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Washington, Wednesday, July 2, 1941

The President

EXECUTIVE ORDER

FIXING THE NUMBER OF MEN TO BE INDUCTED INTO THE LAND FORCES OF THE UNITED STATES BETWEEN JULY 1, 1941, AND JUNE 30, 1942, AND DIRECTING THEIR SELECTION AND INDUCTION

By virtue of the authority vested in me by the Selective Training and Service Act of 1940 (54 Stat. 885), it is hereby determined and ordered that:

1. The national interest requires that between July 1, 1941, and June 30, 1942, 900,000 men be inducted into the land forces of the United States under the said Act.

2. At such time or times between July 1, 1941, and June 30, 1942, as he deems expedient, the Secretary of War shall make or cause to be made timely requisition for not to exceed 900,000 men selected under the said Act and the regulations issued pursuant thereto, and shall induct such men into the land forces of the United States.

3. In the manner provided by the said Act and regulations, the Director of Selective Service shall direct and supervise the selection of such numbers of men as in his judgment are likely to be required from time to time to meet the requisitions made pursuant to paragraph 2 hereof, and shall make or cause to be made available for induction into the land forces of the United States a sufficient number of selected men to fill such requisitions.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 28, 1941.

[No. 8806]

[F. R. Doc. 41-4673; Filed, June 30, 1941; 1:58 p. m.]

EXECUTIVE ORDER

ESTABLISHING THE OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT IN THE EXECUTIVE OFFICE OF THE PRESIDENT AND DEFINING ITS FUNCTIONS AND DUTIES

By virtue of the authority vested in me by the Constitution and the statutes of the United States, and in order to define further the functions and duties of the Office for Emergency Management with respect to the unlimited national emergency as declared by the President on May 27, 1941, for the purpose of assuring adequate provision for research on scientific and medical problems relating to the national defense, it is hereby ordered:

1. There shall be within the Office for Emergency Management of the Executive Office of the President the Office of Scientific Research and Development, at the head of which shall be a Director appointed by the President. The Director shall discharge and perform his responsibilities and duties under the direction and supervision of the President. The Director shall receive compensation at such rate as the President shall determine and, in addition, shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to the performance of his duties.

2. Subject to such policies, regulations, and directions as the President may from time to time prescribe, and with such advice and assistance as may be necessary from the other departments and agencies of the Federal Government, the Office of Scientific Research and Development shall:

a. Advise the President with regard to the status of scientific and medical research relating to national defense and the measures necessary to assure continued and increasing progress in this field.

16 F.R. 2617.

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THE PRESIDENT

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b. Serve as the center for the mobilization of the scientific personnel and resources of the Nation in order to assure maximum utilization of such personnel and resources in developing and applying the results of scientific research to defense purposes.

c. Coordinate, aid, and, where desirable, supplement the experimental and other scientific and medical research activities relating to national defense carried on by the Departments of War and Navy and other departments and agencies of the Federal Government.

d. Develop broad and coordinated plans for the conduct of scientific research in the defense program, in collaboration with representatives of the War and Navy Departments; review existing scientific research programs formulated by the Departments of War and Navy and other agencies of the Government, and advise them with respect to the relationship of their proposed activities to the total research program.

e. Initiate and support scientific research on the mechanisms and devices of warfare with the objective of creating, developing, and improving instrumentalities, methods, and materials required for national defense.

f. Initiate and support scientific research on medical problems affecting the national defense.

g. Initiate and support such scientific and medical research as may be requested by the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States"; and serve as the central liaison office for the conduct of such scientific and medical research for such countries.

h. Perform such other duties relating to scientific and medical research and development as the President may from time to time assign or delegate to it.

3. The Director may provide for the internal organization and management of the Office of Scientific Research and Development and may appoint such advisory committees as he finds necessary to the performance of his duties and responsibilities. The Director shall obtain the President's approval for the establishment of the principal subdivisions

of the agency and the appointment of the heads thereof.

4. In carrying out its functions, the Office of Scientific Research and Development shall utilize the laboratories, equipment, and services of governmental agencies and institutions to the extent that such facilities are available for such purposes. Within the limits of funds appropriated or allocated for purposes encompassed by this Order, the Director may contract with and transfer funds to existing governmental agencies and institutions, and may enter into contracts and agreements with individuals, educational and scientific institutions (including the National Academy of Sciences and the National Research Council), industrial organizations, and other agencies, for studies, experimental investigations, and reports.

5. The Director is authorized to take over and carry out the provisions of any contracts which fall within the scope of this Order heretofore entered into by (1) the National Defense Research Committee, established by order of the Council of National Defense on June 27, 1940,* (2) the Health and Medical Committee, established by order of the Council of National Defense on September 19, 1940,* and (3) the Federal Security Administrator in his capacity of Coordinator of Health, Medical, Welfare, Nutrition, Recreation, and other related activities as authorized by order of the Council of National Defense on November 28, 1940.* The Director is further authorized to assume any obligations or responsibilities which have heretofore been undertaken by the above agencies for and on behalf of the United States Government and which fall within the scope of this Order.

6. There is created within the office of Scientific Research and Development an Advisory Council consisting of the Director as Chairman, the Chairman of the National Advisory Committee for Aeronautics, the Chairman of the National Defense Research Committee (hereinafter described), the Chairman of the Committee on Medical Research (hereinafter described), one representative of the Army to be designated by the Secretary of War, and one representative of the Navy to be designated by the Secretary of the Navy. The Council shall advise and assist the Director with respect to the coordination of research activities carried on by private and governmental research groups and shall facilitate the interchange of information and data between such groups and agencies.

7. There shall be within the Office of Scientific Research and Development a National Defense Research Committee consisting of a chairman and three other members appointed by the President, and in addition the President of the National Academy of Sciences, the Commis-

* 5 FR. 2446.

* 5 FR. 3831.

* 5 FR. 4848.

sioner of Patents, one officer of the Army to be designated by the Secretary of War, one officer of the Navy to be designated by the Secretary of the Navy, and such other members as the President may subsequently appoint. The National Defense Research Committee shall advise and assist the Director in the performance of his scientific research duties with special reference to the mobilization of the scientific personnel and resources of the Nation. To this end it shall be the responsibility of the Committee to recommend to the Director the need for and character of contracts to be entered into with universities, research institutes, and industrial laboratories for research and development on instrumentalities of warfare to supplement such research and development activities of the Departments of War and the Navy. Furthermore, the Committee shall from time to time make findings, and submit recommendations to the Director with respect to the adequacy, progress, and results of research on scientific problems related to national defense.

8. There shall be within the Office of Scientific Research and Development a Committee on Medical Research consisting of a Chairman and three members to be appointed by the President, and three other members to be designated respectively by the Secretary of War, the Secretary of the Navy, and the Administrator of the Federal Security Agency. The members so designated by the Secretaries of War and Navy and the Federal Security Administrator shall be selected from the respective staffs of the Surgeons General and the Surgeon General of the Public Health Service with particular reference to their qualifications in the field of medical research. The Committee on Medical Research shall advise and assist the Director in the performance of his medical research duties with special reference to the mobilization of medical and scientific personnel of the nation. To this end it shall be the responsibility of the Committee to recommend to the Director the need for and character of contracts to be entered into with universities, hospitals, and other agencies conducting medical research activities for research and development in the field of the medical sciences. Furthermore, the Committee shall from time to time, on request by the Director, make findings and submit recommendations with respect to the adequacy, progress, and results of research on medical problems related to national defense.

9. The members of the Advisory Council, the National Defense Research Committee, the Committee on Medical Research, and such other committees and subcommittees as the Director may appoint with the approval of the President shall serve as such without compensation, but shall be entitled to necessary

and actual transportation, subsistence, and other expenses incidental to the performance of their duties.

10. Within the limits of such funds as may be appropriated to the Office of Scientific Research and Development or as may be allocated to it by the President, the Director may employ necessary personnel and make provision for necessary supplies, facilities, and services. However, the Director shall use such statistical, informational, fiscal, personnel, and other general business services and facilities as may be made available to him through the Office for Emergency Management.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 28, 1941.

[No. 8807]

[F. R. Doc. 41-4674; Filed, June 30, 1941;
1:58 p. m.]

EXECUTIVE ORDER

AMERICAN DEFENSE SERVICE MEDAL

By virtue of the authority vested in me as President of the United States, and as Commander-in-Chief of the Army and Navy of the United States, it is hereby ordered that the American Defense Service Medal, including suitable appurtenances, be established and that the said medal may be awarded, under such regulations as the Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury may prescribe, to personnel of the Army, Navy, Marine Corps, and Coast Guard of the United States serving during the limited emergency proclaimed by me on September 8, 1939¹ to exist, or during the unlimited emergency proclaimed by me on May 27, 1941.²

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 28, 1941.

[No. 8808]

[F. R. Doc. 41-4671; Filed, June 30, 1941;
1:58 p. m.]

EXECUTIVE ORDER

GOOD CONDUCT MEDAL

By virtue of the authority vested in me as President of the United States, and as Commander-in-Chief of the Army and Navy of the United States, it is hereby ordered that a Good Conduct Medal, including suitable appurtenances, be established and that the said medal may be awarded, under such regulations as the Secretary of War shall prescribe, to those enlisted men of the Army of the United States who hereafter honorably complete three years of active Federal

¹ 4 F.R. 3851.

² 6 F.R. 2617.

military service, and who are recommended by their commanding officers for exemplary behavior, efficiency and fidelity.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 28, 1941.

[No. 8809]

[F. R. Doc. 41-4672; Filed, June 30, 1941;
1:58 p. m.]

Rules, Regulations, Orders

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

CHAPTER II—AGRICULTURAL MARKETING SERVICE

PART 203—AUTHORIZATION FOR INSPECTION OF LIVESTOCK

NEBRASKA BRAND COMMITTEE

By virtue of the authority vested in the Secretary of Agriculture by the Department of Agriculture Appropriation Act, 1941, approved June 25, 1940 (54 Stat. 532, 557; 7 U.S.C. § 231), the Nebraska Brand Committee is authorized to conduct a brand inspection service, as set forth in the following section, which is added to Part 203, Chapter II, Title 9, Code of Federal Regulations:

§ 203.12 *Nebraska Brand Committee.* Upon a written request made to and filed with the Secretary of Agriculture, the Nebraska Brand Committee, duly organized under the laws of the State of Nebraska, is hereby authorized, with respect to livestock originating in or shipped to market from the Nebraska brand inspection area of the State of Nebraska, which shall consist of all of that part of the State of Nebraska lying within the following counties: Arthur, Banner, Blaine, Box Butte, Boyd, Brown, Chase, Cherry, Cheyenne, Custer, Dawes, Dawson, Deuel, Dundy, Frontier, Garden, Garfield, Grant, Hayes, Hitchcock, Holt, Hooker, Keith, Keya Paha, Kimball, Lincoln, Logan, Loup, McPherson, Morrill, Perkins, Red Willow, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, Wheeler, to charge and collect reasonable fees, approved by the Secretary of Agriculture, to be paid by the owners of the livestock inspected, for the inspection of brands appearing upon livestock sold or offered for sale at those markets at which the said Nebraska Brand Committee may register as a market agency, such inspection to be made to determine the ownership of the livestock. Such inspection and charging and collection of fees shall be subject to the provisions of the Packers and Stockyards Act and such regulations as the Secretary may from time to time prescribe.

Done at Washington, D. C., this 30th day of June 1941. Witness my hand

and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPELEY,
Under Secretary of Agriculture.

[F. R. Doc. 41-4693; Filed, July 1, 1941;
11:09 a. m.]

TITLE 16—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 4228]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF D. J. MAHLER COMPANY, INC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product*: § 3.6 (y) *Advertising falsely or misleadingly—Safety*: § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure—Safety*. Disseminating, etc., in connection with offer, etc., of respondent's "Mahler Electrolysis Apparatus" or "Mahler Method", or any other substantially similar device or apparatus, any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of said device or apparatus, which advertisements represent, directly or through inference, that respondent's device "Mahler Electrolysis Apparatus" or "Mahler Method" is a safe device for the electrolytic removal of superfluous hair from the human body by individual self-application in the home, or that said device can be operated with ordinary care and skill; or which advertisements fail to reveal that the use of said device or apparatus by persons not trained in the technique of removing superfluous hair from the human body by electrolysis may result in permanent disfigurement, cause infections or other irreparable injury to health, and that said device should not be used to remove hair from cancerous or syphilitic lesions, pigmented moles or other areas showing local pathological conditions; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, D. J. Mahler Company, Inc., Docket 4228, June 11, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of June, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence taken before Robert S. Hall, a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of said complaint and in opposition thereto, report of the trial examiner upon the evidence and exceptions filed thereto, briefs filed herein and oral arguments of counsel, and the Commis-

sion having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, D. J. Mahler Company, Inc., a corporation, its officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of its device or apparatus designated as "Mahler Electrolysis Apparatus" or "Mahler Method," or of any other device or apparatus of substantially similar composition or construction or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

(1) Disseminating, or causing to be disseminated, any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference, that respondent's device "Mahler Electrolysis Apparatus" or "Mahler Method" is a safe device for the electrolytic removal of superfluous hair from the human body by individual self-application in the home or that said device can be operated with ordinary care and skill, or which advertisement fails to reveal that the use of said device or apparatus by persons not trained in the technique of removing superfluous hair from the human body by electrolysis may result in permanent disfigurement, cause infections or other irreparable injury to health, and that said device should not be used to remove hair from cancerous or syphilitic lesions, pigmented moles or other areas showing local pathological conditions;

(2) Disseminating, or causing to be disseminated, any advertisement by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act, of said device or apparatus designated "Mahler Electrolysis Apparatus" or "Mahler Method," which advertisement contains any of the representations prohibited in paragraph 1 hereof or which fails to reveal that the use of said device or apparatus by persons not trained in the technique of removing superfluous hair from the human body by electrolysis may result in permanent disfigurement, cause infections or other irreparable injury to health, and that said device should not be used to remove hair from cancerous or syphilitic lesions, pigmented moles or other areas showing local pathological conditions.

It is further ordered, That the respondent shall, within ten (10) days after service upon it of this order, file with the Commission an interim report in writing, stating whether it intends to comply with this order and, if so, the manner and form in which it intends to

comply, and that within sixty (60) days after service upon it of this order, said respondent shall file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4696; Filed, July 1, 1941;
11:31 a. m.]

[Docket No. 4304]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF PITTSBURGH PLATE GLASS COMPANY ET AL.

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices*. In connection with the sale or distribution in commerce of plate, window, safety, rough rolled, wire, art and structural glass, and on the part of respondent corporations and their respective officers, etc., and on the part of three individuals, manager of the New Orleans branch of one of said corporations and general officers of the other two, and among other things, as in order set forth, entering into or carrying out any agreement, understanding or undertaking among themselves or between or among any two or more of them, or between and among any one or more of them and any competing corporation, corporations, person or persons, for the purpose, or with the effect, of restricting or restraining competition in the sale or distribution of such glass in said commerce, and pursuant to such an agreement, understanding or undertaking, (1) establishing or maintaining, or attempting to establish or maintain, the prices at which such glass is offered for sale, or sold, to dealers of the various types of glass, to the retail trade or to consumers, in the New Orleans Trade Area; (2) holding meetings, for the purpose, intent, or which have the effect, of establishing or maintaining, or attempting to establish or maintain, the prices at which such glass is sold or offered for sale in said Area; (3) exchanging information with reference to their respective businesses and activities, where the purpose, intent or effect of same is to establish or maintain the prices at which glass is sold, or offered for sale in said Area; (4) adhering to, or attempting to adhere to, duplicate or uniform price lists for the sale of any of such types of glass within the said Area; and (5) changing simultaneously the prices at which they sell, or offer to sell, such glass to purchasers thereof within the said Area; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Pittsburgh Plate Glass Company et al., Docket 4304, June 14, 1941]

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices*. In connection with the sale or distribu-

¹ 5 F.R. 4307.

tion in commerce of plate, window, safety, rough rolled, wire, art and structural glass, or in connection with the entering into or the making of any glazing contracts within the New Orleans Trade Area, and on the part of respondent corporations and their respective officers, etc., and on the part of four individuals, as case might be, managers of the New Orleans branch of one of said corporations and of the glazing contracting division of another, and president and architect of the other two, and on the part of two other respondents, as individually engaged in said glazing contracting business, and among other things, as in order set forth, entering into or carrying out any agreement, understanding or undertaking among themselves, or between or among any two or more of them, or between or among any one or more of them and any other corporation or corporations which compete with respondents, Pittsburgh Plate Glass Company, Karl Hansen Company, Inc., David Bernhardt Paint and Glass Company, Inc., Joseph B. Crasto Glass Company, or with any competing person or persons, for the purpose, or with the effect, of lessening or curtailing competition, in the entering into, or the making, of such contracts, within said Area, and pursuant to such an agreement, understanding or undertaking, (1) apportioning, or attempting to apportion, among themselves, the glazing contracting business in New Orleans, Louisiana; (2) establishing, or attempting to establish, the amount of the bids to be submitted respectively by them for supplying, installing, or for supplying and installing, glass in buildings or structures in the New Orleans Trade Area; (3) holding meetings for the purpose, intent, or which have the effect, of establishing, or maintaining, the amount of the respective bids which respondent glazing contractors are to submit, or have submitted, on particular jobs in said Area; (4) holding meetings for the purpose, intent, or which have the effect, of allocating among respondent glazing contractors, glazing contracts for jobs within the said Area; and (5) exchanging information with reference to their respective businesses and activities, where the purpose, intent, or effect, of same is to establish or attempt to establish the amount of the bids to be submitted respectively by respondent glazing contractors for jobs within said Area; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Pittsburgh Plate Glass Company et al., Docket 4304, June 14, 1941]

In the Matter of Pittsburgh Plate Glass Company, a Tennessee Corporation; W. D. Snyder, Individually and as Manager of the New Orleans Branch of the Pittsburgh Plate Glass Company; Karl Hansen Company, Inc., a Corporation; Karl Hansen, Individ-

ually and as President of Karl Hansen Company, Inc.; David Bernhardt Paint and Glass Company, Inc., a Corporation; Fred Dittmann, Individually and as Secretary-Treasurer of the David Bernhardt Paint and Glass Company, Inc.; Edmund W. Ulrich, Individually and as Manager, Glazing Contracting Division, of the David Bernhardt Paint and Glass Company, Inc.; Joseph B. Crasto, Individually and Trading as Joseph B. Crasto Glass Company; Lloyd B. Crasto, Individually and Architect of Joseph B. Crasto Glass Company; Joseph B. Crasto Glass Company, a Corporation; H. Flaumhaft

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 14th day of June, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents and a stipulation as to the facts entered into between the respondents herein and W. T. Kelley, Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon the respondents herein, findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondents Pittsburgh Plate Glass Company, a Tennessee corporation, Karl Hansen Company, Inc., a corporation, and David Bernhardt Paint and Glass Company, Inc., a corporation, and their respective officers, directors, representatives, agents and employees, together with the successors or assigns of each of said respondents, and the respondents, W. D. Snyder, individually and as manager of the New Orleans branch of the respondent Pittsburgh Plate Glass Company, Karl Hansen, individually and as president of the Karl Hansen Company, Inc., and Fred Dittmann, individually and as secretary-treasurer of the respondent, David Bernhardt Paint and Glass Company, Inc., directly, indirectly, or through any corporate or other device, in connection with the sale or distribution in commerce, as "commerce" is defined by the Federal Trade Commission Act, of plate, window, safety, rough rolled, wire, art and structural glass, do forthwith cease and desist from entering into or carrying out any agreement, understanding or undertaking among themselves or between or among any two or more of them, or between or among any one or more of them and any competing corporation, corporations, person or persons, for the purpose, or with the effect, of restricting or restraining competition in the sale or

distribution of such glass in said commerce and also:

(1) from establishing or maintaining, or attempting to establish or maintain, pursuant to such an agreement, understanding or undertaking, the prices at which such glass is offered for sale, or sold, to dealers of the various types of glass, to the retail trade or to consumers, in the New Orleans Trade Area;

(2) from holding meetings, pursuant to such an agreement, understanding or undertaking, for the purpose, intent, or which have the effect, of establishing or maintaining, or attempting to establish or maintain, the prices at which such glass is sold or offered for sale in said Area;

(3) from exchanging information, pursuant to such an agreement, understanding or undertaking, with reference to their respective businesses and activities, where the purpose, intent or effect of same is to establish or maintain the prices at which glass is sold, or offered for sale in said Area;

(4) from adhering to, or attempting to adhere to, pursuant to such an agreement, understanding or undertaking, duplicate or uniform price lists for the sale of any of such types of glass within the said Area;

(5) from changing simultaneously, pursuant to such an agreement, understanding or undertaking, the prices at which they sell, or offer to sell, such glass to purchasers thereof within the said Area.

It is further ordered, That respondents Pittsburgh Plate Glass Company, a Tennessee corporation, Karl Hansen Company, Inc., a corporation, David Bernhardt Paint and Glass Company, Inc., a corporation, Joseph B. Crasto Glass Company, a corporation, and their respective officers, directors, representatives, agents and employees, together with the successors or assigns of each of said respondents and respondents, W. D. Snyder, individually and as manager of the New Orleans branch of the Pittsburgh Plate Glass Company, Karl Hansen, individually and as president of the Karl Hansen Company, Inc., Edward W. Ulrich, individually and as manager of the Glazing Contracting Division of the respondent, David Bernhardt Paint and Glass Company, Inc., Joseph B. Crasto, individually or trading as Joseph B. Crasto Glass Company, Lloyd Crasto, individually and as architect of Joseph B. Crasto Glass Company, a corporation, and H. Flaumhaft, directly, indirectly or through any corporate or any other device in connection with the sale or distribution in commerce as "commerce" is defined by the Federal Trade Commission Act, of plate, window, safety, rough rolled, wire, art and structural glass, or in connection with the entering into or the making of any glazing contracts within the New Orleans

Trade Area, do forthwith cease and desist, from entering into, or carrying out, any agreement, understanding or undertaking among themselves, or between or among any two or more of them, or between or among any one or more of them and any other corporation or corporations which compete with respondents, Pittsburgh Plate Glass Company, Karl Hansen Company, Inc., David Bernhardt Paint and Glass Company, Inc., Joseph B. Crasto Glass Company, or with any competing person or persons, for the purpose, or with the effect, of lessening or curtailing competition, in the entering into, or the making, of such contracts, within said Area, and also:

(1) from apportioning, or attempting to apportion, among themselves, pursuant to such an agreement, understanding or undertaking, the glazing contracting business in New Orleans, Louisiana;

(2) from establishing, or attempting to establish, pursuant to such an agreement, understanding or undertaking, the amount of the bids to be submitted respectively by them for supplying, installing, or for supplying and installing, glass in buildings or structures in the New Orleans Trade Area;

(3) from holding meetings, pursuant to such an agreement, understanding or undertaking, for the purpose, intent, or which have the effect, of establishing, or maintaining, the amount of the respective bids which respondent glazing contractors are to submit, or have submitted, on particular jobs in said Area;

(4) from holding meetings, pursuant to such an agreement, understanding or undertaking, for the purpose, intent, or which have the effect of allocating among respondent glazing contractors, glazing contracts for jobs within the said Area;

(5) from exchanging information, pursuant to such an agreement, understanding or undertaking, with reference to their respective businesses and activities, where the purpose, intent, or effect, of same is to establish or attempt to establish the amount of the bids to be submitted respectively by respondent glazing contractors for jobs within said Area.

It is further ordered, That the respondents, Pittsburgh Plate Glass Company, W. D. Snyder, Karl Hansen Company, Inc., Karl Hansen, David Bernhardt Paint and Glass Company, Fred Dittmann, Edmund W. Ulrich, Joseph B. Crasto, Lloyd Crasto, Joseph B. Crasto Glass Company, H. Flaumhaft, and each of them, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4697; Filed, July 1, 1941;
11:31 a. m.]

[Docket No. 4374]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF BURRY BISCUIT CORPORATION ET AL.

§ 3.66 (j) *Misbranding or mislabeling—Quantity*: § 3.69 (b) (14) *Misrepresenting oneself and goods—Goods—Quantity*. In connection with offer, etc., in commerce, of respondents' bakery products, inclusive of crackers, (1) representing that the number or quantity of any of said products contained in any container or package in which the same is offered for sale or sold is greater than the number or quantity of such product actually contained or placed therein; and (2) offering for sale or selling any of said products in a container or package which is substantially larger in size or capacity than that required for packaging the quantity of product contained therein; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Burry Biscuit Corporation et al., Docket 4374, June 11, 1941]

In the Matter of Burry Biscuit Corporation and Tasty Bud Biscuit Company, Inc.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of June, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, in which answer respondents admit all the material allegations of fact set forth in said complaint, and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondents, Burry Biscuit Corporation and Tasty Bud Biscuit Company, Inc., corporations, their officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of their bakery products, inclusive of crackers, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing that the number or quantity of any of said products contained in any container or package in which the same is offered for sale or sold is greater than the number or quantity of such product actually contained or placed therein;

(2) Offering for sale or selling any of said products in a container or package which is substantially larger in size or capacity than that required for packag-

16 F.R. 290.

ing the quantity of product contained therein.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4698; Filed, July 1, 1941;
11:32 a. m.]

[Docket No. 4455]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF H & L CANDY COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising*. In connection with offer, etc., in commerce, of candy or other merchandise, (1) selling, etc., candy or any merchandise so packed and assembled that sales thereof to the general public are to be, or may be, made by means of a game of chance, gift, enterprise or lottery scheme; (2) supplying, etc., others with push or pull cards, punch boards or other lottery devices, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be, or may be, used in selling or distributing such candy or other merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, H & L Candy Company, Docket 4455, June 12, 1941]

In the Matter of J. C. Helms, Individually and Trading Under the Name of H & L Candy Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of June, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, respondent having filed no brief and oral argument not having been requested, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondent, J. C. Helms, individually and trading under the name of H & L Candy Company, or trading under any other name or names, his representatives, agents and employees, directly or through any cor-

porate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing candy or any merchandise so packed and assembled that sales of such candy or other merchandise to the general public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to or placing in the hands of others push or pull cards, punch boards or other lottery devices, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4699; Filed, July 1, 1941;
11:32 a. m.]

TITLE 26—INTERNAL REVENUE

CHAPTER I—BUREAU OF INTERNAL REVENUE

[T.D. 5056]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

INCOME TAX—FOREIGN TAX CREDIT

To Collectors of Internal Revenue and Others Concerned:

Paragraph 1. Section 19.131-3, *Conditions of allowance of credit*,¹ of Regulations 103 (Part 19, Title 26, Code of Federal Regulations, 1940 Sup.) is amended as follows:

(A) By substituting for the third and fourth sentences thereof the following sentence:

Except where it is established to the satisfaction of the Commissioner that it is impossible for the taxpayer to furnish such evidence, the form must have attached to it (1) the receipt for each such tax payment if credit is sought for taxes

¹ 5 FR. 487.

already paid or (2) the return on which each such accrued tax was based if credit is sought for taxes accrued.

(B) By inserting as the second paragraph thereof the following:

Where it has been established to the satisfaction of the Commissioner that it is impossible (1) to furnish a receipt for such foreign tax payment or (2) the foreign tax return, or (3) direct evidence of the amount of tax withheld at the source, secondary evidence of the payment or accrual of the tax or of the withholding of the tax may, in his discretion, and under such rules as he may prescribe, be accepted by the Commissioner.

Par. 2. Article 131-3,² Regulations 101 (section 9.131-3, Title 26, Code of Federal Regulations, 1939 Sup.); article 131-3,³ Regulations 94 (section 3.131-3, Title 26, Code of Federal Regulations); article 131-3, Regulations 86; article 693, Regulations 77 and 74; and article 383, Regulations 69, 65, 62 and 45, are hereby modified to the extent that they are inconsistent with the changes made in Regulations 103 by this Treasury decision.

(This Treasury decision is prescribed pursuant to sections 62 and 131 of the Internal Revenue Code, 53 Stat. 32, 56 (26 U.S.C., Sup. V, 62, 131), and the corresponding provisions of prior internal revenue laws.)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: June 28, 1941.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 41-4705; Filed, July 1, 1941;
11:47 a. m.]

TITLE 30—MINERAL RESOURCES
CHAPTER III—BITUMINOUS COAL DIVISION

[Docket No. A-882]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER OF THE DIRECTOR GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD 10 FOR REVISION OF THE EFFECTIVE MINIMUM PRICES ESTABLISHED FOR COALS PRODUCED FOR RAIL SHIPMENT BY CERTAIN MINES IN DISTRICT NO. 10, BY PROVIDING FOR DEDUCTIONS FROM SAID PRICES BASED UPON DIFFERENCES IN FREIGHT RATES BETWEEN SAID MINES AND OTHER MINES IN DISTRICT NO. 10, ON SHIPMENTS TO THE NAVAL TRAINING STATION, GREAT LAKES, ILLINOIS, MARKET AREA NO. 41

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act

² 4 FR. 742.
³ 1 FR. 1902

of 1937, as amended, having been filed with the Bituminous Coal Division by District Board 10 requesting the revision of the Effective Minimum Prices established for coals produced for rail shipment by certain mines in District No. 10, by permitting any on-line mine of the Illinois Central Railroad in the Southern subdistrict in Price Groups 1, 2 and 3 (as defined in the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck) to reduce its price to the extent necessary to permit it to deliver its coal to the Naval Training Station at the same price as the mine within the same classification, having the lowest net land grant rate: *Provided*, That such reduction shall in no case exceed 10 cents per ton;

Temporary relief having been denied, pending final disposition of the original petition by Order of the Director dated June 13, 1941;

A hearing having been held in this matter pursuant to Order of the Director, before a duly designated Examiner of the Bituminous Coal Division in Washington, D. C., at which all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard; and

The preparation and filing of a report by the Examiner having been waived and the matter submitted to the Acting Director; and

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

Now, therefore, it is ordered, That, commencing forthwith, § 330.8 (b) (*Price instructions and exceptions—Price exceptions*) in the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck be, and the same hereby is, amended by adding the following Price Instruction and Exception:

On shipments to the Naval Training Station, Great Lakes, Illinois, Market Area No. 41, any on-line mine to the Illinois Central Railroad in the Southern Subdistrict in Price Groups 1, 2 and 3 (as defined in the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck) may reduce its price to the extent necessary to permit it to deliver its coal to The Naval Training Station at the same price as the mine falling within the above price groups having the lowest net land grant rate: *Provided*, That such reduction shall in no case exceed 10 cents per ton.

Dated: June 30, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-4686; Filed, July 1, 1941;
9:57 a. m.]

TITLE 31—MONEY AND FINANCE:
TREASURY

CHAPTER I—MONETARY OFFICES

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

GENERAL LICENSE NO. 2, AS AMENDED, UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.¹

JUNE 30, 1941.

General License No. 2 is amended to read as follows:

§ 131.2 *General License No. 2.* (a) A general license is hereby granted authorizing any banking institution within the United States to debit any blocked account with such banking institution (or with another office within the United States of such banking institution) in payment or reimbursement for interest due to such banking institution, cable, telegraph, telephone charges, or postage costs, custody fees, small adjustment entries to correct bookkeeping errors, and service charges, including but not by way of limitation minimum balance charges, account carrying charges, notary and protest fees, and charges for reference books, photostats, credit reports, transcripts of statements, registered mail insurance, stationery and supplies, checkbooks and other similar items owed to such banking institution by the owner of such blocked account.

(b) Banking institutions within the United States making any such debits shall file promptly with the appropriate Federal Reserve Bank monthly reports setting forth the details of such transactions during such period.

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

[F. R. Doc. 41-4700; Filed, July 1, 1941; 11:46 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

GENERAL LICENSE NO. 5, AS AMENDED, UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.¹

JUNE 30, 1941.

General License No. 5 is amended to read as follows:

§ 131.5 *General License No. 5.* (a) A general license is hereby granted authorizing the payment from any

¹Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941; Regulations, April 10, 1940, as amended June 14, 1941.

blocked account to the United States or any agency or instrumentality thereof or to any state, territory, district, county, municipality or political subdivision in the United States, of customs duties, taxes, fees, and other obligations, owed thereto by the owner of such blocked account.

(b) Banking institutions within the United States making any such payments shall file promptly with the appropriate Federal Reserve Bank monthly reports setting forth the details of such transactions during such period.

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

[F. R. Doc. 41-4701; Filed, July 1, 1941; 11:46 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

REVOCATION OF GENERAL LICENSES NO. 16 AND NO. 23 UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.¹

JUNE 30, 1941.

Sections 131.16 and 131.23 [General Licenses No. 16 and No. 23] are hereby revoked.

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

[F. R. Doc. 41-4702; Filed, July 1, 1941; 11:46 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

GENERAL LICENSE NO. 25, AS AMENDED, UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.¹

JUNE 30, 1941.

Section 131.25 [General License No. 25] is hereby amended so that the citation "section 2A (1)" shall be substituted for the citation "section 13A (1)" whenever such citation appears in such general license.

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

[F. R. Doc. 41-4703; Filed, July 1, 1941; 11:46 a. m.]

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO.

GENERAL LICENSE NO. 27, AS AMENDED, UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS

ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.¹

JUNE 30, 1941.

General License No. 27 is hereby amended to read as follows:

§ 131.27 *General License No. 27.* A general license is hereby granted authorizing:

(a) The payment to, and receipt by, a banking institution within the United States of funds or other property representing dividends or interest on securities held by such banking institution in a blocked account, provided that the funds or other property are credited to or deposited in a blocked account in the name of the national for whose account the securities were held, and in the banking institution within the United States which held such securities; and

(b) The payment to, and receipt by, a banking institution within the United States of funds payable in respect of securities (including coupons) presented by such banking institution to the proper paying agents within the United States for redemption or collection for the account and pursuant to the authorization of nationals of any blocked country, provided that:

(1) The proceeds of the redemption or collection are credited to a blocked account in the name of the national for whose account the redemption or collection was made and in the banking institution within the United States which held the securities for such national; and

(2) This general license shall not be deemed to authorize the presentment for redemption of any security registered or inscribed in the name of any blocked country, or any national thereof, irrespective of the fact that at any time (whether prior to, on, or subsequent to April 10, 1940) the registered or inscribed owner thereof may have, or appears to have, assigned, transferred or otherwise disposed of the security;

and

(c) The performance of such other acts, and the effecting of such other transactions, as may be necessarily incident to any of the foregoing.

This general license shall not be deemed to authorize any payment, transfer or withdrawal from a blocked account in which the issuer of, or other obligor with respect to, a security has an interest if such issuer or obligor is a blocked country or national thereof.

Banking institutions within the United States engaging in any transactions authorized by this general license shall file promptly with the appropriate Federal Reserve Bank monthly reports setting forth the details of the transactions effected by them under this license, including a description of the securities involved, the dates of payment or distribution, the persons for whose account

the payments or distributions were received, and the amounts received.

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

[F. R. Doc. 41-4704; Filed, July 1, 1941;
11:47 a. m.]

TITLE 32—NATIONAL DEFENSE

CHAPTER VII—SELECTIVE SERVICE SYSTEM

ORDER CHANGING THE EFFECTIVE DATE OF AMENDMENT No. 77

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, I hereby order that the effective date of Amendment No. 77¹ to the Selective Service Regulations (Amending the Regulations so as to Remove the Right of Deferment of Men Acquiring Dependents to Evade Service) be changed from July 12, 1941, to July 1, 1941.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 30, 1941.

[F. R. Doc. 41-4677; Filed, June 30, 1941;
3:20 p. m.]

[No. 12]

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of Paragraph 163² and Appendix A³ to Volume One of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

1. Addition of a new form designated as DSS Form 207, effective July 1, 1941.

The foregoing addition shall, effective July 1, 1941, become a part of Appendix A to Volume One, Selective Service Regulations.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 26, 1941.

[F. R. Doc. 41-4678; Filed, June 30, 1941;
3:20 p. m.]

[No. 13]

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of Paragraph 163¹ and

¹ 6 F.R. 3177.

² 5 F.R. 3784.

³ 5 F.R. 3785.

Appendix A⁴ to Volume One of the Selective Service Regulations, I hereby prescribe the following change in a DSS form:

Revision of DSS Form 6, effective July 1, 1941. Upon receipt of DSS Form 6 (Revised 7/1/41) the use of the original DSS Form 6 will be discontinued and all unused copies thereof will be destroyed.

The foregoing revision and discontinuance shall, effective July 1, 1941, become a part of Appendix A to Volume One, Selective Service Regulations.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 27, 1941.

[F. R. Doc. 41-4679; Filed, June 30, 1941;
3:20 p. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION AND CIVILIAN SUPPLY

PART 1318—MATERIALS AND EQUIPMENT USED IN MAINTENANCE AND REPAIR WORK

CIVILIAN ALLOCATION PROGRAM FOR MATERIALS AND EQUIPMENT USED IN MAINTENANCE AND REPAIR WORK

Increasing demands from all sources and the priorities granted to defense requirements have made it difficult for other enterprises to obtain materials and equipment needed for purposes of maintenance and repair quickly enough so that essential operations can be maintained without interruption. It is necessary, therefore, to provide priority status for the materials and equipment required to maintain such existing facilities in a satisfactory operating condition.

Furthermore, in cases where unforeseeable breakdowns occur and the need for equipment and materials becomes acute, a very high level of preference is required.

Accordingly, pursuant to and under the authority vested in me by Executive Order No. 8734,⁴ particularly section 2 (a) thereof, the following program for the allocation of materials and equipment for maintenance and repair of facilities employed in non-defense operations is announced:

§ 1318.1 *Allocation of materials and equipment for maintenance and repair.* Materials and equipment necessary for the maintenance and repair of facilities employed in operations in the following classifications shall be allocated to such use prior to the satisfaction of other competing civilian demands:

Railroads.
Street railway, subway, elevated, and interurban lines.
Commercial airlines maintaining regular scheduled service.
Commercial operation of motor buses—local, interurban and interstate.

⁴ 6 F.R. 1917.

Shipping—including ocean, lake, river and canal commerce.

Pipe lines—oil and gas.
Commercial operation of motor trucks.
Highway maintenance.
Telephone communication.
Telegraph communication.
Radio commercial communication—including commercial broadcasting.
Electrical energy production and distribution.

Gas production and distribution—manufactured and natural.

Water production and distribution.
Sewer service.
Petroleum production and refining.
Food processing and storing.
Farm equipment employed in farming operations.

Mining and quarrying.
Coke converting.
Metallurgical plants engaged in the production of raw materials.

Production of chemicals.
Protective services—fire and police.
Research—industrial and academic.
Hospitals, clinics and sanatoria.
Public buildings, institutions, schools and parks.*

*§§ 1318.1 to 1318.5, inclusive, issued pursuant to the authority contained in Executive Order No. 8734.

§ 1318.2 *Emergency maintenance and repair.* Materials and equipment necessary for emergency maintenance and repair of facilities in the above classifications shall be allocated to such use prior to all other civilian requirements and prior to defense requirements to the extent consistent with the defense program as determined by the Office of Production Management.*

§ 1318.3 *Avoidance of excessive inventories.* Allocations made under this program shall not be used to accumulate excessive inventories, or to divert parts still serviceable.*

§ 1318.4 *Definitions.* As used herein, the term "maintenance" means the upkeep of property and equipment, and the term "repair" means the restoration of property and equipment to a sound state after wear and tear, damage, destruction of parts, or the like. These terms include replacement of parts which have been worn out, damaged or destroyed, but do not include replacement when the new part or parts represent a changeover in model, the introduction of superior type equipment to replace usable equipment of an older or inferior type or design, or a substitution more extensive than that which is necessary to replace the part or parts that are worn out, damaged or destroyed.*

§ 1318.5 *Enforcement.* The foregoing program is to be administered and enforced by the Office of Production Management.*

Issued this 30th day of June 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-4690; Filed, July 1, 1941;
10:56 a. m.]

TITLE 45—PUBLIC WELFARE
CHAPTER II—CIVILIAN CONSERVATION CORPS

[Supplement No. 6 to Instructions of September 7, 1937]

PART 202—SELECTION OF VETERANS' CONTINGENT

STATE AND CORPS AREA QUOTAS FOR THE VETERANS CONTINGENT OF THE CIVILIAN CONSERVATION CORPS.

In harmony with a communication dated May 29, 1941, from the Assistant

Director of the Civilian Conservation Corps, the attached State and Corps Area quotas for the veterans contingent of the Civilian Conservation Corps effective July 1, 1941, and to remain effective thereafter until subsequently modified, are hereby established and all other such quotas previously announced are hereby cancelled.

[SEAL]

FRANK T. HINES,
Administrator.

§ 202.26 State and corps area quotas for the veterans' contingent of the Corps.

Corps area	Selecting office	Territory from which selections are to be made	Basic quota	
First	Newington, Conn.	Connecticut	175	
	Togus, Maine	Maine	115	
	Boston, Mass.	Massachusetts	555	
	Manchester, N. H.	New Hampshire	60	
	Providence, R. I.	Rhode Island	70	
	White River Junction, Vt.	Vermont	25	
			1,000	
Second	Philadelphia, Pa.	Delaware	20	
	Lyons, N. J.	New Jersey	543	
	Bronx, N. Y.	Eastern New York	1,356	
	Batavia, N. Y.	Western New York	481	
			2,400	
Third	Washington, D. C.	District of Columbia	100	
	Fort Howard, Md.	Maryland	245	
	Philadelphia, Pa.	Eastern Pennsylvania	1,124	
	Pittsburgh, Pa.	Western Pennsylvania	641	
	Roanoke, Va.	Virginia	490	
			2,600	
Fourth	Montgomery, Ala.	Alabama	624	
	Bay Pines, Fla.	Florida	390	
	Atlanta, Ga.	Georgia	686	
	New Orleans, La.	Louisiana	488	
	Jackson, Miss.	Mississippi	475	
	Fayetteville, N. C.	North Carolina	692	
	Columbia, S. C.	South Carolina	419	
	Murfreesboro, Tenn.	Tennessee	616	
				4,400
	Fifth	Indianapolis, Ind.	Indiana	481
Lexington, Ky.		Kentucky	577	
Brecksville, Ohio		Northern Ohio	492	
Dayton, Ohio		Southern Ohio	512	
Huntington, W. Va.		West Virginia	338	
			2,400	
Sixth	Hines, Ill.	Illinois	1,583	
	Dearborn, Mich.	Michigan	771	
	Wood, Wis.	Wisconsin	646	
			3,000	
Seventh	Little Rock, Ark.	Arkansas	490	
	Des Moines, Iowa	Iowa	500	
	Wichita, Kans.	Kansas	490	
	Minneapolis, Minn.	Minnesota	730	
	Jefferson Barracks, Mo.	Eastern Missouri	525	
	Excelsior Springs, Mo.	Western Missouri	425	
	Lincoln, Nebr.	Nebraska	325	
	Fargo, N. Dak.	North Dakota	220	
	Sioux Falls, S. Dak.	South Dakota	295	
				4,000
Eighth	Tucson, Ariz.	Arizona	104	
	Denver, Colo.	Colorado	300	
	Albuquerque, N. Mex.	New Mexico	191	
	Muskogee, Okla.	Oklahoma	782	
	Waco, Tex.	Texas	1,660	
	Cheyenne, Wyo.	Wyoming	53	
			3,000	
Ninth	San Francisco, Calif.	Northern California	425	
	Los Angeles, Calif.	Southern California	502	
	Boise, Idaho	Idaho	80	
	Fort Harrison, Mont.	Montana	75	
	Reno, Nev.	Nevada	20	
	Portland, Ore.	Oregon	164	
	Salt Lake City, Utah	Utah	64	
	Seattle, Wash.	Washington	270	
			1,600	
Grand total			24,400	

[F. R. Doc. 41-4675; Filed, June 30, 1941; 3:10 p. m.]

TITLE 50—WILDLIFE

CHAPTER I—FISH AND WILDLIFE SERVICE

PART 27—SOUTHEASTERN REGION NATIONAL WILDLIFE REFUGES

CAROLINA SANDHILLS NATIONAL WILDLIFE REFUGE, SOUTH CAROLINA

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222—16 U.S.C. 715i), as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan II (53 Stat. 1431), the following is ordered:

§ 27.142 *Carolina Sandhills National Wildlife Refuge, South Carolina; fishing.* Noncommercial fishing is permitted in the waters of the Carolina Sandhills National Wildlife Refuge, South Carolina, specified herein during the hours from 6 a. m. to 8 p. m. on the days hereinafter designated, during the period July 11 to September 14, inclusive, 1941, in accordance with the provisions of the regulations dated December 19, 1940, for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, and subject to the following conditions and restrictions:

(a) *Waters open to fishing.* The waters of Martins Pond, Lake Bee, and Lake Twelve shall be open to fishing on the following dates: July 11, 12, 13, 25, 26, and 27; August 8, 9, 10, 22, 23, and 24; and September 5, 6, and 7; and the waters of Martins Pond, Lake Sixteen, and Lake Seventeen shall be open to fishing on July 18, 19, and 20; August 1, 2, 3, 15, 16, 17, 29, 30, and 31; and September 12, 13, and 14. No other waters of the refuge shall be open to such fishing.

(b) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of South Carolina. Fishing shall be by hook and line (including rod and reel) only (as defined by State law).

(c) *Creel and size limits.* No person shall take any black bass less than 10 inches in length or any bream less than 5 inches in length (all measurements shall be taken from the tip of the nose to the fork of the tail). No person may take more than ten legal fish a day, not more than five of which may be black bass. These limits, however, shall not be construed as permitting the taking of fish contrary to limits on number and size prescribed by the South Carolina State Game and Fish Department. Each fisherman before leaving the refuge must report his catch and submit it to the officer in charge for inspection and the recording of data with reference thereto.

(d) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of valid fishing licenses issued by the South Carolina State Game and Fish Department and

permits of the State Commission of Forestry, if such licenses or permits are required. These licenses and permits shall serve as Federal permits for fishing in the specified waters of the refuge on the days named for such waters and must be carried on the person of the licensee while so fishing. The licenses and permits must be exhibited upon request of any representative of the South Carolina State Game and Fish Department, of the State Commission of Forestry, or of the Fish and Wildlife Service.

(e) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

(f) *Use of motor boats.* The use of motor boats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes.

HAROLD L. ICKES,
Secretary of the Interior.

JUNE 20, 1941.

[F. R. Doc. 41-4689; Filed, July 1, 1941;
10:15 a. m.]

Notices

WAR DEPARTMENT.

[Contract No. W 294 ord-731]

SUMMARY OF CONTRACT FOR SUPPLIES

CONTRACTOR: THE HOBART BROTHERS COMPANY, TROY, OHIO

Contract for: * * * Generating Units * * *, * * * Sets of Spare Parts.

Amount: \$2,604,240.00.

Place: The Cincinnati Ordnance District, 1229 The Enquirer Bldg., Cincinnati, Ohio.

The material to be obtained by this instrument is authorized by, is for the purpose set forth in and is chargeable to the Procurement Authority P. A. ORD 9034 P94-1370 A 5910.036-1 and P. A. ORD 9035 P2-30 A-1005-01 the available balances of which are sufficient to cover same.

This contract, entered into this 10th day of April 1941.

Scope of this contract. The contractor shall furnish and deliver * * * Generating Units * * *, * * * Sets of Spare Parts for Generating Unit * * * for the consideration stated of approximately two million, six hundred four thousand, two hundred forty dollars (\$2,604,240.00) in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes

as to shipment and packing of all supplies may also be made as above provided.

Delays—Damages. If the contractor refuses or fails to make deliveries of the materials or supplies within the time specified in Article 1, or any extension thereof, the Government may by written notice terminate the right of the contractor to proceed with deliveries or such part or parts thereof as to which there has been delay.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Payments will be made on partial deliveries accepted by the Government when requested by the contractor whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

Quantities. The Government reserves the right to increase the quantity on this contract by as much as * * * %, and at the unit price specified in Article 1, such option to be exercised within * * * days from date of this contract.

Performance bond. Contractors shall be required to furnish a performance bond in duplicate in the sum of ten per centum of the total amount of this contract with surety or other security acceptable to the Government to cover the successful completion of this contract.

Termination when contractor not in default. This contract is subject to termination by the Government at any time as its interests may require.

This contract is authorized by the Act of July 2, 1940 (Public, No. 703—76th Congress).

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4683; Filed, July 1, 1941;
9:55 a. m.]

[Contract No. W-ORD-494-Supp. 1]

SUMMARY OF SUPPLEMENT TO FIXED-PRICE (LUMP-SUM) MANAGEMENT SERVICE AND COST-PLUS-A-FIXED-FEE PROCUREMENT OF EQUIPMENT AND OPERATION CONTRACT¹

CONTRACTOR: THE PROCTER & GAMBLE DEFENSE CORPORATION, CINCINNATI, OHIO

Fixed-price (lump-sum) for management service under Title I: \$240,000.00 (no change).

Fixed-fee for procurement of equipment under Title III: Original, \$45,-600.00; additional, \$1.00.

Fixed-fee for operation under Title III: Original, \$660,000.00; additional, \$1.00.

Original contract for: Management service covering supervision, direction and control of designing, engineering,

¹ Approved by the Under Secretary of War, June 18, 1941.

construction and equipping (including design and installation) of a Plant for the loading of fixed rounds, shells, fuzes, and boosters; procurement of equipment; preparation for operation of said Plant (including training of key personnel), and operation of such Plant.

Supplemental contract for: Additional Line for Loading Fixed Rounds * * * mm. (or Fixed Rounds * * * mm.) or equivalent.

Place: Milan, Tennessee.

Estimated total cost of plant described in Title I, to be constructed under collateral contract, exclusive of the cost of procuring equipment under Title II: Original, \$8,441,200.00; additional, \$2,-718,565.00.

Estimated cost of procurement of equipment under Title II: Original, \$3,-300,000; additional, \$850,800.

Estimated cost of operation of plant under Title III: Original, \$24,000,000; additional, \$8,300,000.

The equipment, supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following Procurement Authorities, the available balances of which are sufficient to cover the cost of same:

- ORD 8190—P11-3052 A 1005-01
- ORD 8189—P99-A 0141-02
- ORD 8191—P99-A 0141-02
- ORD 7993—P11-0270 A 1005-01
- ORD 8110—P11-0270 A 1005-01
- ORD 8091—P11-0270 A 1005-01

This supplemental contract, entered into this tenth day of June 1941.

There is now in force between the parties hereto a certain contract, approved December 31, 1940, designated as Contract W-ORD-494, hereinafter referred to as the "original contract", providing for management service covering supervision, direction and control of designing, engineering, construction and equipping (including design and installation) of a Plant for the loading of fixed rounds, shells, fuses, and boosters; procurement of equipment; preparation for operation of said Plant (including training of key personnel) and operation of the Plant at Milan, Tennessee.

The parties hereto do mutually agree that the said contract of December 31, 1940 shall be and it is hereby modified in the following particulars:

1. Change Article I-A (page 3) to read as follows:

The construction project (hereinafter referred to as "the Plant") shall comprise a plant near Milan, Tennessee for the loading of fixed rounds, shells, boosters and fuses, and primers (including assembly thereof), hereinafter sometimes referred to as the "Ammunition", having an estimated monthly capacity, based on working * * * hours per month, as follows:

* * * Fixed Rounds * * *

2. Change Article II-B (page 6) to read as follows:

It is estimated (as of December 31, 1940) that the total cost of the work covered by this Title II, in connection with the "original lines", will be approximately three million three hundred thousand dollars (\$3,300,000.00), exclusive of the Contractor's fee.

It is estimated (as of May 27, 1941) that the total cost of the work covered by this Title II, in connection with the "additional line" will be approximately eight hundred fifty thousand eight hundred dollars (\$850,800.00) exclusive of the Contractor's fee.

3. Change Paragraph (b) Article II-C (page 6) to read as follows:

(1) A fixed-fee in the amount of forty-five thousand six hundred dollars (\$45,600.00) which shall constitute complete compensation for the Contractor's services, including profit, under Title II in connection with the "original lines".

(2) A fixed-fee in the amount of One Dollar (\$1.00) which shall constitute complete compensation for the Contractor's services, including profit under Title II in connection with the "additional line".

4. Change Section 1 of Article III-A (page 7) to read as follows:

Concurrently with the performance of the work required of it under Titles I and II hereof, the Contractor shall undertake all preparations necessary for the subsequent operation of the Plant, including the training of key personnel for such operation.

As soon as practicable after the approval of this supplemental agreement, the Contractor shall, subject to the approval of the Contracting Officer, take all steps necessary for the taking over or creating guard and fire fighting forces adequate for the protection of the Plant.

5. Change Sections 2 and 3, Article III-A (page 7) to read as follows:

2. As each "original line" of the Plant is completed and ready for operation, the Contractor shall, as directed from time to time by the Contracting Officer in writing, proceed to operate it for the loading of Ammunition, irrespective of whether or not the construction and equipping of the Plant as a whole shall have been completed.

3. When all operating lines (except the "additional line" referred to in Article I-A) of said Plant shall have been completed and are ready for operation the Contractor shall so notify the Contracting Officer in writing, and from and after the date of said notice the Contractor shall, at the option of the Government, as directed by the Contracting Officer in writing, operate said Plant during an initial period of * * * months at a rate within the capacity of the Plant.

6. Change Article III-B (page 9) to read as follows:

It is estimated that the total cost of the Contractor's performance under Title III of this contract will be approximately twenty four million dollars (\$24,000,000.00) (exclusive of the Contractor's fee) for the "original lines", and with respect to the "additional line" if such line is required to be operated by the Contractor for * * * months as provided for in Section 3 of Article III-A hereof, will be eight million three hundred thousand dollars (\$8,300,000.00) (exclusive of the Contractor's fee.)

7. Change Article III-C (page 9) to read as follows:

As consideration for its undertaking under this Title III the Contractor shall receive the following:

1. Reimbursement for expenditures as provided in Title IV.

2. A fixed-fee of six hundred sixty thousand dollars (\$660,000.00) for performance of the work under Title III, which fee shall constitute complete compensation for the Contractor's services (except services for the additional period covered by the option and for operation of the "additional line" under this Title III), including profit.

3. A fixed-fee of one dollar (\$1.00) for initial operation of the "additional line" provided for in Section 3 of Article III-A, (but exclusive of operation during the additional * * * period covered by the option for such additional period) which fee shall constitute complete compensation for the Contractor's services (except services for the additional period covered by the option) including profit.

8. Change Section 2 of Article IV-B (page 14) to read as follows:

The fixed-fee of forty-five thousand six hundred one dollars (\$45,601.00) provided for in Title II shall be paid as follows: The fee for procurement of manufacturing and service equipment for the "original lines" of forty-five thousand six hundred dollars (\$45,600.00) shall be paid in twelve (12) monthly installments of three thousand eight hundred dollars (\$3,800.00) each. The fee for procurement of manufacturing and service equipment for the "additional line" of one dollar (\$1.00) shall be paid upon the completion of such "additional line".

10. Change Paragraph (c) Section 3 of Article IV-B (page 15) to read as follows:

Four hundred twenty thousand dollars (\$420,000.00) payable in twelve monthly installments of thirty-five thousand dollars (\$35,000.00) each, one dollar (\$1.00) to be paid upon completion of the initial operation, if any, of the "additional line".

12. Except as herein provided the terms and conditions of said contract approved December 31, 1940 shall continue in full force and effect.

This contract is authorized by the following law:

Act of July 2, 1940 (Public No. 703, 76th Cong.).

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4680; Filed, July 1, 1941;
9:54 a. m.]

[Change Order No. C—April 10, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED FEE CONTRACT NO. W 6976 QM-1 DATED OCTOBER 28, 1940, FOR ARCHITECTURAL-ENGINEERING SERVICES IN CONNECTION WITH THE CONSTRUCTION OF A REPLACEMENT CENTER AT CAMP ROBERTS, NACIMIENTO, SAN MIGUEL, CALIF.¹

CONTRACTOR: HOLMES AND NARVER, INC.,
639 SOUTH SPRING STREET, LOS ANGELES,
CALIFORNIA

Pursuant to the authority vested in the Contracting Officer under Article XII of the contract above described, you, as architect-engineer, are hereby directed to perform the work and services indicated herein.

Provide the necessary architect-engineer services incident to the following changes in the work:

Add * * * to the description of the project set forth in Article I of the principal contract.

Omit * * * from the description of the work now set forth in Article I of the principal contract:

The above will result in a net increase in the estimated Construction cost and Architect-Engineer's Fixed-Fee as follows:

Increase the Estimated Construction Cost by-----	\$2,534,945
Total Estimated Cost (after deductions, indicated above) including this Change Order----	8,553,718
Total Fixed-Fee including this Change Order-----	45,820
Increase in Architect-Engineer's Fixed-Fee-----	9,380

Funds are available under Procurement Authority No. QM 7648 P1-3211 A 0540.068-N

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4681; Filed, July 1, 1941;
9:54 a. m.]

¹ Approved by the Under Secretary of War, May 6, 1941.

[Change Order No. C—April 30, 1941]

SUMMARY OF CHANGE ORDER TO COST-PLUS-A-FIXED-FEE CONTRACT NO. W 6976 QM-2, DATED, NOVEMBER 2, 1940, FOR THE CONSTRUCTION OF AN INFANTRY REPLACEMENT CENTER AT CAMP ROBERTS, NACIMIENTO, CALIF.¹

CONTRACTORS: FORD J. TWAITS CO., 816 WEST FIFTH STREET, LOS ANGELES, CALIF., AND MORRISON-KNUDSEN COMPANY, INC., 319 BROADWAY, BOISE, IDAHO

Pursuant to the authority vested in the Contracting Officer under Article I of the contract above described, you, as contractor, are hereby directed to perform the work and services indicated below.

Add * * * to the description of the project set forth under Article I of the principal contract.

Omit from the description of the project set forth in Article I of the principal contract * * *.

The above will result in a net increase in the estimated construction cost and contractors' fixed-fee as follows:

Increase the estimated construction cost by.....	\$2,471,957
Total estimated cost after deductions included above.....	8,297,330
Total fixed-fee including this Change Order.....	256,388
Increase in construction contractors' fixed-fee.....	62,988

Funds are available under Procurement Authority No. QM 7649 P1-3211 A 0540.062-N.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4682; Filed, July 1, 1941; 9:54 a. m.]

RESTRICTIONS ON CERTAIN TRANSACTIONS INVOLVING PROPERTY IN WHICH CERTAIN FOREIGN COUNTRIES, OR ANY NATIONAL THEREOF, MAY HAVE AN INTEREST²

3. *France, including Monaco.* Executive Order No. 8446, June 17, 1940 (5 F.R. 2279), further extends the provisions of Executive Order No. 8389,³ referred to, so as to include France, including Monaco, or any national thereof effective on or since June 17, 1940, and the instructions of the Treasury and War Departments in paragraph 1 are similarly applicable. (R.S. 161; 5 U.S.C. 22) [Proc. Cir. 21, W.D., July 25, 1940, as amended by Proc. Cir. 51, W.D., June 25, 1941]

10. *Albania, Andorra, Austria, Czechoslovakia, Danzig, Finland, Germany, Italy, Liechtenstein, Poland, Portugal, San Marino, Spain, Sweden, Switzerland, and Union of Soviet Socialist Re-*

¹ Approved by the Under Secretary of War May 14, 1941.

² Paragraph 3 is amended and paragraph 10 is added. See 5 F.R. 2939.

³ 5 F.R. 1400.

publics. Executive Order No. 8785, June 14, 1941 (6 F.R. 2897), further extends the provisions of Executive Order No. 8389, referred to, so as to include the following countries of any national thereof effective on or since June 14, 1941, and the instructions of the Treasury and War Departments in paragraph 1 are similarly applicable:

Albania.	Poland.
Andorra.	Portugal.
Austria.	San Marino.
Czechoslovakia	Spain.
Danzig.	Sweden.
Finland.	Switzerland.
Germany.	Union of Soviet
Italy.	Socialist
Liechtenstein.	Republics.

(R.S. 161; 5 U.S.C. 22) [Proc. Cir. 21, W.D., July 25, 1940, as amended by Proc. Cir. 51, W.D., June 25, 1941]

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-4684; Filed, July 1, 1941; 9:55 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A-875, A-876]

PETITIONS OF THE SHERWOOD-TEMPLETON COAL COMPANY, INC., A CODE MEMBER IN DISTRICT NO. 11, FOR THE ESTABLISHMENT OF OFF LINE MINIMUM PRICES FOR THE COALS PRODUCED AT ITS MINE INDEX NOS. 108 AND 112, FOR SHIPMENT TO THE CHICAGO AND EASTERN ILLINOIS, ILLINOIS CENTRAL AND BALTIMORE AND OHIO RAILROADS, AND THE CENTRAL INDIANA COAL COMPANY, INC., A CODE MEMBER IN DISTRICT NO. 11, FOR THE ESTABLISHMENT OF OFF LINE MINIMUM PRICES FOR THE COALS PRODUCED AT ITS MINE INDEX NOS. 1 AND 111, FOR SHIPMENT TO THE ILLINOIS CENTRAL, PENNSYLVANIA, AND NEW YORK CENTRAL RAILROADS, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

NOTICE OF AND ORDER FOR POSTPONEMENT OF HEARING

The above-entitled matters having been assigned for public hearings before D. C. McCurtain, the duly designated Trial Examiner, on July 1, 1941, at 10 a. m., at a hearing room of the Bituminous Coal Division, 734 15th Street NW., Washington, D. C.; and

The original petitioner having moved that the hearings in the above-entitled matters be postponed indefinitely, subject to further order of the Director, and having shown good cause why its motion should be granted, and there having been no opposition thereto;

Now, therefore, it is ordered, That the hearings in the above-entitled matters be, and they hereby are, postponed in-

definitely from July 1, 1941, at 10 a. m., subject to further order of the Director. Dated: June 28, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-4685; Filed, July 1, 1941; 9:57 a. m.]

Bureau of Reclamation.

SUNNYSIDE DIVISION—YAKIMA PROJECT
PUBLIC NOTICE OF ANNUAL OPERATION AND MAINTENANCE CHARGES¹

JUNE 14, 1941.

1. *Operation and maintenance charges for public notice lands.* Notice is hereby given that for the irrigation season of 1941, each acre of irrigable land subject to public notice rates in the Sunnyside Division, Yakima Project, Washington, shall be charged, whether water is used or not, with a minimum operation and maintenance charge of two dollars (\$2.00), which will permit the delivery of not more than the acre-foot quantities per irrigable acre, as designated pursuant to the provisions of the contract, dated May 31, 1941, between the United States and the Sunnyside Valley Irrigation District, in accordance with the following schedule:

Monthly schedule of deliveries

	Percent
April	13.3
May	15.0
June	18.3
July	18.3
August	16.7
September	11.7
October	6.7

In the event that on or before November 15, 1941, a reduction in said minimum charge of two dollars (\$2.00) is justified, in the judgment of the Secretary of the Interior, a supplemental public notice will be issued on or before December 1, 1941, effecting such reduction as in his judgment is justifiable.

2. *Excess water deliveries for old supplemental lands.* For lands (so-called Old Supplemental Lands) receiving water under said division of said project by virtue of certain supplemental water right contracts with the United States, there will be made for the irrigation season of 1941 an operation and maintenance charge of \$1.00 per acre which will permit the delivery, on the above monthly schedule of deliveries, of the amounts of water as designated pursuant to the provisions of the contract dated May 31, 1941 between the United States and the Sunnyside Valley Irrigation District. Water in excess of said monthly schedule of said designated amounts may be delivered, when available, after June 1 at the rate of \$1.00 per acre-foot, in accordance with said contract. Water in excess of said

¹ Act of June 17, 1902, 32 Stat. 388, as amended or supplemented.

monthly schedule of said designated amounts delivered prior to June 1 will be without extra charge.

3. *Excess water deliveries for other lands in Sunnyside Valley Irrigation District.* For other lands in the Sunnyside Valley Irrigation District, consisting of Public Notice, Supplemental, and Warren Act lands, water in excess of said monthly schedule of amounts designated pursuant to the provisions of the contract dated May 31, 1941 between the United States and the Sunnyside Valley Irrigation District may be delivered, when available, after June 1 at the rate of \$1.00 per acre-foot, in accordance with said contract. Water in excess of the monthly schedule of said designated amounts delivered prior to June 1 will be without extra charge.

4. *Excess water deliveries for other lands in Sunnyside Division.* For other lands in the Sunnyside Division, consisting of Public Notice, Supplemental, and Special Warren Act lands, not covered by Paragraphs 2 and 3, water in excess of the monthly schedule of amounts established under notices and contracts may be delivered, when available, after June 1, at the rate of \$1.00 per acre-foot. Water in excess of the monthly schedule of said established amounts delivered prior to June 1 will be without extra charge.

5. *Water rental charges for lands outside the project.* For water which may be furnished lands outside the limits of the said division of said project, the charge shall be one dollar (\$1.00) per acre-foot for the irrigation season of 1941, due and payable in advance of the delivery of water.

6. *Time of payments.* All water charges announced herein are due and payable on December 31 following the irrigation season, except as provided in Paragraph 5.

OSCAR L. CHAPMAN,
Acting Under Secretary.

[F. R. Doc. 41-4688; Filed, July 1, 1941;
10:14 a. m.]

General Land Office.

FIVE-ACRE TRACT CLASSIFICATION No. 6

CALIFORNIA

JUNE 23, 1941.

On June 14, 1941, the vacant public lands in the following-described areas, in the Los Angeles, California, land district, were classified by the Secretary of the Interior as chiefly valuable for development under the five-acre act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), and opened for leasing under that act as home, cabin, health, and convalescent sites. The classification does not include any of the lands for use as camp, recreational, or business sites.

CALIFORNIA No. 4

San Bernardino Meridian

T. 1 S., R. 4 E.,
Sec. 11, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, SW $\frac{1}{4}$;
Sec. 13, all;
Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 16, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 17, S $\frac{1}{2}$.
T. 1 S., R. 5 E., sec. 18, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

These tracts involve about 108 applications under the above-mentioned act, and are located in the Morongo Valley.

Those portions of the lands described not covered by applications are subject to application for lease under that act, based on the above-mentioned classification, by any qualified person, in accordance with 43 CFR 257.1-257.25 (Circ. 1470, June 10, 1940).

The Register of the Los Angeles district land office will make appropriate notations upon the records of his office and acknowledge receipt hereof.

[SEAL] FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 41-4687; Filed, July 1, 1941;
10:14 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 602]

ALLOCATION OF FUNDS FOR LOANS

JUNE 26, 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
Louisiana 1021G1 Webster.....	\$520,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 41-4691; Filed, July 1, 1941;
11:09 a. m.]

[Administrative Order No. 603]

ALLOCATION OF FUNDS FOR LOANS

JUNE 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 loans for the project and in the amounts as set forth in the following schedule:

Project Designation:	Amount
West Virginia 1010E1 Harrison....	\$500,000
West Virginia 1010G1 Harrison....	200,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 41-4692; Filed, July 1, 1941;
11:09 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 31-490, 31-502, 31-479]

IN THE MATTER OF PAUL SMITH'S ELECTRIC LIGHT AND POWER AND RAILROAD COMPANY, PAUL SMITH'S HOTEL COMPANY, AND GAS AND ELECTRIC ASSOCIATES

ORDER DISMISSING APPLICATIONS IN PART AND DENYING APPLICATIONS IN PART

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of June, A. D. 1941.

Paul Smith's Electric Light and Power and Railroad Company and Paul Smith's Hotel Company having applied under section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for orders declaring that neither company is a subsidiary of Associated Gas and Electric Company; Associated Gas and Electric Corporation; Daly & Co.; Associated Utilities Corporation; Gas and Electric Associates; Associated Real Properties, Inc.; Shinn & Company; The Railway and Bus Associates; Walter H. Pollak, Trustee for the Estate of Associated Gas and Electric Company; and Denis J. Driscoll and Willard L. Thorp, Trustees for the Estate of Associated Gas and Electric Corporation; and Gas and Electric Corporation; and Gas and Electric Associates having applied under section 2 (a) (7) of the Public Utility Holding Company Act of 1935 for an order declaring it not to be a holding company;

Notice and opportunity for hearing on said applications having been duly given; a hearing having been held on said applications; the trial examiner's report having been filed; exceptions to such trial examiner's report and supporting briefs having been submitted; oral argument having been heard; and the Commission having this day issued its Findings and Opinion herein;

It is ordered, That the application of Paul Smith's Electric Light and Power and Railroad Company insofar as it seeks an order to be declared not a subsidiary of Associated Real Properties, Inc., and the application of Paul Smith's Hotel Company insofar as it seeks an order to be declared not a subsidiary of Associated Real Properties, Inc., Shinn & Company, The Railway and Bus Associates, and Gas and Electric Associates, be and they hereby are dismissed; and

It is further ordered, That in all other respects the applications of Paul Smith's Electric Light and Power and Railroad Company and Paul Smith's Hotel Company, and the application of Gas and Electric Associates, be and they hereby are denied.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4694; Filed, July 1, 1941;
11:29 a. m.]

[File Nos. 59-11, 59-17, 54-25]

IN THE MATTER OF THE UNITED LIGHT AND
POWER COMPANY ET AL., RESPONDENTS
AND APPLICANT

ORDER POSTPONING DATE OF CONSOLIDATED
HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of June, A. D. 1941.

The Commission having, on June 13, 1941, issued a Statement of Tentative Conclusions pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, together with an order

consolidating for certain purposes proceedings under section 11 (b) (1) and 11 (b) (2), and a Notice of and Order Reconvening the Hearings in said proceedings, which order directed that said hearings as so consolidated be reconvened on June 26, 1941; and said hearing having previously been postponed by order of this Commission to July 7, 1941; and

The United Light and Power Company having requested that the date of said hearing be again postponed because of the illness of one of the counsel for said company; and

It appearing to the Commission that the request made by said The United

Light and Power Company is not unreasonable and may appropriately be granted;

It is ordered, That the date of the hearing to be reconvened as provided in said order of June 13th be and is hereby postponed until Monday, July 14, 1941, at 10:00 in the forenoon at the same place and before the same officer of the Commission specified in said order of June 13, 1941.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4695; Filed, July 1, 1941;
11:29 a. m.]

