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The President

NATIONAL DEFENSE PIPE LINE—SOUTH-
EASTERN PIPE LINE SYSTEM
BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMATION

WHEREAS the act of Congress entitled "An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce", approved July 30, 1941 (Public Law 197—77th Congress), vests in the President certain powers relating to the construction, extension, completion, operation, and maintenance of interstate pipe lines related to national defense:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by sections 2 and 3 of said act of July 30, 1941, do hereby find and proclaim (1) that it is necessary for national defense purposes that there be constructed and completed a pipe line system for the transportation and distribution of petroleum and petroleum products moving in interstate commerce, the route for which is generally indicated on a map which is on file in the Office of the Petroleum Coordinator for National Defense, detailed survey maps of which shall be of record in the said office, commencing at Port St. Joe, Florida, and extending in a northerly direction through the States of Florida and Georgia, and into Tennessee to a point on the Tennessee River at or in the vicinity of Chattanooga, Tennessee, (2) that Southeastern Pipe Line Company, a private corporation organized under the laws of the State of Delaware, has commenced the work necessary for the construction of such a pipe line system, and has partially constructed the same and represents that it is prepared to complete said pipe line system, and (3) that it is necessary for the purposes of construction, completion, operation, and maintenance of said pipe line system that the Southeastern Pipe Line

Company have the right to acquire, by the exercise of the right of eminent domain as provided in the aforesaid act, along the route and between the points hereinbefore identified, (a) such parcels of land or any interests therein, not in excess of 100 acres in each separate parcel, for the location of its storage tanks, pumping stations, delivery facilities, and other facilities in connection therewith, and (b) easements and rights of way, not in excess of 100 feet in width, for the construction, completion, operation, maintenance and removal of the pipe lines, including right of access thereto over adjoining lands: *Provided*, That such right of eminent domain be exercised by the Southeastern Pipe Line Company for the aforesaid purposes prior to June 30, 1943.

The pipe line hereinbefore identified shall be constructed, completed, operated, and maintained subject to such terms and conditions as the President may hereafter from time to time prescribe as necessary for national defense purposes.

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

DONE at the City of Washington this 3rd day of September, in the year of our Lord nineteen hundred [SEAL] and forty-one, and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[No. 2508]

[F. R. Doc. 41-6663; Filed, September 4, 1941; 11:47 a. m.]

EXECUTIVE ORDER

REGULATIONS GOVERNING WITHIN-GRADE SALARY ADVANCEMENTS

By virtue of and pursuant to the authority vested in me by section 7 of the Classification Act of 1923, as amended by the act of August 1, 1941, Public Law

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200, 77th Congress, 1st Session, I hereby prescribe the following regulations for the administration of the within-grade salary advancement plan established by that section:

SECTION 1. In the administration of the said section 7, the following definitions of terms used therein shall apply:

(a) "Permanent positions" shall include all positions except those designated as temporary by law and those established for definite periods of six months or less.

(b) "Positions within the scope of the compensation schedules fixed by this Act" shall include all permanent positions, including positions in the field services, in the executive and legislative branches, in government-owned or government-controlled corporations, and in the municipal government of the District of Columbia, the compensation of which has been fixed on a per-annum basis, pursuant to the allocation of such positions to the appropriate grade either by the Civil Service Commission or by administrative action of the department or agency concerned, in accordance with the compensation schedules of the Classification Act of 1923, as amended, or the said schedules as adjusted by an authorized differential.

(c) "Quarter" shall mean the three months' period beginning on January 1, April 1, July 1, or October 1.

(d) "Equivalent increase in compensation" shall mean any increase or increases which in total are equal to or greater than the compensation increment in the lowest grade in which the employee has served during the time period of eighteen or thirty months, as the case may be.

(e) "Current efficiency" shall mean the latest efficiency rating on record for the employee, made under a system of efficiency ratings prescribed or approved by the Civil Service Commission.

SECTION 2. In computing the periods of service required by the said section 7 for within-grade advancements there shall be credited to such service:

(a) Continuous civilian employment in any branch, executive department, independent establishment, agency, or corporation of the Federal Government or in the municipal government of the District of Columbia.

(b) Time elapsing on annual, sick, or other leave with pay.

(c) Time elapsing in a non-pay status (including break in service) not exceeding thirty days within any one time period of eighteen or thirty months, as the case may be.

(d) Service rendered prior to absence on furlough or leave without pay where such absence is in excess of thirty days but not exceeding one year.

SECTION 3. In the use of funds available in any fiscal year, periodic salary advancements authorized by section 7

(b) of the Classification Act of 1923, as amended by the said act of August 1, 1941, shall take priority over salary advancements authorized for especially meritorious services by section 7 (f) of that Act, as amended. An additional within-grade compensation advancement authorized by the said section 7 (f) may be granted simultaneously with, or at any time prior to, the periodic increase to which the employee may be eligible under the said section 7 (b). The reports required to be submitted to the Civil Service Commission by the said section 7 (f) shall be submitted at the end of each quarter.

SECTION 4. In the event a change or adjustment is made in an employee's current efficiency rating, either by administrative action or as the result of a review and determination by a board of review in accordance with the provisions of section 9 of said Classification Act of 1923, as amended, the employee's eligibility for salary advancement shall be determined according to the efficiency rating as changed or adjusted and other conditions of the salary advancement plan, and any advancement to which he may be entitled shall be made effective as of the date he would have received

the advancement had no error been made in the original rating.

SECTION 5. Any employee of the Federal Government who in accordance with the provisions of the Selective Training and Service Act of 1940 (Public No. 783, 76th Congress), or of Public Resolution No. 96 approved August 27, 1940, relating to the mobilization of auxiliary military personnel, is restored to the same position or a position of like seniority, status, and pay, without loss of seniority, shall be entitled to receive a salary at a rate of not less than the employee's latest rate prior to his entrance into active military or naval duty plus any within-grade salary advancement or advancements to which he would have been eligible under the provisions of the said section 7 (b) of the Classification Act of 1923, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE
Sept. 3, 1941.

[No. 8882]

[F. R. Doc. 41-6632; Filed, September 4, 1941; 9:42 a. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LAND FOR USE OF THE DEPARTMENT OF THE NAVY AS AN AIRCRAFT BOMBING SITE

CALIFORNIA

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights, the following-described public land be, and it is hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Department of the Navy as an aircraft bombing site:

SAN BERNARDINO MERIDIAN

T. 10 S., R. 10 E., sec. 10; containing 640 acres.

This order shall take precedence over, but shall not rescind or revoke, the Executive order of March 10, 1924, creating Public Water Reserve No. 90, so far as such order affects the above-described land. This order shall be subject to the order of the Secretary of the Interior of October 19, 1920, withdrawing certain lands under the provisions of the Reclamation Act of June 17, 1902 (32 Stat. 388), so far as such order affects the above-described land; and after the present national-defense emergency has been officially terminated, this order shall be without effect upon notice to the Department of the Navy by the Secretary of the Interior that the entire use of the above-described land is needed for reclamation purposes.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 3, 1941.

[No. 8883]

[F. R. Doc. 41-6633; Filed, September 4, 1941; 9:42 a. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT

CALIFORNIA

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights, the following-described public lands be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department in connection with the construction of a reservoir and water pipe line to Camp San Luis Obispo:

MOUNT DIABLO MERIDIAN

T. 30 S., R. 14 E.,
sec. 9, lots 1, 2;
sec. 10, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
sec. 15, lots 1, 2, 7, 8;
containing 465.57 acres.

This order shall take precedence over, but shall not rescind or revoke, Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 3, 1941.

[No. 8884]

[F. R. Doc. 41-6634; Filed, September 4, 1941; 9:42 a. m.]

EXECUTIVE ORDER

REVOKING THE DESIGNATION OF PESKAN, MONTANA, AS A CUSTOMS PORT OF ENTRY

By virtue of the authority vested in me by section 1 of the act of August 1, 1914, 38 Stat. 609, 623 (U.S.C. title 19, sec. 2), it is ordered that the designation of Peskan, Montana, as a customs port of entry in Customs Collection District No. 33 (Montana and Idaho), be, and it is hereby, revoked.

This order shall become effective at the close of business on September 15, 1941.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
Sept. 3, 1941.

[No. 8885]

[F. R. Doc. 41-6635; Filed, September 4, 1941; 9:42 a. m.]

EXECUTIVE ORDER

AUTHORIZING A CLASSIFIED CIVIL SERVICE STATUS TO BE CONFERRED UPON CERTAIN CIVILIAN EMPLOYEES OF THE COAST GUARD WHO WERE TRANSFERRED FROM THE BUREAU OF LIGHTHOUSES OF THE DEPARTMENT OF COMMERCE UNDER REORGANIZATION PLAN NO. II

By virtue of the authority vested in me by Section 2 of the Civil Service Act (22 Stat. 403, 404) and by Section 1753 of the Revised Statutes of the United States, it is hereby ordered as follows:

Upon recommendation of the Secretary of the Treasury, the Civil Service

Commission is authorized and directed to confer a classified civil service status upon any person employed aboard any vessel of the United States Coast Guard who was transferred to the Coast Guard from the Bureau of Lighthouses of the Department of Commerce pursuant to Reorganization Plan No. II and who, on the date of this Order, has not been inducted into the military service of the Coast Guard under the provisions of the Act of August 5, 1939 (53 Stat. 1216), "An Act to perfect the consolidation of the Lighthouse Service with the Coast Guard by authorizing the commissioning, appointment and enlistment in the Coast Guard of certain officers and employees of the Lighthouse Service, and for other purposes".

The classification of any employee under this Order shall be subject to the following limitations:

(1) Such employee must qualify in such appropriate non-competitive tests of fitness as the Civil Service Commission may prescribe.

(2) Such employee must not be disqualified by any provision of Section 3 of Civil Service Rule V or by any other Civil Service Rule or by any provision of the Civil Service Act or any other Statute or Executive Order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
September 3, 1941.

[No. 8886]

[F. R. Doc. 41-6657; Filed, September 4, 1941; 9:42 a. m.]

Rules, Regulations, Orders

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

CHAPTER I—COMMODITY EXCHANGE ADMINISTRATION

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

Correction

In the first sentence of § 1.5 appearing at page 4515 of the FEDERAL REGISTER for September 3, 1941, the word "part" immediately preceding the proviso is corrected to read "chapter."

TITLE 30—MINERAL RESOURCES

CHAPTER III—BITUMINOUS COAL DIVISION

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT NO. 12

[Docket No. 1619-FD]

IN THE MATTER OF FANCY LUMP COAL COMPANY, DEFENDANT

Order Revoking and Cancelling Code Membership

A complaint having been filed with the Bituminous Coal Division on March

19, 1941, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board 12, alleging wilful violation by the Fancy Lump Coal Company, a partnership, a code member in District 12, of the Bituminous Coal Code and Rules and Regulations thereunder, as follows:

That the defendant with full knowledge of the requirements contained in the Schedule of Effective Minimum Prices for District 12 for Truck Shipments and with intent to violate the same and violation thereof, sold during the period between October 1, 1940, and March 1, 1941, over 500 tons of coal produced by the defendant at its mine (Mine Index No. 533) located at Bussey, Iowa, at prices below the effective minimum prices, more specifically 1526.16 tons of lump coal, egg coal and screenings at prices of \$2.50 per ton for lump coal whereas the effective minimum price for such coals for truck shipments is \$2.90; \$2.40 per ton for egg coals¹ whereas the effective minimum price for such coals for truck shipment is \$2.80; and \$1.44, \$1.34 and \$1.10 per ton for screenings whereas the effective minimum price for such coals for truck shipment is \$1.60; and further that improper allowances in the form of commissions had been granted to the Peewee Coal Company, a registered distributor, located at Des Moines, Iowa, on sales of this coal;

Pursuant to an Order of the Director and after notice to all interested persons, a hearing having been held in this matter on May 29, 1941, at a hearing room of the Division, Des Moines, Iowa;

At the conclusion of the hearing, all parties having joined in waiving the preparation and filing of a report of the Examiner, a record of the proceeding having been submitted to the undersigned who has made Findings of Fact, Conclusions of Law, and has rendered an Opinion which are filed herewith;

Now, therefore, it is ordered, That the code membership of the defendant, Fancy Lump Coal Company, a partnership of Frank Reed, Leland Reed, Raymond Reed, Russell Driebelbein and Charles Brady, be and it hereby is revoked and cancelled;

And it is further ordered, That prior to any reinstatement of the defendant, Fancy Lump Coal Company, to membership in the Code, the defendant or each or any of the partners thereof, shall pay to the United States a tax in the amount of \$1,290.62 as provided in Section 5 (c) of the Bituminous Coal Act of 1937.

Dated: September 2, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-6649; Filed, September 4, 1941; 10:12 a. m.]

¹ The complaint referred to a rail delivered price of \$3.95 for "small" egg coals. However, \$3.95 is the rail delivered price for large egg coals. Witness Reed, appearing on behalf of the defendant, offered no objection to the allegation. Therefore, the effective minimum price given is that for large egg or "range" coals.

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

SEPTEMBER 3, 1941.

General License No. 55, is amended to read as follows:

§ 131.55 *General License No. 55.* (a) A general license is hereby granted authorizing any banking institution within the United States to make payments from blocked accounts of China or Japan, or any national thereof, of documentary drafts drawn under revocable or irrevocable letters of credit issued or advised by a domestic bank prior to July 26, 1941, provided:

(1) That such letters of credit were not issued in favor of Japan or China or any national thereof; or

(2) That such drafts have not, since July 26, 1941, been held by or for the account of any blocked country or national thereof.

(b) Banking institutions making any payment or debit authorized by this general license shall file promptly with the appropriate Federal Reserve Bank weekly reports showing the details of such transactions.

(c) This license shall expire at the close of business on September 30, 1941. (Sec. 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, and E.O. 8832, July 26, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941).

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

[F. R. Doc. 41-6664; Filed, September 4, 1941; 11:49 a. m.]

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

GENERAL LICENSE NO. 72, UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

SEPTEMBER 3, 1941.

§ 131.72 *General License No. 72.* (a) A general license is hereby granted authorizing (1) the filing in the United States Patent Office of applications for letters patent for inventions and designs, and the prosecution of such applications,

in which any national of any blocked country has at any time on or since the effective date of the Order had any interest, and (2) the receipt of letters patent issued pursuant to any such application, provided the following terms and conditions are complied with:

(i) The person filing or prosecuting any such application, or acting as attorney or agent in connection therewith, shall notify the United States Patent Office in writing that the application is being filed and prosecuted pursuant to this general license; and

(ii) Upon notification by the United States Patent Office that letters patent will be issued and at least twenty days before the payment to such office of the final fee therefor, there shall be filed directly with the Treasury Department a report on Form TFR-172, setting forth, under oath, the information called for therein.

(b) This general license shall also authorize any person who is not a national of any blocked country:

(1) To file and prosecute applications for letters patent in any blocked country;

(2) To receive letters patent granted pursuant to any such application; and

(3) To pay fees currently due to the government of any blocked country, either directly or through an attorney or representative located abroad, for the filing of any such application, and for the granting and maintenance of any patent.

Domestic banks are authorized to effect the payments referred to in (3) and to establish and maintain free dollar accounts if necessary, and only to the extent necessary, to effect such payments. Domestic banks are not authorized to establish or maintain free dollar accounts in cases where such payments may be effected in the manner prescribed in (a) or (b) of General License No. 32, as amended.¹ All banks effecting any such payments shall satisfy themselves that the foregoing terms and conditions are complied with.

(c) All persons engaging in any of the transactions authorized by subparagraphs (1) or (2) under paragraph (b) above shall file promptly with the appropriate Federal Reserve Bank reports setting forth the details of such transactions.

(d) With respect to each payment authorized by paragraph (b) (3) above, reports on Form TFR-132 shall be executed and filed in the manner and form and under the conditions described in General License No. 32, as amended, except that item No. 6 of such form shall be left blank and the originating bank shall indicate on the reverse side of such form:

(1) The specific purpose for which such payment is made;

(2) Whether or not an application for a patent has been filed in, or a patent

has been issued by the United States Patent Office, covering the invention or design involved; and

(3) If such application has been filed in, or such patent issued by, the United States Patent Office, the number thereof.

(c) This general license does not authorize any assignment, grant, encumbrance, creation of a license, or execution of any agreement or arrangement of, under, or with respect to any patent, application therefor, license thereunder, or interest therein, in which any blocked country or national thereof has, on or since the effective date of the Order, had any interest, or any other transaction not specifically authorized by this general license. (Sec. 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, and E.O. 8832, July 26, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL]

E. H. FOLEY, Jr.
Acting Secretary of the Treasury.

[F. R. Doc. 41-6666; Filed, September 4, 1941;
11:49 a. m.]

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

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

SEPTEMBER 3, 1941.

(1) Reference is made to General License No. 72.¹ Attention is directed to the fact that this general license does not authorize any person who is a national of any blocked country to file or prosecute applications for letters patent in any foreign country, to receive letters patent granted pursuant to such applications, or to pay any fees to any foreign country in connection therewith. This general license does not authorize the payment of fees to attorneys or representatives in the United States or in foreign countries for services rendered in connection with any transaction authorized by such general license and does not authorize the effecting or recording of any assignment, grant, encumbrance, creation of a license, or execution of any agreement or arrangement of, under or with respect to any patent, application therefor, license thereunder or interest therein, in which any blocked country or any national thereof, has on or since the effective date of Executive Order No. 8389, as amended, had any interest.

(2) Applications for specific licenses relating to patents and interests therein may be made to the appropriate Federal Reserve Bank on Form TFE-1. Such applications should contain in addition

¹ *Supra*.

to other information required the following:

(a) Whether an application for letters patent has been filed in, or letters patent issued by, the United States Patent Office if such application or letters patent are involved in, or in any manner affected by, the transaction in question;

(b) If any such application is on file in the United States Patent Office, a true copy thereof should be attached to and made a part of the application for a Treasury license. If letters patent have been issued by the United States Patent Office, a copy thereof should be attached to the application for a Treasury license; and

(c) A brief nontechnical description of the nature of the invention or design covered by such application or letters patent, indicating the use to which such invention may be put.

(3) Attention is also directed to the fact that the Regulations require that reports on Form TFR-300 shall be filed with respect to any patents, applications therefor, assignments thereof, or licenses relating thereto, or any present, future, or contingent interests therein, agreements pertaining thereto, and any other contracts affecting or involving the foregoing, such as the right to receive royalties, licensing arrangements and contracts by which any information in the nature of technical data or otherwise is transmitted or exchanged, in which on either or both June 1, 1940, and June 14, 1941, any foreign country or national thereof had any interest of any nature whatsoever, direct or indirect. In the case of China, Japan, or nationals thereof, a report of the aforementioned interests is required as of July 26, 1941. Attorneys who have in their possession any property in which any of the interests referred to above exists, are required to file a report thereon on Form TFR-300. (Sec. 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, and E.O. 8832, July 26, 1941; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL]

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 41-6666; Filed, September 4, 1941;
11:49 a. m.]

TITLE 32—NATIONAL DEFENSE

CHAPTER IX—OFFICE OF PRODUCTION MANAGEMENT

SUBCHAPTER B—PRIORITIES DIVISION

PART 962—STEEL¹

Supplementary Order M-21-b Relating to Steel Warehouses

§ 962.3 Supplementary order—(a) Definition. For the purpose of this Sup-

plementary Order, "Warehouse" means any person who receives physical delivery of steel from a producer for sale or resale in the form received.

(b) *Limitation of deliveries to warehouses.* (1) After October 5, 1941, no Warehouse shall accept from a Producer any delivery of steel on consignment or otherwise until a quota has been established for such Warehouse, pursuant to paragraph (c), and no such delivery shall be made or accepted except within the limits of such quota.

(2) For the period between the effective date of this Supplementary Order and October 5, 1941, no Warehouse shall accept from a producer and no producer shall make to a Warehouse any delivery of any type of steel product in excess of one-third of the deliveries of such type of product by such producer to such Warehouse during the first quarter of 1941.

(c) *Quota.* On or before September 15, 1941, each Warehouse desiring to obtain a quota shall file in quadruplicate with the Director of Priorities a report in form prescribed by the Director. After such filing, the Director shall establish a quota for such Warehouse and shall notify such Warehouse as to the amount of such quota. The Director may from time to time establish a quota for any type of steel product and may vary the amount of any quota established for any product or group of products.

(d) *Assignment of preference rating to deliveries to warehouses.* The Director of Priorities will issue to each Warehouse for which a quota is established pursuant to paragraph (c) a certificate assigning a preference rating of A-9 to deliveries of steel to such Warehouse, within the limits of such quota. Such preference rating may be changed from time to time by the Director of Priorities.

(e) *Limitation of deliveries by warehouses.* Except as permitted by paragraph (f), no Warehouse shall make deliveries of alloy steel from its stock except on defense orders. After making provision for present and anticipated defense orders, and subject to the terms of General Preference Order M-21, a Warehouse may make deliveries of carbon steel from its stock to non-defense customers.

(f) *Exemption of small sales by warehouses.* A Warehouse may, during any calendar month, make deliveries of the materials in the quantities specified below, on any rated or unrated order, provided that the total amount of each such material delivered to all customers in this manner during any calendar month shall not exceed ten percent (10%) of the average monthly deliveries of each such material by the Warehouse to all customers during the first calendar quarter of 1941, and further provided that nothing contained in this paragraph shall be construed to excuse any person from complying with the applicable provisions of General Preference Order M-14, to conserve the supply and direct

¹ 6 F.R. 4005.

the distribution and use of tungsten in high speed steel.

Material Deliveries not to exceed
 (1) Alloy tool steel..... 50 lbs. per item
 (2) Stainless steel..... 50 lbs. per item.
 (3) Other alloy steel..... 300 lbs. per order.

(g) **Special instructions.** The Director of Priorities may from time to time issue specific directions to Warehouses requiring them to earmark stocks or to make deliveries during specified periods in fulfillment of contracts, commitments, or purchase orders for particular purposes or to particular persons. Such directions will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the Director of Priorities, without regard to any preference ratings assigned to particular contracts, commitments or purchase orders.

(h) **Effective dates.** This Supplementary Order shall take effect on the 3d day of September, 1941, and, unless sooner terminated by direction of the Director of Priorities, shall expire on the 30th day of November, 1941. (O. P. M. Reg. 3, Mar. 7, 1941, 6 F.R. 1596; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; sec. 2 (a), Public No. 671, 76th Congress as amended; sec. 9, Public No. 783, 76th Congress.)

Issued this 3d day of September 1941.

DONALD M. NELSON,
 Director of Priorities.

[F. R. Doc. 41-6628; Filed, September 3, 1941; 3:26 p. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION

PART 1312—LUMBER AND TIMBER PRODUCTS

AMENDMENT TO PRICE SCHEDULE NO. 19—SOUTHERN PINE LUMBER

Sections 1312.32 and 1312.34 of Price Schedule No. 19¹ are hereby amended to read as follows:

§ 1312.32 **Definitions.** When used in this Schedule, the term

(a) "Person" means an individual, partnership, association, corporation, or other business entity. The term includes, without restricting the generality of the foregoing, any mill operator, manufacturer, commission salesman, manufacturer's representative, concentration yard operator, wholesaler, wholesale distributor, wholesaler's agent, or retailer.

(b) "Southern pine" means the species of shortleaf pine (*Pinus eschinata*), loblolly pine (*Pinus taeda*), slash pine (*Pinus caribaea*), such longleaf pine (*Pinus palustris*) as contains less than six annual rings per inch and less than one-third summerwood, or any other *Pinus* species known commercially as "southern pine".

(c) "Mill" means a manufacturing plant, concentration yard, or other

¹ 6 F.R. 4142.

establishment which sells less than 75 percent of the volume of its southern pine lumber at retail and which processes, by sawing, or by planing or other comparable method, at least 25 percent of the volume of southern pine logs or lumber purchased or received by it.

(d) "Distribution yard" means a wholesale or retail lumber yard which purchases or receives southern pine logs or lumber from a producer, a mill, or another distribution yard for purposes of unloading, sorting, and resale or redistribution, which regularly maintains a stock of lumber, and which (1) processes, by sawing, or by planing or other comparable method, less than 25 percent

of the volume of such logs or lumber so purchased or received by it, or (2), regardless of the percentage of such processing, sells more than 75 percent of the volume of its southern pine lumber at retail.

(e) "Retail" sale means a sale to a consumer or contractor in a less than carload quantity.

(f) "Volume" means the board foot volume of lumber processed from logs, processed from other lumber or sold, as the case may be, within six months immediately prior to the transaction subject to this Schedule. (Executive Order No. 8734)

§ 1312.34 **Appendix A—(a) Maximum f. o. b. mill prices per 1,000 feet board measure:**

BOARDS AND STRIPS (ROUGH GREEN)

Grade	Standard length ¹	8' length	10' length	12' length	14' length	16' length	18' and 20' length
No. 1:							
1 x 3.....	\$34.00	\$34.00	\$35.00	\$35.00	\$35.00	\$36.50	\$37.00
1 x 4.....	32.00	32.00	33.00	33.00	33.00	34.50	35.00
1 x 6.....	32.00	32.00	33.00	33.00	33.00	34.50	35.00
1 x 8.....	33.00	33.00	34.00	34.00	34.00	35.50	36.00
1 x 10.....	35.00	35.00	36.00	36.00	36.00	37.50	38.00
1 x 12.....	43.00	43.00	44.00	44.00	44.00	45.50	46.00
No. 2:							
1 x 2 and 3.....	26.00	6' and 8' 26.00	27.50	28.00	28.00	28.50	30.00
1 x 4.....	23.00	23.00	24.50	25.00	25.00	25.50	27.00
1 x 6.....	25.00	25.00	26.50	27.00	27.00	28.00	30.00
1 x 8.....	25.00	25.00	26.50	27.00	27.00	28.00	30.00
1 x 10.....	25.50	25.50	28.50	28.50	29.00	29.50	31.50
1 x 12.....	30.00	30.00	33.00	33.50	34.00	34.50	37.50
No. 3:							
1 x 4.....	19.00	19.00	20.50	21.00	21.00	21.50	23.00
1 x 6.....	20.00	20.00	21.50	22.00	22.50	23.00	25.00
1 x 8.....	20.00	20.00	21.50	22.00	22.50	23.00	25.00
1 x 10.....	20.50	20.50	23.50	23.50	24.00	24.50	26.50
1 x 12.....	21.00	21.00	24.00	24.50	25.00	25.50	28.50

ADDITIONS TO ROUGH GREEN PRICES

For Rough, Air Dried, add \$1.50.
 For Rough, Kiln Dried, add \$2.50.
 For S1S, S2S, S3S, S4S, S2S and Matched, or Shiplap, Standard or Thinner, add \$1.50.
 For Ripping or Resawing, add \$1.00 per 1,000 board feet for each cut.
 For Chemical Anti-Stain Treatment, add 50¢.
 Where a restricted standard length is specified, either 8' to 18', or 8' to 20', add \$1.00.
 Odd lengths or fractional lengths shall be counted and priced as next longest even length.

¹ Standard Lengths are 4' to 20', inclusive, in multiples of 2', and the following percentage of short lengths may be included in all shipments in which the lengths are not specifically restricted.

No. 1.....	5% 8-foot
No. 2.....	5% 4-foot
	5% 6-foot
	5% 8-foot

DIMENSION (ROUGH GREEN)

Grade	Random length	8' length	9' length	10' length	12' length	14' length	16' length	18' length	20' length	22' and 24' length
No. 1:										
2 x 3.....	\$31.00	\$31.00	\$32.00	\$31.00	\$31.00	\$32.00	\$33.00	\$34.50	\$35.50	-----
2 x 4.....	30.00	30.00	31.00	30.00	30.00	31.00	32.00	33.50	34.50	\$40.00
2 x 6.....	29.00	29.00	30.00	29.00	29.00	30.00	30.50	32.50	33.50	39.00
2 x 8.....	30.00	30.00	31.00	30.00	30.00	31.00	31.50	33.50	34.50	40.00
2 x 10.....	33.50	33.50	35.00	35.00	35.00	35.00	36.00	39.50	41.50	46.00
2 x 12.....	35.50	35.50	37.00	37.00	37.00	37.00	38.00	41.50	43.50	48.00
No. 2:										
2 x 3.....	27.00	27.00	28.00	27.00	27.00	28.00	29.00	30.50	31.50	-----
2 x 4.....	26.00	26.00	27.00	26.00	26.00	27.00	28.00	29.50	30.50	36.00
2 x 6.....	24.00	24.00	25.00	24.00	24.00	25.00	25.50	27.50	28.50	34.00
2 x 8.....	25.00	25.00	26.00	25.00	25.00	26.00	26.50	28.50	29.50	35.00
2 x 10.....	26.50	26.50	27.50	26.50	26.50	27.50	28.50	32.00	34.00	38.50
2 x 12.....	28.50	28.50	29.50	29.50	29.50	29.50	30.50	34.00	35.00	40.50
No. 3:										
2 x 3.....	19.00	20.00	21.00	20.00	20.00	21.00	22.00	23.50	24.50	-----
2 x 4.....	18.00	19.00	20.00	19.00	19.00	20.00	21.00	22.50	23.50	-----
2 x 6.....	16.00	17.00	18.00	17.00	17.00	18.00	18.50	20.50	21.50	-----
2 x 8.....	17.00	18.00	19.00	18.00	18.00	19.00	19.50	21.50	22.50	-----
2 x 10.....	18.50	19.50	20.50	22.50	21.50	21.50	21.50	25.00	27.00	-----
2 x 12.....	20.50	21.50	22.50	22.50	22.50	22.50	23.50	27.00	28.00	-----

ADDITIONS TO ROUGH GREEN PRICES

For Rough, Air Dried, add \$2.00.
 For Rough Kiln Dried, add \$3.00.
 For S1S, S2S, S3S, S4S, add \$1.00.
 For working to Shiplap, Center Match, Dressed and Matched, or Grooved, add \$2.00.
 For Ripping or Resawing, add \$1.00 per 1,000 board feet for each cut.
 For Chemical Anti-Stain Treatment, add 50¢.
 Random lengths may be 8' to 16' or 8' to 20'.
 Odd or Fractional Lengths, except 9', shall be counted and priced as next longest even length.

§ 1312.34 Appendix A—(a) Maximum f. o. b. mill prices per 1,000 feet board measure—
Continued

FLOORING (NO HEART SPECIFICATION), PLAIN END, KILN DRIED, STANDARD LENGTHS¹

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Edge grain:					
1 x 3.....	\$65.00	\$57.00	\$42.00		
1 x 4.....	63.00	55.00	40.00		
Near edge grain:					
1 x 3.....	58.00	50.00	37.00		
1 x 4.....	56.00	48.00	35.00		
Flat grain:					
1 x 3.....	60.00	47.00	35.00	\$31.00	\$21.00
1 x 4.....	49.00	46.00	34.00	29.00	20.00

Add \$2.00 for specified lengths.
Add \$2.00 for end-matching standard length flooring.

¹ Standard lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B.....	5%	8 and/or 9-foot.
C.....	5%	6 and/or 7-foot.
D and No. 2.....	5%	8 and/or 9-foot.
	5%	4 and/or 5-foot.
	5%	6 and/or 7-foot.
No. 3.....	5%	8 and/or 9-foot.
	Not to exceed 20% 4- and 6-foot lengths.	

FLOORING (NO HEART SPECIFICATION), END MATCHED, KILN DRIED, 2' TO 8' NESTED

	Grade B and Better	Grade C	Grade D	Grade B and Better	Grade C	Grade D
Edge Grain:						
1 x 3.....	\$57.00	\$50.00	\$38.00	\$42.00	\$39.00	\$28.00
1 x 4.....	55.00	48.00	36.00	41.00	38.00	27.00
Near Edge Grain:						
1 x 3.....	52.00	47.00	35.00			
1 x 4.....	51.00	46.00	34.00			
Flat grain:						
1 x 3.....						
1 x 4.....						

DROP SIDING, KILN DRIED STANDARD LENGTHS¹

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Drop siding (All patterns):					
Plain end 6".....	\$51.00	\$48.00	\$39.00	\$31.00	\$25.00
Plain end 8".....	53.00	50.00	40.00	32.00	25.00
Bevel siding.....	47.00	44.00	35.00	30.50	22.00

¹ Add \$2.00 for specified lengths.

STANDARD BEADED OR V-GROOVED CEILING, KILN DRIED STANDARD LENGTHS¹

	Grade B and better	Grade C	Grade D	Grade No. 2	Grade No. 3
Plain end:					
3/16 and 1/4.....	\$49.00	\$46.00	\$34.00	\$29.00	
1/16.....	40.00	38.00	30.00	26.00	

Add \$2.00 for specified lengths.

¹ Standard lengths are 4' to 20' inclusive, and the following percentages of short lengths may be included in all shipments in which the lengths are not specifically restricted:

A and B.....	5%	8 and/or 9-foot.
C.....	5%	6 and/or 7-foot.
D and No. 2.....	5%	8 and/or 9-foot.
	5%	4 and/or 5-foot.
	5%	6 and/or 7-foot.
No. 3 not to exceed.....	5%	8 and/or 9-foot.
	20% 4 and 6 foot.	

TIMBERS, GREEN, ROUGH, S4S OR S2S

	No. 1 common		No. 2 common	
	8' to 16'	18' and 20'	8' to 16'	18' and 20'
3 x 3 to 4 x 4.....	\$32.00	\$36.00	\$29.00	\$33.00
3 x 6 to 6 x 6.....	30.00	34.00	27.00	31.00
3 x 8 to 6 x 8.....	32.00	36.00	28.00	32.00
8 x 8.....	34.00	38.00	30.00	34.00
3 x 10 to 10 x 10.....	35.00	39.00	31.00	35.00
3 x 12 to 12 x 12.....	40.00	44.00	36.00	40.00

Add \$2.00 for shiplap or T&G.
Add \$4.00 for Beveling or Outgauging.
For odd sizes, price at next larger even size.
Odd or fractional lengths, except 5' and 7', shall be counted and priced as next longest even length.

(b) For mixed car or mixed truck shipments, \$2.00 additional per 1,000 feet board measure may be charged. A mixed car shipment consists of three or more items as hereinafter defined, provided at least three items amount to not less than 2,000 board feet each, or at least six items amount to not less than 1,000 board feet each, or at least twelve items amount to not less than 500 board feet each. A mixed truck shipment consists of three or more items as hereinafter defined, provided at least three items amount to not less than 500 board feet each, or at least six items amount to not less than 250 board feet each. An item consists of one width, thickness, or pattern of finish, casing, base, mouldings, partition, ceiling, siding, plain end flooring, and matched flooring, shiplap, boards, strips, dimension, or timbers.

(c) For export sales, an addition of not more than \$3.50 per 1,000 feet board measure may be charged for the services of switching, unloading at the dock, tallying, marking, and dock insurance.

(d) A delivered price in excess of the maximum f. o. b. mill prices set forth in (a) hereof may be charged, consisting of such maximum prices plus actual transportation costs to the extent that such costs are paid by the seller. In computing such actual transportation costs, the parties may adopt the practice of charging a sum equivalent to the one-quarter of a dollar nearest to such actual transportation costs. In addition, they may adopt the estimated average weights of southern pine per thousand feet board measure (worked to standard sizes unless otherwise indicated) as follows:¹

BOARDS AND STRIPS

1 x 2" to 1 x 10" Rough.....	3,200
1 x 12" Rough.....	3,300
1 x 2" to 1 x 10" S1S or S2S 25/32".....	2,500
1 x 12" S1S or S2S 25/32".....	2,600
1 x 2" to 1 x 10" S3S or S4S 25/32".....	2,400
1 x 12" S3S or S4S 25/32".....	2,500
1 x 2" to 1 x 4" D&M.....	1,900
1 x 6" D&M or Shiplap.....	2,200
1 x 8" to 1 x 10" D&M or Shiplap.....	2,300
1 x 12" D&M or Shiplap.....	2,400
For 3/4" dressed boards deduct.....	100
For 5/8" boards, all workings, deduct.....	500
For 11/16" boards, all workings, deduct.....	300
For 13/16" boards, all workings, add.....	100
For resawing, deduct for each cut.....	200
For Ripping, no deduction.....	
For 1 1/4" and 1 1/2", add.....	300

DIMENSION

[2" Dimension, Factory Flooring, and Roof Decking]

2 x 4" to 2 x 12" Rough green.....	4,500
2 x 4" to 2 x 12" green, dressed 1 1/8".....	3,800
2 x 2" to 2 x 8" Rough.....	3,300

¹ The average weights shown are based upon test weights made upon large quantities of each item of southern pine lumber manufactured by the subscribers to the Southern Pine Association, as set forth in 1939 Standard Specifications for Southern Pine Lumber, of the Southern Pine Association, New Orleans, Louisiana, and adopted by the Board of Governors of the Southern Pine Inspection Bureau of the Southern Pine Association on May 28, 1940, as the official grading rules of the Bureau. The figures given refer to dry weight, except where otherwise specified.

DIMENSION—Continued

2 x 10" & 2 x 12" Rough.....	3,400
2 x 2" to 2 x 8" Dressed to 1 1/8".....	2,500
2 x 10" & 2 x 12" Dressed to 1 1/8".....	2,600
For 1 3/4" add.....	400
For D&M, SL & Gr. for splines, deduct.....	200

FLOORING

[Plain End and End Matched]

1 x 3" (For Hollow Back deduct 100 lbs.).....	1,800
1 x 4" (For Hollow Back deduct 100 lbs.).....	1,900

DROP SIDING

1 x 6" (Pat. 116).....	2,000
1 x 8" (Pat. 116).....	2,100
1 x 6" (Pat. 117).....	1,700
1 x 8" (Pat. 117).....	1,800
1 x 6" (other patterns).....	1,800
1 x 8" (other patterns).....	1,900
Bevel and SE Siding from 1".....	1,000
Bevel and SE Siding from 1 1/4".....	1,300

STANDARD BEADED OR V-GROOVED CEILING

11/16".....	1,700
3/4".....	1,800
9/16".....	1,400

TIMBERS

(Heavy Joists, Timbers, etc. [Over 2" thick])	
Rough, green.....	4,500
S4S 1/4" scant, green.....	4,200
S4S 3/8" scant, green.....	4,000
S4S 1/2" scant, green.....	3,800
T&G, SL & Gr. for splines, deduct.....	300

(Executive Order No. 8734)

Issued this 3rd day of September, 1941.
Effective September 5, 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-6629; Filed, September 3, 1941;
4:18 p. m.]

TITLE 45—PUBLIC WELFARE

CHAPTER II—CIVILIAN CONSERVATION CORPS

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

PART 202—SELECTION OF VETERANS' CONTINGENT

CONTINUOUS ENROLLMENTS

AUGUST 25, 1941.

The Director of the Civilian Conservation Corps in letter addressed to the War Department Representative, C.C.C., Adjutant General's Office, under date of July 25, 1941 authorized effective that date substituting continuous enrollment in lieu of periodic enrollment, stating therein:

No change in the procedure for the selection of veteran enrollees is authorized except that they may be selected and enrolled at any time.

In harmony with this authority no change is contemplated in the basic "Instructions Governing the Selection of Veterans to Compose the Veterans Contingent of the Civilian Conservation Corps" released September 7, 1937¹ except as follows:

¹ 2 F.R. 1855.

The first sentence of § 202.6 is modified to read:

§ 202.6 [Paragraph 61 *Certification and notification*—(a) *Certified by regional manager*. Upon receipt of requisition from the office of the Corps Area Commander covering the number of veterans to be selected and enrolled to fill vacancies, the selecting agency will select and certify the appropriate number of veterans for enrollment. The Manager of the selecting agency will then inform the Corps Area Commander through the liaison representative of the number and location of such selectees. Upon receipt of this information the Corps Area Commander will advise the Manager of the selecting agency through the liaison representative of the time and place the veterans are to report, and upon being ordered to report the veteran will be charged to the requisition.

The last sentence of § 202.7 (a) referring to four enrollment periods as amended will be modified as follows:

§ 202.7 [Paragraph 71 *Enrollments, reenrollments, and replacements*—(a) *For period of 6 months*. * * * Enrollment of veterans will be on a continuous rather than a periodic basis.

Reference to enrollment periods in the first sentence of § 202.7 (b) will be eliminated and will read as follows:

(b) *Replacements at any time*. Replacements to fill vacancies may be made through selection and enrollment at any time.

Reference to enrollment periods in § 202.20 (a) [Paragraph 171] will be eliminated and in lieu thereof there will be substituted:

at close of business (date)

The eleven items to be recorded on the report referred to in § 202.20 (b) will be modified as follows:

§ 202.20 [Paragraph 171] *Report of selection and enrollment*. * * *

(b) *Form and substance*.

(2) Replacement requisition received from the Corps Area Commander.

(3) Adjustments in requisitions authorized by the liaison representative.

(4) Replacement requisition as adjusted (Item #2 plus or minus item #3).

(7) Total number of veterans in enrollment status at the close of the month.

(9) Total number of veterans in enrollment status at the close of the month who have made allotments.

(10) Total number of veterans in enrollment status at the close of the month who have not made allotments. (Item #9 plus item #10 should equal item #7.)

(11) Number of pending applications on hand at the close of the month.

This report should be submitted to the liaison representative as promptly as pos-

sible subsequent to the close of business at the end of each month.

Otherwise controlling instructions will prevail, and it is expected that Managers of selecting agencies will cooperate with the Corps Area Commander in making the continuous enrollment program effective.

[SEAL]

FRANK T. HINES,
Administrator.

Concur:

J. W. FRASER,
Asst. War Department Representative C.C.C.

Approved: August 23, 1941.

CHARLES H. TAYLOR,
Asst. Director, Civilian Conservation Corps.

[F. R. Doc. 41-6539; Filed, August 30, 1941;
11:26 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

CHAPTER I—INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 143]

SUBCHAPTER C—CARRIERS BY WATER

PART 310—SETTLEMENT OF RATES AND CHARGES OF COMMON CARRIERS

Sec.

310.1	Relinquishment of freight in advance of payment of charges.
310.2	Extension of credit for 48-hour period.
310.3	Extension of credit for 96-hour period.
310.4	Computation of credit period.
310.5	Presentation of freight bills; mailing.
310.6	Extension of credit for additional charges.
310.7	Extension of credit for demurrage charges.
310.8	Collection of freight charges; mailing.

In the Matter of Rules and Regulations Governing the Settlement of Rates and Charges of Common Carriers by Water

At a Session of the Interstate Commerce Commission, Division Two, held at its office in Washington, D. C., on the 29th day of August, A. D. 1941.

It appearing, That by order dated May 12, 1941 the Commission on its own motion instituted an investigation to determine rules and regulations necessary in the public interest to govern the extension of credit in the settlement of rates and charges for the transportation of property by common carriers of property by water, subject to Part III of the Interstate Commerce Act, and to prevent unjust discrimination and undue prejudice and preference, as provided by Section 318 of that Act;

It further appearing, That by said order all common carriers by water subject to the provisions of the Interstate Commerce Act were ordered on or before June 5, 1941 to show to the Commission in writing any cause or reason why the Commission should not thereafter prescribe the rules and regulations appended to that order as Exhibit A;

And it further appearing, That all matters and things involved in the said

investigation including answers and responses made by various respondents and other interested parties having had the consideration of Division Two, the said division on the date hereof now finds that the rules and regulations to govern the extension of credit in settlement of rates and charges as above described are necessary in the public interest and to prevent unjust discrimination and undue preference or prejudice, and that the rules and regulations appended as Exhibit A to the order dated May 12, 1941 should in certain respects be modified, amended and changed and shall be adopted and prescribed as so amended; and that reasonable, just and nondiscriminatory, nonprejudicial and nonpreferential rules and regulations are and for the future will be those hereinafter set forth;

It is ordered, That the following regulations shall become effective October 5, 1941, and shall continue in effect until further order of the Commission:

§ 310.1 *Relinquishment of freight in advance of payment of charges.* All common carriers of property by water subject to Part III of the Interstate Commerce Act, after having taken precautions deemed by them to be sufficient to assure payment of their freight charges within the credit periods hereinafter specified, such as examination of the credit rating of the person or persons undertaking to pay the freight charges or the obtaining of satisfactory surety bonds, are hereby authorized to relinquish possession of freight at destination or in advance of the payment of the tariff charges lawfully due thereon and to extend credit to those who undertake to pay such charges, as hereinafter authorized.*

* §§ 310.1 to 310.8, inclusive, issued under authority of sec. 318, 54 Stat. 949; 49 U.S.C. 918.

§ 310.2 *Extension of credit for 48-hour period.* Except as otherwise provided in § 310.3, credit may be extended for a period not exceeding 48 hours, computed as provided in § 310.4.*

§ 310.3 *Extension of credit for 96-hour period.* When retention of possession of freight by the carrier until the tariff rates and charges thereon have been paid will retard prompt delivery or will retard prompt release of equipment or terminal facilities of the carrier, credit may be extended for a period not exceeding 96 hours, computed as provided in § 310.4.*

§ 310.4 *Computation of credit period.* (a) When the freight bill is presented to the person or persons undertaking to pay the charges prior to, or at the time of, delivery of the freight, the 48-hour and 96-hour periods of credit shall run from the first 12 o'clock midnight following delivery of the freight.

(b) When the freight bill is presented to the person or persons undertaking to pay the charges subsequent to the time

the freight is delivered, the 48-hour and 96-hour periods of credit shall run from the first 12 o'clock midnight following presentation of the freight bill.

(c) Sundays and legal holidays, other than Saturday half holidays, may be excluded from the computation of the periods of credit.*

§ 310.5 *Presentation of freight bills; mailing.* (a) Except as otherwise provided in paragraph (b) of this section and in §§ 310.6 and 310.7, carriers shall present freight bills for all transportation charges to the person or persons undertaking to pay those charges as promptly as practicable but in every case prior to the second 12 o'clock midnight following delivery of the freight.

(b) When information sufficient to enable the carrier to compute the tariff charges is not available to the carrier at the point where it computes the charges, presentation of the freight bill may be delayed until such information is available. In such cases it shall be the duty of the shipper (or consignee, as the case may be) to present, and of the carrier to obtain, the information as promptly as practicable. If, in any case, the necessary information has not become available to the carrier at the point where it computes the charges within 15 days after delivery of the freight, carrier shall present the freight bill and collect charges based upon the best information in its possession and arrange for correction later when detailed information is furnished.

(c) The person or persons undertaking to pay freight charges may elect to have their freight bills presented by means of the United States mails. When mail service is so used, the time of mailing by the carrier shall be deemed to be the presentation of the bills. In case of dispute as to the time of mailing, the post mark shall be accepted as showing such time.*

§ 310.6 *Extension of credit for additional charges.* Where carrier has relinquished possession of freight and collected the amount of tariff charges represented in a freight bill presented by it as the total amount of such charges and another freight bill for additional charges is thereafter presented to the shipper the carrier may extend credit in the amount of such additional charges for a period of 30 days, to be computed as herein set forth, from the date of the presentation of the subsequently presented freight bill.*

§ 310.7 *Extension of credit for demurrage charges.* Where the amount of demurrage charges is determinable under average agreements made in accordance with tariff provisions the carrier may delay the presentation of bills for such demurrage charges for a period not to exceed 15 days from the expiration of the authorized demurrage period and may extend credit in the amount of the demurrage charges accruing during the demurrage period for 15 days from

the presentation of the bill for such charges.*

§ 310.8 *Collection of freight charges; mailing.* Mailing by the person or persons paying the freight charges of valid checks, drafts, or money orders, which are satisfactory to the carrier, in payment of freight charges within the credit periods allowed, may be deemed to be the collection of the tariff charges within the credit period. In case of dispute as to the time of mailing, the post mark shall be accepted as showing such time.*

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 41-6661; Filed, September 4, 1941; 11:47 a. m.]

PART 315—EXEMPTION OF CONTRACT
CARRIER OPERATIONS

AUGUST 26, 1941.

§ 315.1 *Oilfield equipment, marshlands, Louisiana and Texas.* Contract carriers by water leasing or chartering vessels for the purpose of transporting machinery, materials, supplies, and equipment incidental to, or used in, the construction, development, operation and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, to and from points in the marshland oil fields of Louisiana and Texas, are exempted from the requirements of part III of the Interstate Commerce Act for a period of three years from the 26th day of August 1941. (Sec. 201, 54 Stat. 930; 49 U.S.C., Sup. 902 (e)) Effective September 25, 1941.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 41-6660; Filed, September 4, 1941; 11:46 a. m.]

[Special Series A—No. 3666]

IN THE MATTER OF REGULATIONS FOR
TRANSPORTATION OF EXPLOSIVES AND
OTHER DANGEROUS ARTICLES

REPORT OF THE COMMISSION¹

DECIDED AUGUST 19, 1941.

Application for authority to construct for experimental service in the transportation of 95 percent nitric acid 5 riveted aluminum alloy tank-car tanks granted.

Victor Willoughby for American Car and Foundry Company.

In our orders entered November 14, 1939, and June 7, 1940, we granted upon applications therein considered authority to build and use for experimental rail service in the transportation of ninety-five percent nitric acid a total of five (5) tank cars equipped with riveted

¹ Under the authority of section 17 (2) of the Interstate Commerce Act, the above entitled matter was referred by the Commission to Commissioner Johnson for consideration and disposition.

aluminum alloy tanks, to be constructed and used in accordance with our regulations for transportation of dangerous articles as modified by said reports, including appendix covering A. A. R. requirements.

By application number 2840-A filed with the Association of American Railroads under revised date of March 25, 1941, and transmitted to us July 31, 1941, with the recommendations of the Association's mechanical division and Bureau of Explosives, we are asked to authorize American Car and Foundry Company to construct five (5) additional riveted aluminum alloy tanks of tank cars, of nominal capacity 8,095 gallons, conforming to proposed shipping container specification 103C-AL for tank cars, including A. A. R. appendix attached to and made part of order entered November 14, 1939, cars to be used in experimental service tests in the transportation of ninety-five percent nitric acid. Riveted anchors will be used.

In support of the instant application, applicant submits that two cars of specification 103C-AL type have been constructed, one of which has had service for one year in 16 trips over a total of 24,724 miles, with up to 102,760 pounds of acid per trip. At the second semi-annual inspection the inside of this tank was found to be in excellent condition, with no change in appearance and no corrosion where rivets met the body of the tank. There was no indication of any straining or distortion of, or damage to, tank or joints.

Upon further consideration of the record and in the light of added facts disclosed, construction and use for trial service of five (5) additional tanks of tank cars, to comply with proposed shipping container specification 103C-AL, including A. A. R. appendix, in accordance with the authority granted November 14, 1939, is forthwith authorized for use in the transportation of ninety-five percent nitric acid. Tanks must be constructed and marked in compliance with said proposed specification 103C-AL, and application and drawings filed as an exhibit herein.

In all respects other than as provided for herein the regulations for the transportation of ninety-five percent nitric acid are and shall remain in full force and effect.

Owners or operators of cars shall make semiannual inspections of the tanks authorized herein and report their condition to the same parties as receive reports required by proposed specification 103C-AL.

By the Commission, Commissioner Johnson.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 41-6662; Filed, September 4, 1941; 11:47 a. m.]

Notices

WAR DEPARTMENT.

[Contract No. W 6319 qm-1; O. I. No. 1]

SUMMARY OF FIXED-FEE CONTRACT FOR ARCHITECT-ENGINEER SERVICES

ARCHITECT-ENGINEER: GILL & BENNETT,
GREAT NATIONAL LIFE BUILDING, DALLAS,
TEXAS

Amount fixed fee: \$20,765.

Estimated construction cost (Art. V-2): \$1,673,090.

Type of construction project: Quartermaster Depot.

Location: North Texas.

Type of service: Architect-Engineer.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to, Procurement Authority QM 8278 P L 29-77 A-0540-12 the available balance of which is sufficient to cover the cost of same.

This contract, entered into this 23rd day of June, 1941.

ARTICLE I. Description of the Work. The Architect-Engineer shall perform all the necessary services provided under this contract for the following described project: The Construction of a Quartermaster Depot, including necessary buildings, temporary structures, utilities and appurtenances thereto located at or in the vicinity of North Texas.

ART. III. Data to be furnished by the Government. The Government will furnish the Architect-Engineer essential schedules of preliminary data, layout sketches, and other essential information respecting sites, topography, soil conditions, outside utilities and equipment as may be available for the preparation of preliminary sketches and the development of final drawings and specifications.

ART. V. * * * and estimated cost of construction. The present preliminary estimated construction cost of the project on which the services of this contract are based is approximately one million six hundred seventy-three thousand ninety dollars (\$1,673,090) exclusive of Architect-Engineer's fixed fee.

ART. VI. Fixed-fee and reimbursement of expenditures. In consideration for his undertakings under the contract, the Architect-Engineer shall be paid the following:

a. A fixed fee in the amount of twenty thousand seven hundred sixty-five Dollars (\$20,765.) which shall constitute complete compensation for the Architect-Engineer's services.

b. In addition to the payment of the fixed fee as specified herein, the Architect-Engineer will be reimbursed for such

¹ Approved by the Under Secretary of War June 25, 1941.

of his actual expenditures in the performance of the work as may be approved or ratified by the Contracting Officer.

ART. VIII. Method of payment. Payments of reimbursable cost items and of 90% of the amount of the Architect-Engineer's fee earned shall be made on vouchers approved by the Contracting Officer on standard forms, as soon as practicable after the submission of statements, supported by original certified payrolls, receipted bills for all expenses including materials, supplies and equipment, rentals, and all other supporting data. Upon completion of the project and its final acceptance the Architect-Engineer shall be paid the unpaid balance of any money due the Architect-Engineer hereunder.

ART. IX. Drawings and other data to become property of Government. All drawings, designs and specifications are to become the property of the Government.

ART. XII. Changes in scope of project. The Contracting Officer may, at any time, by a written order, issue additional instructions, require additional work or services, or direct the omission of work or services covered by this contract.

ART. XIII. Termination for cause or for convenience of the Government. The Government may terminate this contract at any time and for any cause by a notice in writing from the Contracting Officer to the Architect-Engineer.

This contract is authorized by the following laws:

Public 611—76th Congress Approved June 13, 1940.

Public 703—76th Congress Approved July 2, 1940.

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

[F. R. Doc. 41-6671; Filed, September 4, 1941; 11:56 a. m.]

[Contract No. W 7033 qm-7; O. I. No. 7]

SUMMARY OF FIXED FEE CONSTRUCTION CONTRACT¹

CONTRACTOR: HARRY B. FRIEDMAN, 1510 WEST 10TH STREET, FORT WORTH, TEXAS

Contract for construction of North Texas Quartermaster Depot.

Location: Dallas—Fort Worth Area.

Fixed fee: \$45,600.

Estimated construction cost exclusive of fixed fee: \$1,627,490.

The 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

¹ Approved by the Under Secretary of War August 7, 1941.

of which are sufficient to cover the cost of the same. QM 23099 CBU & A P 99 A0540-N.

This contract, entered into this 4th day of August, 1941.

ARTICLE I. Statement of work. The constructor shall, in the shortest possible time, furnish the labor, materials, tools, machinery, equipment, facilities, supplies not furnished by the Government, and services, and do all things necessary for the completion of the following work: The construction of a new Quartermaster Depot together with necessary buildings, temporary structures, utilities and appurtenances thereto at Dallas—Fort Worth Area, Texas.

It is estimated that the construction cost of the work covered by this contract will be one million six hundred twenty seven thousand four hundred ninety dollars (\$1,627,490) exclusive of the Constructor's fee.

In consideration for his undertaking under this contract the Constructor shall receive the following:

- (a) Reimbursement for expenditures as provided in Article II.
- (b) Rental for Constructor's equipment as provided in Article II.
- (c) A fixed fee in the amount of forty five thousand six hundred dollars (\$45,600) which shall constitute complete compensation for the Constructor's services, including profit and all general overhead expenses.

The Contracting Officer may at any time, without notice to the sureties, if any, by a written order, issue additional instructions, require additional work or services, or direct the omission of work or services covered by this contract.

The title to all work, completed or in the course of construction, shall be in the Government. Likewise, upon delivery at the site of the work or at an approved storage site and upon inspection and acceptance in writing by the Contracting Officer, title to all materials, tools, machinery, equipment and supplies for which the Constructor shall be entitled to be reimbursed under Article II, shall vest in the Government.

ART. III. Payments—Reimbursement for cost. The Government will currently reimburse the Constructor for expenditures made in accordance with Article II upon certification to and verification by the Contracting Officer of the original of signed payrolls, for labor, the receipted invoices for materials, and such other documents as the Contracting Officer may require. Generally, reimbursement will be made weekly but may be made at more frequent intervals if the conditions so warrant.

Rental for constructor's equipment. Rental as provided in Article II for such construction plant or parts thereof as the Constructor may own and furnish shall be paid monthly upon presentation of proper vouchers.

Payment of the fixed fee. Ninety percent (90%) of the fixed fee set out in

Article I shall be paid as it accrues, in monthly installments based upon the percentage of the completion of the work as determined from estimates submitted to and approved by the Contracting Officer.

Final payment. Upon completion of the work and its final acceptance in writing by the Contracting Officer, the Government shall pay to the Constructor the unpaid balance of the cost of the work determined under Article II hereof, and of the fee.

ART. VI. Termination of contract by Government. The Government may terminate this contract at any time by a notice in writing from the Contracting Officer to the Constructor.

This Contract is authorized by the following law: Public No. 139, 77th Congress, Approved June 30, 1941.

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

[F. R. Doc. 41-6672; Filed, September 4, 1941; 11:56 a. m.]

[Serial No. 4804; 7-17-41]

SUMMARY OF CHANGE ORDER TO CONTRACT FOR SUPPLIES

CONTRACTOR: BEECH AIRCRAFT CORPORATION, WICHITA, KANSAS

Change No. 1¹ to contract No. W 535 ac-19632, dated May 29, 1941; published in FEDERAL REGISTER July 15, 1941.

Subject: Additional Airplanes and Spare Parts.

Affecting: Contract W 535 ac-19632.

Under the provisions of Article 30 of Contract W 535 ac-19632, the Government is granted the right and option at any time on or before * * * to increase the quantity of airplanes called for under the contract by * * * at a unit price of \$ * * * for each additional airplane and is granted the further right and option to increase the quantity of spare parts called for under the contract by an amount not exceeding, in money value, * * * per cent of the total cost of additional airplanes that may be purchased under the terms of the option.

In consideration of the premises and the mutual covenants herein contained, it is mutually understood and agreed by the parties hereto that the contract is hereby amended as set forth hereinbelow:

(1) The lot quantity of Airplanes, * * *, called for under the terms of Contract W 535 ac-19632, is hereby increased from * * * to * * * airplanes, total additional cost, \$11,463,750.00.

(2) The lot quantity of spare parts called for under the terms of Contract W 535 ac-19632 is hereby increased from

¹ Approved by the Under Secretary of War August 2, 1941.

a total money value of not to exceed \$2,867,832.00 to a total maximum cost of not to exceed \$4,014,207.00; total additional cost, \$1,146,375.00.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in and are chargeable to Procurement Authority Debit: AC 32 P 12-30 A 0705-2; Debit: AC 18 P 82-30 A 0705-2, the available balance of which is sufficient to cover cost of same.

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

[F. R. Doc. 41-6673; Filed, September 4, 1941; 11:56 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 1781-FD]

IN THE MATTER OF MATTHEW PHILLIPS,
DEFENDANT

NOTICE OF AND ORDER FOR HEARING

A complaint dated June 25, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, having been duly filed on July 17, 1941, by Bituminous Coal Producers Board for District No. 6, a district board, complainant, with the Bituminous Coal Division alleging willful violation by the defendant of the Bituminous Coal Code or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on October 13, 1941, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Marion County Court House, Fairmont, West Virginia.

It is further ordered, That W. A. Cuff or any other officer or officers of the Bituminous Coal Division designated by the Director thereof for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said defendant and to all other parties herein and to all persons and entities having an interest in such proceeding.

Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given, That answer to the complaint must be filed with the Bituminous Coal Division at its Washington office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the defendant; and that any defendant failing to file an answer within such period, unless the Director or the presiding officer shall otherwise order, shall be deemed to have admitted the allegations of the complaint herein and to have consented to the entry of an appropriate order on the basis of the facts alleged.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging willful violation by the above-named defendant of the Bituminous Coal Code or rules and regulations thereunder as follows: The Bituminous Coal Act of 1937, as amended, the Schedule of Effective Minimum Prices and the Marketing Rules and Regulations incidental to the sale and distribution of coal by code members within all districts by selling, during January and February, 1941, to various consumers from a tippie in Chester, West Virginia, located fourteen miles from said mine and to which the producer trucked said coal,

545.46 net tons of 3" lump coal,
132.93 net tons of 1¼" x 3" egg coal,
44.62 net tons of ⅝" x 1¼" nut and pea coal,
14.97 net tons of run of mine coal,
32.51 net tons of ⅝" slack coal,

produced at said mine at less than the effective minimum prices therefor of

\$2.75 per net ton for 3" lump coal,
\$2.30 per net ton for 1¼" x 3" egg coal,
\$2.20 per net ton for ⅝" x 1¼" nut and pea coal,
\$2.20 per net ton for run of mine coal,
\$1.90 per net ton for ⅝" slack coal,

plus at least the actual cost of transportation from the transportation facilities at said mine to said point of delivery.

Dated: September 2, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-6636; Filed, September 4, 1941;
10:09 a. m.]

[Docket No. A-975]

DISTRICT BOARD NO. 8 REQUESTING REVISION OF THE EFFECTIVE MINIMUM PRICES ESTABLISHED FOR THE COALS PRODUCED AT CERTAIN MINES IN KANAWHA COUNTY, WEST VIRGINIA, SUBDISTRICT NO. 4 IN DISTRICT NO. 8 FOR SHIPMENT BY TRUCK

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said act and the rules of the Division be held on September 29, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Scott A. Dahlquist or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 24, 1941.

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

The matter concerned herewith is in regard to the petition of District Board

No. 8 for revision of the effective minimum prices for shipment by truck of the coals produced at the following mines in Kanawha County, West Virginia, in Sub-district No. 4 in District No. 8:

Mine index No.	Code member	Mine
1395	Barnett, Oral C.....	Barnett.
1396	Blankenship, W. R.....	W. R. Blankenship.
1399	Burgy, Harlan.....	Tuppers Creek-Burgy No. 2. Ellison. Foster.
3253	Fauber, C. W.....	Guthrie.
1404	Foster, J. W.....	O'Connor.
5006	Goff, D. H.....	
1406	Guthrie, A. W.....	
1407	Guthrie & Tate (C. A. Guthrie)	
1409	Haynes, R. J.....	Haynes.
3112	Haynes, Talmadge.....	R. F. Haynes.
1411	Haynes, Willie H.....	Willie H. Haynes.
1410	Haynes, W. H.....	W. H. Haynes.
1419	Holmes, Leon.....	Holmes.
3548	Holmes, Russell.....	Russell Holmes.
2900	Hughes, C. A.....	Walker No. 2.
1418	Rose, G. M.....	Carpenter Honaker.
1420	Sokolow, Mike P.....	Holmes No. 2 Walker.
1421	Taylor, Otis.....	Independent.
1422	Thaxton, Ben.....	Newhouse.
3538	Thaxton, J. R.....	Thaxton.
1423	Thaxton, L. B.....	L. B. Thaxton.
1424	Thaxton, S. M.....	S. M. Thaxton.
3155	Thaxton & Walker (J. A. Thaxton).	Tuppers Creek.
1427	Walker, E. W.....	E. W. Walker.
1428	Whittington, A. E.....	Whittington.
1429	Whittington, Carl.....	Haynes Whittington.
1430	Whittington, L. H.....	Whittington No. 2.
1432	Williams, R. S. (R. S. Williams Coal Co.)	

Dated: September 2, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-6637; Filed, September 4, 1941;
10:09 a. m.]

[Docket No. A-1011]

PETITION OF DISTRICT BOARD NO. 8 REQUESTING REVISION OF THE EFFECTIVE MINIMUM PRICES ESTABLISHED FOR THE COALS PRODUCED AT THE JEANNE ANNE MINE (MINE INDEX NO. 1448) AND THE JEANNE ANNE # 3 MINE (MINE INDEX NO. 616) OF THE WEST VIRGINIA COAL & TRANSPORTATION CO., IN MASON COUNTY, WEST VIRGINIA, KANAWHA SUB-DISTRICT IN DISTRICT NO. 8, FOR SHIPMENT BY TRUCK

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on September 29, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Scott A. Dahlquist or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to

administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 24, 1941.

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

The matter concerned herewith is in regard to the petition of District Board No. 8 for revision of the effective minimum prices for the Jeanne Anne Mine (Mine Index No. 1448) and the Jeanne Anne #3 Mine (Mine Index No. 616) of the West Virginia Coal & Transportation Company, for shipment by truck, from:

S. G.:

1	2	3	4	5	6	7	8
245	225	205	195	180	195	125	120

to: S. G.:

1	2	3	4	5	6	7	8
270	260	205	235	180	195	155	150

Dated: September 2, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-6638; Filed, September 4, 1941; 10:09 a. m.]

[Docket No. A-519]

PETITION OF A. O. LOSH, A CODE MEMBER IN DISTRICT NO. 3, FOR REDUCTION IN THE MINIMUM PRICES ESTABLISHED FOR THE COALS OF MINE INDEX NO. 662 FOR TRUCK SHIPMENT

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed

with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on September 30, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Joseph A. Huston or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before September 25, 1941.

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

The matter concerned herewith is in regard to the petition of A. O. Losh, code member in District No. 3, for reduction in the minimum prices established for the coals of Mine Index No. 662 for truck shipment.

Dated: September 2, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-6639; Filed, September 4, 1941; 10:09 a. m.]

[Docket No. A-887]

PETITION OF DISTRICT BOARD 8 FOR REVISION OF EFFECTIVE MINIMUM PRICES ESTABLISHED FOR COALS PRODUCED FOR TRUCK SHIPMENT BY J. S. STEWART (SAXTON COAL COMPANY), A. W. DENHAM, AND ISHAM SMITH, CODE MEMBER PRODUCERS IN DISTRICT NO. 8, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

NOTICE OF AND ORDER FOR CONTINUANCE

A public hearing in the above-entitled matter having been commenced pursuant to an Order of the Director dated June 6, 1941, before Edward J. Hayes, the duly designated Trial Examiner, on July 9, 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 said hearing be continued, and having shown good cause why said motion should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is continued until September 29, 1941, at 10 a. m. at the place and before the officers heretofore designated.

Dated: September 3, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-6640; Filed, September 4, 1941; 10:10 a. m.]

[Docket No. 1835-FD]

IN THE MATTER OF DEBEVOISE-ANDERSON COMPANY, INC., REGISTERED DISTRIBUTOR, REGISTRATION NO. 2193, RESPONDENT

NOTICE AND ORDER FOR HEARING

1. The Bituminous Coal Division finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act") to determine

(a) whether or not Debevoise-Anderson Company, Inc., Registered Distributor, Registration No. 2193, whose address is 114 Liberty Street, New York, New York, the respondent in the above-entitled matter, has violated any provisions of the Act, the Marketing Rules and Regulations, the Rules and Regulations for Registration of Distributors, and the Distributor's Agreement (the "Agreement") dated April 19, 1940, executed by respondent, pursuant to order of the National Bituminous Coal Commission, dated March 24, 1939, in General Docket No. 12, which was adopted as an order of the Bituminous Coal Division on July 1, 1939, and orders and regulations of the Division; and

(b) whether or not the registration of said distributor should be revoked or suspended or other appropriate penalties should be imposed;

and for said purposes gives notice that the Division has information to the effect that:

2. Respondent during the period from January 10, 1941 to March 27, 1941, both dates inclusive, purchased for resale in carload lot quantities, from the Beccaria Coal Mining Co., code member, approximately 515.35 net tons of mine run coal, Size Group No. 3, produced at said code member's Leland No. 8 Mine, Mine Index No. 273, located in Clearfield County, Pennsylvania, District No. 1, and resold said coal to various of its customers. Respondent accepted and retained discounts of 26 cents per net ton from the effective minimum f. o. b. mine price on approximately 108.25 net tons of said coal purchased and resold by it during the period from January 10, to January 13, 1941, both dates inclusive, and 17 cents per net ton from the effective minimum f. o. b. mine price on approximately 407.10 net tons of said coal purchased and resold by it during the period from March 4 to March 27, 1941, both dates inclusive, which discounts were and are in excess of the maximum allowable discount of 12 cents per net ton from the effective minimum price f. o. b. the mine, as established by Order of the Director, dated June 19, 1940 in General Docket No. 12, all in violation of section 4 II (h) of the Act and paragraph (a) of the Agreement.

3. Respondent during the period from January 10 to March 28, 1941, both dates inclusive, purchased for resale in carload lot quantities, from the Beccaria Coal Mining Co., code member, approximately 316.30 net tons of machine cuttings, produced at said code member's Leland No. 8 Mine, Mine Index No. 273, located in Clearfield County, Pennsylvania, District No. 1 and resold said coal to Dobler Brewing Co., of Albany, N. Y., during the aforesaid period, when at the time of said transactions, no temporary or final price or classification for machine cuttings produced at the aforesaid mine had been established by the Division, and said code member had not filed a petition pursuant to section 4 II (d) of the Act for the establishment of a price or classification for such coal, all in violation of the Order of the Director, dated October 9, 1940 in General Docket No. 19, and paragraph (e) of the Agreement.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of the Rules and Regulations for the Registration of Distributors, to determine whether the registration of said distributor should be revoked or suspended, or other appropriate penalties be imposed, be held on September 29, 1941, at 10 a. m., at a hearing room of the Bituminous Coal Division at the Civil Service Room 203, U. S. Post Office Building, Altoona, Pennsylvania.

It is further ordered, That W. A. Cuff or any other officer or officers of the Bituminous Coal Division designated by the Director thereof for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance,

take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said respondent, and to all other parties herein and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer to the charges alleged herein must be filed with the Bituminous Coal Division at its Washington Office or with any one of the Statistical Bureaus of the Division, within twenty (20) days after date of service thereof on the respondent; and that any respondent failing to file an answer within such period, unless the Director or the presiding officer shall otherwise order, shall be deemed to have admitted the alleged charges and to have consented to the entry of an appropriate order on the basis of the facts alleged.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: September 3, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-6641; Filed, September 4, 1941;
10:10 a. m.]

[Docket No. 1736-FD]

IN THE MATTER OF NORRIS COAL COMPANY,
A PARTNERSHIP, DEFENDANT

ORDER POSTPONING HEARING

Hearing in the above-entitled matter having been scheduled for September 5, 1941, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Circuit Court Room, County Court House, Marion, Illinois, before Charles S. Mitchell, Trial Examiner; and

It appearing to the Director that it is advisable to postpone said hearing to a later date;

It is hereby ordered, That the hearing in the above matter be and the same is hereby postponed to September 18, 1941, at the same time and place and before the same Examiner.

Dated: September 2, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-6642; Filed, September 4, 1941;
10:10 a. m.]

[Docket No. 1738-FD]

IN THE MATTER OF CARTERVILLE COAL COMPANY, PARTNERSHIP, DEFENDANT

ORDER POSTPONING HEARING

Hearing in the above-entitled matter having been scheduled for September 5, 1941, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Circuit Court Room, County Court House, Marion, Illinois, before Charles S. Mitchell, Trial Examiner; and

It appearing to the Director that it is advisable to postpone said hearing to a later date;

It is hereby ordered, That the hearing in the above matter be and the same is hereby postponed to September 18, 1941, at the same time and place and before the same Examiner.

Dated: September 2, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-6643; Filed, September 4, 1941;
10:10 a. m.]

[Docket No. 1763-FD]

IN THE MATTER OF LITTLE JOHN COAL COMPANY, DEFENDANT

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing at 10 o'clock in the forenoon of September 29, 1941, at a hearing room of the Bituminous Coal Division at the County Court House, Galesburg, Illinois; and

It appearing to the Director that the hearing in the above-entitled matter should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of September 29, 1941, until 10 o'clock in the forenoon of October 27, 1941, at the place heretofore designated and before the officers previously designated to preside at said hearing.

Dated: September 3, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-6644; Filed, September 4, 1941;
10:11 a. m.]

[Docket No. A-597]

PETITION OF THE CONSUMERS' COUNSEL DIVISION FOR REDUCTION IN THE LEVEL OF EFFECTIVE MINIMUM PRICES OF COALS IN SIZE GROUPS 6-9, PRODUCED IN DISTRICT 4, FOR SHIPMENT INTO MARKET AREAS 4, 5 AND 7-21, PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER GRANTING CONTINUANCE

This proceeding was instituted by an original petition filed by the Consumers' Counsel Division on January 15, 1941. After several continuances had been granted upon the requests of various parties, the original petitioner on July

29, 1941, filed a Motion to Set Time For Hearing in which it alleged that the interests of consumers in certain market areas were "vitaly and adversely affected by further postponement of this matter." Thereupon an Order was issued scheduling a hearing on September 3, 1941, in Washington, D. C. By a Motion filed August 29, 1941, petitioner requested a continuance of the hearing herein from September 3, 1941, to November 3, 1941, in which it stated that District Board No. 4 has not yet completed the collection of data for reclassification of the coals in District 4 which may be relevant to the issues herein; that through illness and resignation, its legal staff is presently handicapped; and that it is now engaged in the preparation of other hearings before this Division and therefore cannot do certain work which it deems necessary for a proper presentation of the matters involved herein.

The present proceeding has been pending a considerable period of time, and it is highly desirable that some final disposition of these matters be made. However, in view of the allegations contained in the Motion, a continuance for a short period may be justified.

It is therefore ordered, That the hearing heretofore scheduled in the above matter for September 3, 1941, be and it is hereby cancelled.

It is further ordered, That the hearing in the above matter be held at 10 o'clock in the forenoon of October 6, 1941, at the place heretofore designated and before the officers previously designated to preside at the hearing.

It is further ordered, That in the event petitioners fail to proceed at the hearing on October 6, 1941, they shall show cause why this proceeding should not be dismissed without prejudice.

Dated: August 30, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-6645; Filed, September 4, 1941; 10:11 a. m.]

[Docket No. A-359]

PETITION OF DISTRICT NO. 14 FOR THE ESTABLISHMENT OF A SPECIAL MINIMUM PRICE FOR CERTAIN COALS PRODUCED AT CERTAIN MINES IN DISTRICT 14 UPON SALES TO EXCELSIOR PREPARATION PLANT, INC., PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER DISMISSING PETITION

The original petitioner having moved that the proceedings in the above-entitled matter be dismissed, without prejudice, and there having been no opposition thereto;

Now, therefore, it is ordered, That the original petition in the above-entitled matter be dismissed, without prejudice,

and that the proceedings in this docket be closed.

Dated: September 2, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-6646; Filed, September 4, 1941; 10:12 a. m.]

[Docket No. A-360]

PETITION OF DISTRICT BOARD NO. 14 FOR THE ESTABLISHMENT OF ADDITIONAL PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS PRODUCED AT CERTAIN MINES IN SUBDISTRICT NO. 3 OF DISTRICT NO. 14 UPON SALES TO AND BY PARIS COAL WASHERY, INC., PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER DISMISSING PETITION

The original petitioner having moved that the proceedings in the above-entitled matter be dismissed, without prejudice, and there having been no opposition thereto;

Now, therefore, it is ordered, That the original petition in the above-entitled matter be dismissed, without prejudice, and that the proceedings in this docket be closed.

Dated: September 2, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-6647; Filed, September 4, 1941; 10:12 a. m.]

APPLICATIONS FOR REGISTRATION AS DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name and address	Date application filed
Cranberry Improvement Co., 1416 Chestnut St., Philadelphia, Pa.	Aug. 23, 1941
W. O. Gulbranson, 900 Hannah St., Houtzdale, Pa.	Aug. 21, 1941
Indiana Builders Supply Co., 601 Citizens Bank Bldg., Evansville, Ind.	Aug. 22, 1941
Little Coal Co., London, Ky.	Aug. 25, 1941
W. E. Lough, Weston, West Va.	Aug. 26, 1941
McNamara Coal Co., 95 North 9th St., Brooklyn, N. Y.	Aug. 26, 1941
Wm. Sammons and Sons, Gunnison, Colo.	Aug. 25, 1941

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before September 22, 1941. This information should be mailed or presented to the Bituminous

Coal Division, 734 15th Street NW., Washington, D. C.

Dated: September 3, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-6648; Filed, September 4, 1941; 10:13 a. m.]

DEPARTMENT OF AGRICULTURE.

Surplus Marketing Administration.

[Docket No. AO 29-A 3]

NOTICE OF HEARING WITH RESPECT TO A PROPOSAL TO AMEND THE TENTATIVELY APPROVED MARKETING AGREEMENT, AS AMENDED, AND ORDER NO. 12, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE DUBUQUE, IOWA, MARKETING AREA

Notice is hereby given of a hearing to be held in the Court Room of the Federal Building, Dubuque, Iowa, beginning at 10:00 a. m., c. s. t., September 9, 1941, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and Order No. 12, as amended, regulating the handling of milk in the Dubuque, Iowa, marketing area.

This notice is given pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and of the General Regulations, Series A, No. 1, as amended, of the Agricultural Adjustment Administration, United States Department of Agriculture.

This public hearing is for the purpose of receiving evidence on proposed amendments submitted by the Dubuque Co-operative Dairy Marketing Association, Inc., to (1) revise the marketing area by removing therefrom the territory within the corporate limits of the city of East Dubuque; (2) revise the minimum class prices by using the price as fixed in the Evaporated Milk Code plus a premium over, except Class IV milk, which shall be based on Chicago 92-score butter plus 20 percent; (3) require handlers to pay producers for Class I and Class II milk sold in unregulated markets the price as ascertained by the Market Administrator as the going price for milk of equivalent use sold in such markets; (4) change the butterfat standard for pricing milk from 3.8 percent to 3.5 percent; (5) revise the butterfat differential by basing it on Chicago 92-score butter plus 20 percent, decimal to be carried to nearest $\frac{1}{16}$ cent; and (6) include a provision for payments by non-members of a qualified cooperative association; and on proposed amendments submitted by the Market Administrator for the Dubuque, Iowa, marketing area to (7) revise the definition of delivery period to provide for monthly instead of semi-monthly periods; (8) provide for advance pay-

ments on the 20th day of each delivery period of the approximate value of milk delivered during the first 15 days; (9) change the date of announcement of the blended price from the 8th to the 10th day following the end of the delivery period; (10) make corresponding changes in the dates of payment to and from the producer-settlement fund; and (11) clarify the basis for classification of Class II milk.

Copies of the proposed amendments may be obtained from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington, D. C., in Room 0310, South Building, or may be there inspected.

Dated: September 4, 1941.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 41-6667; Filed, September 4, 1941;
11:51 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF CHANGE IN PRESIDING OFFICER AT THE ADMINISTRATOR'S HEARING ON THE MINIMUM WAGE RECOMMENDATION OF INDUSTRY COMMITTEE NO. 28 FOR THE KNITTED AND MEN'S WOVEN UNDERWEAR AND COMMERCIAL KNITTING INDUSTRY

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

Do hereby appoint Mr. Thomas Holland to be Presiding Officer in place of Mr. Henry T. Hunt, at the Administrator's hearing upon the minimum wage recommendation of Industry Committee No. 28 for the Knitted and Men's Woven Underwear and Commercial Knitting Industry. Said hearing will be held on September 15, 1941, as previously announced in the notice of hearing as amended.

Signed at Washington, D. C., this fourth day of September 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-6668; Filed, September 4, 1941;
11:53 a. m.]

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

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

and published in the FEDERAL REGISTER as here stated.

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

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

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

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

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

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

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

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

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

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective September 5, 1941. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

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

Bali Brassiere Company, 8 West 30th Street, New York, N. Y.; Apparel; Brasieres; 5 percent (75% of the applicable hourly minimum wage); March 5, 1942.

Louis M. Bogash, Pocomoke City, Maryland; Apparel; Ladies' & Children's Garments; 20 learners (75% of the applicable hourly minimum wage); April 3, 1942.

Clever Maid Uniform Company, 500 South Peoria Street, Chicago, Illinois; Apparel; Women's Washable Uniforms; 5 learners (75% of the applicable hourly minimum wage); September 5, 1942.

Cornbleet Brothers, 120 South Water Street, Henderson, Kentucky; Apparel; Wash Dresses; 24 learners (75% of the applicable hourly minimum wage); February 20, 1942.

The Eastern Isles Importing Company, Inc., Union & Mechanic Streets, Clinton, Massachusetts; Apparel; Women's Pajamas and Gowns; 10 percent (75% of the applicable hourly minimum wage); September 5, 1942. (This certificate replaces one issued effective October 25, 1940.)

Falcon Waist Company, 621 River Street, Troy, New York; Apparel; Ladies' Blouses; 5 percent (75% of the applicable hourly minimum wage); September 5, 1942.

L. Gidding and Company, Inc., Hamilton Street, Bound Brook, New Jersey; Apparel; Children's Dresses; 5 learners (75% of the applicable hourly minimum wage); September 5, 1942.

Hampden Hat and Cap Company, 224 Worthington Street, Springfield, Massachusetts; Apparel; Caps; 2 learners (75% of the applicable hourly minimum wage); November 28, 1941.

Lady Ester Lingerie Corporation, 10th and Walnut Street, Berwick, Pennsylvania; Apparel; Ladies' Slips, Undergarments & Aprons; 30 learners (75% of the applicable hourly minimum wage); January 23, 1942.

Anthony Primus, 403 North Castle, Baltimore, Maryland; Apparel; Naval Uniforms; 1 learner (75% of the applicable hourly minimum wage); September 5, 1942.

California Artificial Flower Company, 400 Resovior Avenue, Providence, R. I.; Artificial Flowers and Feathers; 90 learners; October 17, 1941.

The Elkton Textile Company, Inc., Elkton, Maryland; Hosiery; Full Fashioned Hosiery; 100 learners; May 5, 1942.

Manard Hosiery Mill, 355 N. York Road, Willow Grove, Pennsylvania; Hosiery; Full Fashioned Hosiery; 1 learner; March 5, 1942.

Slatedale Knitting Mills, Inc., Slatedale, Pennsylvania; Hosiery; Seamless Hosiery; 20 learners; May 5, 1942.

Belle Knitting Corporation, 703 South Elmer Avenue, Sayre, Pennsylvania; Knitted Wear; Knitted Underwear, Commercial Knitting; 50 learners; February 20, 1942.

Girard Knitting Mills, 3225 North Amber Street, Philadelphia, Pennsylvania; Knitted Wear; Shaker and Novelty Sweaters; 5 learners; September 5, 1942.

Westwood Knitting Mill, Inc., 419 East 12th Street, Los Angeles, California; Knitted Wear; Knitted Outerwear; 2 learners; January 6, 1942.

Bartow Textile Company, Cartersville, Georgia; Textile; Chenille Bedspreads; 100 learners; February 20, 1942.

Lawtex Corporation, Gaston Street, Dalton, Georgia; Textile; Bedspreads; 20 learners; January 2, 1942.

Opp Cotton Mills, Opp, Alabama; Textile; Cotton Yarns and Cotton Cloth; 3 percent; September 5, 1942.

Pelzer Mills, Pelzer, South Carolina; Textile; Cotton, Rayon, Wool; 3 percent; September 5, 1942.

Sellers Manufacturing Company, Saxapahaw, North Carolina; Textile; Cotton Yarns; 24 learners; December 5, 1941.

Worcester Braiding Company, 161 Summer Street, Worcester, Massachusetts; Textile; Braids; 6 learners; March 10, 1942.

Signed at Washington, D. C., this 4th day of September 1941.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-6669; Filed, September 4, 1941;
11:53 a. m.]

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

Notice is hereby given that special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder. (August 16, 1940, 5 F.R. 2862) to the employers listed below effective September 5, 1941.

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

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

H. Sperber and Son, 124 N. 15th Street, Philadelphia, Pennsylvania; Bias bindings; 5 learners; 6 weeks for any one learner; 30 cents per hour; Calendar and folding machine operator, Biasing and rolling machine operator, Sewing machine operator; December 12, 1941.

Signed at Washington, D. C., this 4th day of September 1941.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-6670; Filed, September 4, 1941; 11:53 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-200, G-207]

CITY OF DETROIT, MICHIGAN, AND COUNTY OF WAYNE, MICHIGAN, v. PANHANDLE EASTERN PIPELINE COMPANY AND MICHIGAN GAS TRANSMISSION CORPORATION; AND IN THE MATTER OF PANHANDLE EASTERN PIPE LINE COMPANY AND MICHIGAN GAS TRANSMISSION CORPORATION

ORDER CONSOLIDATING PROCEEDINGS FOR PURPOSES OF HEARING

SEPTEMBER 2, 1941.

It appearing to the Commission that:

(a) By order of June 10, 1941, the Commission fixed the date of hearing in the above-entitled proceeding at Docket No. G-200 for July 15, 1941, and hearing

No. 173—3

thereon was held on July 15, 16, and 18 and was adjourned to reconvene on September 2, 1941;

(b) The proceedings in the above-entitled matters at Docket No. G-200 and Docket No. G-207 involve similar issues and facts:

The Commission orders that:

(A) A public hearing in the proceeding at Docket No. G-207 be held commencing on September 2, 1941, at 9:45 a. m. (E. S. T.), at 1800 Pennsylvania Avenue, N.W., in the City of Washington, D. C.;

(B) The proceedings in the above-entitled matters at Docket No. G-200 and Docket No. G-207 be and they are hereby consolidated for the purposes of hearing thereon.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-6627; Filed, September 3, 1941; 3:15 p. m.]

[Docket Nos. ID-91, ID-518, ID-506]

IN THE MATTER OF R. B. MACDONALD, H. E. LITTEG, AND GEORGE G. KUHN

ORDER CANCELLING HEARING AND TERMINATING PROCEEDINGS

SEPTEMBER 2, 1941.

It appearing to the Commission that:

(a) On June 24, 1941, the Commission adopted an order fixing July 28, 1941, as the date of hearing on the applications filed by the above-named applicants, pursuant to section 305 (b) of the Federal Power Act, for authorization to hold certain interlocking positions within the purview of said section 305 (b);

(b) Thereafter, on July 24, July 31 and August 9, 1941, the Commission adopted orders postponing the date of hearing in the above matters, the last of these orders postponing the hearing until further order of the Commission;

(c) On August 11, 1941, each of the above-named applicants filed with the Commission Supplemental Information, notifying the Commission that they had resigned from certain positions and that applicants, R. B. MacDonald and H. E. Littig, no longer held positions within the purview of section 305 (b).

The Commission orders that: The proceedings herein initiated by the Commission's order of June 24, 1941, be and they are hereby terminated, and the hearing set herein to be held July 28, 1941, and subsequently postponed until further order of the Commission, be and it is hereby cancelled.

By the Commission

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-6631; Filed, September 4, 1941; 9:31 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-370]

IN THE MATTER OF NORTHERN STATES POWER COMPANY (MINNESOTA)

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3rd day of September, A. D. 1941.

The above-named party, a Minnesota corporation and a registered holding company, having filed an application and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly Section 10 thereunder regarding the proposed acquisition from F. O. Hillman, doing business individually as the "Green Lake Light and Power Company" for the cash consideration of \$18,000 of the electric transmission and distribution systems now owned by said Hillman and used in serving the Village of Spicer, Minnesota, the inhabitants thereof, the unincorporated community of Green Lake and the adjacent territory, including meters and all appurtenances used in connection with said system owned by him, lists of electric customers and all his rights and interests in and to the electric business owned and operated as the Green Lake Light and Power Company, excepting and excluding, however, the dam, mill, flowage and other rights now owned or used by him in the operation of his plant located on the west shore of Green Lake; and

Said application having been filed on August 1, 1941 and an amendment thereto having been filed on August 22, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect thereto within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

Said party having requested that the effective date of said application, as amended, be advanced; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application, as amended, pursuant to section 10 of said Act, and finding with respect thereto that no adverse findings are necessary under section 10 (b) and section 10 (c) (1) of said Act, and that the transaction involved has the tendency required by section 10 (c) (2) of said Act; and

The Commission being satisfied that the date of granting said application, as amended, should be advanced;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application, as amended, be

and the same hereby is granted, forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-6658; Filed, September 4, 1941; 11:28 a. m.]

[File No. 70-891]

IN THE MATTER OF THE NORTH AMERICAN COMPANY

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3d day of September, A. D. 1941.

The North American Company, a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (d) thereof and Rule U-44 thereunder regarding a proposed distribution on or about October 1, 1941, in payment of a dividend on its common stock, of not more than 155,000 shares of the Capital Stock of The Detroit Edison Company; and

Said declaration having been filed on August 27, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 under said Act, and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and The North American Company having requested that said declaration as filed become effective forthwith; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective pursuant to said section 12 (d) and said Rule U-44, and being satisfied that the effective date of said declaration should be advanced;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions

of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-6659; Filed, September 4, 1941; 11:28 a. m.]

UNITED STATES CIVIL SERVICE COMMISSION.

CONDITION OF THE APPORTIONMENT AT CLOSE OF BUSINESS SATURDAY, AUGUST 30, 1941

Important. Although the apportioned classified Civil Service is by law located only in Washington, D. C., it nevertheless includes only about half of the Federal Civilian positions in the District of Columbia. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service Act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment, a position in the apportioned service, the charge for his appointment continues to run against his State of original residence. Certifications of eligibles are first made from states which are in arrears.

State	Number of positions to which entitled	Number of positions occupied
IN ARREARS		
1. Puerto Rico.....	1,004	48
2. Virgin Islands.....	13	1
3. Hawaii.....	227	21
4. Alaska.....	39	12
5. California.....	3,711	1,263
6. Louisiana.....	1,270	596
7. Michigan.....	2,824	1,384
8. Texas.....	3,447	1,730
9. Arizona.....	268	148
10. South Carolina.....	1,021	614
11. Kentucky.....	1,429	926
12. Georgia.....	1,678	1,032
13. Mississippi.....	1,173	745
14. Alabama.....	1,522	985

State	Number of positions to which entitled	Number of positions occupied
IN ARREARS—Continued		
15. New Mexico.....	286	180
16. North Carolina.....	1,919	1,311
17. Ohio.....	3,711	2,542
18. Arkansas.....	1,047	742
19. New Jersey.....	2,235	1,619
20. Nevada.....	59	44
21. Tennessee.....	1,567	1,254
22. Florida.....	1,019	831
23. Indiana.....	1,842	1,602
24. Illinois.....	4,243	3,774
25. Oregon.....	586	542
26. Wisconsin.....	1,686	1,586
27. Idaho.....	282	296
28. Delaware.....	143	183
29. Vermont.....	193	258
30. New Hampshire.....	294	288
31. Pennsylvania.....	5,319	5,230
32. Connecticut.....	918	903
33. Maine.....	455	450
34. Massachusetts.....	2,319	2,312

IN EXCESS		
35. West Virginia.....	1,022	1,025
36. Oklahoma.....	1,255	1,275
37. Rhode Island.....	383	400
38. Washington.....	933	977
39. Wyoming.....	135	142
40. Missouri.....	2,033	2,172
41. Iowa.....	1,364	1,503
42. Minnesota.....	1,500	1,654
43. Utah.....	296	341
44. Colorado.....	604	711
45. New York.....	7,242	8,738
46. Montana.....	301	402
47. North Dakota.....	345	471
48. Kansas.....	968	1,347
49. South Dakota.....	346	491
50. Virginia.....	1,439	2,284
51. Nebraska.....	707	1,210
52. Maryland.....	979	2,457
53. District of Columbia.....	356	9,153

GAINS	
By Appointment.....	884
By Transfer.....	32
By Reinstatement.....	1
Total.....	917
LOSSES	
By Separation.....	118
By Transfer.....	69
Total.....	187
Total Appointments.....	72,027

NOTE.—Number of employees occupying apportioned positions who are excluded from the apportionment figures under Sec. 3, Rule VII, and the Attorney General's Opinion of August 25, 1934, 19,049.

By direction of the Commission:

[SEAL] L. A. MOYER,
Executive Director
and Chief Examiner.

[F. R. Doc. 41-6630; Filed, September 4, 1941; 9:14 a. m.]