) (1) of said Act:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act that the aforesaid application be and hereby is granted forthwith, subject to the terms and conditions prescribed in Rule U-24 and the following additional conditions which have been agreed to by the applicant:

1. That any disposition of this application shall be without prejudice to the determination by the Commission of the application of Applicant, on Form U-13-1, for approval as a Mutual Service Company pursuant to Rule 13-22, heretofore filed with the Commission.

2. That any disposition of the present application shall be without prejudice to a determination by the Commission as to whether the functions performed by Employees Welfare Association (Del.) and Employees Welfare Association (N. J.) are functions which may properly be performed either by Applicant or by any other company or organization on behalf of other companies or organizations in the Associated Gas and Electric Company System.

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. 41-3940; Filed, June 2, 1941;
11:50 a. m.]

[File No. 70-129]

IN THE MATTER OF CENTRAL U. S. UTILITIES COMPANY, AND PENNSYLVANIA ELECTRIC COMPANY

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 31st day of May, A. D. 1941.

On August 8, 1940, the Commission issued its notice regarding filing subject to Rule U-8 (by Central U. S. Utilities Company) of a declaration pursuant to Rule U-12B-1, promulgated under the Public Utility Holding Company Act of 1935. Subsequent to such date and prior to the effective date of such filing, the declarant, by numerous telegraphic communications, requested postponement of the effective date of such filing, the last of such telegraphic communications requesting that the effective date be indefinitely postponed;

Notice is hereby given that an amendment has been filed by the above-named parties, the amendment being in the form of applications and a declaration, and proposes substantial changes from the original filing;

Notice is further given that any interested person, not later than June 9, 1941, at 4:45 P. M., E. S. T., may request the Commission, in writing, that a hearing be held on such matters, 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 applications and declaration, as amended, may become effective or be approved as provided in Rule U-23 of the Rules and Regulations promulgated under the Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said applications and declaration, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Pennsylvania Electric Company, a wholly-owned utility operating company of Central U. S. Utilities Company, proposes to issue 6,873 shares, no par common stock, to its parent, Central U. S. Utilities Company, in consideration of \$2,000,000 to be paid in cash. The application of Pennsylvania Electric Company indicates that the Pennsylvania Public Utilities Commission has authorized the issuance of such securities, and further that the proceeds to be derived from the sale are to be used for needed improvements and other construction

work of Pennsylvania Electric Company. Applicant and declarant have indicated sections 6 (b), 9, 10, 12 (f) of the Act and Rule U-43 promulgated thereunder as being applicable to such undertakings.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-3939; Filed, June 2, 1941;
11:50 a. m.]

[File No. 70-318]

IN THE MATTER OF MINNEAPOLIS GENERAL
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 31st day of May, A. D. 1941.

The above named company having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 7 thereof, regarding the sale with recourse to the Electric Home and Farm Authority, of certain conditional sales contracts which may be acquired by the above named company in connection with the sale of appliances, in an amount not to exceed \$150,000 outstanding at any time; the discount rate to be equal to the carrying charges pre-

scribed by the said Electric Home and Farm Authority;

Said declaration having been filed on May 15, 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 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 become effective forthwith; and

The Commission finding with respect to said declaration under section 7 of the 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 said Act, and being satisfied that the effective date of said declaration should be advanced:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and such other terms and conditions prescribed in Rule U-24, that the said aforesaid declaration be, and hereby is, permitted to become effective forthwith.

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. 41-3942; Filed, June 2, 1941;
11:50 a. m.]